

Planning and Rights of Way Panel 13th March 2018
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: 10 Furze Close, Southampton			
Proposed development: Erection of 4 x 3 bed dwellings with associated car parking, bin/refuse and cycle storage.			
Application number	17/02476/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	20.03.2018 (Extension of Time Agreed)	Ward	Sholing
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Baillie Cllr Hecks Cllr Wilkinson

Applicant: Mr J Pickerill	Agent: Mark Le Grand & Co
----------------------------------	----------------------------------

Recommendation Summary	Delegate to the Service Lead - Infrastructure, Planning and Development to grant planning permission subject to criteria listed in report
-------------------------------	--

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 such as the impact on the character of the area, impact on neighbouring residential properties, the adjacent Shoreburs Greenway, amount of parking and the loss of vegetation and habitat have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, H1, H2, H6 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached	
1	Development Plan Policies

Recommendation in Full

1. Delegate to the Service Lead 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 be given delegated powers to add, vary and /or delete relevant conditions as necessary.
3. In the event the SDMP is not resolved the service lead 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 occupies the side garden area of no 10 Furze Close, in addition to part of the rear gardens of no 218 and 220 Middle Road and is 0.11 hectares in size. Opposite the site is the Shoreburs Greenway, which is a Site of Importance for Nature Conservation (SINC).
- 1.2 The site is located within a predominantly residential area characterised by a mix of dwelling houses with differing style and design. Furze Close is a narrow road with a very small turning area located outside of no 13 and 14 Furze Close.

2.0 Proposal

- 2.1 Full planning permission is sought to retain no 10 Furze Close and construct two pairs of 3 bed semi-detached dwellings. The dwellings are two storey in height to a height of 7.5 metres. The existing dwellings at 10 and 11 Furze Close are 7.3 metres high, but are at a higher level than the proposed units by approximately 20 centimetres. The materials chosen for construction are brick with lintel and porch detailing. The neighbouring properties within the area have chimneys and to maintain the character of those properties a condition to secure a chimney is proposed.
- 2.2 The proposed garden depth for plots 1 and 2 is 8.4 metres and plots 3 and 4 is 9.5 metres. Two car parking spaces have been provided to the front for each unit and for the existing property at no 10 Furze Close. Landscaping to break up the frontage has been provided. A private drive is proposed to serve the units accessed in front no 10 Furze Close. Each unit would comprise a kitchen/ family room, separate lounge and WC at ground floor level, and three bedrooms and a bathroom at first floor level. All the units have the main entrance on the front elevation and separate entrance to the rear is also provided.

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 All developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy

SDP13.

- 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 Relevant history for the existing unit at no 10 Furze Close
1416/84/10 Conditionally approved 25.05.1971
Erection of two pairs of semi-detached houses

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 (05.01.2018). At the time of writing the report **7 representations** have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 **Concern regarding the width of Furze Close for refuse collection and access and parking problems that would arise from the increase in dwellings.**

Response

Agreed in part. The Council's Highways Development Management team have considered the concerns raised by residents and do not consider the proposed development to be detrimental to highway safety. Furze Close provides sufficient width for vehicle access, and is currently used as such. No objection has been received on these grounds. It is noted, however, that refuse collection is an issue for Furze Road and Highway Officers have agreed that private refuse collection would be the best course of action for this development due to the access issues and limited turning area. Officers feel that it is better to secure 4 family dwellings with private refuse collection, rather than refuse a scheme because safe refuse collection may not be possible using Council vehicles.

Two parking spaces are proposed per unit and this meets the maximum parking standards in this location (i.e. 2 spaces per dwelling). As the scheme complies with the Council's parking standards for this location there is no justifiable reason for refusal on these grounds.

- 5.3 **Concerned about construction traffic and damage to highway verges**

Response

A construction management plan condition is suggested which requires details of where construction traffic will park and the storage of materials will be located therefore seeking limit the harm to the surrounding area.

- 5.4 **Road safety**

Response

No objection has been raised on highway safety grounds with respect to road safety. It is noted that there will be an increase in trips along Furze Close but it does not mean highway safety is compromised.

- 5.5 **Overlooking, over bearing and over shadowing**

Response

Sufficient separation distances are provided to the properties on Middle Road, the distance between 218 and 220 Middle Road and the new dwellings is 29 and 30 metres, and between 222 and 226 Middle Road is 36 and 38 metres respectively. The separation distances required to comply with the adopted Residential Design Guide is 21 metres and the separation distances proposed exceed this resulting in a development that will not result in detrimental overlooking. The same is true in terms of it being overbearing and it causing shadowing as the dwellings are an acceptable distance away from the properties to the rear. The level of development equates to 44 dwelling per hectare and is in line with the density recommended for this part of the City (35-50 dph) having regard to criteria 1 of policy CS5 of the LDF Core Strategy. In addition, sufficient residential amenities in terms of garden area and parking have been provided therefore demonstrating the scheme is not an overdevelopment of the site (see also response below).

5.6 Overdevelopment of the site and that it would be out of context with the character of the surrounding area

Response.

The amount of the site occupied by hard standing areas and buildings exceeds the 50% limit as recommended in the Residential Design Guide (RDG) with the parking areas and buildings accounting for approximately 70% of the site area. However, the scheme is similar in layout to the adjacent properties at 11-13 Furze Close. This proposed scheme generally continues the building line and the proposed units would be of comparable height to neighbouring houses. As such, it cannot be considered as out of character with the specific circumstances of this site and its context.

5.7 Damage to trees on site and loss of vegetation and habitat

Response

The proposal will not result in the loss of any important or protected trees within and adjacent SINC, and no objection has been raised by the Council's Tree Team. The tree report submitted notes that the development, if approved, has to be carried out having regard to protecting the root protection areas (RPA) of the affected trees. These measures will be secured via a condition.

Consultation Responses

5.8 SCC Highways – No objection raised

The reversing distance for the parking on plot 4 is still 5.5m which is short of the standard requirement of 6m. Although the tracking shows a vehicle turning, the tracking overruns the soft landscaping a little and is very tight to the other parking space as well as the tree. A suggested solution is to widen these spaces to 3m which appears to be achievable – though the paved footway to the house will need to be extended.

5.9 With regard to the refuse collection. The refuse team did raise concerns about current access and turning space. The narrow width of the highway and the on-street car parking does restrict access by the refuse collection vehicle, with the team having recorded instances of not being able to access the existing dwellings at the end of the street. Given the location of the dwellings, at the end of the street, which is subject to the most issues, future residents could have issues in having their refuse collected. Furthermore, the design does not incorporate turning for the refuse truck and given the constraints of the site, there isn't scope to incorporate this into the design. The scheme would, therefore, perpetuate the existing refuse collection issues to the detriment of the amenity of existing residents.

- 5.10 Although it can be argued that due to the scale of development, the impact and the exacerbation of the problem is not considered 'extreme'. However as part of the Council's policy, developments should contribute and improve on the amenity and local public realm. This proposal, regardless of scale exacerbates a problem which could be mitigated but is not being provided as part of the proposal.
Following discussions with the applicants it has been agreed that a private refuse collection would be the best course of action. Subject to conditions relating to parking, refuse collection, construction management plan and road construction being imposed no objection is raised.
- 5.11 **SCC Sustainability Team – No objection raised**
Conditions are recommended in order to ensure compliance with Policy CS20 which relate to energy and water restrictions.
- 5.12 **SCC Community Infrastructure Levy (CIL) – No objection raised**
The development is CIL liable.
- 5.13 **SCC Environmental Health (Contaminated Land): No objection**
No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.
- 5.14 **SCC Tree Team – No objection raised**
The tree team raises no objection to the proposed development provided the proposal is secured via a conditions. The proposed location of the properties will be outside of the root protection area (RPA) of the trees, therefore the construction of the dwellings presents no risk to the trees.
- 5.15 The A J Scott arboricultural impact assessment (AIA) and arboricultural method statement (AMS), dated the 27th November 2017, gives details around the location of the protective fencing and ground protection, but it has raised further questions. Section 3.7 states that soakaways could be located within the RPA, the Tree Officer is not in agreement with this statement. The plan shows the location of the soakaways being to the rear of the properties, which will have no impact to the trees, therefore there should be no requirement to consider soakaways within the RPA.
- 5.16 Section 4.4 gives some specification relating to the use of a cellular confinement system (CCS), which would be a requirement in any area of hardstanding within the RPA. It accepts that there will be a requirement for a permeable surface, which will be provided at a later date. This information should be provided as part of the full application and form part of the method statement. Section 4.7 gives details regarding the plotting of the RPA's and that in reality it could be offset to the east due to the topography. If the project arboriculturalist wishes to adjust the RPA, an explanation as to why the adjustment has been made will be required. Section 5.3 deals with the installation of the CCS and that if it is installed prior to construction, then a working surface will be required. Details of the working surface will be required to ensure that it is not detrimental to the trees. If the CCS is not installed prior to construction, details on ground protection will be required to form part of the AMS.
- 5.17 Section 7.4 of the AMS gives details regarding the tree protection fencing. The details in this section state that the fence will be Heras panels erected on their own support feet, as shown in Appendix C, but when reviewing the specification in Appendix C, the description given in section 7.4 does not match with the specification of Appendix C. The specification in the appendix is the default fencing specification from BS5837, which should be the specification for the site,

therefore the Tree Officer is not in support of the fencing specification as described in section 7.4.

- 5.18 Section 7.8 gives an indication that there will be a joint services trench located along the edge of the new driveway. As a majority of the new driveway sits within the RPA of the neighbouring trees, there are to be no excavations within the RPA, therefore a plan showing the location of any subterranean services will be required and these are to be outside of the RPA's.
- 5.19 Overall, the Tree Officer is not in objection to the proposal, but there will be a requirement for additional information to be provided that will clearly demonstrate that the driveway can be constructed with no impact to the trees. The wearing surface would be vital to this design as it would have to be porous and remain porous for many years, therefore loose stone should be a consideration rather than tarmac. Therefore conditions are requested to secure the following;
- Tree Retention and Safeguarding
 - No storage under tree canopy
 - Overhanging tree loss
 - Arboricultural Protection Measures to safeguard the root protection of the trees

6.0 Planning Consideration Key Issues

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

- Principle of development;
- Design and amenity;
- Parking, Access and Highway safety;
- Impact on adjacent SINC and landscaping; and
- Development Mitigation

6.2 Principle of Development

The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable housing development, and the use of previously developed land. The redevelopment of this site for residential use, and particularly genuine family housing, is acceptable in principle and accords with the policies within the development and central government's guidance (through the NPPF) to promote sustainable and efficient use of land for housing development providing the character of an area is not compromised.

6.2.1 The proposal does result in the development of garden land but the resultant plot sizes are comparable to those which already exist within the area. The existing character of the properties along Furze Close are of sites that have been historically subdivided. The proposed density (of 44 dwelling per hectare - dph) is in line with the guide of 35-50 dph for the site having regard to criteria 1 of policy CS5 of the LDF Core Strategy. Policy CS5 indicates that the development density should have regard to the character, and appearance of the existing neighbourhood, meaning that density is only one planning consideration. This proposal will sit comfortably within its immediate context by providing semi-detached dwellings similar to the adjacent neighbouring development; each with gardens similar to existing gardens depth whilst retaining a suitable level of garden depth for the existing properties on Middle Road. Parking for two cars is

provided to the front of each development. The principle of development and its relationship with the established pattern of development is considered to be acceptable.

6.3 Design and amenity

Existing properties within this close comprise two storey, semi-detached dwellinghouses. The majority of the properties are of brick construction with tiled roofs and double height box bay features bar properties 10 to 15 where cladding and porches are a feature. Some of the properties are accessed through the front elevation and some are accessed via the side elevation. Drives and parking are provided for each of the existing units within the Close. There is a level change as the dwellings are set at a higher height than the road. The roofslopes of these properties are typically hipped to the front and rear with gables present to the side. The proposed dwellings would have a more contemporary appearance, but with a similar roof design and inclusion of chimneys, this is acceptable in this part of Furze Close.

- 6.3.1 The garden depth is similar in depth to those found at 11 to 13 Furze Road and although the depth does not comply with the ten metre depth set out in the RDG it compares with the general character of the area. The garden areas proposed are as follows; no 10 Furze Close retains 57 sq.m, plots 1 and 2 have 59 sq.m and plot 3 and 4 have 76 sq.m and 81 sq.m respectively. Although, a garden area of 90 sq.m is the guidance for detached properties in the RDG, looking at the existing character of the area where no 12 and 13 Furze Close have 82 sq.m so they are similar in size. In summary, the resulting garden areas are very useable areas to sit out and use.
- 6.3.2 With respect to the impact on the neighbours, the separation distance between the proposed units and Middle Road varies in distance from 29 metres to 36 metres and therefore complies with the adopted separation distances. This is considered to be in accordance with paragraph 2.2.4 of the Residential Design Guide which advises that a minimum back to back distance of 21m should be retained. Therefore, the proposal does not lead to detrimental harm to the properties to the rear.
- 6.3.3 The application site forms the side garden of no. 10 Furze Close and it is, therefore, necessary to assess the impact of the proposed scheme on the residential amenities of the occupiers of this property. There are no habitable windows on the side elevation of no 10 Furze Close so there is unlikely to be detrimental harm to the property in terms of loss of privacy. It is noted that the new units will have views into the rear garden of the property but this is a normal relationship between neighbouring properties. There is sufficient usable garden space retained for this neighbouring property and the main most usable part of the garden (to the rear of the house itself) remains unaffected.
- 6.3.4 With respect to the proposed units, there are ground floor secondary windows proposed on the side elevation to allow light into the kitchen areas. Due to the ground floor location of these windows no detrimental harm will arise from the windows. There are no side windows proposed at first floor level. With regard to the accommodation provided all rooms have an outlook and adequate light and all the units have adequate amenity space and cycle and refuse storage is provided. It is noted that during part of the year the front of the properties mainly plot four could be in shadow due to the adjacent tree line. However, this shading would not be detrimentally harmful.
- 6.3.5 Therefore, the proposal does not warrant a reason for refusal on residential amenity grounds in terms of amenity space, outlook, loss of light and/or privacy

and accords with Local Plan Review Policy SDP1.

6.4 Parking, Access and Highway Safety

The application site is within an area that is served by public transport as the nearest bus stops are only a 10 minute walk from Bitterne Road West. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPD, which are maximums. Therefore, careful consideration needs to be made of the implications of the proposed number of parking spaces. The scheme proposes two spaces per unit, which is the maximum for a three bed unit within the Council's standards. There are no national or local policy requirements for the developer to design in visitor parking.

- 6.4.1 The 2011 Census suggested that for the Ward of Sholing, 19% of households do not have access to a private car, 46% had access to one car and 35% had access to two cars therefore meaning that two spaces per unit should be sufficient. Amended plans have been received addressing the size of the parking spaces at plot 4 to provide three metre wide spaces to allow for sufficient access. Refuse storage and its collection is to be secured by condition to prevent issues of highway safety (as detailed above). The provision of the cycle storage shown is also secured via condition. Therefore on this basis the proposal is considered to address the concerns relating to parking and highway safety.

6.5 Impact on adjacent SINC and landscaping

The proposal will result in the loss of trees and shrubs that are not considered significant in terms of size and amenity. None of the trees or shrubs within the site are protected and nor has an objection been raised by the Council's Tree Officer. A landscaping condition and Council policy requires the loss of any trees to be replaced on a two for one basis. The character of the area will be altered by the loss of the vegetation but it could be removed without permission in any event. The provision of strong landscaping to the front of the units is key for a development where parking is going to dominate the frontage. Therefore, subject to the submission of replacement landscaping and safeguarding conditions to prevent harm to the Council's trees the proposal is considered to be acceptable.

6.6 Development Mitigation

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

- 6.6.1 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 in this case and £724 is required for this level of development. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Following receipt of this payment 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).

7.0 Summary

- 7.1 Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers nor the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.
- 7.2 A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected. The development will not lead to harmful levels of traffic, congestion or overspill parking within Furze Close having regard to the Council's maximum car parking standards. Furthermore significant weight is given to the merits of (family) housing delivery on this site.

8.0 Conclusion

- 8.1 It is recommended that planning permission be granted subject to conditions.

Local Government (Access to Information) Act 1985
Documents used in the preparation of this report Background Papers

1(a), (b), (c), (d), 2 (b), (d), 4(f), (g), (vv), 6(a), (b), 7(a)

ARL for 13/03/2018 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. Details of chimneys (Pre-Commencement Condition)

Prior to development commencing (with the exception of site clearance, demolition and preparation works) amended plans detailing brick chimneys for each unit shall be submitted to and approved in writing by the Local Planning Authority. The approved chimneys shall be constructed and retained in accordance with the approved plans unless agreed otherwise in writing by the Local Planning Authority.

Reason:

In the interests of the character of the area.

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

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

05. 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.

06. Amenity Space Access (Pre-Occupation)

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

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

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

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

- i. hard surfacing materials;
- 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 - to be agreed;
- iii. details of any proposed boundary treatment (including a brick wall to Crabwood Road and around the parking area rather than timber fencing to replace the existing hedge) and;
- iv. a landscape management scheme.

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

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

08. Tree Retention and Safeguarding (Pre-Commencement Condition)

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence in line with BS5837:2012 trees in relation to design, demolition and construction. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

09. No storage under tree canopy (Performance Condition)

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.

10. Overhanging tree loss (Performance Condition)

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

11. Arboricultural Protection Measures (Pre-Commencement Condition)

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates

- Procedures for dealing with variations and incidents.

Reason:

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees

12. Refuse & Recycling (Pre- Occupation condition)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it including details of a private refuse collection solution, 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. Furthermore unless agreed in writing with the Local Planning Authority the approved private refuse collection solution shall be retained in perpetuity.

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

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

13. Cycle parking (Pre- Occupation condition)

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

Reason:

To encourage cycling as an alternative form of transport.

14. Parking (Pre-Occupation)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

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

15. Road Construction (Pre-Commencement)

Road Construction (Pre-Commencement Condition)

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

1. A specification of the type of construction proposed for the roads, cycleways and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water.
2. A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

3. Should the developer not enter into a Section 38 Agreement there will be a requirement to provide details of a Management process which will maintain these areas in the future.

Reason: To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority.

16. Land Contamination investigation and remediation (Pre-Commencement Condition)

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.

17. Use of uncontaminated soils and fill (Performance)

Only 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.

18. Unsuspected Contamination (Performance)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

19. Energy & Water (Pre-Commencement Condition)

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

Reason:

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

20. Energy & Water (performance condition)

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

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

21. Hours of work for Demolition / Clearance / 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 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.

22. Construction Management Plan (Pre-Commencement Condition)

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

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

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

23. Approved Plans (Performance)

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

Reason:

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

NOTES TO APPLICANT

1. Southern Water

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

2. Community Infrastructure Liability (Approval)

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