

**Planning and Rights of Way Panel 17<sup>th</sup> September 2019**  
**Planning Application Report of the Service Lead- Infrastructure, Planning and Development**

<b>Application address:</b> 21 Emsworth Road, Southampton			
<b>Proposed development:</b> Erection of three 3-bed dwelling houses with associated car parking, bin and cycle storage following demolition of existing dwelling house. (Resubmission of planning ref: 18/02076/FUL)(amended since initial submission).			
<b>Application number</b>	19/00494/FUL	<b>Application type</b>	FULL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	24.09.2019 (Extension of time agreement)	<b>Ward</b>	Millbrook
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr G Galton Cllr S Galton Cllr Taggart
<b>Applicant:</b> Ms Susannah Jones		<b>Agent:</b> Anders Roberts & Associates	

<b>Recommendation Summary</b>	<b>Delegate to Service Lead – Infrastructure Planning &amp; Development to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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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 as set out in the report to Planning Panel on 17<sup>th</sup> September 2019, such as the impact on the character of the area, impact on neighbouring residential properties, amount of parking and the loss of vegetation and habitat 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. Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, H1, H2 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

<b>Appendix attached</b>			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Applicant's Parking Note		

## **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 authority to grant planning permission subject to the planning conditions recommended at the end of this report and securing a financial contribution towards Solent Disturbance Mitigation Project (SDMP) 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 be given delegated authority to add, vary and /or delete relevant conditions as necessary. In the event the SDMP is not resolved the Service Lead Infrastructure, Planning and Development be granted authority to refuse permission on the ground of failure to satisfy the requirements of the Conservation of Habitats and Species Regulations 2010 as required by LDF Policy CS22.

### **1. The site and its context**

- 1.1 The site contains a large detached dwelling which is currently vacant. It is one of the three remaining villas found within the street. It is an attractive building with characterful features such as quoining and fascia details. The building is not locally or nationally listed and, not being located within a Conservation Area, no protection is afforded to it from demolition. The rest of the street is characterised by terraced properties. On the north side of the street, properties tend to have some off-road car parking on their frontages whereas on the other side of the road the properties have small bounded front gardens with no car parking.
- 1.2 The property currently benefits from parking to the side and rear via an access way and the frontage is enclosed by a rendered wall and hedging. There are a number of outbuildings within the rear garden.
- 1.3 In terms of parking in the area, there is a single yellow line on the side of the road that the application site lies on. The site lies within a residential parking zone (zone 16) which allows parking for more than one hour without a permit outside the hours of 8 am to 6 pm. Due to the close proximity to Shirley High Street and terraced nature of dwellings in the area, high-levels of on-street parking are common.

### **2. Proposal**

- 2.1 Full planning permission is sought to redevelop the site, following the demolition of the existing building and outbuildings, to provide a terrace of three dwellings each containing three bedrooms. This scheme has been amended since submitted, as the initial scheme proposed the provision of five flats within a three storey building served by three car parking spaces. It was considered that the initial scheme would have resulted in an over development of the site.
- 2.2 The revised proposal has a hipped roof design with gable features and chimneys to mimic the existing terraced properties in the area. The proposal is to have rendered elevations with a porch canopy feature for the central unit and projecting

gables to frontage with side entrance for the two side units. Each unit will have kitchen/diner, living area and WC on the ground floor and at first floor three bedrooms (one with an en-suite) and a bathroom. Four parking spaces are provided to the front, laid out to retain the existing front boundary wall and hedging and incorporating replacement hedging and wall to the other side of the new vehicular access. The rear garden depths range from 18 metres deep to 28 metres deep.

- 2.3 The existing width of existing of the property is 12.5 metres and the width of the proposal is 16 metres wide with the development being located closer to number 19a by 3.6 metres. The existing depth of the property is between 9 and 13 metres due to the part single storey extension. The depth of the proposal is 12 metres deep.

### **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). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in February 2019. 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 There is no history with respect to the existing unit but an application for the redevelopment of the site to provide five flats under application 18/02076/FUL was withdrawn last year following officer’s advice.

### **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 and erecting a site notice (05.04.2019). A second publicity exercise was undertaken following receipt of amended plans. At the time of writing the report, **9 representations**, including a petition of 40 signatures, have been received from third parties including two ward Councillors.
- 5.2 **Cllr S Galton** - I wish to formally object to this application and request if officers are minded to approve it is decided at a public planning panel meeting.
- 5.2.1 Road Safety. The application has now reduced parking to just 3 spaces - after speaking to the Council who raised concerns with the previous 8 spaces. I had concerns with the previous 8 spaces proposed not being enough for a development this size! The potential for 10 double beds could see potentially 20+ vehicles for the development. The surrounding roads already experience issues

with lack of parking provision and issues related to over-crowded parking affecting highway safety and I feel this proposal could seriously add to these issues.

- 5.2.2 Design. The street scene is characterised by the 2 larger houses and whilst the design does appear somewhat sympathetic, it seems a shame to lose what is there, rather than to work with it. I wonder how the roof top balcony affects privacy of nearby properties and would like assurances over their privacy if this element is approved. The outside amenity space seems poor in relation to the number of units. This would limit the appeal of the properties to families, encouraging single working age tenants/owners. I also worry there is insufficient outdoor space for the size of the development. The size and layout of the flats seems very cramped and less than ideal. It appears to be bedrooms and then kitchen/diner/lounge all in one. This again would impact on the appeal, making the properties less appealing for families. Is the internal floor space meeting the minimum standards for each of the flats? Given the excess of HMO's currently, and the need for family housing in the area I would welcome a design more likely to appeal to families.
- 5.2.3 Out of character/principle. The intensity of five 2 bedroom flats in what is a traditional family home area, already far exceeding the Council's HMO threshold - will only dilute the character of the area further. Whilst the existing property is a stand out one in the street scene, the new development seems out of place compared to the layout and character of surrounding properties.
- 5.2.4 Loss of trees. The application states there are no trees on the site. This is because the developer removed them all prior to submitting an application. Whilst not under a TPO - the size and maturity of the trees would have seen them protected. My memory is that there were at least 2 trees (1 at front, 1 at side) and also a very large and mature tree at the rear.
- 5.3 **Cllr G Galton** - I wish to formally object to this application and request if officers are minded to approve it is decided at a public planning panel meeting. I feel the plans are very different to the original plans which were to put flats on the site to now put 3 houses on this site will generate more road safety issues in an already congested area which will then create problems in the surrounding roads of foundry lane, Leighton ave and St edmund's rd I feel the new builds will be totally out of keeping with the large family homes that are there

The following is a summary of the points raised by third parties:

5.4 **Out-of-keeping  
Response**

The proposal has changed since initially submitted to provide three three-bed dwelling houses. Objections have been received stating that the proposal is out of keeping but the revised scheme is more in line with the neighbouring properties due to its terraced design and two storey scale.

5.4 **Impact on neighbouring boundaries  
Response**

Details of replacement boundary treatment are secured through a planning condition. Between residential properties this would be no less than 1.8 metres in height.

5.5 **Concern that the provision of parking will lead to parking overspill  
Response**

The Council has adopted maximum car parking standards and the Parking Standards Supplementary Planning Document confirms that provision of less than the maximum parking standards is permissible subject to justification. The proposal provides four on-site parking spaces in line with maximum standards. Six would be the maximum required for three three-bed units. There are parking restrictions in the surrounding area which limit the possibility for over-spill car parking. A car parking note and parking justification (**Appendix 3**) has been submitted by the applicant and concludes that the proposal would not result in an unacceptable competition for unrestricted on-street car parking spaces in the vicinity of the site. Furthermore, the Council's Highway Engineer has raised no objection to the application. The location of the site, 60 metres away from the defined Shirley Town Centre means it benefits from good access to shops, services and facilities together with frequent bus links to the city centre and central train station. Parking restrictions are already in place and the Council applies restrictions on new parking permits.

5.6 ***The scheme has been amended significantly since submission***

**Response**

Officers raised concerns with the previous proposal in terms of the number and type of units, as family units would be more appropriate use for the site as it mimics the existing situation. As the revised proposal is a betterment, and a less intensive development than originally proposed, officers felt the scheme could be amended within the current application process. Re-notification then took place in line with current adopted practices.

5.7 ***Concern over noise***

**Response**

All residential properties have the potential to generate noise. However, the Council's Environmental Health team has not objected and there is no reason to suspect that occupants of the development would generate undue noise and disturbance. Planning conditions are recommended to minimise disturbance during the construction phase.

5.8 ***Loss of trees and hedging***

**Response**

The removal of the trees on site before the submission of the initial scheme was unfortunate, but the trees were not protected. The proposal seeks to retain as much of the hedging as possible along the frontage and proposes to replant where the existing access way is located. A landscaping condition is suggested to ensure the provision of replacement semi-mature trees.

5.9 ***The existing building should be should retained***

**Response**

Although the existing building is an attractive villa and is one of the three in the street it is not subject to statutory protection and, therefore, there are no policy requirements to retain the building.

5.10 ***Location of cycle and refuse storage***

**Response**

Conditions are imposed to provide further details of the location of the cycle and refuse storage including a collection point for refuse bins on collection day.

## Consultation Responses

- 5.11 **SCC Highways – No objection** subject to conditions. The proposed development is acceptable in principle. The parking spaces are sufficient in size and the aisle width allows for on-site turning. The parking layout should be secured via condition as well as the height of the boundary treatment in order to allow for sufficient sightlines. Conditions to secure parking, refuse and cycle storage are also required. A car parking note has been supplied which does not accord with our requirements, so no data on parking availability or potential overspill is provided but it demonstrates that the site is located in a sustainable location.
- 5.12 **SCC Tree Team - No objection** looking at the history of the site there appears to have been a prominent tree in the rear garden of the property in May 2018 and a smaller ornamental tree to the front at the same time. These trees, and any potential constraints they may have imposed on the site, have now been removed. The trees team would like to see these trees and the amenity value they added to the property and surrounding area, replaced as part of a landscape plan.
- 5.13 **SCC City Design – No objection** subject to a condition securing a wall and landscaping boundary to the frontage. It is disappointing that the front garden is being lost to parking as this is one of the few properties on this side of the street that still has a front garden. That said currently the property has a compromised rear garden because of parking and this proposal will provide full garden areas to the rear. The retention of what is left of the existing front wall and hedge after the parking has been formed is critical to reduce the impact of cars on the street scene.
- 5.14 **SCC Ecology – No objection** subject to conditions to secure an Ecological Mitigation and protection of nesting birds.
- 5.15 **SCC Sustainability Team – No objection** subject to conditions securing energy and water targets are to be secured.
- 5.16 **SCC Environmental Health (Pollution & Safety) – No objection** subject to a construction environment management plan condition.
- 5.17 **SCC Environmental Health (Contaminated Land): No objection**  
No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.
- 5.18 **Community Infrastructure Levy (CIL)-**  
The proposal is CIL liable as new residential properties would be created by the development. With an index of inflation applied the residential CIL rate is currently £100.63 per sq m, to be measured on the Gross Internal Area floorspace of the new building. This figure will next change in April 2020. If the floorspace of the existing building is to be used as deductible floor area the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.
- 5.19 **Southern Water** – No objection subject to the addition of an informative.

## **6 Planning Consideration Key Issues**

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

- Principle of development;
- Design, character and amenity;
- Parking, Access and Highway safety; and
- Development Mitigation

### **6.2 Principle of Development**

6.2.1 The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable housing development, and the use of previously developed land. The proposal would make good use of this previously developed site to provide further housing in accordance with Local Plan Policy H2. The development of this site as proposed is acceptable in principle and accords with the policies within the development plan and central government's guidance (through the NPPF) which promote the sustainable and efficient use of land for housing development, providing the character of an area is not compromised.

6.2.2 The proposed density of 43 dwelling per hectare (dph) is below the range of 50 - 100 dph which policy CS5 of the Core Strategy sets out is appropriate for this location. Density alone is not a determinate in the consideration of planning applications and policy CS5 confirms that density should be assessed with regard to a number of criteria including in terms of the character and appearance of the existing neighbourhood and the quality and quantity of open space. This is discussed in more detail below.

### **6.3 Design, character and amenity**

6.3.1 Whilst the existing building is attractive, it is within a poor state of repair and, as set out, its retention is not required by policy. The key test in terms of design is whether the replacement building is appropriate for its context. The predominant character of the dwelling houses within the vicinity of the site is two-storey terraced houses with pitched tiled roofs and projecting bay windows. The design of the scheme respects the existing terrace units within the street scene. The scheme provides chimney stacks and double height gable features to respect the character of the area. The proposal is to be rendered like the existing unit. The building will read as a large villa, rather than a terrace, as 2 entrances are located to the side of the building. The scheme provides a design that would not detract from the existing neighbouring properties.

6.3.2 The existing terraced properties within the street are typically located within long, narrow plots which are on average about five metres wide with garden depths approximately between 9 and 10 metres deep. The proposed units are between 5.3 and 5.8 metres wide with garden depths of between 18 and 28 metres deep. Therefore, the proposal respects the spatial character of the area. The introduction of a parking area to the front would be minimised by the retention and further

introduction of landscaping. Furthermore, as noted above, parking within the frontages of dwellings is part of the character of the street.

- 6.3.3 In terms of the quality of the accommodation proposed, all habitable rooms have acceptable outlook and adequate light. Each dwelling would be served by private gardens in excess of the 50sq.m in area, which the Residential Design Guide Supplementary Planning Document recommends for dwellings of this nature.
- 6.3.3 A landscaping condition has been suggested to secure the retention of the landscaping to front and replacement trees to the rear. The provision of good landscaping to the front of the units is important to screen the frontage car parking and provide a good setting for the development and a condition is suggested to achieve this.
- 6.3.4 With respect to the impact on the neighbours, the separation distance between the proposed units and neighbouring property at 28a Marlborough Road is 22 metres. The neighbouring property at no 23 Emsworth Road has no windows on the side elevation and the depth proposed would not harm the rear outlook from this property. With regard to 19a Emsworth Road there is one habitable window on the side elevation facing the site which serves a bedroom. The proposed building would be closer to this window than the current situation, although the window currently has a limited outlook due to the presence of vegetation and the existing building. This issue needs to be considered, in the round, taking into account the benefit of making efficient use of a vacant and under-used site to provide genuine family housing; the general good design of the development in terms of its appropriate scale, massing and projection and the fact that a greater separation to this window, would effectively limit the potential to develop this site.
- 6.3.5 As such, the proposal is considered to be acceptable in terms of its design and its relationship with surrounding properties and accords with Local Plan Review Policy SDP1, LDF Policy CS13 and the standards set out in the Residential Design Guide Supplementary Planning Document.

#### 6.4 Parking, Access and Highway safety

- 6.4.1 The level of parking provision proposed is in accordance with the adopted Parking Standards SPD, which permits the provision of less parking than the maximum standard. The provision of two less spaces than the standards permit needs to be carefully considered in terms of the travel demands of the development, the accessibility of the site and character of the area. The 2011 Census suggested that for the Ward of Millbrook, 29% of households do not have access to a private car, 45% had access to one car and 26% had access to two cars. On this basis, the level of parking would meet the demands of the development. Furthermore, the site is located within an area of High Accessibility to public transport, benefitting from over 20 buses an hour, with good links to the city centre and central station. Shirley Town Centre itself also accommodates a number of shops, facilities and services to meet the day-to-day needs of residents.
- 6.4.2 There is a mixture of restricted and unrestricted on-street car parking within the area. There is a demand for the on-road parking available on the street, which is a concern that has been raised by local residents. Emsworth Road lies within an area with permit parking controls and the new units will not be eligible for parking



permits. Overall, it is considered that the level of parking provision is entirely appropriate for the development and location.

- 6.4.3 The Council's Highways Officer has raised no objection to the proposal with respect to parking or highway safety. Refuse storage and its collection is to be secured by condition to prevent issues of highway safety. The provision of the cycle storage shown is also secured via condition. Therefore on this basis the proposal is considered to be acceptable in this respect.

## 6.5 Development Mitigation

- 6.5.1 As with all new development, the application needs to address and mitigate the additional pressure on the environmental, social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). A section 106 legal agreement is normally triggered by schemes of 5 or more dwellings and is not, therefore, required for the size of the development proposed. The area of contribution for this development, in order to mitigate against its wider impact, is only towards the Solent Disturbance Mitigation Project. The application is delegated for approval subject to the payment of this contribution or an alternative mechanism for securing appropriate informal greenspace mitigation. 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

The proposed scheme provides an acceptable residential environment for future occupiers without significantly affecting neighbouring amenity or the character of the local area. The scheme represents efficient use of previously developed land to contribute to the family housing stock for the city, whilst having little impact on the amenities of neighbouring residents and providing a good quality environment and amenity space for future occupants of the property. Whilst the loss of the existing unit is unfortunate and further pressures on parking could be experienced, on balance this scheme is considered to be acceptable.

## 8 Conclusion

- 8.1 In conclusion, the proposal would have an acceptable impact in accordance with the Council's policies and guidance and permission is recommended.

### **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), 4(f), (g), (vv), 6(a), (b), 7(a)

## AL for 17/09/19 PROW Panel

### **PLANNING CONDITIONS**

#### **01. 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).

#### **02. 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, 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.

#### **03. Refuse & Recycling (Pre-Commencement)**

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

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.

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](mailto:Waste.management@southampton.gov.uk) at least 8 weeks prior to occupation of the development to discuss requirements.

#### **04. 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.

#### **05. Parking and sightlines(Pre-Occupation)**

The parking spaces and sightlines hereby approved shall be provided prior to the development first coming into occupation and the parking spaces shall be 2.4m wide by 5m width. In addition the access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

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

#### **06. Residential - Permitted Development Restriction (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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

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

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

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

Class F (hard surface area)

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

#### **07. Energy & Water (Pre-Commencement Condition)**

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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

#### **08. Energy & Water (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 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

**09. 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.

**10. Amenity Space Access (Pre-Occupation)**

Before the dwellings 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.

**11. Landscaping & means of enclosure detailed plan (Pre-Commencement Condition)**

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. Details of the replacement hedging and brick wall to the frontage;
- ii. Details of all boundaries;
- iii. planting plans including the provision of four semi-mature trees; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate - to be agreed; and;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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, with the exception of the boundary treatment which shall be retained for the lifetime of the development.

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.

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

**12. Ecological Mitigation Statement (Pre-Commencement Condition)**

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 agreed 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.

### **13. 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.

### **14. 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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

### **15. Use of uncontaminated soils and fill (Performance 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. Construction Management Plan (Pre-Commencement Condition)**

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.

#### **17. 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.

#### **Notes to Applicant**

##### **Community Infrastructure Liability (Approval)**

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx> or contact the Council's CIL Officer.

##### **Southern Water - Public Sewerage**

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team ([www.southernwater.co.uk](http://www.southernwater.co.uk))

##### **Car Parking Permits**

Please note, the occupiers of the development hereby approved will not be eligible for parking permits for on-street car parking spaces.