

Planning and Rights of Way Panel 20th February 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and Development

Application address: Land adjacent to 153 Athelstan Road, Southampton			
Proposed development: Construction of two storey, four bed detached house with associated bin/refuse, car parking and cycle storage.			
Application number	17/01600/FUL	Application type	FUL
Case officer	Amber Trueman	Public speaking time	5 minutes
Last date for determination:	23.02.2018	Ward	Peartree
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr Paul Lewzey Cllr Alex Houghton Cllr Eamonn Keogh
Called in by:	Cllr Keogh	Reason:	Insufficient parking, highway safety impact, and impact on residential amenity.

Applicant: Mr J Ayres	Agent: RMV Architecture
Recommendation Summary	Delegate to Service Lead
Community Infrastructure Levy Liable	Yes

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 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 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendices attached			
1	Development Plan Policies	2.	Planning History

Recommendation in Full

1. Delegate to the Service Lead, Infrastructure, Planning and Development to grant planning permission subject to the planning conditions recommended at the end of this report and to secure financial contribution towards Solent Disturbance Mitigation Project (SDMP) to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
2. That the Service Lead, Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant conditions as necessary.
3. In the event the Solent Disturbance Mitigation Project (SDMP) is not resolved the Service Lea, Infrastructure, Planning and Development to be given delegated powers for failure to satisfy the requirements of the Conservation of Habitats and Species Regulations 2010.

1.0 The site and its context

- 1.1 The application site comprises a vacant piece of land at the eastern end of Athelstan Road, close to the junction with Peartree Avenue. The area of land is fenced off from the neighbouring residential properties and somewhat over-grown by vegetation. It does not appear to have ever formed part of the private gardens of the neighbouring properties.
- 1.2 The site lies adjacent to the brow of the hill in Athelstan Road and there is, therefore, a change in levels affecting the site, with the land sloping down from the junction with Peartree Avenue. The site is set at a slightly lower level than the adjacent public footway and the levels across the site itself also vary, generally sloping upwards from north-west to north-east.
- 1.3 The surrounding area is residential with a suburban character. The properties within the area are typically detached, with hipped roof and front bay windows. The site has planning permission for a new dwelling (LPA ref: 15/01346/FUL).

2.0 Proposal

- 2.1 The application proposes a detached, two-storey, four bedroom house with one on-site parking space and associated bike and bin storage. The property would have a hipped roof with double-height front bay window. The elevations would be finished in brickwork but the specific details of such, alongside the other materials, will be conditioned to be agreed in writing by the Local Planning Authority at a later date.
- 2.2 The application includes works to level the site, including some cut and fill. The greatest change to the existing levels is to the rear of the site, where the land would be raised by just over 1 metre to form a terraced patio area.
- 2.3 A rear garden area would be provided of just below 75sqm which is approximately 8.15 metres in depth.
- 2.4 There is an extant planning permission for the construction of a two-storey, 3-bed house (reference 15/01346/FUL until 14.08.2018) on this land. The current application makes a series of changes to this approved scheme. The key difference between the two schemes are as follows:
 - Due to the layout of the site and squaring off the rear of the proposed dwelling to provide additional living space internally, although the footprint is largely as

consented, and the rear garden area has been reduced by approximately 8sqm (to 75sq.m).

- The previous application proposed a 3-bed dwelling, the current proposal is for 4 beds.
- The design has been amended to incorporate additional planting, particularly to the front of the property.
- The current application proposes to pitch the roof and install rooflights in order to provide sufficient headroom for a master bedroom, en-suite and dressing room in the roof space. The previously approved scheme had a flat roof section.
- The building's eaves height remains as approved but the ridge height is increased from 8.45m to 9.06m (17.7m Above Ordnance Datum)

2.5 The site history also includes a number of refusals for a single dwelling. This scheme differs from those schemes as the design better reflects the prevalent style of properties located on Athelstan Road by incorporating a double height bay to the front, proportional fenestration, a full hipped roof and the proposed dwelling will be set back from the highway and will not protrude forward of the established front building line along Athelstan Road. In addition to this, highways safety has been properly considered and an on-site parking space has been provided with level access and an appropriate visibility splay to ensure a clear view of traffic travelling up and down the road. Moreover, additional planting has been incorporated into the basic landscape design which will act to improve the visual appearance of the site.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The site is not identified for development purposes within the adopted Development Plan and lies within an area of medium accessibility to public transport (Public Transport Accessibility Level 3).

3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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.

4.0 Relevant Planning History

4.1 Full details of the planning history of the site are set out in **Appendix 2** of this report. There have been a number of previous applications on this site seeking permission for the construction of a dwelling.

4.2 In 1988 planning permission was granted for the construction of a dwelling which was designed to appear as a bungalow from the street, although incorporated a significant basement area. This was followed by the approval of an alternative scheme in 1994 which comprised a three-storey dwelling with an integral garage.

4.3 Similar applications for large, three-storey houses were refused planning permission in 2002, 2005.

- 4.4 In 2015, an application for a detached two-storey, three-bed dwelling was also refused (LPA ref: 14/02023/FUL).
- 4.5 The most recent application was approved for the construction of a two-storey, 3-bed house (reference 15/01346/FUL - approved 14.08.2015).

5.0 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 (20.10.2017). At the time of writing the report **3 representations** have been received including an objection and Panel referral from Ward Cllr Keogh. The following is a summary of the points raised:

- 5.1.1 **This application provides for a three storey dwelling with windows to the front aspect on Athelstan Road on all three floors. The top floor window would significantly overlook the private rear garden at 151 Peartree Avenue.**

Response:

The dwelling is two full storeys with rooms in the roof and has been designed to avoid placing upper floor habitable room windows on the side elevations. Furthermore, the separation to the neighbouring properties, together with the change in levels, and that fact the new rooms in the roof space will be served by roof lights set at 1.7m above floor level, will avoid any harmful overlooking as a result of the development.

- 5.1.2 **The parking arrangement proposed in the application does not provide space for cars to turn around on the premises, unlike the adjacent properties. This means that the future residents will either need to reverse in to the property or out of the property. At peak times, there is extremely heavy traffic on Athelstan Road, which is very steep at this point. Reversing a car into or out of the parking specified in the plans in heavy traffic could be dangerous. It would likely cause other drivers to have to slow to a stop as they are approaching the top of the hill where there is a mini-roundabout, and perform an additional hill start on this busy and steep stretch of the road causing additional engine noise and poor traffic flow.**

Response:

The application has been amended since submission to propose the same parking arrangements as the previously approved scheme (Ref. 15/01346/FUL). The proposal now, therefore, comprises the creation of a raised parking area at the same level as the adjoining public footway for one car which is fairly centrally positioned in the plot so as to maximise visibility from the access.

The Council's adopted Parking Standards SPD permits a maximum of 3 car parking spaces to serve a four-bedroom property. The application site lies within 500 metres of Bitterne District Centre, which provides a range of shops and services, and the high accessibility bus corridor. As such, the provision of one car parking space is considered to be acceptable and also maximises visibility from the site access. In light of the above, and the approval of an identical access under application reference 15/01346/FUL (which could still be implemented), Highways have raised no objection and the proposal is again

considered to be acceptable in this respect.

- 5.1.3 **The site currently harbours dense foliage which is beneficial for local Bee, frog, hedgehog, and slow worm populations, sited in the land. The proposed application will have a negative impact on garden wildlife, with a reduced garden size.**

Response:

As stated in the consultation response from SCC Ecology, the site has the potential to support low numbers of slow worms but overall has a negligible value to biodiversity. Appropriate landscaping of the garden area has been proposed which will allow the site to continue to support a slow worm population. In line with the response, a condition to secure a method statement for site clearance and landscaping details will be applied.

- 5.1.4 **The site is located on a steep hill adjoining a busy mini roundabout, any manoeuvre on or off the proposed drive will be a dangerous hazard. Cars coming off the roundabout have poor visibility down the hill and will pick up momentum quickly due to the steepness of said hill. Any driveway this close to such a junction, would typically require capacity for safe turning of the car onsite.**

Response:

The application proposes the creation of a raised parking area at the same level as the adjoining public footway. As the parking area is designed for one car and positioned fairly centrally on the plot the visibility of the access is increased and therefore deemed to be acceptable given the location of the site and the proximity of the junction. In light of the above, and the approval of an identical access under application reference 15/01346/FUL, SCC Highways have raised no objection and the proposal.

- 5.1.5 **Due to the location of the site (at the top of a steep hill on a busy junction) building works requiring large vehicles and delivery of materials etc, are likely to require road closures / traffic restrictions to ensure road safety during construction.**

Response:

A condition will be applied for submission of a Construction Management Plan to be agreed in writing by the Local Planning Authority prior to commencement of the works. This will allow the council to give proper consideration to matters of deliveries, noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary.

- 5.1.6 **The application makes reference to 'no trees' however there are a number of trees in the rear garden area, and 3 significantly established shrubs (and other plants) which will be supporting effective drainage and stability of the land (which is on a steep hill). Removal of these may risk further subsidence to 159.**

Response:

There are no protected trees on the site.

- 5.1.7 **The proposal does not describe the erection of a retaining wall, which will be a required element for safe building of a property on this site: the building of which will impact the boundary of the site and in building this, may impact on the garden and foundations of 159/161 (should the land**

subside). Any excavation and removal of earth from the site to build the extensive foundations required for a hill-site will put the structural safety of the buildings of 159 and 161 at risk.

Response:

The site is not situated in an area of known land instability. That said, because the application proposes a retaining wall adjacent to the highway, Technical Approval and the appropriate license from the Highways Authority will be required before any works commence. In addition, a condition will be applied to the consent in order to require a Land Stability Report to be submitted detailing the full extent of site clearance and preparation works to be approved by the Local Authority prior to commencement in order to ensure the protection of land stability in the locality.

- 5.1.8 **The proposed dwelling of 4 bedrooms is an over-development of the site and does not meet local sustainable affordable housing requirements for the city. The garden will be disproportionately small compared to the size of the property.**

Response:

In the case of the current application but with respect to approval of the detached 3-bed dwelling under application 15/01346/FUL, one additional bedroom at the property is not judged to present a significant intensification of the use to the detriment of the character of the area, the residential amenity of the future occupiers or the amenity of the neighbouring residents. The proposed garden space of 75sqm is judged to be a reasonable size suitable for a 4-bed family dwelling, the size of the dwelling, and respectful of the character of surrounding area in which properties are both set back from the road with front gardens/parking and private gardens to the rear.

5.2 Consultation Responses

- 5.2.1 **SCC Highways** - No objection following amendment of parking arrangement to match that approved under application reference 15/01346/FUL.
- 5.2.2 **SCC Sustainability Team** – Suggest conditions to secure energy and water efficiency in the dwelling.
- 5.2.3 **SCC Ecology** - No objection. Although the site has the potential to support low numbers of slow worms, it is of negligible value to biodiversity. Appropriate landscaping of the garden area to the proposed dwelling could ensure that the site could continue to support a slow worm population. Suggests a condition to secure a method statement for site clearance and landscaping details.
- 5.2.4 **Southern Water** – No objection raised. However, a formal application for connection to the public sewerage system is required in order to service this development.

6.0 Planning Consideration Key Issues

- 6.1 Planning permission was granted in 2015 for the construction of a two-storey, 3-bed house (reference 15/01346/FUL). This application proposes the following amendments to that permission:
- Reduction of the rear garden by approximately 8sqm in order to square off the rear of the property and provide addition living accommodation internally.
 - An increase of 1 bedroom to make the property a 4-bed detached dwelling.
 - Incorporation of additional planting, particularly to the front of the property.

- Alteration of the roof design to fully pitch the roof and installation of roof lights to serve the master bedroom, ensuite and dressing room.
- The building's eaves height remains as approved but the ridge height is increased from 8.45m to 9.6m (17.7m Above Ordnance Datum)

The main issues to consider in this case are:

- i. The principle of development;
- ii. The impact on living conditions;
- iii. Design and the impact on the character and appearance of the area;
- iv. Highways and parking;
- v. Land stability and;
- vi. Impact on protected habitats.

6.2 Principle of Development

6.2.1 The application would make good use of a vacant and under-used piece of land to provide housing and the application would provide a generously sized family home, for which there is an identified need in the city. The resultant residential density is 50 dwellings per hectare, which is at the lower end of the range specified in policy CS5 (ie.50-100dph) of the Core Strategy for Medium Accessibility locations such as this. The principle of development is, therefore, acceptable and was also supported in 2015. The creation of a genuine family dwelling is also supported.

6.3 Impact on Living Conditions

6.3.1 Due to the change in land levels, the eaves height of the proposed dwelling would be just over a metre taller than a 2 metre high boundary treatment between the site and the neighbouring properties in Peartree Avenue. Furthermore, the roof of the dwelling would pitch away from this boundary minimising the impact on the neighbouring houses and gardens.

6.3.2 The dwelling is designed to avoid direct overlooking of the neighbouring houses and gardens on Peartree Avenue with an absence of habitable room windows to the side elevations of the dwelling. It is also noted that the rooflights will be set at 1.7m from floor level in order to eliminate any harmful overlooking.

6.3.3 Whilst the proposed house would project further to the rear than the neighbouring property at 153 Athelstan Road, the deeper section of building is positioned away from the boundary with this property, ensuring that the neighbour retains an acceptable level of outlook from, and sunlight to, the rear of their property.

6.3.4 The quality of accommodation proposed is also considered to provide an acceptable residential environment for prospective occupants of the proposed dwelling. Despite the change in levels across the site, outlook from all habitable rooms would be good and the quality and quantity of the private amenity space is considered to be appropriate. Moreover, the additional bedroom proposed, beyond the 3 previously approved, will be located in the roof space. As such, the other 3 bedrooms will not need to be reduced in size and the proposal will continue to present a quality living accommodation with suitable space and facilities for future occupiers.

6.4 Design and Impact on the Character and Appearance of the Area

6.4.1 As set out in **Appendix 2** of this report, the previous refusal of permission (Ref.

14/02023/FUL) cited harm to the character of the area due to the design and cramped nature of the development. The amended 2015 scheme (Ref. 15/01346/FUL) then presented a reduction in the footprint of the building of approximately 30 sqm, thus improving the quantity of the rear garden area and the sense of space around the dwelling. In the current application, the footprint of the dwelling is increased slightly, therefore taking away 8sqm of rear garden space however, this is judged to have a negligible impact upon the character and appearance of the area and is still considered to provide a suitable amount of private amenity space for future occupants.

6.4.2 The earlier approved scheme also included a hipped roof with flat roof section which, though not overly harmful, did not strictly match the hipped roofs displayed elsewhere on Athelstan Road. In order to provide an additional bedroom in the roof space with adequate headroom this element has been omitted and replaced with a full hipped roof to match others on the road. The current proposal is therefore judged to present an improvement in the design and appearance of the proposed dwelling. It is also noted that, despite the slight increase in footprint, the form and massing of the dwelling combined with the relationship to its plot is still reflective of the typical pattern of development within Athelstan Road and with the amended roof style and the incorporation of the double height bay to the front, the dwelling would fit comfortably within the established street scene.

6.5 Highways and Parking

6.5.1 The previous application (ref. 15/01346/FUL) detailed a parking space for one car to the front of the property accessed from Athelstan Road. However, the current proposal originally submitted an alternative parking layout to incorporate two spaces on-site. Following comments that the new layout could not be supported due to issues of visibility, SCC Highways suggested that the plans were revised to mimic that approved under the previous permission. In light of these comments, the plans were amended to match that approved under planning permission reference 15/01346/FUL. SCC Highways have now confirmed they raise no objection with the amended parking layout.

6.5.2 To summarise, the application makes provision for the parking of one vehicle on the site. It is noted that reducing the parking on-site from two spaces to one space strikes a balance between providing some parking for the occupants of the dwelling and maximising visibility from the access thus increasing highway safety. Moreover, since the site lies within 500 metres of Bitterne District Centre and the high accessibility bus corridor, the level of parking is considered to be appropriate in terms of encouraging more sustainable modes of travel other than the private car.

6.6 Land Stability

6.6.1 The application site does not lie within an area of known land instability and provides a thorough plan of the proposed works to even out the site levels. As such, and in line with the most recent consent, a condition will be required for submission of a Land Stability Report detailing the full extent of site clearance and preparation works to be approved by the Local Authority prior to commencement. It is judged that the scheme will ensure that the land stability in the locality is protected. In addition, Building Regulations and the Technical Approval process will ensure that the development can be constructed without resulting in land instability that would undermine property, infrastructure or the public.

6.7 Impact on Protected Habitats

- 6.7.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £181 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Once payment has been made this application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended). A delegation is sought to secure this.

7.0 Summary

- 7.1 The proposed development is considered to be in keeping with the site and surrounds and would not have a harmful impact on the living conditions of nearby residential occupiers. Moreover, the provision of 4 bedrooms (one more than previous approved) is not judged to be over intensification of the site and the 8sqm decrease in garden space in comparison to the previously approved scheme (Ref. 15/01346/FUL) will have a negligible impact upon occupants of the proposed dwelling, whilst still complying with RDG standards. The proposal is therefore, considered to be acceptable.

8.0 Conclusion

- 8.1 In conclusion, the proposal is judged to have an acceptable impact in accordance with the Council's current policies and guidance and, therefore, is recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), (b), (c), (d), 2 (b), (d) 6 (c), 7 (a), 9 (a) and (b)

AT for 20/02/18 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition

The development hereby permitted shall begin not 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. APPROVAL CONDITION - Land Stability Report Submission [Pre-Commencement Condition]

Before the commencement of the development hereby approved, including site clearance and preparation works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

1. a full investigation and survey of site ground conditions
2. a full assessment of on-site land stability problems
3. a full appraisal of off-site land stability and land slippage and transfer issues that could result from the development
4. a full assessment of the impact of construction works on the stability of adjacent highways together with suitable mitigation solution measures to counter any issues identified and an implementation programme for the employment of such mitigation measures which shall be agreed in writing by the Local Planning Authority.

The development shall thereafter proceed in accordance with the agreed details.

Reason:

To ensure that the works are in full accordance with the need to protect the land stability of the locality.

03. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form, no development works shall be carried out until a schedule of external materials and finishes, including samples where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors 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.

04. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan

[Pre-Commencement Condition]

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

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

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

05. APPROVAL CONDITION - Slow Worm Method Statement [pre-commencement condition]

No development, including site clearance and preparation, shall take place until a method statement, detailing how slow worms will be protected during development, is submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed method statement.

Reason:

To ensure that slow worms, which are a protected species, are fully safeguarded from harm during site clearance and development.

06. APPROVAL CONDITION - 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:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the residential amenity and the visual amenities of the area.

07. APPROVAL CONDITION - No other windows or doors other than approved
(Performance Condition)

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

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

08. APPROVAL CONDITION – Obscure Glazing [Performance Condition]

All windows in the side elevations, located at first floor level and above, of the development hereby approved, shall be obscure 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.

09. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

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

Reason:

To ensure the provision of adequate amenity space in association with the development.

10. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum

19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER)
(Equivalent of Code for Sustainable Homes Level 4 for Energy) and

105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4

) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

11. APPROVAL CONDITION - Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

12. APPROVAL CONDITION - Surface / foul water drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

13. APPROVAL CONDITION - Refuse & Recycling (Pre-Commencement)

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

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

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

14. APPROVAL CONDITION - Cycle storage facilities (Pre-Commencement Condition)

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. The storage shall be thereafter retained as approved.

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

15. APPROVAL CONDITION - Hours of work for Clearance and Construction

[Performance Condition]

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 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

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.

16. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary and shall include details of parking by site operatives/personnel with details of how deliveries will be managed. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties and ensure highways safety is maintained.

17. APPROVAL CONDITION - Approved Plans

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

Reason:

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

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
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
H1	Housing Supply
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

881276/E **Conditionally Approved 31.08.1988**
Erection of a detached dwelling and construction of new access

882104/E **Conditionally Approved 24.10.1988**
Erection of a 3-bedroom detached dwelling and construction of a new access

941026/E **Conditionally Approved 04.10.94**
Erection of a 3-bedroom detached dwelling with integral garage

02/01636/FUL **Refused 01.04.03**
Erection of a detached property with integral garage

For the following reasons:

01. The proposal would result in vehicles either reversing onto or off the site onto Athelstan Road, a classified road to the detriment of the safety and convenience of other highway users. The proposal is therefore contrary to the provisions of policies GP1 (x), GP1 (xiii), (xiv) and T2 of the City of Southampton Local Plan (1991-2001) and policy SDP 1 and TI 3 of the City Local Plan Review Second Deposit Version (February 2003).

02. The application is in respect of land which is potentially unstable and the applicants have not demonstrated that the proposals would not result be affected by instability originating outside of the application site boundaries.

03. Inadequate visibility splays are provided at the junction of the access with the highway and this would cause danger and inconvenience to users of the adjoining highway. The proposed is thereby contrary to Policy GP1 (xiii), (xiv) of the City of Southampton Local Plan and Policy SDP3 of the City of Southampton Local Plan Second Deposit Version (February 2003).

04. The proposed raised terrace area would result in an unneighbourly form of development leading to a loss of amenity and privacy for the adjoining residents at 153 Athelstan Road. The proposal is thereby contrary to policies GP1 (i) of The City of Southampton Local Plan and policies SDP1 and SDP7 of the City of Southampton Local Plan Second Deposit Version (February 2003).

05/01620/FUL **Refused 11.01.06**
Erection of detached dwelling.

For the following reasons:

01. The proposed dwelling, by reason of its height, scale, plot coverage and design would be out of keeping with the established pattern of development in the immediate vicinity of the site and would be detrimental to the character of the area and the amenities of adjacent occupiers. The proposal is therefore contrary to Policy GP1 and H12 of the City of Southampton Local Plan (1991-2001) and Policies SDP1, SDP7 and H10 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

02. The proposed dwelling provides insufficient private amenity space for future occupiers of a 6 bedroomed detached dwelling contrary to the requirements of Policy H12 of the City of Southampton Local Plan (1991-2001) Policy H10 of the City of Southampton Local Plan

Review - Revised Deposit Version Feb 2003 and Supplementary Planning Guidance set out in the Residential Standards Development Control Brief 1989.

03. The application is in respect of land which is potentially unstable and the applicants have not demonstrated that the proposal would not result in or be affected by instability originating outside of the application site boundaries. The proposal is contrary to the requirements of Policy SDP23 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003 and guidance set out in PPG.14.

04. The proposal would result in direct overlooking of adjacent garden areas resulting in loss of privacy to the harm of amenities currently enjoyed by adjacent occupiers. The proposals are therefore contrary to the requirements Policy GP1 (i) of the City of Southampton Local Plan (1991-2001) and Policy SDP1 (i) of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

05. Notwithstanding the above, the applicant has not indicated the gradient of the access from the highway to the property and has therefore failed to demonstrate that the access arrangements for all users are safe and convenient as required by SDP4 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

06. The applicant has failed to demonstrate that adequate visibility splays can be achieved for vehicles leaving the site. Given the proximity of the site across to the mini-roundabout at the junction of Athelstan Road and Peartree Avenue and the steep gradient of Athelstan Road, sub-standard visibility splays would prejudice highway safety contrary to Policies GP1 (xiii) and GP1 (xiv) of the City of Southampton Local Plan (1991-2001) and Policy SDP3 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

14/02023/FUL

Refused 20.02.15

Erection of a 2-storey, 3-bed detached house with associated parking and formation of new vehicular access

For the following reasons:

01. Out of character

The proposal, by reason of the design, plot size and site coverage would represent a cramped form of development which would be out of keeping with the established context and character of the surrounding area contrary to saved Policy SDP9(i) of the City of Southampton Local Plan Review (Adopted March 2006).

02. Highway Safety

The applicant has failed to demonstrate that adequate sightlines can be achieved for vehicles leaving the site. Given the proximity of the site access to the mini-roundabout at the junction of Athelstan Road and Peartree Avenue, the levels of the site and the steep gradient of Athelstan Road, sub-standard sightlines would be detrimental to highway safety. As such the proposal would be contrary to saved Policy SDP1 (i) of the adopted City of Southampton Local Plan Review (2006).

03. Land Stability

The application site is in an area of potentially unstable land and the applicants have not provided any information to demonstrate that land stability issues can be adequately addressed. Consequently, the proposal would be contrary to the requirements of Policy SDP23 of the City of Southampton Local Plan Review (March 2006) and the advice in the National Planning Practice Guidance (March 2014).

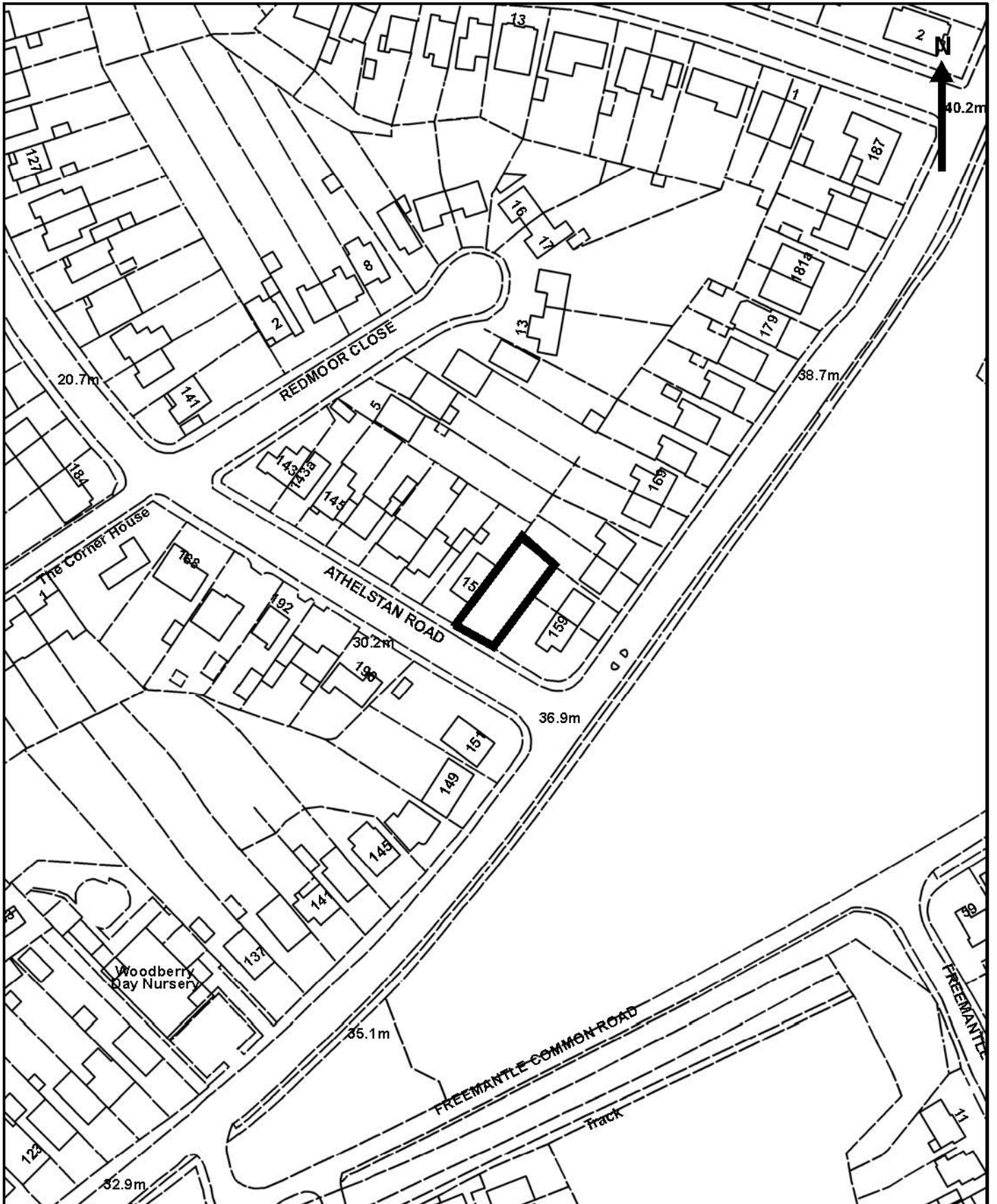
04. Lack of Section 106 or unilateral undertaking to secure planning obligations. In the absence of a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

15/01346/FUL

Conditionally Approved 14.08.15

Erection of a 2-storey, 3-bed detached house with associated parking and formation of new vehicular access (resubmission)

17/01600/FUL



Scale: 1:1,250

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