

Planning and Rights of Way Panel

Tuesday, 14th March,
2023

at 4.30 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Coombs (Chair)
Councillor Savage (Vice-Chair)
Councillor Blatchford
Councillor Magee
Councillor J Payne
Councillor Prior
Councillor Windle

Contacts

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PUBLIC INFORMATION

ROLE OF THE PLANNING AND RIGHTS OF WAY PANEL

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

PUBLIC REPRESENTATIONS

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

Dates of Meetings: Municipal Year 2022/2023

2022	
24 May	20 September
21 June	11 October
12 July	1 November
2 August	22 November
23 August	13 December

SMOKING POLICY – The Council operates a no-smoking policy in all civic buildings

MOBILE TELEPHONES:- Please switch your mobile telephones or other IT to silent whilst in the meeting.

USE OF SOCIAL MEDIA:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

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FIRE PROCEDURE – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

ACCESS – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

2023	
24 January	11 April
21 February	
14 March	

CONDUCT OF MEETING

TERMS OF REFERENCE

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

RULES OF PROCEDURE

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:
Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (iii) Any contract which is made between you / your spouse etc (or a body in which you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
- (iv) Any beneficial interest in land which is within the area of Southampton.
- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.
- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council, and the tenant is a body in which you / your spouse etc has a beneficial interests.
- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:
 - a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
 - b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

OTHER INTERESTS

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

PRINCIPLES OF DECISION MAKING

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability, and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

PLEASE NOTE

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 8)

To approve and sign as a correct record the Minutes of the meetings held on 24 January and 21 February 2023 and to deal with any matters arising.

CONSIDERATION OF PLANNING APPLICATIONS

Please note: Agenda timings are indicative only and may be subject to change on the day of the meeting. Anyone with an interest in an agenda item is advised to join the meeting from the start.

5 PLANNING APPLICATION - 22/00351/FUL - MAYFIELD CARS, ARCHERY RD (Pages 13 - 64)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

6 PLANNING APPLICATION - 23/00014/FUL - 17 LORDSWOOD ROAD (Pages 65 - 76)

Report of the Head of Transport and planning recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

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Agenda Item 4

To consider the minutes of meeting on 24 January and 21 February

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PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 24 JANUARY 2023

Present: Councillors Coombs (Chair), Savage (Vice-Chair), Blatchford, J Payne, Prior, Vaughan (except item 45) and Windle

Apologies: Councillor Magee

43. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

It was noted that apologies had been received from Councillor Magee. Councillor Vaughan was present as substitute for the purposes of the meeting.

44. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED: that the minutes of the Planning and Rights of Way meetings held on 22 November 2022, and 13 December 2022, be approved and signed as a correct record.

45. **PLANNING APPLICATION-22/01397/FUL 309-311 SHIRLEY ROAD, SOUTHAMPTON**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved.
Conversion from Bingo Hall (Sui Generis Use) to Church (Use Class F1).

The presenting officer provided an update to the report, recommending an additional condition, set out in full below, in respect of the number and layout of car parking within the site.

Louise Castelli (Chair of the Janson Road Resident's Associate/objecting), Ian Knight, Knight Architectural Design (agent), Dr Abigail Oddoye (applicant), and Councillor Shields (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

Statements received from Tracey Beckerleg (local resident), Louise Meyrick (local resident), and Louise Castelli (Chair, Janson Road Residents' Group) were circulated to the Panel and read ahead of the meeting. All statements were published online prior to the meeting.

The Panel noted the concerns of residents and sought responses that reassured them that there was a proper management plan for the property that would address the concerns raised at the meeting.

At the request of Cllr Savage the Panel debated whether or not a restriction on any hot food offer should form part of the decision. This was not considered necessary.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE

FOR: Councillors Coombs, Blatchford, J Payne, Prior, Savage, Windle.
AGAINST:
ABSTAINED:

RESOLVED that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

1. Additional Conditions

Parking (Pre-Occupation)

The proposed 26 parking spaces (including two disabled spaces) shall be marked out and provided in accordance with the plans hereby approved before the development first comes into use and shall thereafter be retained as approved for the sole use of the Church and its ancillary uses for the lifetime of the development.

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

46. **PLANNING APPLICATION 22/01188/FUL 6 CROFTON CLOSE**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved.

Erection of a two storey and first floor side extension including loft conversion and provision of additional hardstanding.

Statements received from Peter and Nadine Johnson (local residents), M Howarth (local resident) were circulated to the Panel and read ahead of the meeting. All statements were published online prior to the meeting.

The presenting officer reported to the Panel that there were no changes to the application.

The Panel then considered the recommendation that the application be conditionally approved. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED: that planning permission be approved subject to the conditions set out within the report.

PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2023

Present: Councillors Coombs (Chair), Savage (Vice-Chair), Blatchford, Magee, Prior and Windle

Apologies: Councillor J Payne

47. **PLANNING APPLICATION - 20/01785/FUL - COMPASS HOUSE, ROMSEY ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Re-development of the site to create a three-storey hotel containing 82 rooms with associated works including 82 car parking spaces. (Resubmission 19/00726/FUL) (amended description to increase both the number of hotel bedrooms and car parking spaces from 73 to 82).

Simon Reyneir (City of Southampton Society) and Councillor Goodfellow (ward councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer corrected references to a prior approval application and reported that Condition 35 would be amended as set out below. Additionally, it was noted that Councillor Guest had confirmed her reasons for objecting as set out in the report.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered the recommendation (2) that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report (as amended) and recommendation (3). Upon being put to the vote the recommendations were carried unanimously.

RESOLVED:

- (i) To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report with the amended condition set out below and the completion of a S.106 Legal Agreement to secure
 - a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

- b. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer
 - c. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - d. Submission and implementation within a specified timescale of a Travel Plan;
 - e. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
 - f. Submission and implementation within a specified timescale of a Waste Management Plan;
 - g. The submission, approval and implementation of public art that is consistent with the Council's Public Art 'Art People Places' Strategy; and
 - h. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) and New Forest SPA in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), SDP12 of the City of Southampton Local Plan Review (March 2006), CS22 of the Core Strategy and the Planning Obligations SPD (September 2013).
- (iii) That the Head of Transport and Planning be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

AMENDED CONDITION

35. Restricted use of flat roof area [Performance Condition].

The roof area of the building hereby approved which incorporates a flat roof surface shall not be used for storage purposes, 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.

48. PLANNING APPLICATION - 21/01680/FUL - 22A HARCOURT ROAD

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report.

Redevelopment of the site. Erection of a 2-storey building containing 3 x 1-bed self-contained supported living flats at ground floor, mixed use (Class C2/C3) with communal staff facilities at first floor and car parking (amended description).

Mr Chamberlain (local resident/ objecting), Mr Dudley (agent), and Councillor Fuller (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that Condition number 27 needed to be deleted and that Condition 3 required to be amended as set out below.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered the recommendation to delegate authority to the Head of Transport and Planning to grant planning permission. The Panel then considered recommendation (2) that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report (as amended) and recommendation (3). Upon being put to the vote the recommendations were carried unanimously.

RESOLVED:

1. To confirm the Habitats Regulation Assessment (HRA) set out in Appendix 1 of the report.
2. To delegate authority to the Head of Transport and Planning to grant planning permission subject to the planning conditions set out in the report (as amended) and a habitat's mitigation contribution linked to the impacts identified in the Habitats Regulation Assessment.
3. That the Head of Transport and Planning be granted authority to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

AMENDED CONDITION

3. Accommodation Management Plan [Pre-Occupation Condition]

Prior to the occupation of the development hereby approved a Residential Accommodation Management Plan, to include details of safety and security measures, practices and procedures that serve the hereby approved residential accommodation in specialist use [class C2/C3] and which includes details of the following shall be submitted to and approved in writing. Once approved the development shall be implemented in accordance with the approved details throughout the lifetime of the development:

- Security measures preventing residents from leaving the building without supervision (if their care packages/risk assessments deem it unsafe to do so) including at night;
- Confirmation of on-site staffing by registered care providers on a 24 hour/7 days a week basis;
- Emergency procedures; and
- Measures to ensure that residents will not have access to a private vehicle.

Reason: To safeguard the residential amenities of neighbouring properties, in the interests of highways safety and in the interest of the safety and security of all residents within the development hereby approved.

49. **PLANNING APPLICATION - 22/01582/FUL - 27 CHESSEL AVENUE**

. The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved.

Erection of a single storey rear extension – application amended following validation

Rodica Mills(local residents/ objecting) and Councillor Keogh (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that a statement from Mrs Sindhu had been circulated.

The Panel then considered the recommendation that the application be conditionally approved. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that planning permission be approved subject to the conditions set out within the report.

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 14th March 2023 – 4:30pm

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
Start Time: 4:35pm (approximately)				
5	SB	DEL	5	22/00351/FUL Mayfield Cars, Archery Rd
Start time: 5:15PM (approximately)				
6	SK	CAP	5	23/00014/FUL 17 Lordswood Rd

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Case Officers:

SB – Stuart Brooks

SK – Sam Kushner

Southampton City Council - Planning and Rights of Way Panel

Report of Head of Transport & Planning

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning Applications:

Background Papers

1. **Documents specifically related to the application**
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. **Statutory Plans**
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Connected Southampton 2040 Transport Strategy (LTP4) adopted 2019.
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)
 - (g) Bassett Neighbourhood Plan (Adopted 2016)

3. **Statutory Plans in Preparation**

4. **Policies and Briefs published and adopted by Southampton City Council**
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)

- (n) Itchen Valley Strategy (1993)
- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (2013)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (revised 2016)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Cycling Strategy – Cycling Southampton 2017-2027
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) Department for Transport (DfT) and Highways England various technical notes
- (i) CIHT's Manual for Streets and Manual for Streets 2
- (j) Bus Service Improvement Plan (BSIP) 2021.

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (February 2019)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

Planning and Rights of Way Panel 14th March 2023
Planning Application Report of the Head of Transport and Planning

Application address: Mayfield Car Sales, Archery Road, Southampton			
Proposed development: Redevelopment of site with the erection of 8 x dwellings (6 x 3-bed and 2 x 4-bed) and associated access and parking			
Application number:	22/00351/FUL	Application type:	FUL
Case officer:	Stuart Brooks	Public speaking time:	5 minutes
Last date for determination:	08.06.2022	Ward:	Woolston
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Blatchford Cllr Stead Cllr Payne
Referred to Panel by:	n/a	Reason:	n/a
Applicant: Mr Richard Darch		Agent: n/a	

Recommendation Summary	Delegate to the Head of Transport and Planning 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, CS7, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Parking Survey		

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Head of Transport and Planning to grant planning permission subject to (a) the receipt of an amended site plan to show convenient refuse storage for general, recycling and garden waste, and secure cycle storage for all dwellings, (b) the planning conditions recommended at the end of this report and (c) the completion of a S.106 Legal Agreement to secure:
 - i. Completion of a successful Traffic Regulation Order (TRO), with the applicants to pay all the Council's reasonable administrative charges in connection therewith, for double yellow lines within Archery Road on both sides of the street down to Weston Lane roundabout.
 - ii. Either the developer enters into an agreement with the Council under s.278 of the Highways Act to provide financial contributions towards sustainable transport measures in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted Developer Contributions SPD (April 2013);
 - iii. Submission of a highway condition survey (both prior to and following completion of the development) to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iv. 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 Transport and Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
4. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 This application site has an area of 0.16 hectares and comprises land formerly used as car sales and ancillary repair/MOT garage workshop known as the Mayfield Garages. The site mainly comprises of hardstanding enclosed by a wire mesh fence at the front of the site with a single storey garage building set back towards the rear boundary. Situated on the east side of Archery Road with a bus stop adjacent, the commercial site is located within a suburban residential area characterised by a mixed

style of two storey housing. The rear gardens of the Ticonderoga Road properties are elevated approximately 2-3 metres above and overlook the rear of the site. Two storey dwellings with front driveways are located on the opposite side of Archery Road. The northern boundary of the site (separated by a footway) sits alongside the dense tree canopy of Shoreburs Greenway (designated as Site of Importance for Nature Conservation & Ancient Woodland).

- 1.2 The Tree team subsequently served notice on adjoining landowners (8th December 2022), including the applicant, that a Tree Preservation Order has been made on the adjacent Oak tree which overhangs the site (and the order will be confirmed in 6 months). There is also a group of tall conifer trees along southern boundary and adjacent to no. 1 Ticonderoga Gardens creating mature vegetation screen between the site which are not protected by a Tree Preservation Order.

2. Proposal

- 2.1 The proposal seeks to redevelop the vacant commercial site into 8 family dwelling houses with a mix of 6 x 3 bed & 2 x 4 bed accommodation. The scheme would have a density of 50 dwellings per hectare (dph) with a 53% site coverage of buildings and hard standing. The proposal incorporates a total of 8 parking spaces (1 per dwelling) within two courtyard areas, served by new access points (vehicle crossover in existing footway) with the existing dropped kerbs reinstated. The existing bus stop outside the site will stay in the same location.

- 2.2 The garden sizes and floor area for each plot is set out in the table below. This is compared against the minimum floorspace set out in Nationally Described Space Standards (NDSS) and the minimum garden sizes of 50sqm (terrace) & 70sqm (semi-detached) per dwelling set out in the Council's Residential Design Guide (para 2.3.14 and section 4.4). All dwellings are fully compliant with the exception of Unit 7's garden

Plot	Floor Size & Garden size (sqm) - PROPOSED	National Internal Standard & Minimum Garden (sqm)
1	107 & 59	84 & 50
2	107 & 62	84 & 50
3	107 & 61	84 & 50
4	107 & 71	84 & 50
5	107 & 65	84 & 50
6	107 & 55	84 & 50
7	124 & 61	97 & 70
8	124 & 133	97 & 70

- 2.3 Over the course of this application submission, the layout of the development has been amended to address:-
- Impact on the root protection area of the protected Oak tree adjacent to the north boundary of the site – *plots 1 and 2 have been moved out of the root protection area to prevent harm to the tree from groundworks;*
 - Overlooking and loss of privacy due to the back to back separation distance

between the first floor windows of the adjacent properties in Ticonderoga Gardens – *introduction of fixed shut and obscured glazed windows on the rear elevations of plots 1-6;*

- Improved safety of access and turning space for the parking areas; and
- Improved design of plots 7-8 – *hipping main roof and better elevational treatment of side elevation as a corner house.*

2.4 In response to the concerns raised by local residents in relation to additional pressure to local street parking due to the overspill demand of the proposed development, the applicant has also undertaken a parking survey (Wednesday 12th and Thursday 13th October 2022) to assess the local kerbside parking capacity (**see Appendix 3** – *a clearer copy of the Survey will form part of the Panel presentation and can be viewed on the Council's Public Access webpages*). At the time of writing this report, neighbours were re-notified for 14 days to comment on the amended plans and new information received. Any further public comments in addition to those already received will be verbally reported at the Panel meeting.

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 in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

4.1 There is no relevant site planning history.

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 (22.04.2022). At the time of writing the report **16 objections** have been received from surrounding residents. Local residents were notified on 23.02.2023 for 14 days to comment on the amended plans received. The following is a summary of the points raised:

5.2 Overdevelopment of site Response

National planning policy seeks to make the best use of previously developed land. The proposed 50 dph density and 53% plot coverage ratio of the overall site will not be out of character with the varied style and pattern of housing development in the

local area, including examples of higher density and compact terraced plots in Bevan Close (for example at 100dph) and complies with the standards for new housing set out in the Development Plan and approved Residential Design Guide (RDG). As such, 8 dwellings is an appropriate level of housing on the land available and, therefore, would not be overdevelopment of the site.

- 5.3 ***No electric charging points provided. Overspill and road safety impact from additional demand of the development will put further pressure on street parking due to the lack of on-site parking provided. This includes potential for accidents outside the site on Archery Road where cars have hit parked vehicles and buses. There are historic incidents of accidents in relation to Bevan Close junction due to excessive speeds and 2014 investigation by the Council into car speeds which led Archery Road being designated a Speedwatch site. Adding parking restrictions outside of the development will only relocate the issue, leading to cars overwhelming neighbouring Bevan Close and Ticonderoga Gardens. Only 2 spaces per dwelling would be suitable for this location akin to the properties opposite in Archery Road.***

Response

The concerns from neighbours around car parking and highway safety are noted. It should be noted that since June 2022 it is a Building Regulations requirement under Part S to provide electric vehicle (EV) charging points for new dwellings with a minimum of 1 EV charging point for every parking space.

The access and parking layout has been designed in consultation with the Council's Highways team. The Highways team have raised no objection to the impact of the development on road safety. This is subject to the S106 agreement securing a contribution for Traffic Regulation Order (TRO) to implement additional double yellow lines along the frontage to protect the bus stop and bus's swept path from overspill parking generated, with restrictions also towards the south to prevent kerb side parking where highway safety can be affected. This mitigation is deemed necessary on highway safety grounds to prevent parking interrupting the freeflow of pedestrians on the associated footpaths.

The Council's adopted Parking Standards SPD shows the site is located in a non-high accessibility zone. The provision of the 8 on-site parking spaces (1 for 1 dwelling), is less than the maximum car parking standards (18 spaces for this housing mix – 2 spaces per 3 bed and 3 spaces per 4 bed dwellings), but can be accepted under the adopted parking policy to encourage less car ownership and more reliance on use of sustainable modes of transport. A 1 space per dwelling provision makes best use of this previously developed site whilst providing all access with an off-street parking space. The 2021 census data in Southampton for car ownership levels on ward by ward basis is not yet published, but in 2011 29.5% of households in Woolston had no vehicle, 45.2% had access to a single car, and 25.4% of households had access to 2 or more vehicles. So whilst it is unlikely that residents of every dwelling will have 2 or more cars it is recognised that some parking overspill may occur. In accordance, with the Parking Standards SPD the applicant has also undertaken a parking survey (on Wednesday 12th and Thursday 13th October 2022) to assess the capacity of kerbside parking of streets within 200m of the site including Archery Road, Ticonderoga Gardens and Bevan Close. The parking survey results shows that the 10 space shortfall (when assessed against maximum standards) can be adequately

absorbed by the street parking available in these nearby streets without detriment to the local residents by displacing existing parking. This takes in account parts of Archery Road which would be unavailable due to the future parking restrictions to be secured through the recommended TRO.

- 5.4 ***Loss of privacy to adjoining properties of Ticonderoga Gardens on higher land due overlooking from the proximity of the first floor windows of the proposed dwellings. The use of obscure glazing will prevent overlooking given the windows can be easily changed/opened.***

Response

The applicant has amended the plans to show the first floor rear windows of plots 1-6 to be top light opening only and fixed shut up to a cill level of 1.7m above the internal floor level. In order to prevent direct overlooking over the backs of the adjoining properties in Ticonderoga Gardens which ranges from a back to back separation distance of 26 to 21 metres and separation ranging from 10 to 12 metres from the rear end of the neighbouring gardens (with garden lengths of no. 23 to 26 Ticonderoga Gardens ranging from 10 to 14m). This will be secured by condition.

- 5.5 ***Concerns that the retaining wall to be installed along the boundary with the higher up adjoining properties in Ticonderoga Gardens will not be structurally safe. Additionally, construction of site levels and retaining wall will require the removal of 50 year old conifer trees along the boundary of no. 1 Ticonderoga Gardens resulting in the loss of privacy of the neighbours.***

Response

To ensure the structural integrity of the raised gardens of Ticonderoga Gardens properties adjoining the site is adequately maintained, full details of the structural specification and timetable for installation during construction will be secured by condition with reserved details to be reviewed by the Council's Building Control and Structural Engineering Teams (see condition 9). Cutting back trees overhanging the applicant's land can be done under civil law.

- 5.6 ***Loss of light to Ticonderoga Gardens properties.***

Response

The separation distance and siting of the plots to the south-west in relation to the elevated properties in Ticonderoga Gardens will ensure that there is no excessive overshadowing during the day or undue loss of natural light enjoyed by the neighbouring occupiers.

- 5.7 ***Health concerns and disturbance to neighbouring occupiers due to pollution from noise, dirt and dust during construction.***

Response

Recommended conditions 3 and 4, as set out at the end of this report, would secure a construction management plan to minimise dust and noise impacts and limit the daytime construction hours.

- 5.8 ***Potential flooding and drainage issues***

Response

Southern Water have raised no objection to the impact on drainage/sewer network. The site is not located in an area of high flood risk (zone 1). The development would have to comply with the drainage requirements under Building Regulations part H.

5.9 **Loss of property value**

Response

This is not a valid material consideration for the Planning system.

Consultation Responses

5.10

Consultee	Comments
Highways	<p>No objection following receipt of amended plans, providing a TRO secures double yellow lines to prevent parking to the front of the dwellings that may obstruct pedestrian movements.</p> <p>Officer Note:- In the interests of mitigating the highways safety impact of the development from controlling overspill parking on Archery Road, the Highways team requires no waiting restrictions through the making of a Traffic Regulation Order (TRO) for double yellows on both sides of Archery Road to the Weston Lane roundabout. This will follow council procedure for making such orders. The applicant will be required to fund the Traffic Regulation Order making process. The applicant has agreed to the TRO. Condition 20 requires the order to be made prior to the commencement of development.</p> <p><i>Further comment received on 02.03.23 on Archery Road regarding Transport Central Funding (TCF) project north of the site to provide traffic calming measures:- The access on the northern parking courtyard will not prejudice the proposal for the TCF as currently designed. This will work in combination with the double yellows to secured under the S106 Traffic Regulation Order to address highways safety impacts of the development to protect the flow of buses and access to the bus stops and also to ensure visibility is clear for both access points to the new development.</i></p>
SCC Design team	<p>No objection to the layout, form and massing of the dwellings. Improvements to the landscaping and creating corner house features on the plots facing side on to parking areas and Archery Road have been delivered.</p>
Environmental Health	<p>No objection subject to conditions:-</p> <ul style="list-style-type: none"> • construction management • a noise assessment will determine the necessary glazing standard as to protect against road noise and allow the WHO guidelines for noise levels in habitable rooms to be met. • Provision for storage of waste bins is to be made as to ensure bins are not stored on the street except for collection days.
SCC Tree Officer	<p>No Objection following amended plans received:- I am in support of the properties being kept away from the native</p>

	<p>woodland and outside of the RPA of the adjoining trees, however there will be a requirement for an arboricultural method statement and impact assessment for the new proposal to include the installation method and type of surface that will be replaced within the RPA. The existing can be removed and a new surface installed, however there is to be no excavation below the current sub base. Work in these areas will require an appointed arboricultural consultant to be employed to oversee the installation.</p> <p>Details regarding tree protection are required as the current surface is likely to be removed during the development, therefore any exposed areas within the RPA will require fencing or ground protection. If it is retained for a period of time, then the canopy extent of the neighbouring trees will require protection from impact damage. As mentioned, all of this detail should be included in the updated arboricultural report.</p> <p>The points that I am <u>not</u> in support of are the installation of low level walls adjacent to unit 1 as these will require a level of excavation within the RPA to install a foundation. Therefore these should be replaced with a lesser impact design, such as railings with small post holes for attachment. Whatever design is chosen, it will need to be within the AMS and AIA.</p> <p>Secondly, I would like to see a change to the planting scheme. It is not very imaginative and is a monoculture of tree species. I am in support of Acer campestre, but not a cultivar so would prefer just the native Acer campestre to be planted alone with other species. I do understand that the trees closest to the properties will require a cultivar, so it is accepted in this area, but I would like to see more diversity in the planting scheme.</p> <p><i><u>Officer Response</u></i> <i>The methodology of tree protection/landscaping and changing to less ground intrusive boundary treatments within the root protection area can be secured via a pre-commencement condition. The applicant has acknowledged the TPO made on the adjacent oak tree in December 2022.</i></p>
Sustainability	No objection subject to water and energy use improvements
Southern Water	No objection
SCC Contamination	No objection subject to investigation of contaminated land risk
Hampshire Swifts	Request that one integral swift nesting brick is used per dwelling – an informative has been added to the conditions below.

6.0 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;
- Residential amenity;
- Parking highways and transport and;
- Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 The principle of additional housing is supported. There is a need for genuine family housing across the City. The site is not allocated for additional housing nor safeguarded for employment use, but the proposed dwellings would represent windfall housing development on previously developed land. 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 NPPF and our saved policies, seeks to maximise previously developed land potential in accessible locations. The loss of employment opportunities will be significantly outweighed by the benefits of boosting family housing delivery in the city on previously developed land, whilst a future residential use on the small site would be more compatible in planning use terms than a light industrial/retail use within this residential area.

6.2.2 The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs. Set against the latest Government housing need target for Southampton (using the standard method with the recent 35% uplift), the Council has less than five years of housing land supply. This means that the Panel will need to have regard to paragraph 11(d) of the NPPF, which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, it should grant permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

[the so-called "tilted balance"]

6.2.3 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new dwellings, and their subsequent occupation, and these are set out in further detail below to enable the Panel to determine 'the Planning Balance' in this case.

6.2.4 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in low accessibility locations such as this, density levels should generally accord with the range of 35-50 dwellings per hectare (dph), 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 50 dph which, whilst accords with the range 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.

6.3 Design and effect on character

- 6.3.1 The redevelopment of this car sales sites within this suburban residential area would remove a non-conforming use, with the potential for harmful impacts, and introduces a mixed residential development to address Archery Road. This approach would be in keeping with the character and layout of the surrounding residential area.
- 6.3.2 Since the submission of the application the design and layout of the development has evolved to respond to the constraints of the adjacent oak tree, and improve the visual relationship of the plots with Archery Road.
- 6.3.3 The proposed 8 no. two storey dwellings, configured into two terraced groups and a semi-detached pair, would not be out of character with the mixed style and pattern of housing development in Bevan Close, Archery Road and Ticonderoga Gardens. The configuration of the plots with a modest density and site coverage optimises the delivery of family housing on the site whilst taking care not to over-develop the land available. The parking courts either end of the development have opportunities for planting and railings to soften the impact of the hardstanding in the street scene (to be agreed through the landscaping condition). As shown by the street scene plan submitted, the close proximity of the front building line combined with the strong horizontal rhythm of the terraced dwellings and corner house bay feature of plot 7 will create a positive connection and residential feel in Archery Road. Furthermore, this would be a significant improvement over the stark appearance of the existing tarmacked commercial site. As such, the proposed development is not considered to adversely affect the visual amenity of the local area.

6.4 Residential amenity

- 6.4.1 The back to back relationship of plots 1-6 with nos. 23 to 26 Ticonderoga Gardens has a separation distance ranging from 21 to 26m, and a height difference of 2 to 3m. The back to back privacy distances under paragraph 2.2.6 in the Residential Design Guide states that minimum 21m back to back distance should be increased by 2m for every 1m rise in ground level and, therefore, require at least a separation of 27m. The back to back separation distance ensures the gardens of the proposed dwellings have an acceptable level of privacy, however, it is recommended that the rear first floor bedrooms should be obscured glazed and fixed shut up to 1.7m above the internal floor level to prevent direct overlooking between the neighbouring occupiers (as recommended by condition and to be retained for the lifetime of the dwellings). Despite the lower part of the rear bedrooms having an obscure glazed outlook these rooms would still have an upward outlook towards the sky, as such the living environment would be acceptable overall for plots 1-6 as family dwellings given the other 2 bedrooms will have clear glazed windows and the ground floor spaces are free from restriction. The orientation of plots 7-8 will ensure there is no direct overlooking of the neighbouring properties in Ticonderoga Gardens. The front to front overlooking between the properties on the opposite side of Archery Road would not be uncommon in an urban area.
- 6.4.2 The orientation of the plots (to the south west of Ticonderoga Gardens) and separation distances between the neighbouring dwellings would maintain adequate access to outlook and light for the neighbouring occupiers, especially given the side by side relationship of plot 8 with no. 1 Ticonderoga Gardens and the elevated height of

Ticonderoga Gardens and their boundary treatments. To maintain the stability of the elevated land of Ticonderoga Gardens, the applicant will need to employ a structural engineer post permission to carry out a detailed design and structural calculations of the retaining wall installed along the boundary perimeter. This can be agreed via pre-commencement conditions in consultation with the Council's Structural Engineers.

- 6.4.3 Referring back to the table in paragraph 2.2, the starting point to assess the quality of the residential environment for future occupants is the minimum floorspace set out in Nationally Described Space Standards (NDSS) and the minimum garden sizes set out in the Council's Residential Design Guide (para 2.3.14 and section 4.4). All the plots comply with these standards apart from a slight deficiency of the garden size by 9sqm for plot 7. That said, the 61sqm rear garden would be fit for purpose in terms of privacy and usability for a family.
- 6.4.4 As such, the proposed development would not adversely affect the living conditions of existing and future occupiers and has been assessed as complying with saved Policy SDP1(i).

6.5 Parking highways and transport

- 6.5.1 The access and parking layout has been designed in consultation with the Council's Highways team throughout the evolution of the design. The Highways team have raised no objection to the impact of the development on road safety and the additional trips to the local network. This is subject to a completed S106 agreement to secure a financial contribution for a TRO to implement additional double yellow lines along the frontage to protect the bus stop and bus's swept path from overspill parking generated, with restrictions also towards the south to prevent kerb side parking where highway safety can be affected. The details of cycle and bin storage/collection will be secured via condition.
- 6.5.2 The Parking Standards SPD shows the site located in a non-high accessibility zone. Archery Road is served by a frequent bus service to the city centre and Woolston district centre shopping area. The provision of the 8 on-site parking spaces (1 for 1 dwelling), less than the maximum car parking standards (18 spaces for this housing mix – 2 spaces per 3 bed and 3 spaces per 4 bed dwellings), can be supported under the adopted parking policy with the aim to reduce car use and encourage use of sustainable transport. The 2021 census data in Southampton for car ownership levels on ward by ward basis is not published yet but the report details above the car ownership for Woolston at the date of the last Census. In line with the aims of Core Strategy policies CS18 (Transport) and CS19 (Parking), the suggested S106 agreement will require a financial contribution towards bus stop improvements for north bound bus stop including RTI (Real Time Information) to promote and encourage sustainable travel and reduce private car trips.
- 6.5.3 In accordance with the Parking Standards SPD, the applicant has undertaken a parking survey (on Wednesday 12th and Thursday 13th October 2022) to assess the capacity of kerbside parking of streets within 200m of the site including Archery Road, Ticonderoga Gardens and Bevan Close. The parking survey results shows that the 10 space shortfall can be absorbed by the capacity available in nearby streets without detriment to the amenity of nearby residents by displacing street parking available. This discounts parts of Archery Road which would be unavailable due to future parking

restrictions.

6.5.4 As such, the impacts of parking overspill and access of the proposed development will not adversely affect road safety and residential amenity, whilst the financial contributions to be secured under the S106 will ensure that the Council can control highways safety impacts arising from future occupiers parking on Archery Road, and will secure improvements to local bus stop infrastructure to encourage more use of sustainable transport and less car use. Furthermore the risk of parking overspill as a consequence of providing a level of car parking below the maximum car parking standards is outweighed by the merits of the scheme when applying the tilted balance in favour of housing delivery.

6.6 Likely effect on designated habitats

6.6.1 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. The requisite contribution will be secured via the S106,

7. Summary

7.1 The principle of new residential development is considered acceptable. The proposed development optimises the delivery of family housing on this previously developed and vacant site, and would remove a non-conforming commercial use within this suburban residential area. It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new dwellings, and their subsequent occupation, as set out in this report.

7.2 Taking into account the benefits of the proposed development, the limited harm arising from the conflict with the policies in the development plan as set out above, would be significantly and demonstrably outweighed by the benefits when assessed against the policies in the Framework taken as a whole. As such, consideration of the tilted balance would point to approval. In this instance it is considered that the above assessment, alongside the stated benefits of the proposal, suggest that the proposals are acceptable. Having regard to s.38(6) of the Planning and Compulsory Purchase Act 2004, and the considerations set out in this report, the application is recommended for approval.

8. Conclusion

8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and 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) (vv) 6. (a) (b) 7. (a)

Stuart Brooks for 14.02.23 PROW Panel

PLANNING CONDITIONS to include:

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 Management 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. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

- 1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above

- an initial conceptual site model of the site indicating sources, pathways and receptors
- a qualitative assessment of the likely risks
- any requirements for exploratory investigations

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.

3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority

Reason: To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

06. Water Efficiency (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 maximum of 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of 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. The appliances/fittings to be installed as specified.

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) and to minimise the impact on Solent SPAs by reducing nitrate emissions.

07. Landscaping (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 parking courtyard;

- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment and means of enclosure 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

08. 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.

09. 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.

10. 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.

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 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.

12. Access & Parking (Pre-occupation)

Prior to the occupation of the dwelling hereby approved, the approved access and parking shall be provided in accordance with the approved plans, and shall thereafter be retained for the duration of the lifetime of the development. Parking shall be allocated at 1 parking space maximum per dwelling. In particular, the access provided shall be a vehicle crossover in existing footway in accordance with the agent's email received on 20th September 2022. 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.

13. 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.

14. 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. Ecological Mitigation Statement (Pre-Occupation)

Prior to occupation of the development hereby approved, 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 prior to occupation. This shall include a swift nesting brick in each dwelling. The agreed mitigation measures shall be thereafter retained as approved for the lifetime of the development.

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

Note to applicant: The Hampshire Swifts have requested that this mitigation incorporates swift boxes.

16. 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

17. Obscure Glazing (Performance)

The first floor level rear bedroom windows of the dwellings in plots 1-6, 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.

18. No Other Windows or Doors (Performance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended 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 rear elevations of the dwellings in plot 1-6 without the prior written consent of the Local Planning Authority.

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

19. Stop up access (Performance)

Prior to the first occupation of the dwelling hereby approved, the existing lowered kerb accesses from the site to Archery Road shall be permanently stopped up with a raised kerb.

Reason: In the interests of highway safety.

20. Traffic Regulation Order on Archery Road (Grampian Condition)

The development hereby approved shall not be commenced until a Traffic Regulation Order has been made by the Council to provide no waiting restrictions on both sides of Archery Road (adjacent to the site and south of Bevan Close) to the Weston Lane roundabout.

Reason: In the interests of highways safety.

21. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

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Agenda Item 5

Appendix 1

Habitats Regulations Assessment (HRA)	
Application reference:	22/00351/FUL
Application address:	Mayfield Car Sales Archery Road Southampton
Application description:	Redevelopment of site. Erection of 8 x dwellings (6 x 3-bed and 2 x 4-bed) and associated access and parking
HRA completion date:	22nd February 2023

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council lindsay.mcculloch@southampton.gov.uk

Summary
<p>The project being assessed is as described above.</p> <p>The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.</p> <p>The site is located close to protected sites and as such there is potential for construction stage impacts. It is also recognised that the proposed development, in combination with other developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.</p> <p>In addition, wastewater generated by the development could result in the release of nitrogen and phosphate into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.</p> <p>The findings of the initial assessment concluded that significant effects were possible. A detailed appropriate assessment was therefore conducted on the proposed development.</p> <p>Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects, which are likely in association with the proposed development, can be adequately mitigated and that there will be no adverse effect on the integrity of protected sites.</p>

Section 1 - details of the plan or project	
<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action</p>	<ul style="list-style-type: none"> ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime Special Area of Conservation (SAC)

<p>Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website</p>	<ul style="list-style-type: none"> ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development is not connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq. m of office floorspace and 462,000 sq. m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.</p> <p>Southampton aims to provide a total of 15,610 net additional dwellings across the city between 2016 and 2035 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of this site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulations 62 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are clear that the assessment provisions, ie. Regulations 63 and 64 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, as required under Regulation 63 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- **This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 63(1) (a) of the Habitats Regulations.**

The proposed development is located close to the Solent and Dorset Coast SPA, Solent and Southampton Water SPA and Ramsar site and the Solent Maritime SAC. As well as the River Itchen SAC, New Forest SAC, SPA and Ramsar site.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be both temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built. The following effects are possible:

- Contamination and deterioration in surface water quality from mobilisation of contaminants;
- Disturbance (noise and vibration);
- Increased leisure activities and recreational pressure; and,
- Deterioration in water quality caused by nitrates from wastewater

Conclusions regarding the likelihood of a significant effect
This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 63(1)(a) of the Habitats Regulations.

The project being assessed is as described above. The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The site is located close to European sites and as such there is potential for construction stage impacts. Concern has also been raised that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site. In addition, wastewater generated by the development could result in the release of nitrogen into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.

Overall, there is the potential for permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives
The analysis below constitutes the city council's assessment under Regulation 63(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152>.

The conservation objective for Special Areas of Conservation is to, "*Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.*"

The conservation objective for Special Protection Areas is to, "*Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.*"

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION PHASE EFFECTS

Mobilisation of contaminants

Sites considered: Solent and Southampton Water SPA/Ramsar site, Solent and Dorset Coast SPA, Solent Maritime SAC, River Itchen SAC (mobile features of interest including Atlantic salmon and otter).

The development site lies within Southampton, which is subject to a long history of port and associated operations. As such, there is the potential for contamination in the site to be mobilised during construction. In 2016 the ecological status of the Southampton Waters was classified as 'moderate' while its chemical status classified as 'fail'. In addition, demolition and construction works would result in the emission of coarse and fine dust and exhaust emissions – these could impact surface water quality in the Solent and Southampton SPA/Ramsar Site and Solent and Dorset Coast SPA with consequent impacts on features of the River Itchen SAC. There could also be deposition of dust particles on habitats within the Solent Maritime SAC.

A range of construction measures can be employed to minimise the risk of mobilising contaminants, for example spraying water on surfaces to reduce dust, and appropriate standard operating procedures can be outlined within a Construction Environmental Management Plan (CEMP) where appropriate to do so.

In the absence of such mitigation there is a risk of contamination or changes to surface water quality during construction and therefore a significant effect is likely from schemes proposing redevelopment.

Disturbance

During demolition and construction noise and vibration have the potential to cause adverse impacts to bird species present within the SPA/Ramsar Site. Activities most likely to generate these impacts include piling and where applicable further details will be secured ahead of the determination of this planning application.

Sites considered: Solent and Southampton Water SPA

The distance between the development and the designated site is substantial and it is considered that sound levels at the designated site will be negligible. In addition, background noise will mask general construction noise. The only likely source of noise impact is piling and only if this is needed. The sudden, sharp noise of percussive piling will stand out from the background noise and has the potential to cause birds on the inter-tidal area to cease feeding or even fly away. This in turn leads to a reduction in the birds' energy intake and/or expenditure of energy which can affect their survival.

Collision risk

Sites considered: Solent and Southampton Water SPA, Solent and Dorset Coast SPA

Mapping undertaken for the Southampton Bird Flight Path Study 2009 demonstrated that the majority of flights by waterfowl occurred over the water and as a result collision risk with construction cranes, if required, or other infrastructure is not predicted to pose a significant threat to the species from the designated sites.

PERMANENT, OPERATIONAL EFFECTS

Recreational disturbance

Human disturbance of birds, which is any human activity which affects a bird's behaviour or survival, has been a key area of conservation concern for a number of years. Examples of such disturbance, identified by research studies, include birds taking flight, changing their feeding behaviour or avoiding otherwise suitable habitat. The effects of such disturbance range from a minor reduction in foraging time to mortality of individuals and lower levels of breeding success.

New Forest SPA/Ramsar site/New Forest SAC

Although relevant research, detailed in Sharp et al 2008, into the effects of human disturbance on interest features of the New Forest SPA/Ramsar site, namely nightjar, *Caprimulgus europaeus*, woodlark, *Lullula arborea*, and Dartford warbler *Sylvia undata*, was not specifically undertaken in the New Forest, the findings of work on the Dorset and Thames Basin Heaths established clear effects of disturbance on these species.

Nightjar

Higher levels of recreational activity, particularly dog walking, has been shown to lower nightjar breeding success rates. On the Dorset Heaths nests close to footpaths were found to be more likely to fail as a consequence of predation, probably due to adults being flushed from the nest by dogs allowing predators access to the eggs.

Woodlark

Density of woodlarks has been shown to be limited by disturbance with higher levels of disturbance leading to lower densities of woodlarks. Although breeding success rates were higher for the nest that were established, probably due to lower levels of competition for food, the overall effect was approximately a third fewer chicks than would have been the case in the absence of disturbance.

Dartford warbler

Adverse impacts on Dartford warbler were only found to be significant in heather dominated territories where high levels of disturbance increased the likelihood of nests near the edge of the territory failing completely. High disturbance levels were also shown to stop pairs raising multiple broods.

In addition to direct impacts on species for which the New Forest SPA/Ramsar site is designated, high levels of recreation activity can also affect habitats for which the New Forest SAC is designated. Such impacts include trampling of vegetation and compaction of soils which can lead to changes in plant and soil invertebrate communities, changes in soil hydrology and chemistry and erosion of soils.

Visitor levels in the New Forest

The New Forest National Park attracts a high number of visitors, calculated to be 15.2 million annually in 2017 and estimated to rise to 17.6 million visitor days by 2037 (RJS Associates Ltd., 2018). It is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths.

Research undertaken by Footprint Ecology, Liley et al (2019), indicated that 83% of visitors to the New Forest were making short visits directly from home whilst 14% were staying tourists and a further 2% were staying with friends or family. These proportions varied seasonally with more holiday makers (22%) and fewer day visitors (76%), in the summer than compared to the spring (12% and 85% respectively) and the winter (11% and 86%). The vast majority of visitors travelled by car or other motor vehicle and the main activities undertaken were dog walking (55%) and walking (26%).

Post code data collected as part of the New Forest Visitor Survey 2018/19 (Liley et al, 2019) revealed that 50% of visitors making short visits/day trips from home lived within 6.1km of the survey point, whilst 75% lived within 13.8km; 6% of these visitors were found to have originated from Southampton.

The application site is located within the 13.8km zone for short visits/day trips and residents of the new development could therefore be expected to make short visits to the New Forest.

Whilst car ownership is a key limitation when it comes to be able to access the New Forest, there are still alternative travel means including the train, bus, ferry and bicycle. As a consequence, there is a risk that recreational disturbance could occur as a result of the development. Mitigation measures will therefore be required.

Mitigation

A number of potential mitigation measures are available to help reduce recreational impacts on the New Forest designated sites, these include:

- Access management within the designated sites;
- Alternative recreational greenspace sites and routes outside the designated sites;

- Education, awareness and promotion

Officers consider a combination of measures will be required to both manage visitors once they arrive in the New Forest, including influencing choice of destination and behaviour, and by deflecting visitors to destinations outside the New Forest.

The New Forest Visitor Study (2019) asked visitors questions about their use of other recreation sites and also their preferences for alternative options such as a new country park or improved footpaths and bridleways. In total 531 alternative sites were mentioned including Southampton Common which was in the top ten of alternative sites. When asked whether they would use a new country park or improved footpaths/ bridleways 40% and 42% of day visitors respectively said they would whilst 21% and 16% respectively said they were unsure. This would suggest that alternative recreation sites can act as suitable mitigation measures, particularly as the research indicates that the number of visits made to the New Forest drops the further away people live.

The top features that attracted people to such sites (mentioned by more than 10% of interviewees) included: Refreshments (18%); Extensive/good walking routes (17%); Natural, 'wild', with wildlife (16%); Play facilities (15%); Good views/scenery (14%); Woodland (14%); Toilets (12%); Off-lead area for dogs (12%); and Open water (12%). Many of these features are currently available in Southampton's Greenways and semi-natural greenspaces and, with additional investment in infrastructure, these sites would be able to accommodate more visitors.

The is within easy reach of a number of semi-natural sites including Southampton Common and the four largest greenways: Lordswood, Lordsdale, Shoreburs and Weston. Officers consider that improvements to the nearest Park will positively encourage greater use of the park by residents of the development in favour of the New Forest. In addition, these greenway sites, which can be accessed via cycle routes and public transport, provide extended opportunities for walking and connections into the wider countryside. In addition, a number of other semi-natural sites including Peartree Green Local Nature Reserve (LNR), Frogs Copse and Riverside Park are also available.

The City Council has committed to ring fencing 4% of CIL receipts to cover the cost of upgrading the footpath network within the city's greenways. This division of the ring-fenced CIL allocation is considered to be appropriate based on the relatively low proportion of visitors, around 6%, recorded originating from Southampton. At present, schemes to upgrade the footpaths on Peartree Green Local Nature Reserve (LNR) and the northern section of the Shoreburs Greenway are due to be implemented within the next twelve months, ahead of occupation of this development. Officers consider that these improvement works will serve to deflect residents from visiting the New Forest.

Discussions have also been undertaken with the New Forest National Park Authority (NFNPA) since the earlier draft of this Assessment to address impacts arising from visitors to the New Forest. The NFNPA have identified a number of areas where visitors from Southampton will typically visit including locations in the eastern half of the New Forest, focused on the Ashurst, Deerleap and Longdown areas of the

eastern New Forest, and around Brook and Fritham in the northeast and all with good road links from Southampton. They also noted that visitors from South Hampshire (including Southampton) make up a reasonable proportion of visitors to central areas such as Lyndhurst, Rhinefield, Hatchet Pond and Balmer Lawn (Brockenhurst). The intention, therefore, is to make available the remaining 1% of the ring-fenced CIL monies to the NFNPA to be used to fund appropriate actions from the NFNPA's Revised Habitat Mitigation Scheme SPD (July 2020) in these areas. An initial payment of £73k from extant development will be paid under the agreed MoU towards targeted infrastructure improvements in line with their extant Scheme and the findings of the recent visitor reports. This will be supplemented by a further CIL payment from the development with these monies payable after the approval of the application but ahead of the occupation of the development to enable impacts to be properly mitigated.

The NFNPA have also provided assurance that measures within the Mitigation Scheme are scalable, indicating that additional financial resources can be used to effectively mitigate the impacts of an increase in recreational visits originating from Southampton in addition to extra visits originating from developments within the New Forest itself both now and for the lifetime of the development

Funding mechanism

A commitment to allocate CIL funding has been made by Southampton City Council. The initial proposal was to ring fence 5% of CIL receipts for measures to mitigate recreational impacts within Southampton and then, subsequently, it was proposed to use 4% for Southampton based measures and 1% to be forwarded to the NFNPA to deliver actions within the Revised Habitat Mitigation Scheme SPD (July 2020). To this end, a Memorandum of Understanding between SCC and the NFNPA, which commits both parties to,

“work towards an agreed SLA whereby monies collected through CIL in the administrative boundary of SCC will be released to NFNPA to finance infrastructure works associated with its Revised Habitat Mitigation Scheme SPD (July 2020), thereby mitigating the direct impacts from development in Southampton upon the New Forest’s international nature conservation designations in perpetuity.”

has been agreed.

The Revised Mitigation Scheme set out in the NFNPA SPD is based on the framework for mitigation originally established in the NFNPA Mitigation Scheme (2012). The key elements of the Revised Scheme to which CIL monies will be released are:

- Access management within the designated sites;
- Alternative recreational greenspace sites and routes outside the designated sites;
- Education, awareness and promotion;
- Monitoring and research; and
- In perpetuity mitigation and funding.

At present there is an accrued total, dating back to 2019 of £73,239.81 to be made available as soon as the SLA is agreed. This will be ahead of the occupation of the development. Further funding arising from the development will be provided.

Provided the approach set out above is implemented, an adverse impact on the integrity of the protected sites will not occur.

Solent and Southampton Water SPA/Ramsar site

The Council has adopted the Solent Recreation Mitigation Partnership's Mitigation Strategy (December 2017), in collaboration with other Councils around the Solent, in order to mitigate the effects of new residential development on the Solent and Southampton Water SPA and Ramsar site. This strategy enables financial contributions to be made by developers to fund appropriate mitigation measures. The level of mitigation payment required is linked to the number of bedrooms within the properties.

The residential element of the development could result in a net increase in the city's population and there is therefore the risk that the development, in-combination with other residential developments across south Hampshire, could lead to recreational impacts upon the Solent and Southampton Water SPA. A contribution to the Solent Recreation Mitigation Partnership's mitigation scheme will enable the recreational impacts to be addressed. The developer has committed to make a payment prior to the commencement of development in line with current Bird Aware requirements and these will be secured ahead of occupation – and most likely ahead of planning permission being implemented.

Water quality

Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site

Natural England highlighted concerns regarding, *“high levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites.”*

Eutrophication is the process by which excess nutrients are added to a water body leading to rapid plant growth. In the case of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site the problem is predominately excess nitrogen arising from farming activity, wastewater treatment works discharges and urban run-off.

Features of Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site that are vulnerable to increases in nitrogen levels are coastal grazing marsh, inter-tidal mud and seagrass.

Evidence of eutrophication impacting the Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site has come from the Environment Agency data covering estimates of river flow, river quality and also data on WwTW effluent flow and quality.

An Integrated Water Management Study for South Hampshire, commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities, examined the delivery of development growth in relation to legislative and government policy requirements for

designated sites and wider biodiversity. This work has identified that there is uncertainty in some locations as to whether there will be enough capacity to accommodate new housing growth. There is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether the upgrades to wastewater treatment works will be enough to accommodate the quantity of new housing proposed. Considering this, Natural England have advised that a nitrogen budget is calculated for larger developments.

A methodology provided by Natural England has been used to calculate a nutrient budget and the full workings have been provided by the applicant as part of the planning application submission. The calculations conclude that there is a predicted Total Nitrogen surplus arising from the development. This is based on the additional population from the residential units using 110litres of wastewater per person per day. Due to the nature of the site, and the surrounding urban environment, there are no further mitigation options on site. At the time of submitting the application in April 2022, the strategic mitigation measures were still under development and it is therefore proposed that a record of the outstanding amount of nitrogen is made.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

Conclusions

The following conclusions can be drawn from the evidence provided:

- There is potential for a number of impacts, including noise disturbance and mobilisation of contaminants, to occur at the demolition and construction stage.
- Water quality within the Solent and Southampton Water SPA/Ramsar site could be affected by release of nitrates contained within wastewater.
- Increased levels of recreation activity could affect the Solent and Southampton Water SPA/Ramsar site and the New Forest/SAC/SPA/Ramsar site.
- There is a low risk of birds colliding with the proposed development.

The following mitigation measures have been proposed as part of the development:

Demolition and Construction phase

- Provision of a Construction Environmental Management Plan, where appropriate.
- Use of quiet construction methods where feasible;
- Further site investigations and a remediation strategy for any soil and groundwater contamination present on the site.

Operational

- Contribution towards the Solent Recreation Mitigation Partnership scheme. The precise contribution level will be determined based on the known mix of development;
- 4% of the CIL contribution will be ring fenced for footpath improvements in Southampton's Greenways network. The precise contribution level will be determined based on the known mix of development;
- Provision of a welcome pack to new residents highlighting local greenspaces and including walking and cycling maps illustrating local routes and public transport information.
- 1% of the CIL contribution will be allocated to the New Forest National Park Authority (NFNPA) Habitat Mitigation Scheme. A Memorandum of Understanding (MoU), setting out proposals to develop a Service Level Agreement (SLA) between SCC and the NFNPA, has been agreed. The

precise contribution level will be determined based on the known mix of development with payments made to ensure targeted mitigation can be delivered by NFNPA ahead of occupation of this development.

- All mitigation will be in place ahead of the first occupation of the development thereby ensuring that the direct impacts from this development will be properly addressed.

As a result of the mitigation measures detailed above, when secured through planning obligations and conditions, officers are able to conclude that there will be no adverse impacts upon the integrity of European and other protected sites in the Solent and New Forest arising from this development.

References

Fearnley, H., Clarke, R. T. & Liley, D. (2011). The Solent Disturbance & Mitigation Project. Phase II – results of the Solent household survey. ©Solent Forum/Footprint Ecology.

Liley, D., Stillman, R. & Fearnley, H. (2010). The Solent Disturbance and Mitigation Project Phase 2: Results of Bird Disturbance Fieldwork 2009/10. Footprint Ecology/Solent Forum.

Liley, D., Panter, C., Caals, Z., & Saunders, P. (2019) Recreation use of the New Forest SAC/SPA/Ramsar: New Forest Visitor Survey 2018/19. Unpublished report by Footprint Ecology.

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Application 22/00351/FUL

APPENDIX 2

POLICY CONTEXT

Core Strategy (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS7	Employment
CS13	Fundamentals of Design
CS14	Historic Environment
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP23	Unstable Land
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
HE6	Archaeology

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2021)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Mayfield Garage, Southampton

784-B042671

Parking Study

Issue

MPQ Properties Ltd

November 2022

**Document prepared on behalf of Tetra Tech Environment Planning Transport Limited.
Registered in England number: 03050297**



DOCUMENT CONTROL

Document:	Parking Study
Project:	Mayfield Garage, Southampton
Client:	MPQ Properties Ltd
Project Number:	784-B042671
File Origin:	U:\784-B042671_Mayfield_Garage__Southampton\60 Project Output\61 Work in Progress\Parking Study\B042671 Mayfield Garage Parking Study.docx

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APPENDICES

APPENDIX A: PARKING SURVEY OUTPUTS

1.0 INTRODUCTION

1.1 BACKGROUND

- 1.1.1 Tetra Tech has been appointed by MPQ Properties Ltd (the ‘client’) to provide transport and highways consultancy services in the form of a Parking Study to support a planning application (ref. 22/00351/FUL) for a proposed development of eight dwellings at the former Mayfield Garage site, Archery Road, SO19 9GG.
- 1.1.2 Southampton City Council (SCC) is the Local Planning Authority (LPA) responsible for determining planning applications in the area, as well as being the Local Highway Authority (LHA).

1.2 SITE LOCATION

- 1.2.1 The site is located at the former Mayfield Garage site, Archery Road, Weston. The location of the site is shown in Figure 1.1.

Figure 1.1 – Site Location Plan



2.0 PARKING SURVEY

2.1 METHODOLOGY

- 2.1.1 In order to determine the baseline on-street parking conditions, parking surveys compliant with the Lambeth methodology were undertaken on Wednesday 12 and Thursday 13 October 2022 at 04:00 and 04:45 respectively.
- 2.1.2 The full outputs of the survey are included as **Appendix A**.
- 2.1.3 The extent of the survey included all roads within 200m of the site, including:
- Archery Road
 - Ticonderoga Gardens
 - Bevan Close
- 2.1.4 The total parking provision within 200m of the site is 146 spaces, including 19 spaces on Bevan Close, 54 spaces on Archery Road, and 73 spaces on Ticonderoga Gardens.

2.2 RESULTS

- 2.2.1 A summary of the parking occupancy on the streets is set out in Table 2.1.

Table 2.1 – Summary of Parking Survey

Street	Capacity	Wednesday Occupancy	Wednesday Available Spaces	Wednesday Parking Stress	Thursday Occupancy	Thursday Available Spaces	Thursday Parking Stress
Archery Road	54	4	50	7%	4	50	7%
Ticonderoga Gardens	73	60*	13	82%	62*	11	85%
Bevan Close	19	9	10	47%	11	8	58%
Total	146	73	73	50%	77	69	53%

*includes vehicles parked illegally on footway

- 2.2.2 Table 2.1 demonstrates that there is residual capacity for on-street parking in the vicinity of the site across the course of a typical day. At any time, typically around half of all on-street parking spaces were available, spread across the whole study area, equating to around 70 spaces within walking distance of the site.

3.0 PARKING DEMAND

3.1 DEVELOPMENT PROPOSALS

- 3.1.1 The proposed development comprises eight residents' parking spaces for the dwelling, as well as three additional visitor spaces, giving a total of 11 spaces.
- 3.1.2 Southampton City Council's Parking Standards Supplementary Planning Document indicates that a maximum of two spaces per dwelling should be provided for 3+ bedroom dwellings; however, no minimum parking provision is set out.
- 3.1.3 2011 Census data (the most recent available) has been used to determine existing car ownership levels in the Southampton 031 output area, in which the site lies. The calculation is set out in Table 3.1.

Table 3.1 – 2011 Census Data – Car and Van Availability, Southampton 031 Output Area

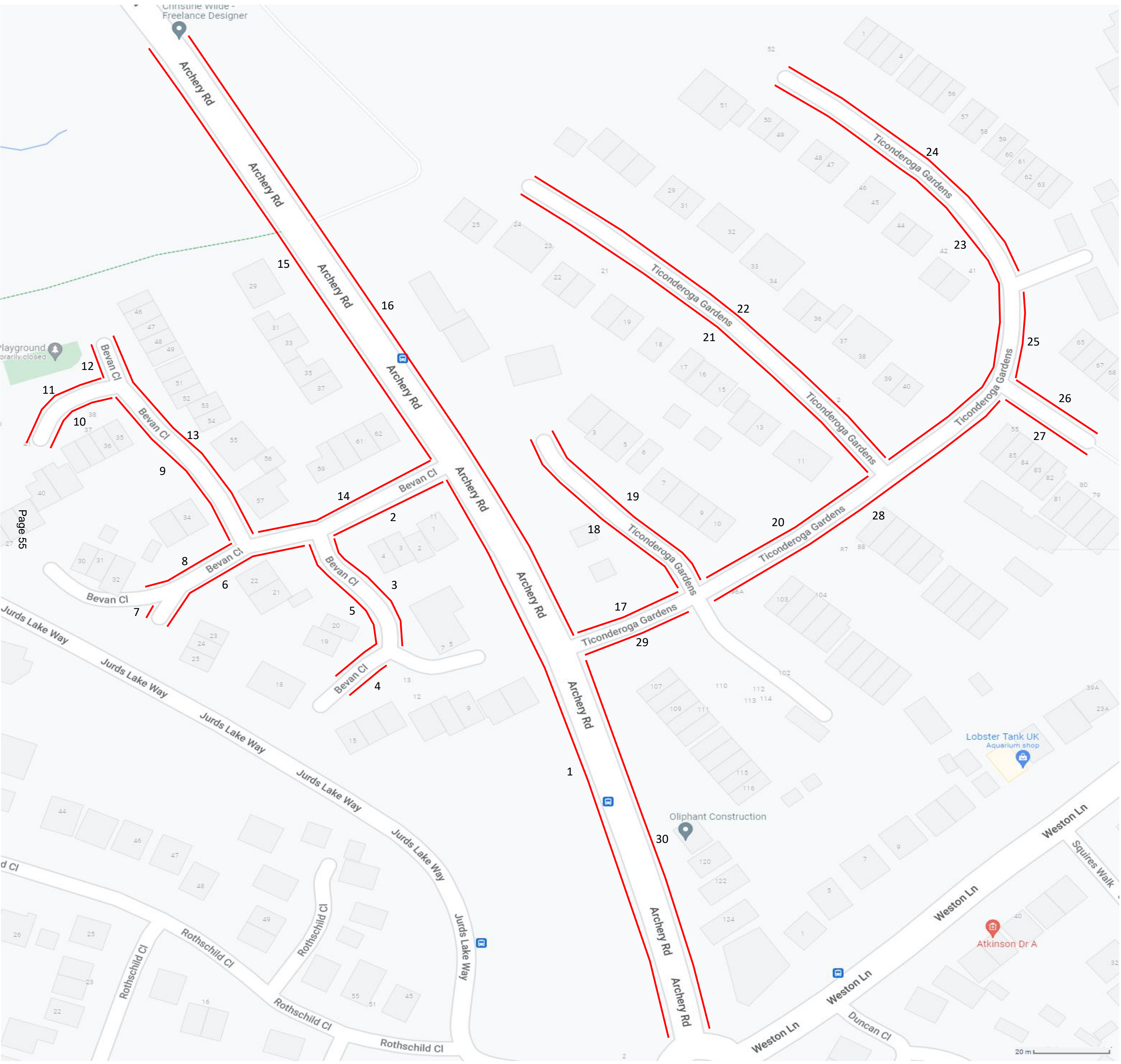
Cars	2011 Data	Total Vehicles	Average
All categories: Car or van availability	3,357	3,836	1.14
No cars or vans in household	754	0	
1 car or van in household	1,598	1,598	
2 cars or vans in household	826	1,652	
3 cars or vans in household	130	390	
4 or more cars or vans in household	49	196	

- 3.1.4 The data shows that average car ownership in the area is 1.14 vehicles per household; for a development of 8 dwellings, this equates to 9 vehicles.
- 3.1.5 The 11 parking spaces can therefore accommodate the expected parking demand of the proposed development.
- 3.1.6 If the three visitor spaces are disregarded, there are eight spaces available for residents to park, leading to an overspill demand of one vehicle.
- 3.1.7 The survey has demonstrated that at times of peak demand overnight, there are around 70 spaces available within 200m of the site, and therefore the minimal increased parking demand of one vehicle can be accommodated on the local highway network.

4.0 SUMMARY

- 4.1.1 This report seeks to address the comments raised by Southampton City Council relating to parking matters.
- 4.1.2 A parking survey in accordance with the Lambeth Methodology was undertaken in the vicinity of the site overnight, and has demonstrated that there is residual parking capacity times of peak demand, with around 70 spaces available within 200m of the site at any one time. Given that the development is likely to generate minimal additional parking demand, it is considered that this can be accommodated safely and without causing issues in the surrounding area.
- 4.1.3 Consequently, it is considered that there are no outstanding issues that should lead to any objection to the proposed development on highway grounds.

APPENDIX A: PARKING SURVEY OUTPUTS



Cristine wide -
Freelance Designer

Playground
temporarily closed

Page 55

Lobster Tank UK
Aquarium shop

Oliphant Construction

Atkinson Dr A

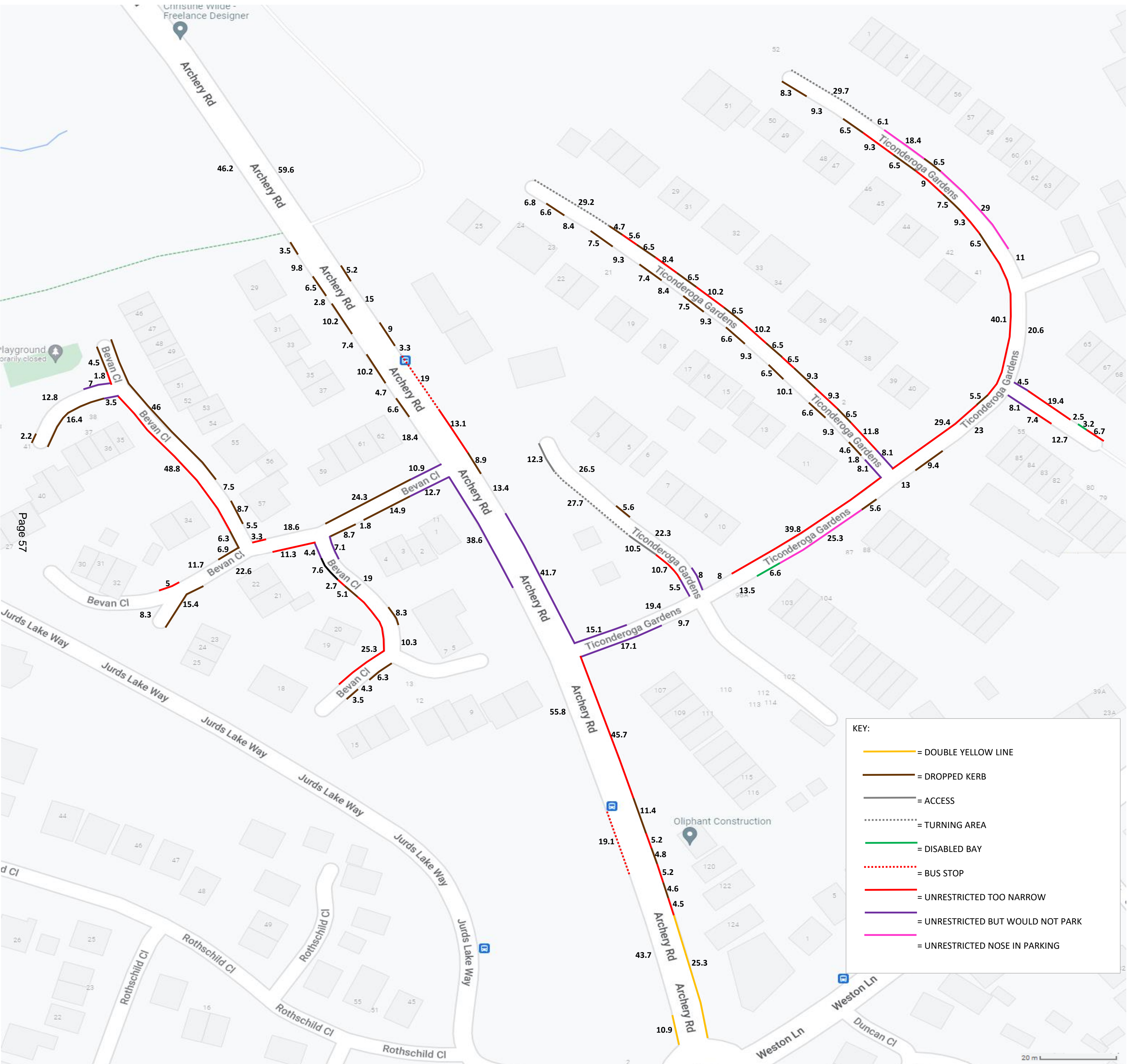
20 m

DATE : 12th & 13th October 2022

DAY : Wednesday & Thursday

LOCATION : Archery Rd, Weston, Southampton SO19 9GG

Question	Answer
At what time(s) was the survey undertaken?	04:00 & 04:45
What was the date(s) of the survey?	12th & 13th October 2022
What day of the week was the survey?	Wednesday & Thursday
From the 2011 census, what is the average car ownership for this area?	N/A
How far away is the nearest bus stop (both directions)?	97 metres north of Ticonderoga Gardens on Archery Rd. 67 metres south of Ticonderoga Gardens on Weston Lane.
How many buses are accessible in daytime hours from this stop (both directions)?	Buses every 15 minutes at northern bus stop each way (Stop ID: sohdtgt) and 2 bus lines arriving every 10 minutes at the south bus stop each way (Stop ID: sohwdp)
How far away is the nearest convenience store/shop?	A co-operative store is 400m east from the site areas most southern point
How far away are the nearest primary and secondary schools?	Woolston Infant school is 950m north from the northermost point of site. Weston Secondary school is 1.5 km south east from southernmost area of site
How far away is the nearest doctors surgery?	Weston Lane Surgery is 215m east from the southern most point of survey site
How far away is the nearest dentist surgery?	Damira Weston Lane Dental Practice is 215m east from the southern most point of survey site



Cristine wide -
Freelance Designer

Playground
temporarily closed

Oliphant Construction

KEY:

- = DOUBLE YELLOW LINE
- = DROPPED KERB
- = ACCESS
- ⋯ = TURNING AREA
- = DISABLED BAY
- ⋯ = BUS STOP
- = UNRESTRICTED TOO NARROW
- = UNRESTRICTED BUT WOULD NOT PARK
- = UNRESTRICTED NOSE IN PARKING

ROAD NAME	ZONE	RESTRICTION	METRES	Spaces	Wednesday 12th October 2022		Thursday 13th October 2022	
					TIME - 04:00		TIME - 04:45	
					PARKED VEHICLES	STRESS	PARKED VEHICLES	STRESS
ARCHERY ROAD	1	DOUBLE YELLOW LINE	10.9					
		UNRESTRICTED	99.5	19	0	0%	0	0%
		BUS STOP	19.1					
BEVAN CLOSE	2	UNRESTRICTED BUT WOULD NOT PARK	38.6					
		UNRESTRICTED BUT WOULD NOT PARK	12.7					
	3	DROPPED KERB	23.6					
		UNRESTRICTED	1.8					
	4	UNRESTRICTED BUT WOULD NOT PARK	7.1					
		UNRESTRICTED	29.3	5	2	40%	2	40%
	5	DROPPED KERB	8.3					
		UNRESTRICTED	9.8					
	6	UNRESTRICTED TOO NARROW	4.3					
		UNRESTRICTED TOO NARROW	28					
	7	DROPPED KERB	12.7					
		UNRESTRICTED BUT WOULD NOT PARK	4.4					
	8	UNRESTRICTED TOO NARROW	11.3					
		UNRESTRICTED	22.6	4	2	50%	2	50%
	9	DROPPED KERB	15.4					
		UNRESTRICTED	8.3	1	0	0%	1	100%
	10	UNRESTRICTED TOO NARROW	5					
		UNRESTRICTED	11.7	2	1	50%	0	0%
	11	DROPPED KERB	6.9					
		UNRESTRICTED BUT WOULD NOT PARK	6.3					
	12	UNRESTRICTED TOO NARROW	48.8		1		1	
		UNRESTRICTED BUT WOULD NOT PARK	3.5					
	13	DROPPED KERB	16.4					
		DROPPED KERB	2.2					
	14	UNRESTRICTED	12.8	2	0	0%	1	50%
		UNRESTRICTED BUT WOULD NOT PARK	7					
	15	UNRESTRICTED TOO NARROW	1.8					
		DROPPED KERB	4.5					
16	DROPPED KERB	54.7						
	UNRESTRICTED	13	2	1	50%	2	100%	
17	UNRESTRICTED BUT WOULD NOT PARK	7.1						
	UNRESTRICTED TOO NARROW	3.3						
18	UNRESTRICTED	18.6	3	2	67%	2	67%	
	DROPPED KERB	24.3						
19	UNRESTRICTED BUT WOULD NOT PARK	10.9						
	UNRESTRICTED	89.3	17	4	24%	3	18%	
20	DROPPED KERB	37						
	UNRESTRICTED	91.3	18	0	0%	1	6%	
21	DROPPED KERB	23.1						
	BUS STOP	19						
22	UNRESTRICTED TOO NARROW	13.1						
	UNRESTRICTED BUT WOULD NOT PARK	41.7						
23	UNRESTRICTED BUT WOULD NOT PARK	15.1						
	UNRESTRICTED	19.4	3	0	0%	0	0%	
24	UNRESTRICTED BUT WOULD NOT PARK	5.5						
	UNRESTRICTED TOO NARROW	10.7						
25	ACCESS	22.8						
	TURNING AREA	27.7		2		2		
26	UNRESTRICTED	48.8	9	5	56%	5	56%	
	DROPPED KERB	5.6						
27	UNRESTRICTED BUT WOULD NOT PARK	8						
	UNRESTRICTED	8	1	2	200%	2	200%	
28	UNRESTRICTED TOO NARROW	39.8						
	UNRESTRICTED BUT WOULD NOT PARK	8.1						
29	UNRESTRICTED	72.7	14	2	14%	3	21%	
	DROPPED KERB	53.3						
30	TURNING AREA	29.2				1		
	DROPPED KERB	46.5			2 Vehicles parked on pavement	1 Vehicle parked on pavement		
31	UNRESTRICTED TOO NARROW	62						
	UNRESTRICTED BUT WOULD NOT PARK	8.1						
32	UNRESTRICTED TOO NARROW	97.1						
	DROPPED KERB	40.8						
33	UNRESTRICTED	9.3	1	2	200%	2	200%	
	TURNING AREA	29.7		4		4		
34	UNRESTRICTED	17.1	3	3	100%	3	100%	
	UNRESTRICTED NOSE IN PARKING	47.4	18	17	94%	18	100%	
35	DROPPED KERB	6.5						
	UNRESTRICTED	20.6	4	2	50%	2	50%	
36	UNRESTRICTED BUT WOULD NOT PARK	4.5						
	UNRESTRICTED TOO NARROW	23.6			4 Vehicles parked on pavement	4 Vehicles parked on pavement		
37	UNRESTRICTED NOSE IN PARKING	2.5	1	1	100%	1	100%	
	NOSE IN PARKING DISABLED BAY	3.2	1	1	100%	1	100%	
38	UNRESTRICTED	12.7	2	3	150%	3	150%	
	UNRESTRICTED TOO NARROW	7.4				1		
39	UNRESTRICTED BUT WOULD NOT PARK	8.1						
	UNRESTRICTED	49.5	9	5	56%	3	33%	
40	DROPPED KERB	15						
	UNRESTRICTED NOSE IN PARKING	25.3	5	4	80%	5	100%	
41	DISABLED BAY	6.6	1	1	100%	1	100%	
	UNRESTRICTED	9.7	1	0	0%	0	0%	
42	UNRESTRICTED BUT WOULD NOT PARK	17.1						
	UNRESTRICTED TOO NARROW	60.6						
43	DROPPED KERB	20.8						
	DOUBLE YELLOW LINE	25.3						
TOTAL				146	67	46%	72	49%



KEY:

- = DOUBLE YELLOW LINE
- = DROPPED KERB
- = ACCESS
- = TURNING AREA
- = DISABLED BAY
- = BUS STOP
- = UNRESTRICTED TOO NARROW
- = UNRESTRICTED BUT WOULD NOT PARK
- = UNRESTRICTED NOSE IN PARKING

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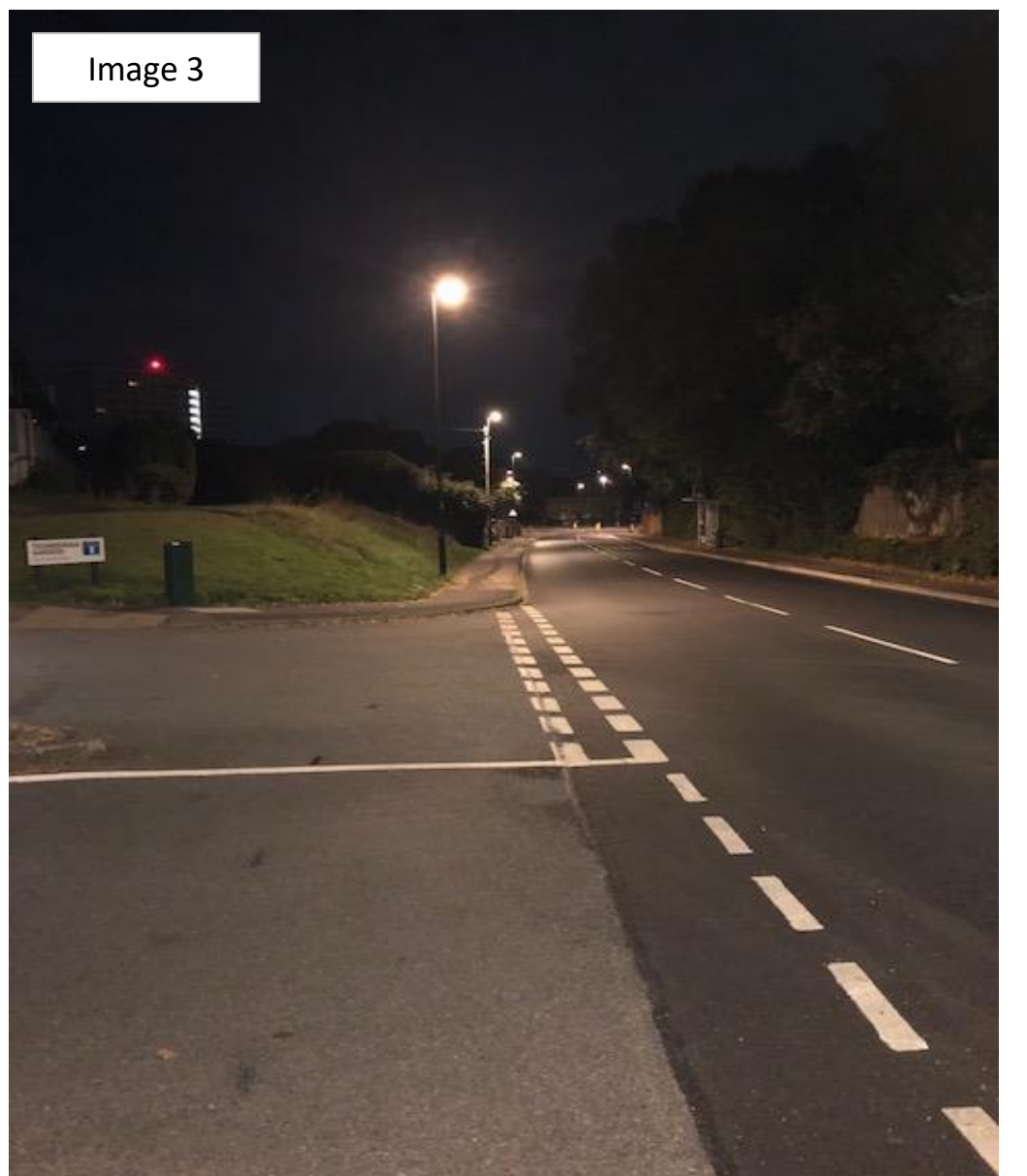
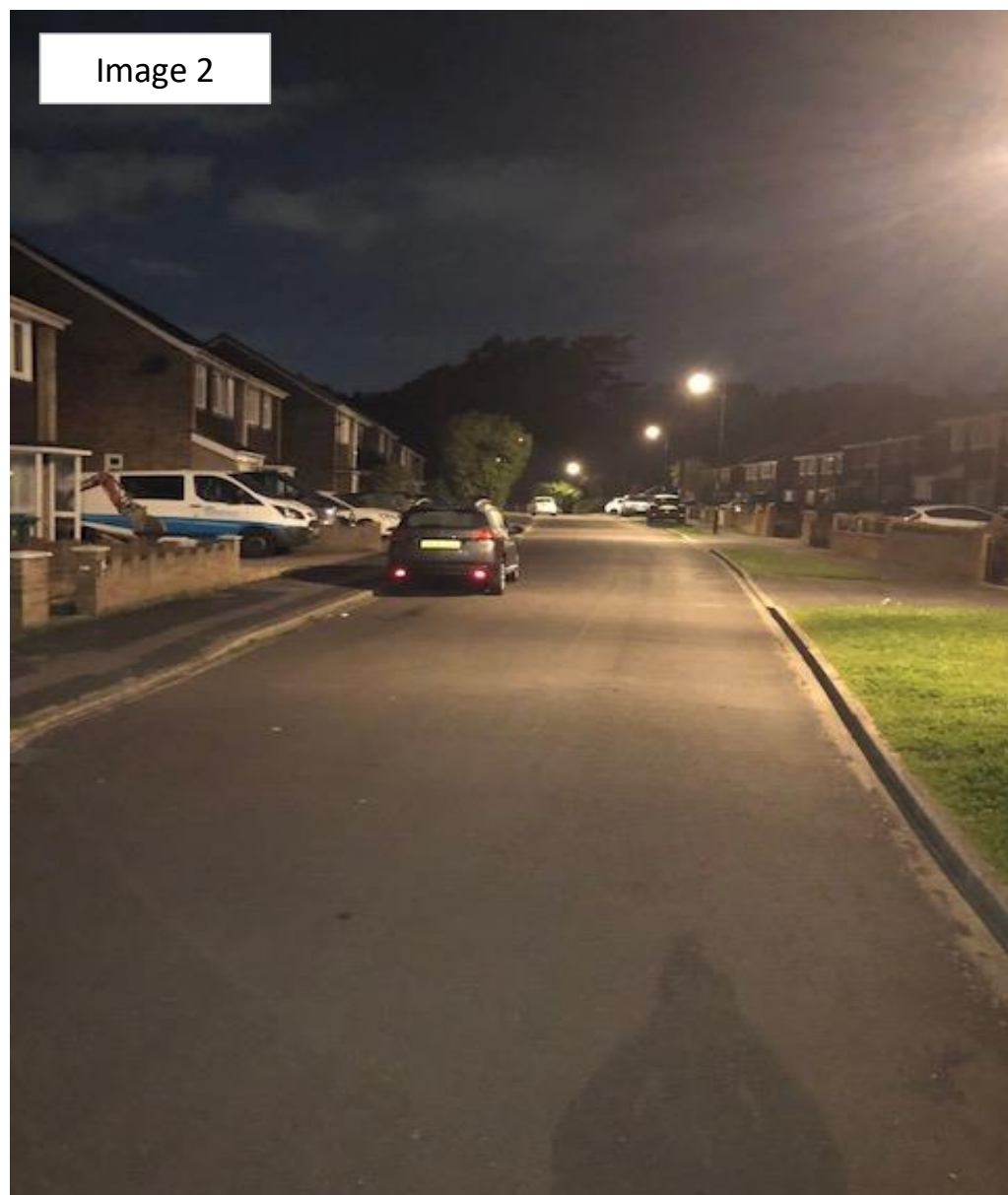
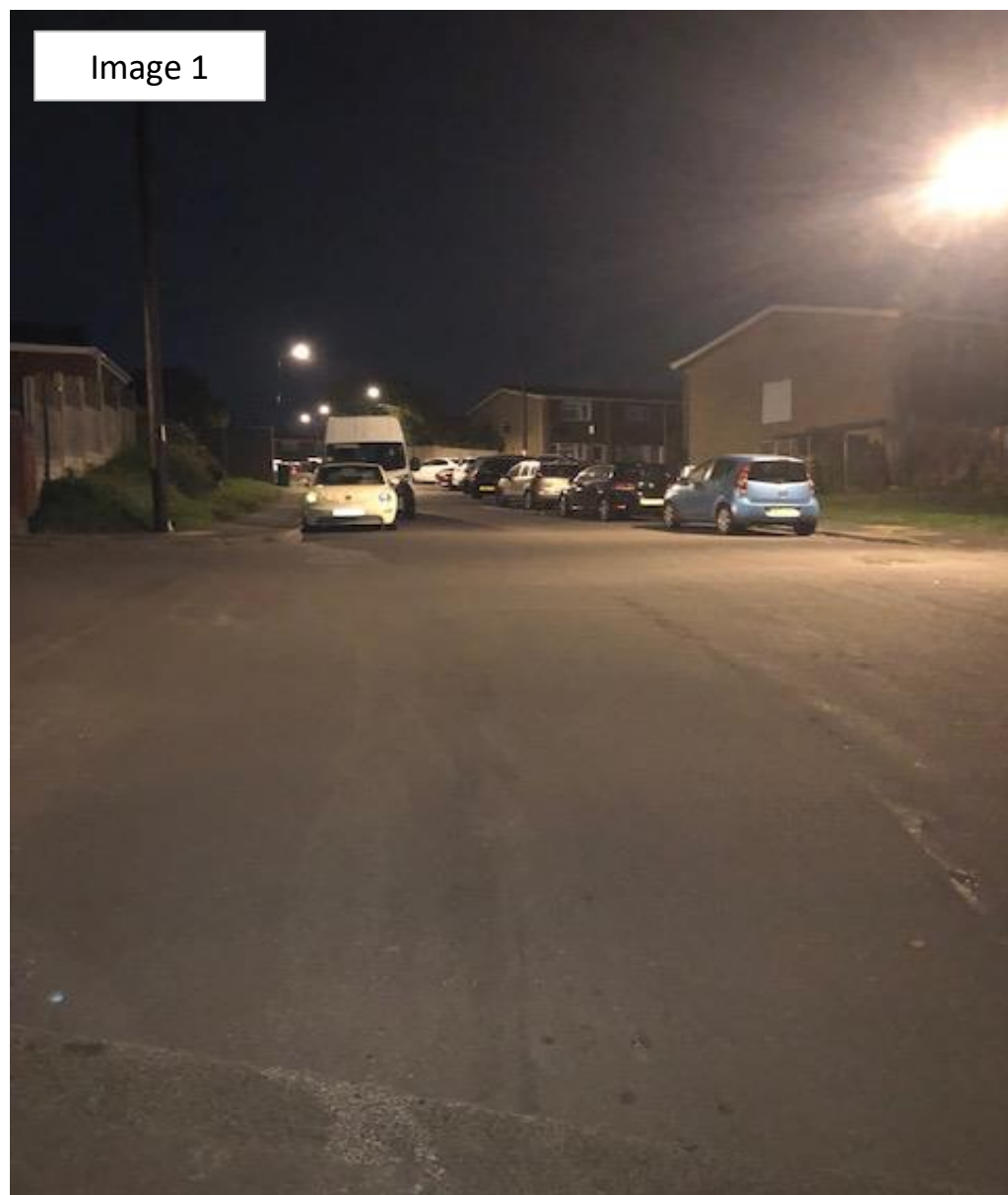
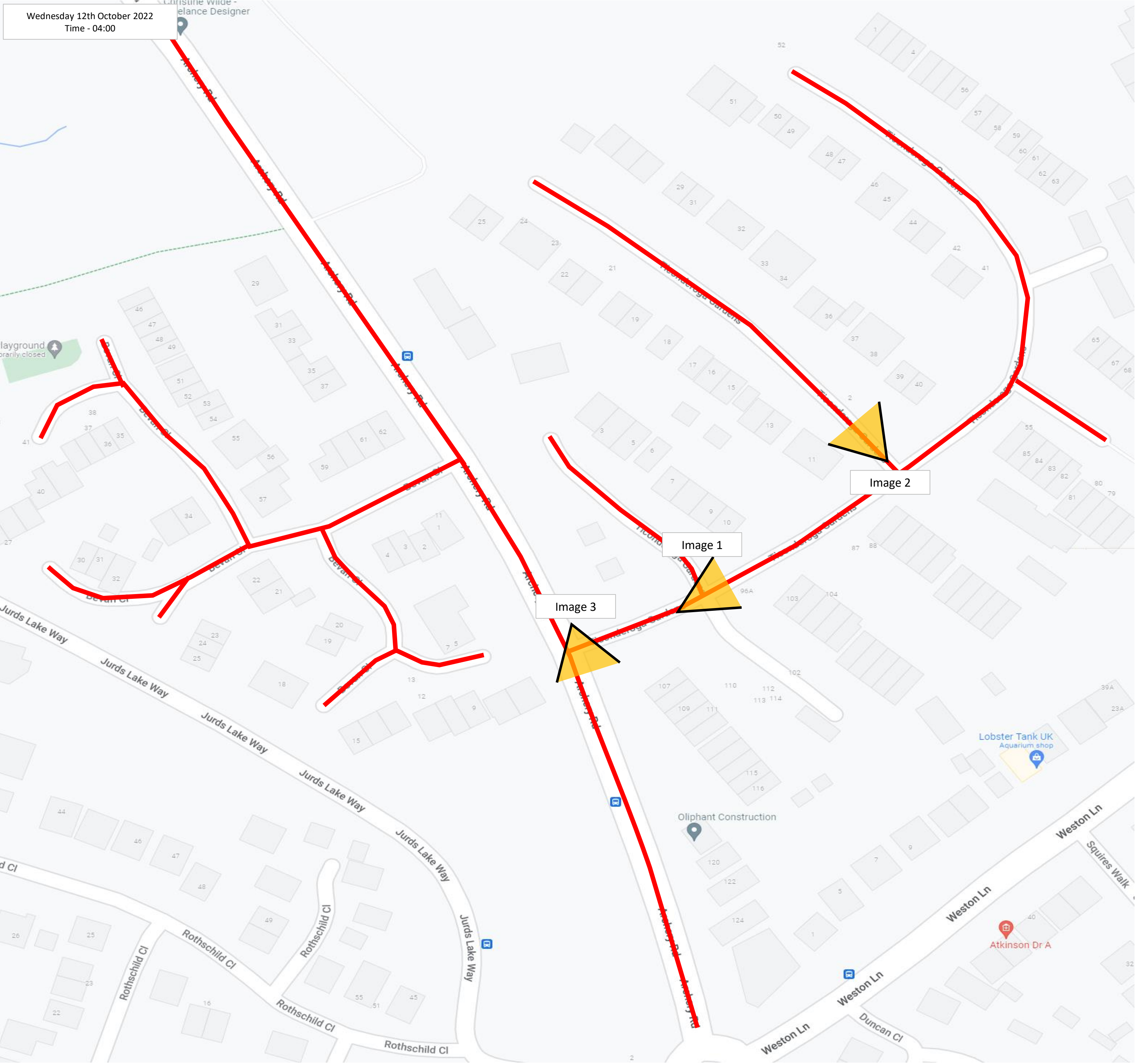
- = OCCUPIED PARKING SPACES
- = AVAILABLE PARKING SPACES
- = ILLEGALLY PARKED

Page 59

Playground
temporarily closed

Oliphant Construction

20 m





Page 61

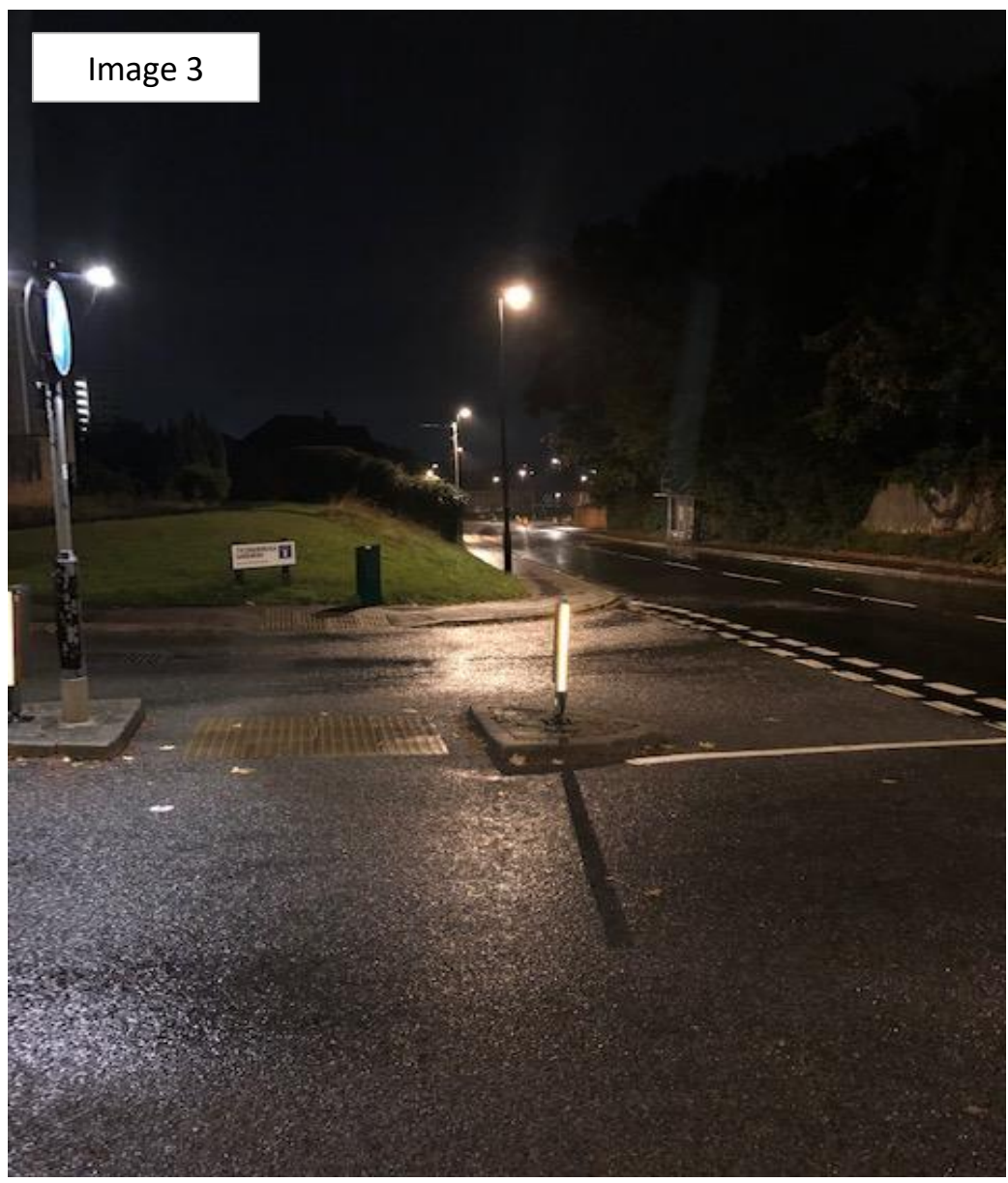
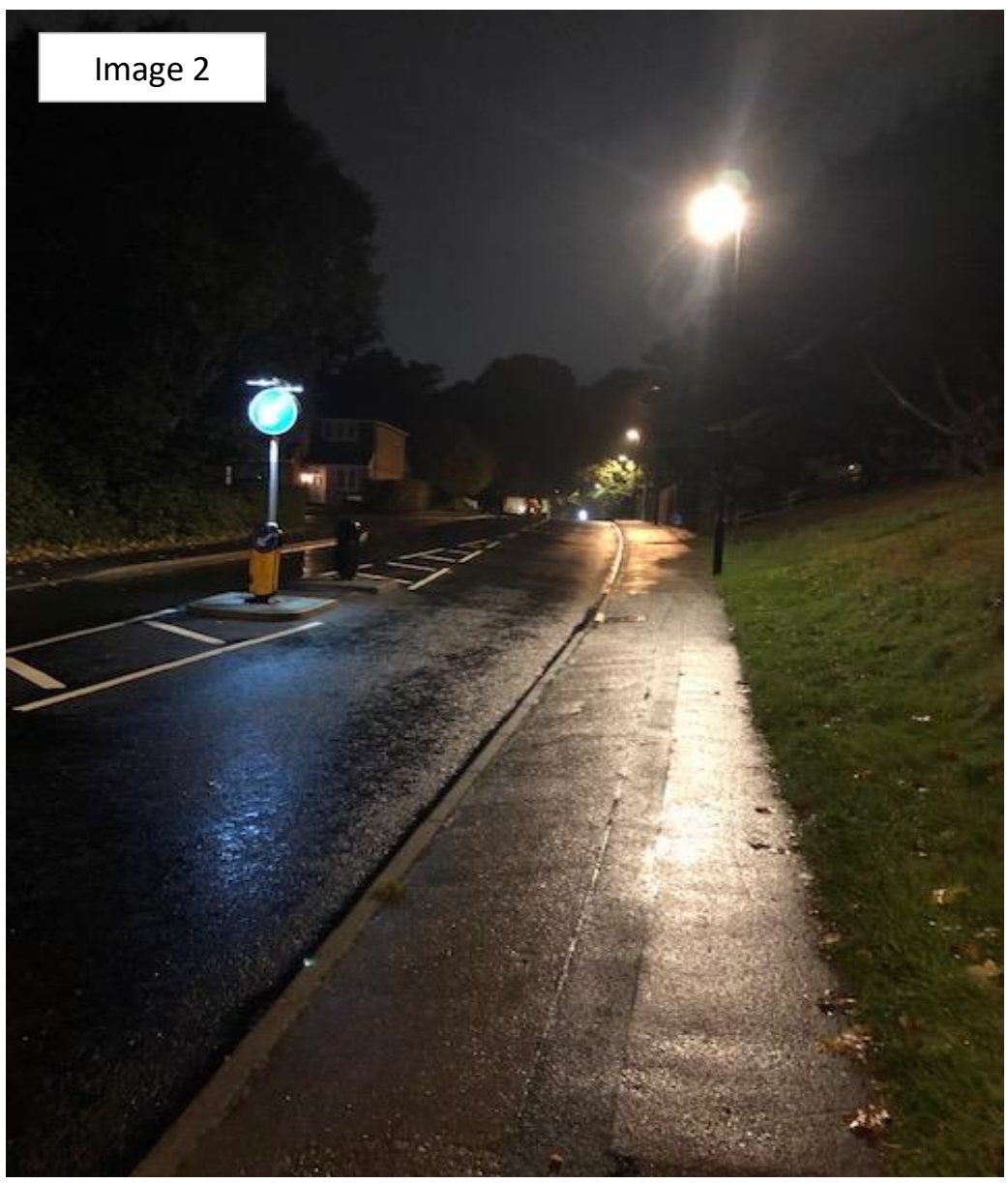
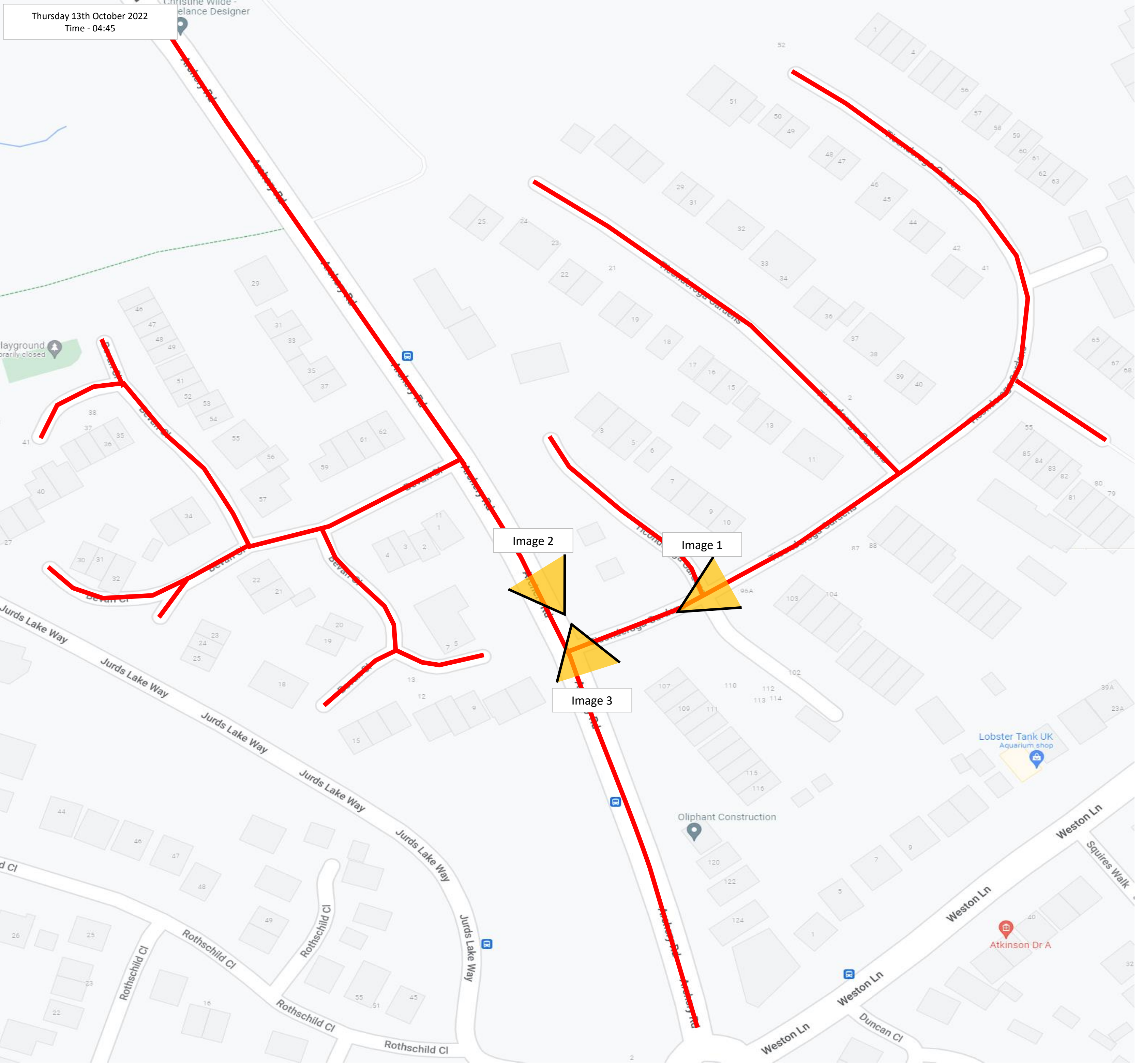
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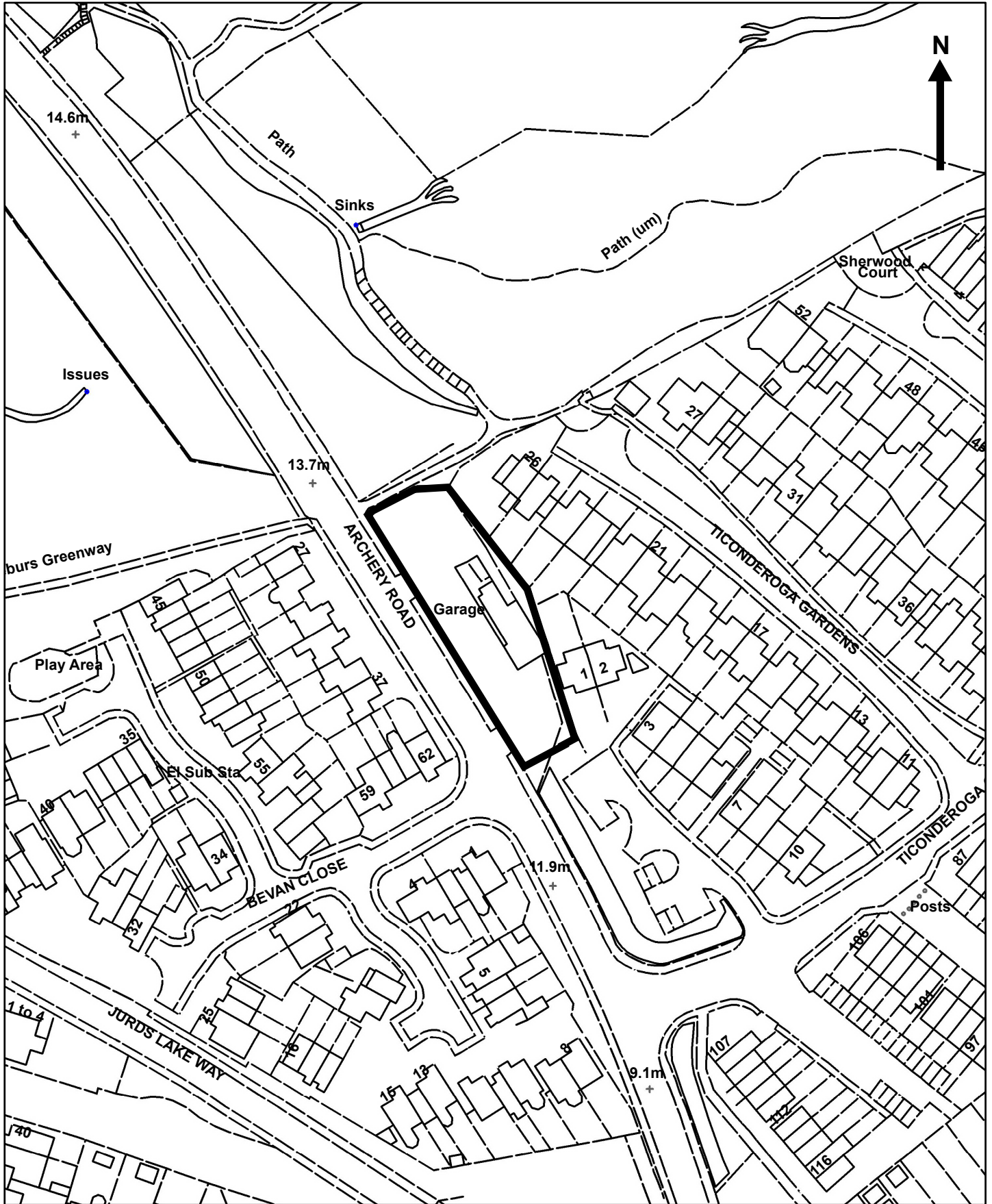
- = DOUBLE YELLOW LINE
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KEY:

- = OCCUPIED PARKING SPACES
- = AVAILABLE PARKING SPACES
- = ILLEGALLY PARKED

20 m





Scale: 1:1,250

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**Planning and Rights of Way Panel 14th March 2023
Planning Application Report of the Head of Transport and Planning**

Application address: 17 Lordswood Road, Southampton			
Proposed development: Erection of detached single storey garage with communal storage for 2 flats and refuse storage enclosure			
Application number:	23/00014/FUL	Application type:	FUL
Case officer:	Sam Kushner	Public speaking time:	5 minutes
Last date for determination:	15.03.2023	Ward:	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr John Hannides Cllr Richard Blackman Cllr Les Harris
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Mr D Dukes		Agent: N/A	

Recommendation Summary	Conditionally approve
-------------------------------	------------------------------

Community Infrastructure Levy Liable	No
---	-----------

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).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site contains a semi-detached, two storey building containing two flats. Access to the first floor accommodation is via an external staircase on the northwest elevation of the property. The property is located in a residential area with predominantly semi-detached dwelling houses and a suburban character. Due to the nature of the development of Lordswood Close the properties are of a similar age, design and palette of materials that result in a strong sense of design character.
- 1.2 Parking is currently provided to the south east side of the site and is accessed from Lordswood Close. A prominent Yew tree sits at the junction of Lordswood Road and Close. This tree is not protected by a Tree Preservation Order (TPO). On the opposite side of Lordswood Road is Hollybrook Bank and allotments, which is a designated Site of Importance for Nature Conservation (SINC).

2. Proposal

- 2.1 The proposal is for a domestic garage and store, which would replace an existing bin store area. The garage would be single storey and would be located on sloping ground, measuring 8.6m long x 3.0m wide and a height of 3.9m to 4.6m. The bin store would be relocated to the front and have a maximum height of 1.2m.

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 Bassett Neighbourhood Plan (made 2016). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.

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 on 26/01/2023. At the time of writing the report **9 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2.1 ***There could be additional issues with traffic and highway safety***

Response

SCC Highways officers were consulted and have raised no objection. Access to the site will not change. Given the siting of the proposed garage this is not adjudged to change highway safety.

5.2.2 ***Loss of trees/biodiversity***

Response

SCC Trees officers were consulted. No objection was raised. A condition can be imposed to prevent storage under the tree canopy.

5.2.3 ***Overdevelopment and effect on amenity***

Response

Material planning considerations including effect on amenity will be discussed in section 6 of this report.

5.2.4 ***The new building may be used as further accommodation***

Response

A condition will be imposed to ensure that the use of the outbuilding is incidental to the main dwellinghouse(s). Any change to self contained residential accommodation or business use would require a separate planning application which would be assessed on its own merit.

5.2.5 ***The application is in conflict with Bassett Neighbourhood Plan policies 1, 2, 4 & 9***

Response

The following policies from the Bassett Neighbourhood Plan are relevant and will be used to assess the appropriateness of the application:

BAS 1: An assessment on the character of the development will be carried out in section 6.

BAS 2: Consultation is encouraged but not required.

BAS 4: An assessment on the character of the development will be carried out in section 6.

BAS 9: The tree team have been consulted and have no objections

5.2.6 ***The applicant did not contribute to the resurfacing of the road***

Response

This is a civil matter and any previous private history of the applicant is not a material matter for the determination of a planning application.

Consultation Responses

5.4 Consultee	Comments
Trees & Open Spaces	Possibility of foundations to be within roots zone of nearby Yew tree however this seems to be minimal and is not expected to cause any major impact. I have no objection to the proposal.
Highways Development Management	No highways objections to the proposal for a garage and communal storage at 17 Lordswood Close. The driveway already benefits from a dropped kerb access from Lordswood Close which will be maintained, so no safety concerns. The current driveway can likely accommodate 5/6 parked cars, so the proposed garage and driveway layout merely formalises the parking with a clear path between parking spaces provided to maintain pedestrian access to the two flats.

6.0 Planning Consideration Key Issues

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

- Design and effect on character;
- Residential amenity;
- Parking highways and transport

6.2 Design and effect on character

6.2.1 The Bassett Neighbourhood Plan (BNP) states that 'development proposals should be in keeping with the scale - massing and height of neighbouring buildings, and with the density and landscape features of the surrounding area (BAS 1 (2)). Policy BAS 4 also requires that development '... take account of the existing character within the context of the street scene by, complimenting and enhancing the existing rhythm, proportion, height, scale, massing, materials, and storey height of its surroundings with regard to neighbouring properties and visual amenity'.

6.2.2 In terms of design and character, whilst the proposed garage is reasonably tall at 4.6m (due to the pitched roof design), it would be a single storey building, located a boundary which is well obscured from the road on Lordswood Road by trees and shrubbery. Likewise, it is set back from the street at Lordswood Close and would not appear overly dominant due to the location on the corner plot. There would still be adequate space between the proposed garage and the existing dwellinghouse building, and therefore would not compete or dominate the main residential building. Whilst the

garage would be located in front of the main building line, neighbouring properties within the close also have garages located to the front. Similarly they are also single storey and do not appear dominant or visually harmful to the street scene. On this basis the siting, scale and design of the proposed garage would be an appropriate and acceptable addition to the site and its surrounding area and, therefore, accords with the relevant design policies of the Development Plan, including the BNP.

6.3 Residential amenity

6.3.1 The proposed garage would be well set back from the street at Lordswood Close and would therefore not appear visually dominant. Whilst the outlook for no.17 would now include views of the proposed garage, the lounge has windows on the south east and south west aspects and therefore the garage would not result in a loss of outlook from these windows or reduce natural light to them.

6.3.2 Concerns have been raised by third parties that the building would be used for separate residential accommodation. The applicant has stated their intention to use the garage as a garage and associated domestic storage. Therefore it would not accommodate any separate residential or business use. A condition will be imposed to ensure that the use of the outbuilding is for incidental, non habitable use for domestic storage purposes and not for any residential or business use. Any change to the use of the accommodation would require a separate planning application.

6.4 Parking highways and transport

6.4.1 POLICY BAS 7 of the Bassett Neighbourhood Plan (2016) seeks to mitigate the impact of traffic within residential areas and advises that the 2011 Parking Standards SPD will be relevant for all new development proposals in respect of meeting the maximum parking standards. The existing site includes a large parking area to serve the existing flats. This would not be significantly reduced by the proposed garage and adequate car parking would remain. Four parking spaces would be maintained in addition to the garage. This is compliant with paragraph 4.2.1 of the Parking Standards Supplementary Planning Document (SPD) 2011. The Council's Highway Officer has been consulted and have raised no objections. Access is already gained from a dropped kerb on Lordswood Close therefore there is no material change in this regard.

7. Summary

7.1 Overall, the application is considered to be acceptable in terms of its siting, size and design and would not result in significant impacts on neighbour amenity to warrant a refusal of planning permission, whilst noting the objections from the neighbouring residents living in Lordswood Close.

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) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)
Case Officer **Sam Kushner** 14.03.2023 PROW Panel

PLANNING CONDITIONS

1.Full Permission Timing (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2.Use of garage – domestic ancillary use (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As amended) the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use and for associated incidental domestic storage. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason: To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity

3.Materials to match (Performance)

The garage hereby approved shall be constructed and retained in accordance with materials that shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building as stated on the plans hereby approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

4.No Storage Under Tree Canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality.

5.Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design
CS19 Car & Cycle Parking

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

SDP1 Quality of Development
SDP4 Development Access
SDP5 Parking
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Bassett Neighbourhood Plan (July 2016)

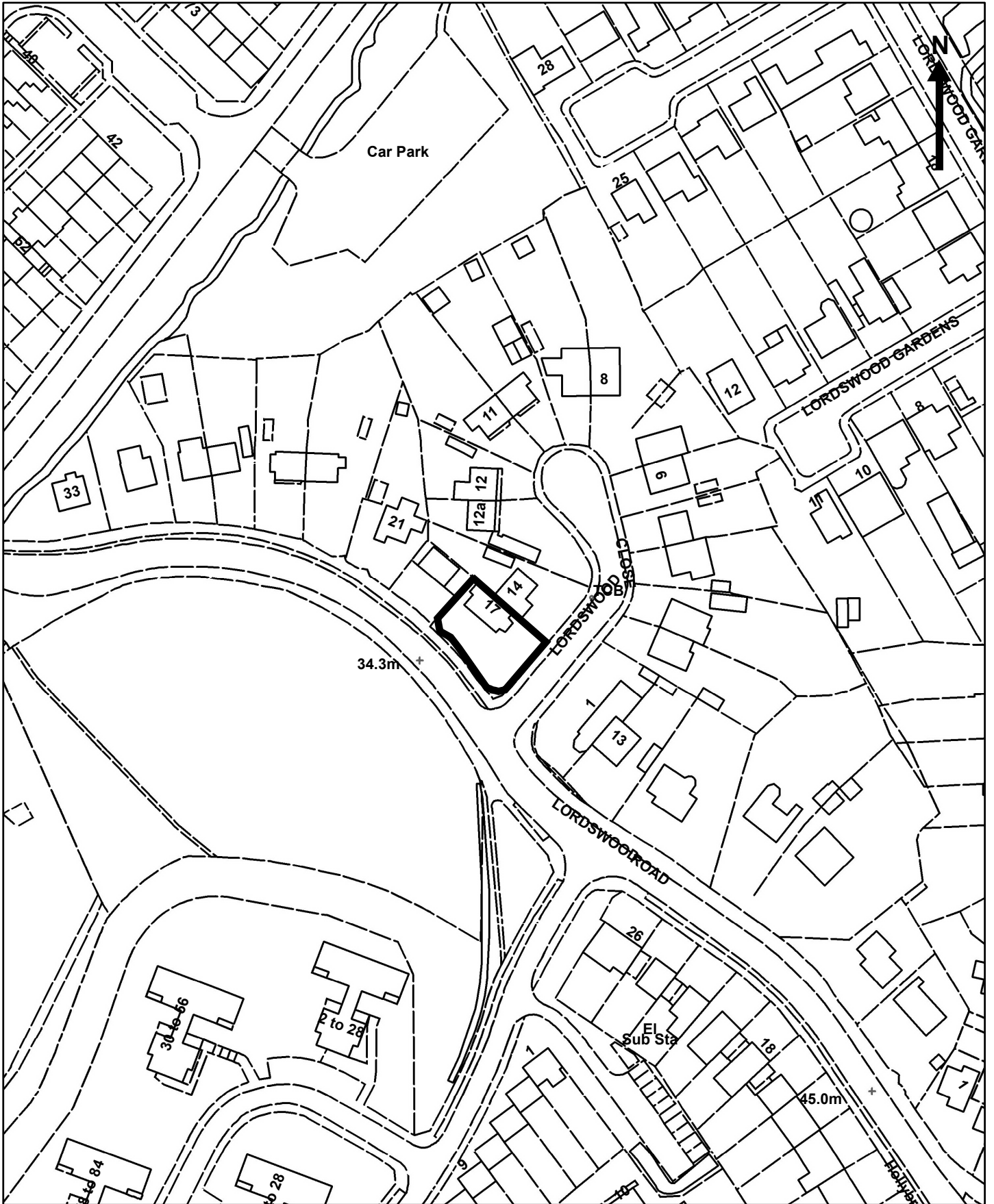
Other Relevant Guidance

The National Planning Policy Framework (2021)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

Case Ref	Proposal	Decision	Date
03/01696/FUL	Alterations to existing dwelling house to provide 2 x 2 bedroom flats.	Application Refused	06.02.2004
04/00690/FUL	Conversion of the existing dwelling house into 2 x 2 bedroom flats with an external staircase on the North West elevation to first floor level and a bay window to the South East elevation.	Conditionally Approved	15.07.2004
05/00187/FUL	Erection of a bungalow	Application Refused	05.04.2005
05/01312/FUL	Erection of detached two-storey dwelling with associated car parking.	Application Refused	21.11.2005
06/00144/FUL	Erection of detached two-storey dwelling with associated car parking (resubmission)	Application Refused	27.03.2006
06/00290/FUL	Erection of detached single storey dwelling with associated car parking.	Withdrawn	26.06.2006
07/01782/FUL	Erection of a single storey structure at rear of property to be used as personal garage and storage.	Conditionally Approved	18.12.2007
09/00527/FUL	Erection of a single storey detached building for use as office (class B1a)	Withdrawn	06.07.2009
09/00892/FUL	Erection of a single storey detached building for use as office (class B1a)	Conditionally Approved	02.10.2009
10/00079/DIS	Application for approval of details reserved by conditions 2, 5, 7 and 14 of planning permission 09/00892/FUL relating to materials, vegetation retention/protection, noise and material storage	No Objection	08.04.2010
14/01107/FUL	Erection of a single storey side extension	Conditionally Approved	29.08.2014
19/00642/FUL	Erection of a two storey side extension with roof alterations including dormer to front to facilitate loft conversion to provide additional accommodation to two existing flats.	Application Refused	22.07.2019

20/01241/FUL	Erection of a 2-storey side extension and roof alterations including front dormer to facilitate loft conversion to enable conversion of existing building from 2x 2-bed flats to 3 flats (2x 2-bed and 1x 1-bed) with associated parking and cycle/refuse storage	Application Refused	27.11.2020
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