

**Planning and Rights of Way Panel 2<sup>nd</sup> August 2022**  
**Planning Application Report of the Head of Green City & Infrastructure**

<b>Application address:</b> Land adjacent 187 - 195 and 207 - 234 Kingsclere Avenue, Southampton			
<b>Proposed development:</b> Change of use of open space and verge to 22 parking spaces facilitated by Grassblock paving (departure from local plan)			
<b>Application number:</b>	22/00721/R3CFL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Rob Sims	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	28.06.2022	<b>Ward:</b>	Woolston
<b>Reason for Panel Referral:</b>	Departure from the Development Plan and three or more letters of objection have been received	<b>Ward Councillors:</b>	Cllr R Stead Cllr S Blatchford Cllr W Payne
<b>Applicant:</b> Southampton City Council		<b>Agent:</b> Balfour Beatty	

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
-------------------------------	------------------------------

<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
---	-----------------------

**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 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 39-42 and 46 of the National Planning Policy Framework (2021).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Relevant Planning History

**Recommendation in Full**

**Conditionally approve**

<b>1.</b>	<b><u>The site and its context</u></b>
1.1	The application site comprises of three separate parcels of land located along Kingsclere Avenue. The first site (Site 1) comprises of rectangular parcel of land outside 187-195 Kingsclere Avenue, which lies on the junction with Crookham Road and Kingsclere Avenue. The second site (Site 2) lies outside properties 207-215 Kingsclere Avenue towards a bend in the road. The third site (Site 3) makes use of open space on an existing parking area outside 208-234 Kingsclere Avenue, opposite the second site.
1.2	The site has been identified as part of the Council's 1000 car parking spaces project. The area has been highlighted for having extensive car parking issues and poor quality open space.
<b>2.</b>	<b><u>Proposal</u></b>
2.1	Planning permission is sought to redevelop the parcels of land to form 22 car new parking spaces, with infrastructure for electric vehicle charging. Site 1 would create 6 parking spaces with a dropped kerb provided to the south on to Kingsclere Avenue. Site 2 would create 7 parking spaces on to Kingsclere Avenue. Site 3 would create 9 parking spaces. The proposed plans would use grassblock for the surfacing, rather than tarmac, enabling grass to grow through. New kerbs will be installed between the carriageway and the footpath and additional landscaping is proposed.
<b>3.</b>	<b><u>Relevant Planning Policy</u></b>
3.1	The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at <b>Appendix 1</b> .
3.2	The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.
<b>4.</b>	<b><u>Relevant Planning History</u></b>
4.1	A schedule of the relevant planning history for the site is set out in <b>Appendix 2</b> of this report.
<b>5.</b>	<b><u>Consultation Responses and Notification Representations</u></b>
5.1	Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying

	<p>adjoining and nearby landowners, placing a press advertisement <b>27<sup>th</sup> May 2022</b> and erecting a site notice <b>10<sup>th</sup> May 2022</b>. At the time of writing the report <b>4 representations</b> have been received from surrounding residents. The following is a summary of the points raised:</p>	
5.2	<p>There are 14 Houses in this location and 15 spaces in the existing 2 car parks serving the area. In addition to this, over half of the houses have their own driveways. We DO NOT need an expansion in carparking spaces of this magnitude in this area. The plans would work much better if the spaces backed into Crookham Road or Kingsclere then we would still have access to our drives &amp; there would be additional spaces. Currently only one house would benefit from these plans</p> <p><b><u>Response</u></b>  <b>In terms of need, the schemes have been identified via consultation with officers and councillors. Then as part of site visits by the Council's highways partner, Balfour, they have identified areas where additional parking can be added and also identified areas where people are already parking on the verges. This is one of those sites.</b></p>	
5.3	<p>This is a busy corner, with low visibility for drivers and pedestrians and already a safety hazard. this especially when school has finished for the day and the area is an abundance with school children waiting for the bus / lifts.</p> <p><b><u>Response</u></b>  <b>Impact on parking and highway safety will be addressed in Section 6 below</b></p>	
5.4	<p>This is fairly-well maintained, the grass is in good condition and there are very rarely cars parked on the grass.</p> <p><b><u>Response</u></b>  <b>Impact on the character and appearance of the area will be addressed in Section 6 below</b></p>	
	<p><b><u>Consultation Responses</u></b></p>	
5.4	<p><b>Consultee</b></p> <p>Lindsay McCulloch - Ecology</p>	<p><b>Comments</b></p> <p>The proposed development will result in the permanent loss of the amenity grassland and compensation in the form of improvements to other areas of verge or amenity grassland should be provided.</p> <p>The frequency of vehicle movements is likely to prevent grass from growing within the grass block and it cannot therefore be considered to provide adequate mitigation for the loss of the grassland. Instead, I would</p>

		<p>expect to see the introduction of an equivalent area of wildflower grassland and rain gardens elsewhere in the locality. This would also deliver biodiversity enhancements which are required under policy CS22 Promoting Biodiversity and Protecting Habitats.</p> <p>If planning permission is granted, I would like a condition to secure an Ecological Mitigation Statement (Pre-Commencement)</p> <p><u>Applicant response 07/07/2022</u>  <i>As previously agreed the Project will work in parallel with the ecologist to look at the overall net loss of green space across the entire Estates Parking scheme. We will then look at areas where wild flower meadows can be planted covering an equivalent area to mitigate against any loss and aim to provide a net gain in biodiversity. Just to confirm this relates to the following schemes:</i></p> <ul style="list-style-type: none"> <li>- <i>Bramshott Road</i></li> <li>- <i>Foxcott Close</i></li> <li>- <i>Kingsclere Avenue</i></li> <li>- <i>Leckford Close</i></li> <li>- <i>Vanguard Road</i></li> </ul>
Highways Development Management		<p><b>Area 3</b> (east of Kingsclere Road - x9 spaces)  - There are no highway safety concerns with adding spaces to the existing layout. However, there does appear to be a lack of an assessment on the need for new parking spaces on the eastern side of Kingsclere Ave. I count 14 properties at this site. There are already 15 parking spaces provided on this side, with 5/6 properties also benefiting from off road private driveways.</p> <p><b>Area 2</b> (west of Kingsclere Road - x7 spaces)  - This location is on a bend in the carriageway opposite a bus stop. However, visibility is clear for vehicles approaching from the south on the side of the carriageway where the spaces are proposed. There is also clearance space between the carriageway and the spaces to allow for emerging vehicles to be visible before exiting on the carriageway.</p>

		<p><b>Area 1</b> (jct with Crookham Road x6 spaces)  - Space is available on site for vehicles to reverse and exit the parking spaces in a forward gear. Despite being close to the junction, visibility is clear on approach from the south to see vehicles emerging from the proposed spaces, and for vehicles emerging to see oncoming traffic along the carriageway.</p> <p>In summary, no major concerns or objections, but an assessment of the need for the 9x spaces in Area 1 (east of Kingsclere Road) would be welcome. Has there been any parking surveys to determine excess parking in this area, that the new spaces are designed to address?</p> <p><b>Applicant Response:</b>  <i>With regards to the comments around parking surveys the schemes have been identified via consultation with officers and Councillors. Then as part of site visits by Balfour they have identified areas where additional parking can be added and also identified areas where people are already parking on the verges.</i></p>
	Trees & Open Spaces	<p>The proposal has no impact to trees; therefore, I have no objection on arboricultural grounds.</p> <p>Currently the area is just an open grassed area with no distinct features, therefore as part of the design I would request that tree planting be included as part of the proposal to soften the design.</p>
	Archaeology	<p>The application site is in Local Area of Archaeological Potential 16 (The Rest of Southampton), as defined in the Southampton Local Plan and Core Strategy. LAAP 16 covers parts of the city defined as an area of archaeological potential about which little is known at present. For this site, this is due to a lack of formal archaeological fieldwork in the immediate area.</p> <p>Late 19th and early 20th century historic maps show the application site within fields</p>

		<p>that were part of Weston Park, attached to the Weston Grove Estate, located between Weston Lane and Westwood. The maps do not show any quarries. The housing estate was built after WWII. No archaeological work took place during construction of the estate. The application site consists of grassed areas that may not have been disturbed during construction works, in which case any archaeological remains could survive well, if present.</p> <p>Archaeological remains, if present on the site, would be non-designated heritage assets under the National Planning Policy Framework. (Further information about the archaeological potential/heritage assets of the area is available on the Southampton Historic Environment Record.)</p> <p><b>PROPOSED DEVELOPMENT &amp; ARCHAEOLOGICAL MITIGATION</b></p> <p>The proposed development involves the construction of grass block car parking. According to the plans, this will involve excavation of up to a depth of 273mm (for grass blocks), with deeper holes for kerbs. There will also be some landscaping.</p> <p>The excavation for the grass blocks is relatively shallow. However, any potential archaeological deposits may lie fairly close to the surface here, below topsoil. The proposal would threaten to damage those deposits. An archaeological investigation will be needed to mitigate this damage, to take the form of a watching brief on the groundworks with provision to excavate if archaeological deposits are uncovered.</p> <p>If planning consent is granted for the site, I recommend conditions be attached</p>
<b>6.0</b>	<b><u>Planning Consideration Key Issues</u></b>	
6.1	<p>The key considerations in the determination of this planning application are:</p> <ul style="list-style-type: none"> <li>- The principle of development;</li> <li>- Design and effect on character</li> </ul>	

	<ul style="list-style-type: none"> <li>- Residential amenity</li> <li>- Parking highways and transport; and;</li> <li>- Mitigation of direct local impacts</li> <li>- Planning Balance / Summary</li> </ul>
6.2	<u>Principle of Development</u>
6.2.1	<p>Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38 (6) of the Planning and Compulsory Purchase Act 2004). The development plan for the area is the City of Southampton Local Plan Review (2015), and the Local Development Framework Core Strategy Development Plan Document (2015). The National Planning Policy Framework (NPPF) constitutes national policy to which the Local Planning Authority (LPA) must have regard. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any determination.</p>
6.2.2	<p>Policy CS21 (Protecting and Enhancing Open Space) of the adopted Core Strategy states that:</p> <p><i>The Council will <u>retain the quantity</u> and improve the quality and accessibility of the city's diverse and multi – functional open spaces and help deliver new open space both within and beyond the city to meet the needs of all age groups through:</i></p> <ol style="list-style-type: none"> <li>1. <i>Protecting and enhancing key open spaces including Southampton Common, central, district and local parks;</i></li> <li>2. <i>Replacing or reconfiguring other open spaces in order to achieve wider community benefits such as improving the quality of open space, or providing a more even distribution across the city;</i></li> <li>3. <i>Safeguarding and, when opportunities arise, extending the green grid (see Policy 22);</i></li> <li>4. <i>Seeking developer contributions to provide high quality, accessible open spaces</i></li> </ol> <p>The proposals to provide 22 parking spaces would be directly contrary to the aims of Policy CS21 as they result in the loss of open space and does not deliver new open space. A further Planning balance is then needed.</p>
6.2.3	<p>In accordance with section 38 (6) development proposals that are considered to be in conflict with the Development Plan should be refused, unless material considerations outweigh the perceived conflict. In this instance the proposals seek to deliver off road parking spaces for existing residents in order to address the current issues with on road and verge parking. These spaces aim to provide relief to those issues. In addition, the applicant has stated their intention to replant wildflower areas, provide additional landscaping around the site, as shown on the landscaping plan as well as other parts of the estate in order to improve the quality of open spaces and to provide the infrastructure</p>

	for electric vehicle charging. These 'benefits' amount to a material consideration, which seek to outweigh the conflict with the Policy CS21 and will be considered within the Planning Balance/Mitigation section below.
6.3	<u>Design and effect on character</u>
6.3.1	The area comprises of a mixture of two storey terraced and semi dwellings. The site area is split into three separate locations – one area at the junction with Kingsclere Avenue and Crookham Road; the second area is located further north on the western corner of Kingsclere Avenue as it turns 90 degrees west; and the third area is located on the eastern side of the bend which would back on to and face existing parking spaces outside of No. 214-234 Kingsclere Avenue.
6.3.2	Immediately outside of these sites are limited laybys and on street parking. The open space around the dwellings provides pockets of open space that help to soften the appearance of the existing street scene. The proposals would develop these grass areas that lies outside of these dwellings and would provide dedicated parking bays. These changes would change the character of the area from open space to a formal parking area and would also result in the loss of visual amenity through developing on a existing open space. This loss of open space has sought to be overcome through enhanced landscaping around on the retained open space around the parking areas. Site 1 in particular has been used for informal parking, which has churned up the open space outside the properties. Furthermore with site 2 and 3 there is evidence of cars parking over this open space in an informal manner. The formal parking proposed under this scheme is considered to represent an improvement to this unsightly issue, albeit it would reduced the size of the open space area. The loss of visual amenity will be considered below against the perceived benefits of the application as a whole.
6.4	<u>Residential amenity</u>
6.4.1	In general, there are both positive and negative impacts on residential amenity. In terms of the positives, resident's amenity is currently affected visually and practically by antisocial parking, which causes harms to the open space and grass verges/open space and indiscriminate parking behaviour. The introduction of the proposed plans would prevent further damage from being made by providing more spaces which would reduce inappropriate parking behaviour. They are designed to avoid blocking driveways and existing dropped kerbs. In addition, the spaces would provide dedicated and safer (unallocated) parking spaces for existing residents, which is a benefit to residential amenity.
6.4.2	Any increase from noise and disturbance from the use of the bays would be short lived through the use of the parking bays and would not result in significant harm to neighbour amenity. Therefore, whilst the neighbours would experience some loss of amenity, this impact would not be significant or justify



	a reason for refusal, especially when considering the material benefits of the proposals. As such, the residential amenity is concluded to be acceptable, and the improvements outweigh the minor loss of amenity for some residents.
6.5	<u>Parking highways and transport</u>
6.5.1	The proposal provides parking in an area identified with existing parking issues. The provision of off-road parking spaces, would represent an improvement to existing highway conditions as the road does not benefit from a Traffic Regulation Order. The layout of the car parking area and its spaces meets the standards set out in the Parking Standards SPD and provides suitable access width and clear sight lines either side of the entrance/exit, which would ensure there would be minimal conflict with other vehicles and pedestrians. On this basis Highways officers do not object to the proposed plans.
6.5.2	The proposals also represent an opportunity to provide the infrastructure for electric vehicle charging for each space. Provision for this infrastructure will be safeguarded through the size and depth of the parking bays and will be secured through conditions.
6.6	<u>Mitigation of direct local impacts</u>
6.6.1	In order compensate for the loss of open space and associated impact on Biodiversity, the applicant has agreed with the Biodiversity Team that this scheme, and others coming forward, will contribute towards the implementation of a wildflower planting around the verges of the site and wider area as well as additional landscaping directly around all three sites, as shown on the submitted landscape plan. This will ensure that the scheme mitigates against the loss of habitat from this particular area and provides an overall enhancement to the quality of biodiversity habitat across the wider area, and provides further tree planting. This mitigation will be secured through a suitably worded planning condition.
6.6.2	In terms of flood prevention, the proposals result in the loss of grass, which currently offers a permeable area for the drainage of surface water. The current policy position in respect of flood risk is that new development should seek to replicate the current greenfield rates. The proposals would use a grasscrete base for the parking areas, which comprises of concrete grids, allowing surface water to seep through the grid into the soil below. The type of grasscrete to be used demonstrates that the surface water run off would replicate 90% of greenfield run off rates, which would be supplemented with a 'type 3 subbase' would enable surface water to infiltrate into the ground without creating additional surface run off. Whilst the Council's Flood Risk Team have not commented on the application, this is an acceptable type of surfacing to absorb excess surface water and has been accepted by the Council on other sites. On this basis the proposed details are appropriate, and

	a condition will be imposed securing the development in line with these agreed details.
<b>7.</b>	<b><u>Summary</u></b>
7.1	The loss of open space / amenity land is directly contrary to Policy CS21 of the adopted Core Strategy, and is therefore in conflict with the Development Plan. However, the application to provide residents with additional off road parking spaces for residents would deliver a number of benefits to the local area which constitute notable material considerations, which together, outweigh the conflict with the development plan, including the loss of visual amenity and minor loss of amenity to neighbouring residents. These include the provision of off-site parking spaces to address current issues with verge parking and on road congestion. In addition the application would deliver landscape and biodiversity improvements, and specific infrastructure for EV charging. On this basis these material benefits are considered to outweigh the conflict with the Development Plan and the application can be supported in the round.
<b>8.</b>	<b><u>Conclusion</u></b>
8.1	It is recommended that planning permission be granted subject to conditions set out below.

**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) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer **Rob Sims** PROW Panel 02/08/2022

## **PLANNING CONDITIONS:**

### 1. Full permission timing (Performance)

The development hereby permitted shall begin no 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).

### 2. Approved Plans (Performance)

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.

### 3. Materials as specified and to match (Performance Condition)

The materials and finishes to be used for the grassblock, hardstanding and drainage goods in the construction of the development hereby permitted, shall be as specified on the approved plans. Where there are no materials specified on the approved plans, the materials shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those in the existing street scene.

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 and satisfactory visual relationship of the new development to the existing.

### 4. No lighting (Performance condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2021 as amended or any Order amending, revoking or re-enacting that Order, at no time shall lighting of any type be added without separate planning permission or the relevant licenses ahead of undertaking a permitted development change. No lighting infrastructure shall be added as part of this scheme.

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development with regard to the amenities of the surrounding area.

### 5. Hours of work for Demolition / Clearance / Construction (Performance)

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 to 18:00 hours

Saturdays                                09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

### 6. Electric Vehicle Spaces

Prior to the development hereby approved first coming into use provision of infrastructure for the installation of charging facilities for electric vehicles shall be provided in accordance with the details hereby approved.

Reason: In the interest of reducing emissions from private vehicles and improving the city's air quality.

#### 7. Landscape and Ecological Mitigation Implementation

The development shall be carried in accordance with the approved Soft Landscaping Plan, drawing number SCC/CS/LP04, dated 29/06/2022, received 13/07/2022. The agreed mitigation measures shall be thereafter retained as approved.

Reason: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity and in the interests of visual amenity.

#### 8. Parking (Performance)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation/use and thereafter retained as approved for the lifetime of the development.

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

#### 9. Surface Water Drainage

The surface drainage details, grasscrete and sub-base shown on approved drawing 21/AH/M/002/700/01 REV E, received 18/05/2022, shall be installed in accordance with the agreed details and thereafter maintained in perpetuity.

Reason: To ensure satisfactory drainage provision for the area.

#### 10. Archaeological watching brief investigation [Pre-Commencement Condition]

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

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

#### 11. Archaeological watching brief work programme [Performance Condition]

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

Reason: To ensure that the archaeological investigation is completed.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - September 2013)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2021)

**Relevant Planning History**

<b>Case Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
1014/GGGG/187	DETAILED LAYOUT	Grant	24.03.1953