

Planning and Rights of Way Panel 29th January 2019
Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: 59 Oxford Street, Southampton.			
Proposed development: Erection of a two storey rear extension to facilitate change of use from restaurant (class A3) to residential (class C3) to provide 4 flats (3x 1-bed, 1x studio) with associated cycle/refuse storage (resubmission 18/01095/FUL).			
Application number:	18/01657/FUL	Application type:	FUL
Case officer:	Mathew Pidgeon	Public speaking time:	5 minutes
Last date for determination:	29.10.2018	Ward:	Bargate
Reason for Panel Referral:	Request by Ward Member	Ward Councillors:	Cllr Bogle Cllr Noon Cllr Paffey
Referred to Panel by: Cllr Bogle		Reason: 10 objections have been received and the points of concern should be considered by the Planning and Rights of Way Panel	
Applicant: Mr Andy Hewitt		Agent: Toldfield Architects Ltd	

Recommendation Summary	Delegate to Service Lead – Infrastructure Planning & Development 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. 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 (2018). Policies –CS

CS3, CS4, CS5, CS13, CS14, CS16, CS18, CS19, CS20 and CS25 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP SDP1, SDP4, SDP5, SDP10, SDP11, SDP12, SDP13, SDP17, SDP22, HE1, H2 and H7 of the City of Southampton Local Plan Review (Amended 2015). Policies AP9 and AP16 of the City Centre Action Plan March 2015.

Appendix attached	
1	Habitats Regulation Assessment
2	Development Plan Policies
3	Previous refusal ref 18/01095/FUL – Decision notice and plans

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 1 of this report.
2. Delegate to the Service Lead – Infrastructure, Planning and Development to grant planning permission subject to the planning conditions recommended at the end of this report and either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and/or delete conditions as necessary. In the event that the scheme of measures or financial contribution is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission.

1 The site and its context

- 1.1 The property is not listed, is located within the Oxford Street Conservation area and is positioned next to the Booth Centre which is a locally listed building. The building is positioned opposite a Grade two listed terrace.
- 1.2 The property is part of a small block of three storey mid-19th century terraced shop units, historically constructed with living accommodation above the shop. The property is the easternmost of two properties linked to form a cohesive block fronting on to Oxford Street formed of three distinctive bays. The shop windows on the ground floor are modern. Windows on first and second floors are also modern but occupy historically original openings. First floor windows have distinctive bracketed window hoods. The chimney between the 59 and 60 Oxford Street is clearly visible and the frontage contributes to the overall character of the street. The block was constructed on the northern edge of a shared garden, the remnants of which survive today, and trees are clearly visible through the gap between 60 Oxford Street and 61.
- 1.3 The site comprises a parcel of land which is 90 square metres (sq.m) in area and is adjacent to an evening zone. Oxford Street is located within the city centre, however the street is not heavily trafficked. There is a mix of commercial and residential properties close to the application site. City centre parks are also relevantly close by, in particular Queens Park to the south.
- 1.4 The site currently accommodates a three-storey structure with commercial unit on the ground floor (restaurant use) with seating areas and ancillary accommodation above.

2 Proposal

- 2.1 The application seeks to provide No.59 Oxford Street with a change of use for the existing ground, first and second floors from restaurant (A3 use) to residential (C3 use), by providing 3x 1 bed flats and 1x studio flat within the existing structure, and the proposed two storey rear extension.

- 2.2 The two storey rear extension would replace the existing kitchen and first floor toilets and provide a ground floor storage facility for refuse and cycles with residential accommodation at first floor level.

3 Relevant Planning Policy

- 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 Appendix 1.
- 3.3 The National Planning Policy Framework (NPPF) was revised in July 2018. Paragraph 213 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.

4 Relevant Planning History

- 4.1 Alterations to the shop front were approved in 1971 and in 1986 the pavement was allowed to be used as part of the café in connection with an existing coffee shop on the premises.
- 4.2 In 1989 permission was granted allowing continued use of ground floor as a restaurant and change of use of the first floor so that it could be used as a meeting room and dining/function room, in 1994 the first floor front room was also allowed to be used for these purposes.
- 4.3 In 2008 permission was granted for alterations to the existing shopfront including installation of bi-folding door (not currently on site) and the erection of a canopy.
- 4.4 The most relevant history relates to an application refused in 2018. Permission was refused for the erection of a three storey rear extension to facilitate a change of use of existing first and second floors from a restaurant (Class A3) to residential (Class C3) to provide 5 flats (3 x 1 bed, 2 x Studio) with associated bin and cycle storage.
- 4.5 The application was refused for four reasons:
1. Impact on Oxford Street Conservation Area
 2. Quality of Living Environment
 3. Neighbouring Amenity
 4. Mitigation - S.106 Legal Agreement

Refer to **Appendix 3** for the full reasons for refusal.

- 4.6 This scheme seeks to respond to these reasons for refusal by removing both the previously proposed roof extension to the main building and the second floor of the proposed rear extension.

5 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement 21.09.2018 and erecting a site notice 12.09.2018. At the time of writing the report **10** representations have been received from surrounding residents. One originates from within the ward (60

Oxford Street [office accommodation], four are from residents within Southampton (but not within the Bargate Ward) and four originate from residents living outside of Southampton. The following is a summary of the points raised:

5.2 Poor privacy experienced by occupants of flat 1 (rear facing at ground floor level).

RESPONSE: The layout provides defensible space in front of this window. The bedroom by its very nature is unlikely to be occupied for long periods of the day, and occupants are likely to have the curtains drawn at night. The rear yard space is also unlikely to be used for long periods given its limited size and quality. However the amount and quality of the amenity space is, on balance, considered acceptable having regard to the character and density of the neighbourhood and proximity to Queens Park and city centre amenities.

5.3 Impact on neighbour at 60 Oxford Street (overbearing/privacy/sense of enclosure/reduced light (shadowing)).

RESPONSE: The neighbouring property is currently occupied as office accommodation which does not enjoy the same level of policy protection as residential accommodation in relation to these impacts. On balance, the merits of the scheme in relation to housing delivery are considered to outweigh any impacts on the adjacent office accommodation. Occupation of the office is less likely to coincide with that of the flats. Furthermore neighbouring privacy will be protected owing to amended plans which prevent harm by incorporating obscure glazing.

5.4 Rear first floor flat – no fire escape.

RESPONSE: This is a Building Regulation matter and is not a material planning consideration; all flats have access to ground floor by a conventional staircase.

5.5 Objectors question how and where extractor will vent from the kitchen and bathrooms.

RESPONSE: This is not a material planning consideration rather this is a matter assessed at building regulations stage.

5.6 Overlooking and noise disturbance from the roof terrace.

RESPONSE: The flat roof is proposed to be sedum planted (green roof) and is not shown to be accessible. A planning condition is recommended to prevent this area being used as a roof terrace/amenity area.

5.7 How is access to the communal area provided for the roof?

RESPONSE: The roof will not be available for residents to access as an amenity area.

5.8 Noise and disturbance.

RESPONSE: The scale and nature of the development is unlikely to lead to unreasonable noise impact and any statutory noise nuisance is controlled by Environmental Health legislation.

5.9 Windows overlook 60 Oxford Street jeopardise future development potential.

RESPONSE: Windows are obscurely glazed within the extension (and serve secondary windows and a shower room) which face the neighbouring property. Each application must be judged on its own merits.

5.10 Impact of construction on neighbours

RESPONSE: Restricted construction hours will be added to prevent unreasonable harm to nearby residents. The scale of the proposal is such that significant harm is not anticipated to neighbouring residents and occupants of the adjacent office at 60 Oxford Street.

5.11 **Damage to neighbouring building including the locally listed Booth Centre.**
RESPONSE: This is a civil matter and is not a material planning consideration.

5.12 **Harm to listed buildings – vibration.**

RESPONSE: It is not anticipated that significant harm would be caused to listed buildings from the construction process which in any event would be controlled by building regulations. 61 Oxford Street is the nearest Listed Building.

5.13 **Harm to conservation area and character of the area/design not in keeping.**

RESPONSE: The plans are no longer considered harmful to the character of the conservation area or nearby listed buildings. The Council's Heritage Consultant has not objected to the application. Potential damage as a result of construction is not a material planning consideration.

5.14 **Overdevelopment of the site.**

RESPONSE: The site is located within the city centre where high density housing is supported. The site can accommodate the residential units providing a satisfactory living environment and includes sufficient space to store refuse and cycles. Accordingly the site is not judged to be overdeveloped as a consequence of the proposal.

5.15 **Bedroom at ground floor level is not suitable on the street frontage especially given the nature of the late night/commercial area.**

RESPONSE: The site is located adjacent to, rather than within, an evening zone which is different to a late night hub as defined by the City Centre Action Plan. Within evening zones new premises are allowed to open until midnight rather than 3am which is permitted within late night hubs. There are also other ground floor residential units within this street. The proposal also returns the original residential use back into the building.

5.16 **Habitable rooms should not be served by obscure glazing as proposed within the rear extension.**

RESPONSE: The flat within the rear extension proposed would not only be served by obscurely glazed windows. Obscure glazing is proposed for secondary windows and a shower room.

5.17 **Anticipate bin store not being used given the location within the building.**

RESPONSE: A condition can be added prevent refuse storage on the public highway other than on collection days.

5.18 **Safety during construction.**

RESPONSE: This is not a material planning consideration rather this is a matter controlled by building regulations and health and safety.

5.19 **Mains drainage.**

RESPONSE: Southern water have not objected.

5.20 **Safeguarding trees.**

RESPONSE: Officers share the concerns raised, adjacent trees are however protected as they are within the Oxford Street Conservation Area thus they cannot be thinned or felled without permission. Residents would be aware of the trees nearby when deciding whether or not to occupy proposed flats. Whilst residential properties facing the rear would be shadowed by the adjacent trees the impact is

on balance not considered sufficient to form a reason for refusal based on quality of the residential environment in isolation.

Consultation Responses

5.21 SCC Sustainability –

No objection subject to green roof condition.

5.22 SCC Environmental Health (Pollution & Safety) –

No objection subject to relevant conditions.

5.23 SCC Trees –

No objection subject to relevant condition requiring an arboricultural method statement to detail the protection plan for this tree during the demolition and construction of the development.

5.24 SCC Ecology –

No objection subject to relevant condition securing relevant ecological mitigation measures.

5.25 SCC Urban Design –

No objection given that the building fronting Oxford Street is not being externally changed. The rear extension should also be constructed from bricks.

5.26 SCC Archaeology –

Development here threatens to damage archaeological deposits, and an archaeological investigation will be needed to mitigate this. This will take the form of an archaeological watching brief on the groundworks, and will include provision for excavation if archaeological remains, particularly human burials, are uncovered. Add relevant conditions.

5.27 SCC Heritage –

No objection.

5.28 Southern Water –

No objection subject to relevant conditions and informatives.

5.29 SCC CIL –

The development is CIL liable.

5.30 City of Southampton Society –

No objection in basic planning principle. Provided that safeguards are applied.

1. No overlooking. RESPONSE: Add obscure glazing condition.
2. Rubbish regime to be imposed upon the applicant. RESPONSE: Add relevant condition.
3. Adjoining landowners to be assisted to protect their land from trespassers. RESPONSE: This matter is not relevant to the decision.
4. No cars to be allowed, and applicant to be required to enforce the rule. RESPONSE: It is not enforceable to prevent occupants from owning cars.
5. Parking arrangements to be discussed by applicant and the City Council to protect the local residents. RESPONSE: Can be achieved for construction vehicles however given the scale of the development conditions are not deemed necessary – highway use for construction purposes is controlled through the Highways Act.

6 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of development;
 - Design and effect on the character of the Conservation Area.
 - Residential amenity;
 - Parking highways and transport; and
 - Likely effect on designated habitats.

Principle of Development

- 6.2 The proposal would bring the building back into residential use and is in keeping with the character of the property. Whilst the site is not identified for development purposes, the Council's policies promote the efficient use of previously developed land to provide housing. Policy AP9 of the City Centre Action Plan supports residential development in the city centre through the conversion or redevelopment of other sites as appropriate. Similarly CS1 of the Core Strategy supports significant residential growth in the city centre to assist in addressing the city's housing need.
- 6.3 Policy CS16 of the Core Strategy requires the provision of 30% family homes within new developments of ten or more dwellings. As the proposal is for less than 10 units family accommodation is not required.
- 6.4 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in high accessibility locations such as this, density levels should generally be greater than 100 dwellings per hectare (d.p.h), although caveats this in terms of the need to test the density in terms of the character of the area and the quality and quantity of open space provided. The proposal would achieve a residential density of 444 d.p.h which, whilst accords with the standards set out above, needs to be tested in terms of the merits of the scheme as a whole. This is discussed in more detail below.

Design and effect on the character of the Conservation Area.

- 6.5 The property is within the Oxford Street Conservation Area which comprises two separate character areas divided roughly into the northern area (known as the Oxford Street and Environs character area) and the Queen's Park character area to the south. The Oxford Street area is characterised by its mixed use with more generally low level residential to the north of Oxford Street, but Oxford Street itself is mixed with residential, office, commercial and restaurants. The east end of Oxford Street has been part pedestrianised beyond Latimer Street. To the west of Latimer Street, Oxford Street curves gently to the north-west creating a gentle crescent starting just where the application site is located. The location of the Booth Centre directly adjoining the site on the east side on the curve of the street, and the fact that the proposal site is currently three storey, gives the Booth Centre considerable prominence within the street. Although there is clearly some new development on the south side of Oxford Street to the west of the application site, this blends well into what is actually quite a cohesive character of similarly sized and designed terraced buildings.
- 6.6 This is an amended proposal for the conversion of the building into flats. The previous scheme involved the incorporation of an additional flat in the roof which required a major roof extension and was unacceptable from the heritage perspective as it became prominent in the street scene. This revised scheme omits the top floor flat altogether which is a major step forward and removes the

main concerns previously raised with regard to design and impact on the local heritage assets.

- 6.7 To the rear, the removal of the top floor is also beneficial. The size of the newly proposed rear extension is bigger than the existing but within a comfortable range for this site.
- 6.8 The statutory tests for the proposal, as set out in sections 16 (**Listed Buildings**), 66 (**Listed Buildings**) and 72 (**Conservation Areas**) of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve the building, its setting or, any features of special architectural or historic interest (**Listed Buildings**) and; whether the proposal would preserve or enhance the character or appearance of the Conservation Area. The NPPF requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.9 In accordance with para 189 of the NPPF, an assessment of the significance of the building within the Conservation Area is set out in the submitted Heritage Statement and the Council's Conservation Area Appraisal.
- 6.10 On this basis, in accordance with sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, it is considered that the proposal would preserve the character of the building and the appearance of the Conservation Area.
- 6.11 In conclusion no objections to this amended scheme are raised subject to agreement by condition on materials and colour of render. Conditions can be added to ensure that any changes to the front elevation (windows and doors) required to facilitate the development will be controlled in the interest of visual amenity.

Residential amenity

- 6.12 A minimum of 20 sq.m of amenity space is required for new flats. With flatted development the amenity space can be provided in the form of a communal garden. Any amenity space should also be usable and fit for purpose. In the case of the proposed scheme, all flats would have access to a small south facing yard measuring 12.5 sq.m there is however public open space needs which mitigates the absolute need for private amenity space within city centre development. The scheme would also result in residential accommodation being placed within close proximity to a tree on an adjacent site and frosted glass is required for one of the windows serving the flat located within the rear extension. The proposal would also result in ground floor residential accommodation adjacent to the street frontage, however within this location the relationship is not uncommon and as such it would be unreasonable to oppose the scheme on this basis.
- 6.13 These negative aspects of the proposal must be balanced against the positive aspects of the scheme. In particular the position with excellent access to shops, facilities, central parks and educational institutions is regarded as providing a good living environment. As such, taking all aspects of the proposal into account and having weighed the positive aspects against the negative it is considered that a decent residential environment would be achieved.
- 6.14 Adverse harm will not be caused to neighbouring residents living within the Booth Centre owing to the rear projection of the proposed extension and the rear projection of the Booth Centre. There is also an existing party wall separating the

two sites which measures 5.2m in height (the proposed rear extension would measure 6.5m in height).

- 6.15 The neighbouring property at number 60 Oxford Street is currently occupied as an office as opposed to the most sensitive land use which is residential. Where appropriate obscure glazing would however still be used to prevent the proposed rear flat within the extension from overlooking the rear yard space serving number 60. This would also mitigate the impact on future development potential. Also whilst the scheme included a rear extension which could be viewed as overbearing and dominant consideration is given to the city centre location where relationships of this nature are not uncommon. On balance the impact is now judged to be acceptable.

Parking highways and transport

- 6.16 No parking is currently available to this site. Officers have taken into account the location of the development which is within the city centre and, thus, is within walking distance of many public facilities as well as public transport nodes. Parking restrictions also exist locally and as such there is little scope for overspill parking to occur. It is therefore anticipated that car ownership within a development of this nature will not be proportionally high. Nil parking is deemed acceptable in this city centre location.
- 6.17 In addition it is important to take into account saved policy SDP5 of the Local Plan which confirms that the provision of car parking is a key determinant in the mode of travel and the adopted Development Plan seeks to reduce the reliance on the private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling.
- 6.18 Cycle storage is proposed within the ground floor of the building and spaces would be provided at a ratio of 1:1. The storage area will also be accessed internally. Whilst it is unusual for bins to be located within a building it is reasonable in this situation given that the building does not benefit from a front garden or external access to the rear yard space. Sufficient bin storage can also be provided with the only step being between the threshold of the building and the pavement. A waste management plan condition can be added.

Likely effect on designated habitats

- 6.19 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see Appendix 1. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

7 Summary

- 7.1 Overall the scheme is acceptable and the level of development proposed will not result in significant material impact on the amenities enjoyed by surrounding occupiers or the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

7.2 A suitable balance has been achieved between securing residential accommodation in a sustainable location and increasing the efficiency of this brownfield site whilst not detrimentally harming local amenity or highway safety.

8 Conclusion

8.1 As such, the application is recommended for approval, subject to securing the matters set out in the recommendations section of this report and the 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) 4. (f) (g) (mm) (vv) 6 (a) (b)

MP for 29/01/2018 PROW Panel.

PLANNING CONDITIONS

1.Full Permission Timing Condition (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.Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls (render), windows, doors, rainwater goods, 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. Development shall be implemented only in accordance with the agreed details.

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

Note: Should there be the need to replace windows within the front elevation in the interests of the character of the conservation area timber windows akin to the originals will be required. Furthermore the Council's Design Team have requested that the rear extension be constructed of brick.

4.No other windows or doors other than approved (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residential properties.

5.Obscure Glazing (Performance Condition)

The windows in the side elevation, facing east, of the rear extension at first floor level serving the lounge/kitchen area and the shower room shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

6. 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.

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.

7. Restricted use of flat roof area (Performance Condition)

The roof area of the extension hereby approved, which incorporates a flat roof surface, shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: In order to protect the privacy of adjoining occupiers.

8. Ecological Mitigation Statement (Pre-Commencement)

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

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

9. Arboricultural Method Statement (Pre-Commencement Condition)

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

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

10.Green roof specification (Pre-Commencement [not including site preparation])

With the exception of site clearance, demolition and preparation works, no development works shall be carried out a specification for the green roof must be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. The green roof to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

Reason: To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 and CS23, combat the effects of climate change through mitigating the heat island effect and enhancing energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22, contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13, improve air quality in accordance with saved Local Plan policy SDP13, and to ensure the development increases its Green Space Factor in accordance with Policy AP 12 of City Centre Action Plan Adopted Version (March 2015)

11.Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation:

- The storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved.
- Unless otherwise agreed by the Local Planning Authority, accept for collection days only, no refuse shall be stored on the public highway.

Reason: In the interest of visual and residential amenity.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

12.Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason: To encourage cycling as an alternative form of transport.

13.Archaeological structure-recording [Pre-Commencement Condition]

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

Reason: To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.

14.Archaeological structure-recording 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.

15.Archaeological watching brief investigation [Pre-Commencement Condition]

No development 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.

16. 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.

17. 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.

Informative:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

18. Amenity Space Access (Pre-Occupation)

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available for use in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

Reason: To ensure the provision of adequate amenity space in association with the approved dwellings.

19. Construction Management Plan (Pre-Commencement)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.