

Planning and Rights of Way Panel 24th August 2021
Planning Application Report of the Head of Planning & Economic Development

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| Application address: 152 Milton Road | | | |
| Proposed development: Erection of a 2-bed, detached house to rear of existing house, with access from Wilton Avenue (Resubmission of ref 20/01456/FUL) | | | |
| Application number: | 21/00909/FUL | Application type: | FUL |
| Case officer: | Stuart Brooks | Public speaking time: | 5 minutes |
| Last date for determination: | 19.08.2021 | Ward: | Bargate |
| Reason for Panel Referral: | More than 5 letters of objection have been received | Ward Councillors: | Cllr Bogle Cllr Noon Cllr Paffey |
| Applicant: Mr D Singh | | Agent: Rushworth Architecture Ltd | |

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| Recommendation Summary | Delegate to the Head of Planning & Economic 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 (2021). Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP12, SDP13, SDP16, SDP23, H1, H2, H7, HE6 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

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| Appendix attached | | | |
| 1 | Habitats Regulation Assessment | 2 | Development Plan Policies |
| 3 | Details of previously refused scheme | | |

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 1 of this report.
2. Delegate to the Head of Planning & Economic Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 or S.111 Legal Agreement to secure 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 Head of Planning & Economic Development be given delegated powers to add, vary and /or delete conditions as necessary, and to refuse the application in the event that (2) above is not completed within a reasonable timescale

1. The site and its context

- 1.1 The site comprises of a subdivided plot (147sqm in area) formed from garden land to the rear of the existing dwelling at no. 152 Milton Road (existing overall area = 320sqm) and benefits from its own street frontage to Wilton Avenue. In subdividing the plot, the garden of the existing house has been reduced to 50sqm (from 65-70sqm originally). The land is currently fenced off from the main garden of no. 152 and positioned at a lower level as the land falls way towards Wilton Avenue.
- 1.2 There is a predominantly 2-storey, semi-detached suburban street scene on Wilton Avenue. This is broken by the gap between no. 103 and 101 (the application site) and a tall wall/fence along the back edge of the pavement, which encloses a residential parking area belonging to no.101. The rear elevations of the Milton Road properties, located on the top of the slope, are visible from Wilton Avenue. The city centre is within close walking distance to the south, whilst the surrounding streets are mostly controlled by parking restrictions.

2. Proposal

- 2.1 It is proposed to erect a 2-bedroom detached bungalow with access from Wilton Avenue for a 1 off-road parking space. The dwelling will include accommodation within the roof-space, served by roof-lights. Overall, the dwelling would provide 50sq.m of floor area.
- 2.2 The property has a relatively traditional design approach with brick elevations and front bay window together with a pitched and tiled roof. The site would be excavated and a new retaining wall would be constructed along the boundary with the garden with nos. 150 Milton Road and 152 Milton Road. The rear garden of the property is terraced with a raised section adjacent to the rear boundary with No 152. In total, 44.sq.m of rear garden space would be provided. Purpose built refuse and cycle storage would be provided within the front curtilage of the property, screened by a boundary wall.

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***.

3.2 The National Planning Policy Framework (NPPF) was revised on the 20th July 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.

4. Relevant Planning History

4.1 The application is a resubmission of the previously refused application (LPA ref no. 20/01456/FUL – ***see Appendix 3*** for details) for a 2-storey, detached flatted block (2 x 1 bed flats). The previous application was refused under delegated powers, last year, for the following reason:

Harm to Residential Amenity

The proposed two-storey flatted building by reason of its scale, layout and proximity to the north-eastern boundary would appear unduly dominant, overbearing and would result in sense of enclosure when viewed from 150 Milton Road. Furthermore, the first-floor rear lounge window in the proposed flatted block would lead to oblique overlooking and loss of privacy to 150 Milton Road. As such, the proposal would be harmful to the residential amenities of neighbouring occupiers, contrary to saved policies SDP1(i), SDP9(v) of the Local Plan Review (March 2015 amended) as supported by the relevant guidance set out in section of 2 of the Residential Design Guide SPD (September 2006).

4.2 The current application seeks to address the previous reason for refusal by reducing the scale and massing of the proposed building to improve the relationship with the neighbouring properties.

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 (02.07.2021). At the time of writing the report 7 representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***Over-intensive use and over-development of residential garden land. Out of keeping with 2 storey housing. Would set an unwelcome precedent for garden grabbing. A back garden house was refused at 1 Wilton Avenue a few years ago. There is not a housing need for further 2 bedroom properties as there are enough newly built in Southampton. Milton Road is already overpopulated,***

there are about 143 houses and at least 111 are HMOs, housing between 4 and 6 people. The property could become a House in Multiple Occupation (HMO) causing further imbalance of the community. The local doctors and dentists are over subscribed. Not enough facilities i.e. bin collection to accommodate for even more people's rubbish and more pressure on doctors surgery's, dentist, school places. Bins will be kept on the street further worsen the local environment.

Response

The size and layout of the proposed dwelling is considered to respond well with the local character and context. The principle of developing garden land to provide further housing is not prevented by the current adopted policy framework, subject to the specific merits of the proposal and the character of the area. In this instance, the use of garden land is not judged to be harmful to either local character or amenity. The surrounding area typically comprises back-to-back dwellings, whereas the application site is unusual in that it has a frontage to a street. As such, it is unlikely to set a precedent for further garden land development.

There is an identified need for further housing within the city and the Core Strategy recognises the need for smaller accommodation. Furthermore, the location of the site, within close proximity to sustainable transport opportunities, employment opportunities and shops and services means the location is appropriate. The adopted Core Strategy recognises that homes will generally need to be built higher densities and the level of density that would be achieved (68 dwellings per hectare) is slightly less than the range policy CS5 indicates is acceptable for this location (in excess of 100 d.p.h).

The application proposes a Use Class C3 family dwelling which would require further planning permission to change to a HMO (where the 40m radius test can be applied). The addition of a small sized family home will improve mix and balance of the community and help meet a housing need in the city.

The development would be liable for the Community Infrastructure Levy which would provide contributions towards local infrastructure in the city.

Bespoke storage would be provided for refuse and recycling which is of sufficient size and suitable design to minimise the potential for refuse management problems.

There is a clear and distinct difference in the impact on local character between the refused back-land development at no. 1 Wilton Avenue (LPA ref no. 09/00907/FUL) and the current application proposal. The refused property at 1 Wilton Avenue did not benefit from its own street frontage unlike the current application.

5.3 ***Loss of residential amenity to neighbouring occupiers in terms of light, outlook due to proximity of the proposed development. Increased noise and disturbance. This will impact on the ability of no. 150 to foster children as a private/safe/quiet space in garden is required for those children and particularly autistic children.***

Response

The layout and massing of the dwelling responds well to the difference in levels across the neighbouring land and so will not adversely affect the residential amenity

of neighbouring occupiers. Moreover, the significant reduction in the scale and massing of the property when compared with the refused planning application on this site has significantly improved the relationship of the proposed dwelling with the neighbouring properties. The incidental residential activities and additional comings and goings associated with a small sized family home is not considered to cause adverse noise and disturbance.

5.4 ***Inadequate garden space.***

Response

The smaller garden size is suitable and fit for purpose for a small sized family household and in keeping with the smaller garden sizes typical of the local area.

5.5 ***The area is at risk from flooding. The underground stream next to houses 111 and 113 Wilton Avenue was one of the reasons that a small block of flats was refused at the car wash site next to 113. There is a flooding problem in this area, especially as we are at the end of the street property 152 drains often overflow and caused the drain of no. 150 to also overflow and thus sewerage was dispersed into the neighbouring garden. Unclear whether the calculations for surface water discharge take account of increasing strength and frequency of very heavy rainfall in the coming years.***

Response

The site does not lie within an area of identified flood risk. The site is far enough away from the culverted Rollesbrook river to not affect the maintenance and access to the culvert, as was the case at 111-113 Wilton Avenue, through which the culvert runs.

There will be consents required from the local water authority and building regulations for the control of drainage and surface water separate to any planning permission granted. The applicant will be required to provide a permeable surface on the front driveway to minimise surface run off impact on the adjoining highway.

5.6 ***Increased traffic and parking demand – lack of assessment carried out. Further pressure on limited street parking available where there are already parking permit controls. Not good access to public transport and bus routes. The entrance/exit to house in Wilton Avenue is near to a bend that slopes sharply eastwards.***

Response

The application proposes the provision of 1 off-road car parking space. The adopted Car Parking Standards Supplementary Planning Document permits a maximum of 2 car parking spaces in this location. That said, the site is just 400m from the Shirley High Accessibility Bus Corridor (20+ buses per hour) and 400m from the City Centre High Accessibility zone, and in walking distance to the central train station. Furthermore, the parking controls that exist within the area limit the potential for over-spill car parking. As such, the level of car parking provision is considered to be acceptable.

The Council's highways officer is satisfied that highways safety will not be adversely

affected by the parking, traffic and access, whilst the recommended changes to the boundary treatments adjacent to the site entrance are secured by condition to improve safety of the existing vehicle access in terms of pedestrian visibility.

- 5.7 **The boundary of the proposed development is incorrect and encroaches upon the garden of no. 150. No access to maintain side wall and gutter adjacent to shared boundary and the neighbour will be unable to repair their garden wall.**

Response

The applicant has confirmed that the ownership of land is shown correctly by the plans. Land ownership and maintenance access is a private matter to be settled between the adjoining landowners outside the planning process, whilst the applicant will need to adhere to the requirements of the party wall act.

The applicant states that - *The boundary line has been taken from the centreline of the existing boundary wall for the purposes of the application (reasonably expected to be the legal boundary line), and the proposed fence to be erected when the works are completed is to be erected on the same line, along the centreline of the existing (to be removed) damaged wall. In fact, the objection makes note of a secondary fence that they have erected as a means of child safety (due to the damaged boundary wall) – this fence line is indicated on the existing site survey plan, and again on all the proposed site plans. This fence was accurately measured by a topographical surveyor, and the plans clearly indicate that we have no intention of land “grabbing”.*

- 5.8 **The applicant is motivated by profit not supporting the community.**

Response

This is not a material planning consideration. The planning assessment gives weight to delivery of housing as a material consideration.

- 5.9 **Decrease in property value.**

Response

This is not a material planning consideration.

Consultation Responses

| 5.10 | Consultee | Comments |
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| | Archaeology | No archaeological conditions are required. |
| | Environmental Health | No objection subject to conditions. |
| | Sustainability | No objection subject to conditions. |
| | Southern Water | The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. Case Officer Response |

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| | The Southern Water shows the sewer line running long the back wall of the existing house at 152 Milton Road and therefore the construction of the proposed dwelling is unlikely to interfere. The protection of the sewer is primarily covered by consent under Building Regulations and Southern Water's powers. |
| Cllr Sarah Bogle | I object to this planning application on the grounds of over-development, loss of light/overlooking neighbouring properties and potential road safety turning into and out of Wilton Avenue. This is the creation of an additional dwelling in a garden in a densely populated area with some houses of character and close to a conservation area. <u>Case Officer Response</u> These issues are discussed in section 6 of this report. |
| Highways | No objection to impact on highways safety subject to lowering of the boundary treatment adjacent to the existing access to improve pedestrian visibility. <u>Case Officer Response</u> The plans have been amended to show this accordingly. |
| SCC Building Control Manager | A contiguous pile wall would be an effective retaining wall structure. The final design calculations and detailed drawing of the retaining structure can be agreed by condition. |

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 character;
- Effect on neighbouring residential amenity;
- Quality of the residential environment;
- Parking highways and transport and;
- Likely effect on designated habitats.

6.2 Principle of development

6.2.1 The site is not allocated for additional housing and the proposed dwelling would represent windfall housing development. The land forms part of the residential garden of no. 152 Milton Road. As set out above, the Council's adopted policies do not prevent the development of garden land per se, subject to the effects on the character of the area and residential amenity. The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting

its targets for housing delivery. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. As such, the principle of development, to make more efficient use of the land for housing can be supported subject to effect of the use of garden land on the character of the area (NPPF paragraph 124(d) refers).

6.2.3 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that locations such as this, density levels should generally be above 100 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 68 d.p.h which, falls below the range set out above, however, this more modest density is appropriate for the suburban like character in this part of Wilton Avenue whilst still reflecting compact urban grain of the area.

6.3 Design and effect on character

6.3.1 With reference to the previously refused scheme (**see Appendix 3**), officers did not raise any reasons regarding the loss of the garden land or back-land site being out of character with the local area. In recent times, the landowner has fenced off the top half of garden to improve security for the existing dwelling at no. 152 and used the lower half for storage purposes, until a timber garage was recently demolished. Although the land is fenced off, its established use is still part of the residential garden of no. 152. The land has an existing dropped kerb vehicle access from Wilton Avenue. The design guidance in section 3 of the Residential Design Guide supports reinforcing and complementing the existing character and appearance of the street. In particular, whilst the application proposes back-land development of a residential garden, the guidance is supportive of new infill development situated part way along streets providing it complements the pattern of development in the rest of the street (refer to paragraph 3.7.7 of the Residential Design Guide). As set out, the proposal would close an existing gap within the Wilton Avenue street scene and address this street.

6.3.2 Whilst the application proposal is less than the 100d.p.h density guideline set out in policy CS5 of the Core Strategy, the policy density guideline is more suited to the higher density city centre flatted blocks. The level of development proposed is, however, more appropriate for this typically compact suburban housing location. As a starting point for judging the appropriate level of development, paragraph 3.9.1 of the Residential Design Guide states that the '*footprint to plot ratio of a new dwellings should be similar to that of existing nearby dwellings*', whilst paragraph 3.9.2 states '*if the plot is much bigger than adjacent plots there is a strong case for subdivision of the plot to create new houses of a similar footprint to plot ratio as existing adjacent houses*'. Both of these tests are met for the application proposal. The existing 320sqm plot of 152 Milton Road is broadly between double and triple the size of other surrounding plots to the east of the site, so in this urban context there is a strong case to subdivide the larger plot to make more efficient use of the land. The proposed 61% ratio of footprint and hardstanding coverage of the plot is slightly above the general 50% guideline for residential plots as stated in the Residential Design Guide (paragraph 3.9.2), albeit this would be betterment over the lower half of the existing garden which is mostly covered by hardstanding.

6.3.3 Furthermore, the locality does not have a uniform pattern of development since the size and shape of existing plots are influenced by the ridgeline of the slope separating the back gardens of Milton Road and Wilton Avenue. The ridgeline of the slope follows a path which is the surviving southern boundary of the 19th Century Bannister Estate. Historically, the street pattern between Milton Road and Wilton Avenue has been built up around this historical landmark feature. As such, the manner of the plot subdivision will be in-keeping with the local context and character. The smaller household size of the 2-bedroom bungalow will be an appropriate level of development and intensification of the plot size.

6.3.4 Currently, the rear elevations of the Milton Road houses are prominent on the slope between the gap of no. 101 and 103 Wilton Avenue. This is not a particularly positive view to protect from Wilton Avenue. The terraced change in levels across the site presents an opportunity to form a separate housing plot with its own street frontage onto Wilton Avenue. By infilling the gap between no. 101 and 103 Wilton Avenue, the front building line of proposed dwelling would visually continue and reinforce the existing line of perimeter-block housing along Wilton Avenue. The variation in height and scale of the single storey bungalow would not significantly detract from the 2-storey character and appearance of the street scene.

6.3.5 To the benefit of the neighbouring dwellings and passing pedestrians, this new house would positively add more natural surveillance to the street. Variation in building heights can introduce visual interest to the street scene. The style and proportions of the surrounding 2-storey dwellings is picked up well by the front gable feature of the bungalow. Ideally a 2-storey dwelling would have been better suited the street scene, but reduction to single storey is necessary overcome the residential amenity impact to no. 150 Milton Road. The visual contrast of a bungalow is further balanced by the opportunity to deliver suitable accommodation for smaller sized families or lower income households, whilst the loss of the residential garden would not adversely affect the prevailing character and setting of the local area.

6.4 Effect on neighbouring residential amenity

6.4.1 The principal reason for refusing the previous application was the adverse effect on the residential amenity of 150 Milton Road from: a) over-dominant sense of enclosure from the 2-storey dwelling and; b) loss of privacy from the first-floor flat lounge window (**see Appendix 3**).

6.4.2 In seeking to address these concerns, the scale and massing proposed building has been lowered to a bungalow with living accommodation in the roof-space (eaves 3.1m and ridge 6m). In addition, it is important to note that the site will be excavated by between 1.6m and 2.2m to ensure the levels meet the Wilton Avenue street level. The result of this will be that the highest part of the garden of no. 150 will be up to 3m higher above the excavated site levels (meaning the garden of no. 150 will be level with the eaves of the proposed dwelling). The construction of a retaining wall structure will support the higher-level garden at the rear of no. 150. The 1.8m high replacement fence along the shared boundary with no. 150 will effectively screen most of the proposed building, with only the less visually dominant hipped roof remaining visible. This would therefore not over-dominate the outlook from neighbour's garden, and neighbour's garden will maintain reasonable access to light prior to the late afternoon due to the over-shadowing impact being from the west.

6.4.3 A person standing in the lower half of the garden of no. 150 would only have limited views of the top most part of the roof of the proposed dwelling (it comes to an apex 3m to the right of the shared boundary). Similarly, when standing immediately adjacent to the rear elevation of No. 150, only the roof would be visible at a distance of 15 metres. Furthermore, due to the difference in levels and oblique angle, it would not be possible to look over the new boundary fence from the proposed dwelling. There are no rear facing windows overlooking towards no. 150 or 152. The side facing rooflight above stairway will be made obscure glazed and fixed shut.

6.5 Quality of the Residential Environment

6.5.1 In terms of the size of the dwelling proposed, the Nationally Described Space Standards set out a minimum floor area of 70 sq.m for the proposed dwelling. The proposed dwelling would provide 50 sq.m of floorspace. On balance, the residential living environment would be of good overall quality to serve a small sized family household and the interior would not feel unduly cramped or dark, especially in this urban context characterised by higher density development on the edge of the city centre. The minimum floor space standards are unadopted guidelines, so being flexible and pragmatic according to the constraints of tighter urban sites it is not always possible to plan by these standards to allow the delivery of smaller sized housing.

6.5.2 In terms of garden area, the Council's Residential Design Guide (para 2.3.14 and section 4.4) sets out that garden areas of 90sq.m is appropriate for detached dwellings. It should be noted the guidance in paragraph 2.3.14 states that there are some parts of the city where gardens are typically smaller than the minimum sizes indicated. In such cases, it may be demonstrable that smaller garden sites are characteristic of the local area. The smaller garden size proposed (44sqm) is not uncharacteristic of the tighter urban grain in the local area and its size and quality would be fit for purpose to serve the needs of a small sized family household. Where the existing garden of no. 152 is subdivided, it will retain 50sqm of private amenity space and therefore complies with the minimum standards.

6.5.3 Overall, accommodation within the dwelling would enjoy good outlook and access to daylight and privacy with the garden being both useable and fit for purpose. As such, the quality of accommodation is considered to be acceptable.

6.6 Parking highways and transport

6.6.1 The level of trips associated with the proposed dwelling would not significantly affect the local road network. The vehicular access which exists previously provided access to a garage and benefits from a dropped kerb access point protected with double yellow lines. The Highways Officer has no objection to the development, however, they have recommended that the boundary wall treatments are kept as low as possible (ideally 0.6m) on both sides (front pillar adjacent to the car park of no. 101 acknowledging that the existing boundary wall is not changeable) where the boundary walls meet the footway to ensure as clear as possible pedestrian sightlines of vehicles exiting the proposed driveway. The applicant has changed the plans accordingly.

6.6.2 The Council's parking standards requires a maximum of 2 off-road spaces for a 2-bedroom house in this area (defined as non-high accessible). Whilst a parking

survey has not been provided, it is considered that the off-road parking shortfall will not adversely affect the amenity of local residents due to a combination of the close walking distance to the city centre and the existing street parking controls in surrounding streets which will minimise the overspill impact on street parking from the additional parking demand.

6.7 Likely effect on designated habitats

6.7.1 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 In summary, the proposed scheme will positively contribute towards the city's housing demand by securing a windfall housing site ideal for lower income and smaller sized family households. The development better utilises an unused part of the sloping residential garden and optimises its efficient use in the context of the tight urban grain character of the local area without adversely affecting the residential amenity or highways safety of the local area. The loss of the residential garden will not negatively impact on the character of the area. Following the refusal of previous application by officers, the reason for refusals are adequately addressed in lowering the scale and height of the building.

8. Conclusion

8.1 It is recommended that planning permission be granted subject to 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) (f) 4.(f) (g) (v) 6. (a) (b) 7. (a)

SB for 24/08/21 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. 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.

04. 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.

05. Unsuspected Contamination (Performance)

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.

06. Use of uncontaminated soils and fill (Performance)

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.

07. Energy & Water [Pre-Construction]

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve a minimum 19% improvement over current Building Regulation part L Target Emission Rate requirements and 105 Litres/Person/Day internal water use. 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 (Amended 2015).

08. Energy & Water [Performance]

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 current Building Regulations Target Emission Rate (TER) requirements and 105 Litres/Person/Day internal water use 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 Adopted Core Strategy (Amended 2015).

09. Site Levels [pre-commencement]

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason: To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

10. Retaining Wall [pre-commencement]

No development shall take place (excluding demolition and site set up) until further details of the retaining wall structures have been submitted to and approved in writing by the Local Planning Authority. The details of the retaining wall structures shall include construction phasing and final calculations and detailed design. The development shall be completed in accordance with these agreed details and thereafter retained for the lifetime of the development. Prior to occupation of the development hereby approved, a post-completion report to verify the installation of the retaining wall as approved shall be submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure that the neighbouring land is structurally retained to protect the neighbour's amenity.

Note to applicant – it is recommended to take photographs to key phases of installation.

11. Cycle storage facilities (Pre-Occupation Condition)

Notwithstanding the approved plans, before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. This shall include details of the provision of internal horizontal stands to secure each cycle, entrance locking system for residents, and specification of internal and external lighting to be fitted. The storage shall be thereafter retained as approved.

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

12. 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 for the lifetime of the development. With the exception of collection days, the refuse bins shall be kept in the approved storage area.

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.

13. Access & Parking (Pre-occupation)

Prior to the occupation of the dwelling hereby approved, the development shall be implemented in accordance with the approved access and parking, including the lowered boundaries treatments adjacent to the site entrance shown on the approved plans, and shall thereafter be retained for the duration of the lifetime of the development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level adjacent to the site entrance where otherwise shown on the approved plans.

Reason: In the interests of securing safe access in the interests of highways safety.

14. Amenity Space Access (Pre-Occupation)

Before the dwelling hereby approved first come into occupation, the external amenity space and pedestrian access to it, shall be made available for use in accordance with the plans hereby approved for both the approved and existing dwellings. 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 and existing dwellings.

15. 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),

Reason: To protect the living conditions of the future occupiers given the small size of the plot and in the interests of residential amenity and visual amenities of the area.

15. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)

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. proposed finished ground levels or contours; means of enclosure; hard surfacing materials to include a non-permeable surfacing to prevent surface water run off onto the adjoining highway;
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment and;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme 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. This is with exception to the other works approved to be carried out prior to occupation of the dwelling. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision and the other works shall be retained as approved 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

16. 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.

17. Obscure Glazing (Performance Condition)

The side facing rooflight above the stairs of the hereby approved development, shall be obscurely glazed and fixed shut 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.

18. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.