

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 25th March 2014
 Planning Application Report of the Planning and Development Manager**

Application address: 29 Winn Road			
Proposed development: Redevelopment of the site. Demolition of the existing building and erection of a 5-storey building to provide 10 flats (2 x one-bedroom, 7 x two-bedroom and 1 x 3-bedroom) with associated parking, access and landscaping.			
Application number	13/01976/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	15 minutes
Last date for determination:	24.03.2014	Ward	Portswood
Reason for Panel Referral:	Major planning application subject to objection	Ward Councillors	Cllr Matthew Claisse Cllr Linda Norris Cllr Adrian Vinson

Applicant: Saxon Weald Homes Ltd	Agent: Intelligent Land
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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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Community Infrastructure Levy Liable	Yes
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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. The proposed scheme is judged to provide a good design which is in keeping with the general building heights in its immediate character and context, which will contribute to the city's housing need and balance of households in the community by making efficient and effective use of previously developed land, whilst safeguarding the amenity of the neighbouring occupiers. Other material considerations 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 planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

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, CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

1. 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 transport contributions for highway improvements in the vicinity of the site, including the provision of pedestrian facilities to aid road crossing in the near vicinity of the site which will also operate as a traffic calming measure, and Traffic Regulation Order to facilitate pedestrian crossing, 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 SPD relating to Planning Obligations (September 2013);
- ii. 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 SPD relating to Planning Obligations (September 2013).
- iii. 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.
- iv. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).

In the event that the legal agreement is not completed by 1st June 2014 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 add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1.0 The site and its context

1.1 The application site is located within the ward of Portswood, on the north side of Winn Road. The street scene is now mainly characterised by modern flatted blocks set back from the road with landscaped frontages and parking to the rear. The current character has evolved since the 1960's with the redevelopment of a number of former Victorian villas. The application site is one of the few remaining such villa style properties. Within the immediate context of this section of Winn Road are the 5 storey building 'Brookvale Court' (flats), 4 storey building 'Pinehurst' (flats), and the 2 storey building Westwood Park (nursery). The site adjoins the mainly 2 storey dwellings along Blenheim Avenue, marking the boundary of the Oakmount Triangle Conservation Area, with a back to back separation distance of 45m between the existing building and rear of 48 and 50 Blenheim Avenue.

1.2 This application site contains a large 2 storey Victorian villa, with a 2 storey rear extension recessed in height. Following a site visit at preapplication stage, it was confirmed with the applicant that the property has been subdivided into 9 bedsits and 1 self contained flat.

2.0 Proposal

2.1 It is proposed to redevelop the existing vacant property into a 5-storey building to provide 10 flats (2 x one-bedroom, 7 x two-bedroom and 1 x 3-bedroom) with associated parking, access and landscaping. This includes a 3 bedroom family unit on the ground floor with sole access to its own amenity space.

2.2 Since the original submission, amended plans have been accepted following discussions with the applicant to safeguard the privacy of the adjoining properties by installing adequate privacy screens of the rear and side facing balconies, setting back the car park 1.6m from the rear boundary providing space for vegetation screen, and improving the internal and external layout of the residential environment for future occupiers. These changes are considered to be an improvement of the original scheme with no further material harm to the amenity of the neighbouring occupiers or the visual character of the street scene and, therefore, not obligatory to notify the adjoining landowners about the amended plans.

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 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

3.4 Saved policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.

3.5 Policy CS5 of the Core Strategy acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.

- 3.6 Policy CS16 of the Core Strategy requires the retention of family homes. A family home built as a flat should have direct access to a minimum of 20sqm of useable and private amenity space, where the garden is for sole use of the household. The private amenity space or garden should be fit for purpose.
- 3.7 Policy CS19 of the Core Strategy (Car and Cycle Parking) of the Core Strategy sets out the Council's approach to car and cycle parking standards for new developments in the city, as supported by the guidance and standards set out in section 4.2 of the Parking Standards Supplementary Planning Document (formally adopted September 2012).

4.0 Relevant Planning History

- 4.1 There is no recent planning history.

On 11.10.1948 planning permission was granted for 'the use of guest house for housing of elderly women by Church Army Housing Ltd'

Other than the erection of conservatory and tool shed at rear of the property approved in November 1969 there are no other planning records for the site.

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 undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (10.01.2014) and erecting a site notice (03.01.2014). At the time of writing the report **14** representations have been received from surrounding residents, including 2 Ward Councillors. The following is a summary of the points raised:

5.1.2 Comment

The 5 storey height of the building is out of context with the character of the street scene in terms of existing building heights, and will affect the character of the Oakmount Triangle Conservation Area including Blenheim Avenue and Oakmount Avenue. There is a ruling that buildings should be no more than 4 storeys. The building height may be increased by the solar panels, and the air source heat pumps and associated plant will have a visual impact.

Response

There is no policy requirement setting out the required height of the building, which should be assessed on its own merits according to the character and context of the local area. The building reflects existing building heights within the immediate context, and is not taller than 5 storey building Brookvale Court. In order to reduce the massing of the proposed building, set-backs have been introduced at 4th and 5th storey to minimise its visual dominance in the street scene. The proposed building height will not further materially affect the character of the Conservation Area to the rear given it will be no taller than the adjoining building Brookvale Court. The solar panels will be tilted at low angle above the flat roof and be mostly screened by a parapet wall, therefore, will not be highly visible from the street scene. The air source heat pumps will be installed on the east elevation adjacent to the boundary to minimise their visibility from the street scene.

5.1.3 Comment

Loss of privacy, light, and outlook to neighbouring Pinehurst flats due to being on the orientation, protrusion of terraces, and overlooking from side windows.

Response

Although the rear terraces project beyond the main building footprint, it is considered that the set back of the structure from the common boundary will ensure that the neighbouring amenity in terms of light and outlook is not harmed. The kitchen is obscure glazed and will look directly onto the side boundary treatment and, therefore, will not adversely affect the neighbour's privacy.

5.1.4 Comment

There is insufficient off street parking provided which should be 1 for each flat which will cause further congestion with the adjoining Nursery School, and pressure on on-street parking.

Response

There are 11 spaces for 10 flats, where a parking permit will not be available for future occupiers minimising further pressure to on-street parking in Winn Road. The parking standards are maximum level and therefore do not require a minimum number of spaces to be provided. The Highway Officer has raised no objection to the level of on site parking provided.

5.1.5 Comment

Loss of light, outlook, television signal, and privacy to neighbouring properties along Blenheim Avenue, where there should be no rear balconies. Light nuisance and noise disturbance will be caused from car park and lighting to the rear garden of these properties. The opening of the side access will make rear boundary wall of these properties less secure and prone to burglaries.

Response

This is not an uncommon arrangement for existing flatted developments in Winn Road backing onto properties along Blenheim Avenue, in relation to the 5 storey height, rear car park, television signal, and open side access. In comparison the massing of this building is much less compared to the 5 storey building Brookvale Court given the 4th and 5th floor recessing and size of its footprint. The proposed building will project 3.5m closer than the footprint of the existing property, whilst the building massing significantly steps in at 4th and 5th storey, and the 44m back to back separation distance to 48 and 50 Blenheim Avenue is adequate to prevent adverse shading, loss of outlook, or loss of privacy from the rear balconies. The agreed set back of the car park will allow for a planting screen along the common boundary to further minimise the disturbance from the car park and overlooking from the balconies. The level of luminance and positioning of lighting can be controlled by condition to ensure that the light spill does not adversely affect the neighbours.

5.1.6 Comment

Loss of privacy to the garden of the Nursery from the rear balconies. There will also be noise disturbance to future occupiers of the flats from the children's playground.

Response

It has been agreed to architecturally design the balconies to shield the nursery

playground from direct overlooking. Furthermore, the level of overlooking between the adjoining site is heavily screened by mature vegetation. The noise disturbance from the children's playground already affects the existing residential property and other adjoining residential properties and, therefore, it is not necessary to mitigate this through acoustic treatment of the building.

5.1.7 Comment

Poor design and is different to the style of the other buildings in Winn Road and Blenheim Avenue.

Response

The architectural style of the modern flatted blocks within the streetscene is varied and adds to the visual character of the street. The more important factors are appropriate height, form and quality of finish. Buildings do not necessarily have to be a pastiche of earlier architecture and modern design using more sustainable materials can successfully integrate and enhance a street. Winn Road has its own distinct character which is a spatially and visually different and separate to the context of the buildings in the Oakmount Triangle Conservation Area.

5.1.8 Comment

Noise disturbance to neighbours from barrier alarm and air source heat pumps.

Response

The noise levels emitted can be controlled by condition to ensure that sound proofing measures to minimise noise disturbance.

5.1.9 Comment

The flats have insufficient private amenity space.

Response

The ground floor flats will sole access to their own private amenity space, as well the upper flats having access to sufficient external private balcony areas.

5.1.10 Comment

Loss of social housing stock needed for low income persons provided by the Council as the property was bequeathed as a HMO, and also contrary to covenant to retain as HMO. The area is becoming a middle class ghetto and the loss of the HMO is contrary to Council's policy to create mixed and balanced communities.

Response

The covenant is not a material planning consideration and is not enforced by planning regulations. Policy CS16 (Housing Mix) encourages a balanced and mixed community through providing a mix of households, however, the policy does not prescribe the socio economic groups of people that the housing should be catered for. There is a high availability of HMO housing stock in the city (9%) and affordable housing being provided elsewhere by the Council. The loss of the HMO will not unbalance the mix of households in the local area, as it will be providing a 3 bedroom family unit and smaller units which will help meet the city's housing need.

5.1.11 Comment

The existing building should be retained as it is a valuable asset to the local area and city due to its historic significance being last of the few remaining Edwardian villas, and similar to the residence of former captain of RMS Titanic, an opposite building which was demolished.

Response

The building does not have listed status and therefore there is no policy to support the retention of the building.

5.1.13 Comment

The loss of the rear garden and additional lighting will detrimentally affect the green corridor for wildlife migrating to the Common and disturb habitats.

Response

The Ecology Officer has raised no concern with this issue. The probability of the property supporting bat roosts is low.

5.1.14 Comment

Potential for surface water flooding due to loss of soft landscaping.

Response

Adequate surface water drainage measures would be approved at Building Regulations stage. Southern Water and Environment Agency have raised no objection.

Consultation Responses

5.2 **SCC Highways** - No objection.

5.3 **SCC Housing** – No objection.

5.4 **SCC Sustainability Team** – No objection.

5.6 **SCC Environmental Health (Pollution & Safety)** - No objection.

5.8 **SCC Environmental Health (Contaminated Land)** - No objection, subject to carrying out contaminated land risk survey as Council records show historically there was a Sub-Station onsite. These land uses are associated with potential land contamination hazards.

5.9 **SCC Ecology** – No objection. The probability of the property supporting bat roosts is low, however, emergence surveys must be carried out prior to any demolition works to any necessary bat habitat mitigation to be carried out prior to development.

5.10 **SCC Tree team** – No objection. The small groups of trees to be removed are of limited amenity value and should be mitigated with replacement planting.

5.11 **Environment Agency** – No objection.

5.12 **Southern Water** – No objection.

6.0 Planning Consideration Key Issues

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

- Principle of development
- Design, Scale, and Appearance
- Living conditions of existing and future occupiers
- Highway Safety

6.2 Principle of Development

6.2.1 In principle, the redevelopment of the site for further residential use is acceptable. This is subject to the development being assessed against other material considerations as set out below.

6.3 Design, Scale, and Appearance

6.3.1 There is no policy requirement setting out the required height of the building. Building heights as well as scale, massing and layout should be assessed according to the character and context of the local area. The proposed building is in keeping with general building heights within the immediate context, and no taller than 5 storey building Brookvale Court. The setting back of the 4th and 5th storeys reduces its visual dominance in the street scene.

6.3.2 The proposed building height will not have a significant affect on the setting or character of the Conservation Area. The building is no taller than the adjacent building Brookvale Court and views of it from Blenheim Avenue are long distance between buildings and through vegetation. Additionally, the architectural style responds to the Winn Road frontage which has a spatially and visually different context to the buildings in the Oakmount Triangle Conservation Area.

6.3.3 The solar panels will be tilted at low angle above the flat roof and be mostly screened by a parapet wall and, therefore, will not be highly visible from the street scene. The air source heat pumps will be installed on the east elevation at low level adjacent to the boundary to minimise their visibility from the street scene.

6.3.4 As such the character of the local area has not been compromised by increasing the density of the site and the building height, whilst achieving good design in a street characterised by a mix modern styles.

6.4 Living conditions of existing and future occupiers

6.4.1 Although the rear terraces project beyond the main building footprint, it is considered that the level of set back of the structural frame from the common boundary affecting the habitable areas of Pinehurst will ensure that the neighbouring amenity in terms of light and outlook are not harmed. The kitchen is obscure glazed and will look directly onto the side boundary treatment and, therefore, will not adversely affect the neighbour's privacy.

6.4.2 The proposed development is not an uncommon arrangement in relation to existing flatted developments in Winn Road backing onto properties along

Blenheim Avenue, with regards to rear car parking, television signal, and open side access in terms of security. In comparison the massing of this building is much less compared to the 5 storey building Brookvale Court given the 4th and 5th floor recessing and size of its footprint. The proposed building will project 3.5m closer than the footprint of the existing main property, whilst the building massing significantly steps in at 4th and 5th storey, and the 44m back to back separation distance between 48 and 50 Blenheim Avenue is adequate to prevent adverse shading, loss of outlook, or loss of privacy from overlooking of the rear balconies. The agreed set back of the car park will allow for a planting screen along the common boundary to further minimise the disturbance from the car park and overlooking from the balconies. The level of luminance and positioning of lighting can be controlled by condition to ensure that the light spill does not adversely affect the neighbours. The means of enclosure to the rear boundary will be agreed to ensure that the boundary is secured.

- 6.4.3 The proposed rear balconies will sit at a higher vantage point than the existing building and closer to the common boundary of the Nursery, with a 3.5m gap, however, it has been agreed to install privacy screens projecting 1.5m from the end of the balconies to shield the nursery playground from direct overlooking. Furthermore, the level of overlooking between the adjoining site is heavily screened by mature vegetation in the control of the Nursery owners to maintain. Glass brick wall screens with an obscured texture will be installed on the side facing terraces at 1.8m above the internal floor level, which ensure that direct overlooking of the side windows of the Nursery is fully mitigated.
- 6.4.4 The level of noise emitted from proposed barrier alarm and air source heat pumps can be controlled by condition to ensure that adequate sound proofing measures are put in place to minimise noise disturbance to local residents.
- 6.4.5 There is no policy requirement to safeguard the retention of HMOs or social housing, notwithstanding that it is recognised there is high demand for this type housing stock in the city for low income households. The layout of the residential environment for the flats is considered to create an acceptable living environment for future occupiers. The 3 bedroom family unit will meet the CS16 policy requirements in term of access to its own private amenity space, the other ground floor flat will take full ownership of the front private amenity space, and the upper floor flats have access to sufficient external private balcony areas. Minor changes to the internal layout of the flats have been agreed to improve the privacy of the occupiers at ground floor level fronting the vehicle access, and access to light and outlook from the side terraces.
- 6.4.6 As such, it has been demonstrated that the amenity of the neighbouring occupiers will be fully safeguarded, and controlled by the use of appropriate conditions.

6.5 Highway Safety

- 6.5.1 There will be 11 parking spaces for 10 flats, where a parking permit will not be available for future occupiers minimising further pressure to on-street parking in Winn Road. The parking standards are maximum level and therefore do not require a minimum number of spaces to be provided. The Highway Officer has raised no objection to the level of on site parking provided.

6.5.2 Financial contributions will sought towards site specific transport highway improvements in the vicinity of the site, including the provision of pedestrian facilities to aid road crossing in the near vicinity of the site which will also operate as a traffic calming measure, and Traffic Regulation Order to facilitate pedestrian crossing,

7.0 Summary

7.1 In summary, the proposed scheme is judged to provide a good design which is in keeping with the general building heights in its immediate character and context, which will contribute to the city's housing need and balance of households in the community by making efficient and effective use of previously developed land, whilst safeguarding the amenity of the neighbouring occupiers.

8.0 Conclusion

8.1 In conclusion, the proposed scheme is considered to have an acceptable impact and therefore is 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), (d) 6 (c), 7 (a), 9 (a) and (b)

SB for 25/03/14 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 - Window specification limitations [Performance Condition]

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (as amended), or any Order revoking or re-enacting that Order, in relation to the development hereby permitted, all kitchen window at ground floor level on the north east elevation shall be top-opening and fitted with obscure glass, and the lobby windows on the north east elevation shall be obscured glazed. The windows shall be retained in this manner for the duration of use of the building for residential occupation.

Reason:

To protect the amenity and privacy of the adjoining property.

04. APPROVAL CONDITION - Privacy screens (Prior to occupation)

Prior to first commencement of the development hereby approved, details of the balcony and privacy screens shall be submitted to and agreed in writing by the Local Planning Authority. The privacy screens shall thereafter be installed as agreed and retained in this manner for the duration of use of the building for residential occupation.

Reason:

To protect the amenity and privacy of the adjoining property.

05. APPROVAL CONDITION - Code for Sustainable Homes [Performance Condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, shall be submitted to the Local Planning Authority for its approval.

REASON:

To ensure the development has minimised 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).

06. APPROVAL CONDITION - Landscaping [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed hard and soft landscaping scheme and implementation timetable shall be submitted, which includes hard surfacing materials; 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; a landscape management scheme.

The landscaping scheme will also consist of a suitable screen to the rear boundary adjoining Blenheim Avenue in between the car parking, which shall be planted prior to first occupation of the development hereby approved.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

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

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

Reason:

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

08. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]

The development hereby permitted shall be built in accordance with the Astill Treecare Ltd Arboricultural Report ref: ATC/TS/AIA/AMS/2013/260 and will be adhered to throughout the duration of the demolition and development works on site.

Reason

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

09. APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local

Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

10. APPROVAL CONDITION - replacement trees [Performance Condition]

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

11. APPROVAL CONDITION - 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.

12. APPROVAL CONDITION - Lighting [Pre-Commencement Condition]

The details of external lighting shall be agreed in writing with the Local Planning Authority prior to first occupation of the development hereby approved, including the light scatter diagram with relevant contours, design, luminance and positioning of lights. The development shall thereafter be implemented and retained in accordance with the agreed details.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

13. APPROVAL CONDITION – Means of enclosure [Pre-Occupation Condition]

Before occupation of the development hereby approved, details of the design and specifications of the means of enclosure including 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 means of enclosure 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.

14. 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.

15. 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.

16. 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.

17. 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 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.

18. 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 in accordance with the plan number 13-818-101C for 11 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.

19. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. The measures shall include arrangements for vehicle parking by site operatives during construction. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

20. 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.

21. APPROVAL CONDITION - Cycle parking [Pre-Occupation Condition]

Notwithstanding the approved plans, prior to the first occupation of the development details and plans of the secure bicycle parking system shall be submitted to and approved in writing by the Local Planning Authority. The bicycle compound shall provide for a minimum of 10 bicycles. The development shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason:

To accord with sustainable transport policy aimed at providing a choice of travel mode available for the staff of the premises by enabling adequate provision of a facility which is likely to reduce the amount of vehicular traffic on existing roads.

22. APPROVAL CONDITION - Refuse storage (pre-commencement)

Prior to the first occupation of the use hereby approved details (and amended plans) of facilities to be provided for the storage, removal and recycling of refuse from the premises shall be submitted to the Local Planning Authority and approved in writing. Such facilities as approved shall provide for a level approach, including a fob type locking system shall be used for the door access system and 6 spare fobs will be supplied to SCC refuse team, and be permanently maintained and retained for that purpose.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

23. 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.

24. APPROVAL CONDITION - Sightlines specification [Pre-Commencement Condition]

Sight lines shown on the Approved drawing of 2m by 2m measured at the back of footway shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

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

25. 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.

26. APPROVAL CONDITION - Ecological Survey (by exception) [Pre-Commencement Condition]

Prior to development taking place, including site clearance and demolition, the details and scope of an ecological survey, which shall include a wildlife mitigation statement incorporating appropriate protected species survey, ecological impact assessment, and proposals for wildlife mitigation and enhancement, shall be agreed in writing with the Local Planning Authority.

Before any works start on site the agreed survey shall be carried out on the site by a suitably qualified individual/organisation, at the expense of the developer and the results of that survey shall be evaluated in the context of the importance of the site and any associated species found.

At least 21 days before works start on site (or as otherwise agreed in writing by the Local Planning Authority) the survey findings and evaluation shall be made available to the Local Planning Authority.

If presence is confirmed the agreed appropriate mitigation and compensation measures shall then be undertaken to ensure that the proposed development does not reduce the ecological interest of the site and these measures shall be agreed in writing with the Local Planning Authority. If protected species are found, the advice of Natural England shall be sought and taken into account and adhered to.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity as the site is potentially of ecological interest.

27. 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
CS15	Affordable Housing
CS19	Car and Cycle parking
CS20	Sustainability
CS21	Open Space
CS25	Obligations

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety and Security
SDP12	Landscaping
H1	Housing supply
H2	Previously developed land
H7	Residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)
Developers Contributions SPD (April 2013)

Other Relevant Guidance

The National Planning Policy Framework 2012
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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