

**Planning and Rights of Way Panel 8<sup>th</sup> January 2019**  
**Planning Application Report of the Service Lead- Infrastructure, Planning and Development**

<b>Application address:</b> Rileys American Pool and Snooker, Church End, Southampton, SO15 3JE			
<b>Proposed development:</b> Demolition of existing building and redevelopment of the site to provide a part two, part three, part four storey building comprising of 22 flats (15 x 1, 7 x 2 beds) with associated bin/refuse, cycle storage and landscaping.			
<b>Application number</b>	18/00898/FUL	<b>Application type</b>	FULL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	15.01.2019 (Extension of time agreement)	<b>Ward</b>	Shirley
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr Chaloner Cllr Coombs Cllr Kaur
<b>Applicant:</b> Parnoso Limited		<b>Agent:</b> ECA Architecture & Planning	

<b>Recommendation Summary</b>	<b>Delegate to Service Lead – Infrastructure Planning and Development to grant planning permission subject to criteria listed in report</b>
-------------------------------	---

<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
---	------------

**Reason for granting Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the policy allocation of the site, highway safety, residential amenity and the impact on the street scene 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 as set out in the report to the Planning & Rights of Way Panel on 8<sup>th</sup> January 2019. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39 – 42 and 46 of the National Planning Policy Framework (2018). Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE4, HE6, CLT1, H1, H2, H7 and REI5 of the City of Southampton Local Plan Review - Amended 2015 policies CS4, CS5, CS6, CS7, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy (2015) and National Planning Guidance contained within the National Planning Policy Framework.

<b>Appendix attached</b>			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Parking Survey	4	Viability Assessment – DVS Findings

### **Recommendation in Full**

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 1 of this report.
2. Delegate to the Service Lead – Infrastructure, Planning and Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
  - (i) Receipt of satisfactory tracking diagram and plans for refuse vehicles and layby.
  - (ii) Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
  - (iii) Either the provision of 35% affordable housing in accordance with LDF Core Strategy Policy CS15 or a mechanism for ensuring that development is completed in accordance with the agreed viability assessment (without any affordable housing) and that a review is undertaken should circumstances change and the development stall;
  - (iv) Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
  - (v) Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
  - (vi) The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
  - (vii) Financial contributions or other measures towards the Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved Policy SDP 12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).
  - (viii) That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement and or failure to provide adequate refuse /servicing.

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

- 1.1 The site is a former snooker club which closed in Spring 2015, is currently vacant and has a poor visual appearance. The application site is located within Shirley Town Centre however, is set back from the main commercial frontage and is accessed via a narrow carriageway (Church End) positioned between locally listed Catholic Church of St Boniface (including its presbytery and church hall) and no.413 Shirley Road (an end of terrace property to a row of commercial uses within the secondary retail frontage of Shirley Town Centre). Access to the site can also be obtained via a narrow carriageway from Shirley Avenue positioned between Shirley Avenue Surgery (no.1 Shirley Avenue) and 1 – 10 Bright Glade Court. The site is not within a conservation area.
- 1.2 This site is wholly covered with buildings and hardstanding. The application site at present comprises a series of large units with a total floorspace of approximately 1080 sq m. The area to the north and east of the property is predominantly residential in character. Traditional two storey, semi-detached and detached dwellings characterise the residential roads of Cherry Walk, Gurney Road and Shirley Avenue immediately to the rear. There is however, a more recent flatted development at Bright Glade Court which fronts Shirley Avenue. This scheme was approved in 2010 (ref.10/00283/FUL) and comprises a part 2 / part 3 storey building providing accommodation in the form of 10 flats with no parking.
- 1.3 To the south, there are a series of large industrial units which appear to be used in conjunction with a car showroom fronting Shirley Road and have a secondary access from Church End with the main access from Shirley Avenue.

## **2. Proposal**

- 2.1 The proposal is for a development which steps up from two to four storeys in height providing 22 units with a mix of one and two bedrooms. The design is 'L' shaped fronting Church End and the parking area of 1 Shirley Avenue. At ground floor, seven flats are provided, including one two-bed unit. Integral refuse and cycle storage is provided adjacent to the rear boundary of the properties on Shirley Road. The remaining site area at ground floor is to be utilised for communal gardens as well as private space serving the front and rear of the ground floor flats.
- 2.2 At second floor, eight units are proposed, including two two-bed units. The third-storey of the building steps away from the rear of the properties fronting Shirley Road, to allow outlook for the residential accommodation above the commercial units. The third-storey element is also stepped back on the corner adjacent to the shared boundary with the properties at Cherry Walk by approximately a further three and half metres. Five units, including two no. two-beds, are proposed within the third storey as well as a recessed private terrace area for sole benefit for one of the flats. The other flat-roof areas on the building will have no direct access and will be utilised as green roof.
- 2.3 The top floor of the building is limited to an area adjacent to the boundary with 1 Shirley Avenue. This floor provides two no. two-bed units.
- 2.4 The scheme provides no parking in this highly sustainable location.

## **3. Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of

Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 2.

- 3.2 Core Strategy policy CS3 (Town, district and local centres, community hubs and community facilities) states that: 'Proposals that result in the loss of a community facility throughout the city will not be supported if it is viable for the commercial, public or community sector to operate it and if there is no similar or replacement facility in the same neighbourhood. Community facilities include: community buildings; drop-in centres / day centres; meeting rooms / day centres; places of worship; sports club and recreation; youth clubs / scout huts / guide huts / clubs for senior citizens'. As this is a private club, its loss and the subsequent introduction of a residential use on site is not considered to amount to the loss of a community facility.
- 3.3 The level of development at 182 dwellings per hectare (dph) is in accordance with policy CS5 of the Core Strategy which sets out that "high densities should be limited to the most accessible areas, namely the city centre, areas close to and within Shirley town centre..." The policy defines high density as being over 100 d.p.h. Major developments in the city are also expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.
- 3.4 The National Planning Policy Framework (NPPF) was revised in July 2018. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and, therefore, retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4. Relevant Planning History**

- 4.1 There has been a number of extensions to the property and signage applications but the most relevant site history relates to the following. In 2007, conditional approval (ref.07/01627/FUL) was granted for the erection of a 2m high enclosure and timber canopy to form a smoking shelter and new external door. In 1997, conditional approval (ref.970691/W), was granted for alterations to the front elevation.
- 4.2 A recent application for a similar development was withdrawn on 19.03.2018 for the demolition of existing building and redevelopment of the site to provide 19 flats (15 x 1, 3 x 2 and 1 x 3 bed) with associated car parking, bin, cycle storage and landscaping following officer concerns over highway safety due to parking, overall design and loss of privacy to neighbouring occupiers. This current scheme seeks to address the concerns previously raised.

#### **5. Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (15.06.2018) and erecting a site notice (15.06.2018). At the time of writing the report, 5 representations have been received from third parties including concerns raised by St Boniface in respect of parking and height. The following is a summary of the points raised:

## 5.2 ***Out-of-keeping***

### **Response**

The site lies in an area of a mix of commercial and residential uses which differ in the materiality and design. The use of a buff colour brick has raised an objection from the Council's Design Officer and, therefore, a condition securing a red/brown brick is recommended. However, no objection has been raised about the proposed height and design approach. Although the height is higher than some nearby residential properties, it is lower than the church and a similar height to Bright Glade Court. Furthermore, Local Plan Policy SDP9 is supportive of taller buildings in and adjacent to Shirley town centre. The design steps down at various points to respect the height of the neighbouring properties.

## 5.3 ***Impact on neighbours***

### **Response**

The two-storey element of the development is located approximately between 22 and 24 metres and at an oblique angle to the properties along Cherry Walk, which meets the Council's 21 metre guidance set out in the Residential Design Guide. The three-storey element is once again at an oblique angle, and is 25 and 27 metres to Cherry Walk, with no windows. Between the rear elevation of the neighbouring Cherry Walk properties and the side elevation of the building, the separation distances at two and three storey are 12.5 and 15 metres respectively which also accords with the Residential Design Guide standards. The distance from the rear of Bright Glade Court and the proposed development is 16.5 metres approximately and therefore complies with adopted guidance. The separation distance between the flank elevations of the proposal and 415 Shirley Road does not meet the guidance but the height of the proposal at this point is approximately 1.5 metres lower than the existing building, thereby resulting in an improvement on the existing situation.

- 5.3.1 The siting of the proposed buildings generally exceeds the separation distances set out in the adopted Residential Design Guide. These separation distances are required to protect the privacy, outlook and daylight to nearby residential properties. A shadow diagram has also been provided to demonstrate that the no detrimental overshadowing will occur to the neighbouring properties. The proposal is, therefore, considered to be acceptable in this respect.

## 5.4 ***Concern that the provision of no parking will lead to parking overspill***

### **Response**

The Council has adopted maximum car parking standards and the Parking Standards Supplementary Planning Document confirms that provision of less than the maximum parking standards is permissible subject to justification. In this case, the existing vehicular access into the site is poor and not suitable to serve residential parking. Furthermore, the location of the site within Shirley Town Centre means it benefits from good access to shops, services and facilities together with frequent bus links to the city centre and central train station. There are parking restrictions in the surrounding area which limit the possibility for over-spill car parking. A car parking survey and parking justification (**Appendix 3**) has been submitted by the applicant and concludes that the proposal would not result in an unacceptable competition for unrestricted on-street car parking spaces in the vicinity of the site. Furthermore, the Council's Highway Engineer has raised no objection to the application. With regard to comments that there could be

overspill parking into the adjacent church's car park, that is a matter for the diocese to control.

5.5 **Query why was the last application withdrawn and why does the current application proposes more flats that the last schemes**

**Response**

Officers raised concerns with the previous application in terms of the introduction of car parking and resultant highway safety issues, together with over-looking issues and design concerns. Therefore the scheme was withdrawn as officers advised the agent that the application was likely to be refused on the above basis. It is considered that the current proposal has addressed the previous concerns raised by officers and the removal of parking has freed up more space for residential accommodation.

5.6 **Query why is there no family housing proposed**

**Response**

Policy CS16 states that the provision of a family housing is dependent on *'the established character and density of the neighbourhood and the viability of the scheme'*. The supporting text of the policy sets out that, within areas of higher density, a lower proportion of family homes may be accepted. The application site is located within a high density area as defined by policy CS5 and, in this case, given the constrained and back-land nature of the site, and the highway safety issues associated with providing parking, smaller units with nil parking are considered to be more appropriate. In addition, there are already viability concerns relating to this development and smaller units are more marketable in this location. The mix of development (fifteen one-beds and seven two-beds) is, therefore, considered to be appropriate in this location.

5.7 **Inadequate notification**

**Response**

With respect to notifying/advertising planning applications the regulations require Local Authority's to undertake the following notification for major applications;

- Notify via letters all adjoining landowners – those who share a common boundary; or
- Place an advertisement in the paper; and
- Erect a site notice

In this instance, all these notifications were undertaken, including writing to 37 local residents. This exceeds the regulation requirements.

**Consultation Responses**

5.8 **SCC Highways – No objection**

5.8.1 Subject to conditions (See conditions 25 - 29). The refuse lay-by should be marked up to prevent parking of any vehicles except for the refuse vehicle and other servicing vehicles, tracking diagrams for the refuse vehicle are required, submission of a waste management plan. Standard euro bin and cycle storage conditions as well as securing the submission of a construction management plan.

5.8.2 The Transport Assessment is generally acceptable and does confirm the Council's stance in accepting the development as car-free due to its sustainable location. The proposed development is generally acceptable. However as Church End is quite narrow with little footway provision, in order to provide a better and safer environment for pedestrians/cyclist/wheelchair users, some resurfacing will

be requested as part of the Section 106 legal agreement. This is to help try formalise this section of Church End to be more of a home-zone/shared space and to help traffic calm this area.

5.9 **SCC Employment and Skills Team - No objection** An Employment and Skills Plan obligation will be required via the S106 Agreement.

5.10 **SCC City Design – No objection**

5.10.1 Subject to conditions securing a number of changes relating to material and landscaping (conditions 3 and 4).

5.10.2 The use of an 'oatmeal' colour brick in this location is out of keeping and given the setting within the largely Victorian/Edwardian suburb of Shirley is mainly characterised by red or brown shades of brickwork. There is very little evidence of lighter bricks in this area and the Design officer is unsure the colour sits that well with the red/brown of the locally listed church. With respect to the landscaping given the generally hard external urban setting, the internal courtyard garden should be much greener in character. It should more like a little Oasis. The paving in front of the building should include the refuse lay by so that it reads as one continuous surface. The side entrance for pedestrians next to the bin store, should be constructed with the same solid gate as the bin store, not an open railing as shown. Further details are required on the 'garden path' on the east boundary to ascertain if it is gated or not.

5.11 **SCC Housing** – As the scheme comprises of 22 dwellings in total the affordable housing requirement from the proposed development is 35% (CS15- sites of 15+ units = 35%). The affordable housing requirement is therefore 8 dwellings (7.7 rounded up).

Response

The scheme's viability with 35% affordable housing provision, has been questioned and tested by an independent expert. Further details are provided later in this report with the DVS findings attached at Appendix 4.

5.12 **SCC Sustainability Team – No objection** subject to conditions securing energy and water targets are to be secured. See conditions 17 and 18.

5.13 **SCC Environmental Health (Pollution & Safety) – No objection** subject to conditions securing dust suppression during demolition, a construction environment management plan, no bonfires (not secured as can be dealt with under separate legislation) and working hours. See conditions 29 - 30.

5.14 **SCC Environmental Health (Contaminated Land): No objection**

No objection subject to conditions to secure a contaminated land assessment and any required remediation measures. See conditions 14 -16.

5.15 **SCC Ecology – No objection**

5.15.1 Subject to conditions securing an ecological mitigation statement and protection of nesting birds. See conditions 17 – 20.

5.15.2 The site consists of a building and area of hard standing which have negligible intrinsic biodiversity value. The only substantive vegetation present on the site is on the roof however, it is not obvious what species are present. In general, the building is in sound condition and of a design that limits bat roosting opportunities. However, at the south-western end there are a number of slipped tiles and holes in the wall which provide bat roosting potential.

5.15.2 The area around the building has very low levels of vegetation and relatively high levels of artificial lighting including street lamps and security lighting on adjacent

buildings. As a consequence the habitat is of low suitability to bats and the Ecologist is of the view that, despite the potential access points, there is a negligible likelihood of bat roosts being present. However, as it is not possible to completely rule out the presence of bats due to their small size, the Ecologist would like the roof to be demolished by hand.

5.15.3 The existing flat roof may be attractive to nesting birds such as pigeons. All nesting birds receive protection under the Wildlife and Countryside Act 1981 (as amended). Care should therefore be taken with demolition which should ideally occur outside the breeding season which runs from March to August inclusive. If this is not possible, the roof should be inspected immediately prior to demolition however, if active nests are present demolition must be delayed until after the chicks have fledged. It is pleasing to see the inclusion of green roofs in the design however, the use of just sedum limits their biodiversity value. Therefore the Ecologist would like the sedum to be supplemented with a top dressing of an appropriate wild flower seed mix to be secured via the landscaping condition (condition 4). The provision of the green roof is secured by condition 24.

5.16 **SCC Flood Risk Officer – No objection subject to a condition**

Conditions 22 and 23 are suggested to secure a satisfactory drainage strategy in line with the details required by the Council's Flooding team.

5.17 **SCC Archaeology: No objection**

5.17.1 The site is in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy -- LAAP 16 (The Rest of Southampton). An archaeological desk-based assessment (DBA) has been submitted in support of this application, compiled mainly using data from the Southampton Historic Environment Record and historic maps. The DBA correctly identifies that the site has a moderate potential for prehistoric and Romano-British remains, and a low potential for other past periods before the 19th century. In particular, the site lies some 140m to the north of SOU 1577, an archaeological investigation at the site of the former Hendy Ford garage (now Selby Place, Shirley Road), which produced significant evidence of occupation dating from the Late Iron Age and Roman periods. The site also lies on Pleistocene River Terrace 3, the gravels of which have produced Palaeolithic artefacts. The DBA considers that 20th century development on the site will have had a significant destructive impact on any archaeological remains, with further impact from earlier agricultural / horticultural use; however this is currently unproven. Prehistoric, Romano-British and later archaeological remains, if present on the site, would be undesignated heritage assets under the National Planning Policy Framework.

5.17.2 There is potential for archaeology to exist on the site and conditions are suggested to address this including archaeological damage assessment and an archaeological investigation. See conditions 9 -12.

5.18 **Community Infrastructure Levy (CIL)-**

The development is CIL liable as there is a net gain of residential units. The charge will be levied at £70 per sq. m (to be indexed) on the Gross Internal Area of the new development. If any existing floor area is to be used as deductible floor area the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.



5.19 **Southern Water – No objection.**

Suggests a condition (number 23) to secure details of the means of foul and surface water disposal.

5.20 **City of Southampton Society – Objection**

Object for the following reasons: the proposed building will be higher than Bright Glade Court and will affect the outlook from that complex. The number of dwellings, 22 flats on 0.12 hectares, will lead to overcrowding.

**6. Planning Consideration Key Issues**

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

- The principle of development;
- The effect on character;
- Residential amenity;
- Parking, highways and transport;
- Affordable housing and viability;
- Development mitigation: and
- Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 As set out in paragraph 3.2 above, the application site lies within a town centre but is not safeguarded for any use, including a community use. Therefore, the redevelopment of the site should be assessed against its own merits in line with the policies set out in Appendix 2 of the report.

6.2.2 As detailed in Policy CS4 of the Core Strategy, an additional 16,300 homes need to be provided within the City between 2006 and 2026. The proposal would make efficient use of previously developed land to provide further homes to meet the demand. A residential density of 182 dwellings per hectare would be achieved, in accordance with policy CS5 of the Core Strategy, which confirms that high densities (in excess of 100 d.p.h) should be achieved in and adjacent to town centre locations to support local services and infrastructure and since the area offers a range of amenities, services, employment opportunities and good access to public transport.

6.2.3 Saved Local Plan policy H2 (Previously Developed Land) states that the use of derelict, vacant or underused land for residential development will be supported provided that all other material considerations are supported. The principle of development is, therefore acceptable, subject to an assessment of the other key issues set out below:

6.3 Effect on character

6.3.1 The design is simple with a brick construction which provides a clean, crisp finish. The building is articulated with brick patterning and variation in height. The success of the design will depend on the quality of the materials to be used and the finish of the development. Conditions 2 and 3 are recommended to try and secure a high-quality finish to the development. The external materials chosen for this development are brick, steel balustrades for the terraced areas and Juliette balconies and hardwood gates. Oriel bay windows are provided to prevent direct views onto neighbouring properties and this element will be secured by condition 7. The brick chosen currently is not in-keeping with the character of the area and condition 3 is imposed to secure a red/brown brick. However, brick is the correct finish in this location and would provide an attractive development.

- 6.3.2 In terms of scale, although to the east of the site is an area of two storey dwellings, the site itself lies adjacent to the taller St Boniface church and Bright Glade court, which is a three storey building set at a higher level, due to land level changes between the site and Shirley Avenue. It is clear from the sections provided that the development would be approximately half a metre taller than Bright Glade Court, so similar in height. Furthermore, SDP9 supports taller buildings in areas in and adjacent to Shirley Town Centre. The four-storey element of the development is limited to part of the site adjacent to Bright Glade Court with the rest of the development being two-storeys, stepping up to three-storeys away from site boundaries. As such, the scale of the development would not appear out-of-character and has not attracted an objection from the Council's Design Manager.
- 6.3.3 The site is currently covered in a 100% hardstanding/building and the proposed development would reduce this by providing a large communal area and landscaping at the boundary clearly visible from Church End. The proposed footprint is a reduction on the existing situation with mainly improved separation to the site boundaries. The current building is unattractive and is becoming dilapidated. The design chosen would provide an attractive living environment and improve the visual character. The provision of residential accommodation would introduce natural surveillance, creating an improved environment, over the existing un-welcoming experience and enhance the setting of the neighbouring locally listed church (in line with Local Plan Review Policy HE4).
- 6.3.4 Overall, subject to securing the details set out in conditions 2, 3 and 4 (see below), the development is considered to be well-designed, with adequate spacing between neighbouring buildings to enable the scale of development to be comfortably achieved. The proposal would take advantage of this accessible, underused and vacant site to achieve a development that would improve the quality of the area.
- 6.4 Residential Amenity
- 6.4.1 Overall, the layout of the development provides good outlook and access to daylight and sunlight for existing residents of the area and future residents of the development. The separation distances set out in the Council's Residential Design Guide are met and exceeded throughout both with respect to the proposed and existing properties. The separation distances, with regard to the existing neighbouring properties, exceed the guidance and are set out in paragraph 5.3 above. The main bulk of the development has views over the car park of the adjacent surgery. The taller flank wall of the development, adjacent to the Bright Glade Court, is limited in depth and, therefore, the neighbouring occupier's outlook would not be detrimentally harmed by the developments siting. The development steps down to two-storeys adjacent to Shirley Road, Church End and Cherry Walk and, therefore, would not cause detrimental outlook to neighbouring occupiers. The flank elevation adjacent to Shirley Road again is limited in depth reducing the impact further.
- 6.4.2 The main access to the development is from Church End adjacent to the entrance to the refuse and cycle storage. Many of the ground floor units have access to private patio areas which not only provide a useable outdoor space but also provide defensible space to prevent overlooking into the ground floor units when using the communal garden. In total 458 sq.m of useable amenity space would be provided which equate to 20.8 sq.m per flat in excess of the standards set out in the Residential Design Guide.

6.4.3 Overall, it is considered that the development is designed to provide a high-quality environment for future residents whilst ensuring a harmonious relationship with adjacent residential properties.

## 6.5 Highway Safety and Parking

6.5.1 As set out above, the development is designed with no on-site car parking. This is mainly because the vehicular access to the site, via Church end, is narrow and not suitable for additional residential car trips particularly as two way trips with pedestrians is not feasible. Given the location of the site, within a very sustainable location for both employment and transport, this is considered to be acceptable. The Council's policy is that the provision of less parking than the maximum standards set out can be permissible subject to justification. This justification has been provided by the applicant and furthermore, the Council's Highway Engineer is supportive of the proposal. Overall, the submission sets out that the possibility of harm arising from overspill car parking is limited due to restrictions in the area and having regard to on-street capacity. The lack of available parking space in the area will discourage occupiers from having a car. Furthermore, the amenity issue of lack of on-street parking is outweighed by the potential for highway safety implications if parking is provided and that the development brings the site back into use.

6.5.2 Adequate refuse and cycle storage have been provided and are to be secured by condition. The refuse will be collected via a layby on Church End and the refuse collection team have confirmed that they currently do access this route for collection purposes. A detailed Transport Assessment has been submitted with the application and adequately demonstrates that the proposal will have an acceptable impact on the highway network. As such, the Council's Highways and Transport Team have raised no objection to the application and the proposal is considered to be acceptable in this respect.

## 6.6 Affordable Housing and Viability

6.6.1 Policy CS15 sets out that *'the proportion of affordable housing to be provided by a particular site will take into account the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model).'*" The application is accompanied by a viability assessment which sets out that the development would not be viable and able to commence should the usual package of financial contributions and affordable housing be sought. In particular, the assessment sets out that the development would not be able to meet the requirement to provide Affordable Housing on the site. The viability appraisal has been assessed and verified by an independent adviser to the Council; in this case the District Valuation Service (DVS). A copy of their report is appended to this report at Appendix 4.

6.6.2 The DVS report concludes that 'Our appraisal indicates that the scheme will achieve a profit level of approximately 15.8% on GDV which is at the lower end of the range generally required for the purpose of debt finance. It should be noted that the applicant's submitted appraisal shows that the scheme will achieve a profit on GDV of just 12.43% on a 100% open market basis which is below the level generally accepted for the purposes of securing debt finance'.

6.6.3 In conclusion, the DVS states that 'Factors affecting the viability of this scheme are the relatively low value nature of this location and lack of car parking for the proposed units which limits the achievable gross development value. The demolition and site clearance costs also have a slight detrimental impact on viability'.

6.6.4 The benefits of redeveloping the site in this manner and the need to comply with the policy constraints outweigh the requirement for affordable housing in this case. The Panel may attach greater weight to the need for affordable housing in this part of the City but in doing so – and thereby rejecting this application – the Council would then need to defend an appeal where an independent Inspector is likely to attach significant weight to the DVS report (also independent).

## 6.7 Development Mitigation

6.7.1 As with all major development the application needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations would be required as part of the application if the application were to be approved. The main area of contribution for this development, in order to mitigate against its wider impact, is for highway works and these works are to be secured via a Section 106 legal agreement with the applicant. These works will be resurfacing improvements in order to provide traffic calming and a pedestrian-priority environment to Church End from the Shirley Road to the Cherry Walk linkage. In addition the scheme triggers the Community Infrastructure Levy (CIL).

## 6.8 Likely effect on designated habitats

6.8.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated site.

## 7. Summary

7.1 This proposal would bring the vacant application site back into effective use, introducing residential use, which is encouraged in Town Centre locations. The principle of development can be justified in light of policy CS3 of the Core Strategy and highway safety, transport, design and residential amenity have been adequately addressed. The scheme does not deliver any affordable housing but remains policy compliant in this regard given the flexibility of Policy CS15 in respect of allowing a shortfall when evidenced through a tested viability appraisal. As such, the scheme fulfils the requirements of the NPPF.

## 8. Conclusion

8.1 It is recommended that planning permission is granted subject to a Section 106 agreement and the attached conditions.

## **Local Government (Access to Information) Act 1985**

### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(c), 2(d), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(b), 7(a), 8(a), 8(j), 9(a) and 9(b),

**AL for 08/01/2019 PROW Panel**

### **PLANNING CONDITIONS**

#### **1. 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).

#### **2. Detailed Design (Pre-commencement Condition)**

With the exception of demolition and site clearance, prior to the commencement of development hereby approved, detailed designs, including plans of no less detail than 1:20 scale, shall be submitted to and approved in writing by the Local Planning Authority which provides the following:

- Window recesses;
- Window sills and lintels
- Brick bonding detailing;
- Fascia and eaves and;
- Roof parapets.

The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the design appearance of the dwellings are of a sufficient quality to preserve or enhance the character of The Canute Road Conservation Area.

#### **3. 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 (including the submission of details of a red/brown brick to substitute the oatmeal brick shown on the approved plans) 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.

#### **4. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)**

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme (including details of additional plants/shrubs other than shown on the approved plans) 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; pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications, details of native wildflower species for the proposed green roofs instead of sedum, schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment, including retaining walls and
- iv. 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, with the exception of means of enclosure 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

#### **5. Restricted use of flat roof area (Performance Condition)**

The roof area of the extension hereby approved, which incorporates a flat roof surface, shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: In order to protect the privacy of adjoining occupiers.

#### **6. 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.

#### **7. Obscure Glazing (Performance Condition)**

All windows shown to be obscured glazed on the approved plans and the bedroom corner window at first floor on the south/east elevation shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

#### **8. Amenity Space Access (Pre-Occupation Condition)**

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

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

#### **9. Archaeological evaluation (Pre- Commencement Condition)**

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

#### **10. Archaeological evaluation work programme (Performance Condition)**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed.

#### **11. Archaeological investigation (further works) (Performance Condition)**

The Developer will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the additional archaeological investigation is initiated at an appropriate point in development procedure.

#### **12. Archaeological work programme (further works) (Performance Condition)**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed.

#### **13. Demolition - Dust Suppression (Pre-Commencement Condition)**

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason: To protect the amenities of users of the surrounding area.

#### **14. Land Contamination investigation and remediation (Pre-Commencement & Occupation 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 scheme 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.

#### **15. Use of uncontaminated soils and fill (Performance Condition)**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason: To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

#### **16. Unsuspected Contamination (Performance Condition)**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by



the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of 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

#### **17. 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).

#### **18. 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).

#### **19. Ecological Mitigation Statement (Pre-Commencement Condition)**

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures which, unless otherwise agreed in writing by the Local Planning Authority, shall be implemented in accordance with the programme with measures thereafter retained as approved.

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

#### **20. Protection of nesting birds (Performance)**

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason: For the safeguarding of species protected by The Wildlife & Countryside Act 1981

(as amended) and the conservation of biodiversity

### **21. External Lighting Scheme (Pre-Commencement Condition )**

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be thereafter retained as approved.

Reason: In the interest of residential amenity/to minimise the impact on protected species.

### **22. Sustainable Drainage (Pre-Commencement Condition)**

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been first submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

### **23. Drainage details (Pre-Commencement Condition)**

The development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure the provision of adequate drainage arrangements and to minimise flood risk.

### **24. Green roof specification (Pre-Commencement Condition)**

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until a specification for the green roof is submitted and agreed in writing with the Local Planning Authority. The green roof to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

Reason: To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 and CS23, combat the effects of climate change through mitigating the heat island effect and enhancing energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22, contribute to a high quality environment and 'greening the city' in

accordance with core strategy policy CS13, improve air quality in accordance with saved Local Plan policy SDP13, and to ensure the development increases its Green Space Factor in accordance with Policy AP 12 of City Centre Action Plan Adopted Version (March 2015)

### **25. Refuse management plan (Pre-Commencement Condition)**

Prior to commencement of the development hereby approved, a refuse management plan shall be submitted to and be agreed in writing by the Local Planning Authority which sets out refuse strategy for the movement of the euro refuse bins from the storage to a collection point and back to the internal storage areas. The collection point should be within 10m of either the public highway or the route of the refuse vehicle. The plans shall include keep clear signs within this area which shall be installed in accordance with the plans before the development first comes into occupation. The approved refuse management plan shall be implemented and adhered to at all time when the development is in residential use.

Reason: In the interests of highway safety.

### **26. Refuse & Recycling (Pre-Commencement Condition)**

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 bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and a lock system to comply with SCC standard lock requirements operated by a coded key pad. It must be possible to secure the doors open whilst moving the bins. Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage cause by bin movements. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard coded keypad detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin. The site management must contact SCC refuse team 8 weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. E mail [waste.management@southampton.gov.uk](mailto:waste.management@southampton.gov.uk)

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

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

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

### **27. Layby management plan (Pre-Occupation Condition)**

Prior to occupation a management plan shall be submitted to and be approved in writing by the Local Planning Authority setting out how the layby will be managed to be kept clear for deliveries and refuse collection only. The management plan shall include the installation and implementation of keep clear signs within this area. The measures set out in the management plan shall be implemented and installed in accordance with the plans before the development first comes into occupation.

Reason: In the interests of highway safety.

### **28. Cycle storage (Pre-commencement Condition)**

Notwithstanding the information already submitted no development shall commence until plans and elevational details of the secure, covered cycle storage for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the agreed details prior to the first occupation of the dwellings hereby approved and thereafter retained for that purpose at all times.

Reason: To ensure an appropriate provision of cycle storage is made for future occupants of the site in accordance with saved policy SDP5 of the adopted Local Plan.

### **29. Construction Management Plan (Pre-Commencement)**

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

### **30. 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 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.

**31. 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.