

**Planning and Rights of Way Panel 20<sup>th</sup> April 2021**  
**Planning Application Report of the Head of Planning & Economic Development**

|  |  |                              |  |
|--|--|------------------------------|--|
| <b>Application address:</b> 30 Brookvale Road, Southampton   |  |                              |  |
| <b>Proposed development:</b><br>Extension of existing annexe/store building including a new pitched roof |  |                              |  |
| <b>Application number:</b>   | 21/00074/FUL   | <b>Application type:</b>     | FUL  |
| <b>Case officer:</b>   | Anna Coombes   | <b>Public speaking time:</b> | 5 minutes  |
| <b>Last date for determination:</b>  | EOT 27.04.2021                                       | <b>Ward:</b>                 | Portswood  |
| <b>Reason for Panel Referral:</b>  | Five or more letters of objection have been received | <b>Ward Councillors:</b>     | Cllr Lisa Mitchell<br>Cllr Gordon Cooper<br>Cllr John Savage |
| <b>Referred to Panel by:</b>   | N/A  | <b>Reason:</b>               | N/A  |
| <b>Applicant:</b> Yellow Door (Solent) LTD   |  | <b>Agent:</b> Ashplan        |  |

|                               |                       |
|-------------------------------|-----------------------|
| <b>Recommendation Summary</b> | Conditionally approve |
|-------------------------------|-----------------------|

|   |    |
|---|----|
| <b>Community Infrastructure Levy Liable</b> | No |
|---|----|

**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2019). Policies – SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, SDP16, HE1 of the City of Southampton Local Plan Review (Amended 2015) and CS10, CS13, CS14, CS19, and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015), as supported by the relevant guidance set out in the Parking Standards SPD (2011).

|                          |                           |  |  |
|--------------------------|---------------------------|--|--|
| <b>Appendix attached</b> |                           |  |  |
| 1                        | Development Plan Policies |  |  |

**Recommendation in Full**

Conditionally Approve

**1. The site and its context**

1.1 The application site is not in residential use and comprises a large two-storey, detached building with a detached annexe/store building to the northern side of the large plot. The site has been operated for many years as the headquarters of a

charity, Yellow Door (Solent) Ltd. Their website explains that they offer ‘a wide range of specialist therapeutic, support & prevention services to anyone at risk from or affected by domestic abuse, sexual violence/abuse or other forms of interpersonal harm’.

1.2

There is a large front driveway, providing parking spaces for staff and visitors with two entrances onto Brookvale Road. To the rear is a large garden sloping gently down to the rear boundary.

1.3

Immediately to the rear of the detached annexe/store building is a small raised patio area. There was previously a sycamore tree to the rear, but this was removed last year with permission from the Council. There is a tall leylandii tree further to the rear of this building.

1.4

Brookvale Road lies within the Portswood Residents’ Gardens Conservation Area and is within a medium accessibility area for access to public transport routes on Portswood Road, Highfield Lane and Bassett Avenue, and is characterised as a residential area with predominantly large detached dwellings of varying styles and sizes.

## **2. Proposal**

2.1

The proposal is to extend and convert the existing annexe / store building to provide a mix of storage, accessible WC, small kitchenette and a flexible office / meeting space to support the established use. The proposal involves the following elements:

- Adding a hipped roof;
- Extending the building to the rear;
- Installing windows to the front elevation;
- Installing rooflights on the southern roof slope, facing the host building.

2.2

The proposal will not extend any further forward, so the existing driveway parking area is unaffected.

2.3

The proposed plans were amended during the application process as follows:

- Reduce the scale and height of the originally proposed gable end roof by lowering the roof pitch and introducing hipped ends to a height of 4.5m.
- Reduce the rearward extension of the building by 750mm to 11.8m in length, to reduce the impact to neighbouring property No.32.

## **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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2

The National Planning Policy Framework (NPPF) was revised in 2019. 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.

- 3.3 Saved Policy SDP1 (Quality of development), SDP10 (Safety and Security) and SDP16 (Noise) of the Local Plan Review seek development that would not unacceptably affect the health, safety or amenity of the city and its citizens.
- 3.4 Saved policies SDP7 (Context) and SDP9 (Scale, massing and appearance) of the Local Plan Review, and policy CS13 (Fundamentals of Design) of the Core Strategy assesses the development against the principles of good design and seek development which respects the character and appearance of the local area. Saved policy HE1 (New Development in Conservation Areas) of the Local Plan Review and policy HE14 (Historic Environment) of the Core Strategy seek development that either preserves or enhances the character and appearance of the conservation area.
- 3.5 Policy CS10 (A Healthy City) supports proposals for the intensification of healthcare uses on existing sites in accessible locations.
- 3.6 Saved policy SDP5 (Parking) and policy CS19 (Car and Cycle Parking) require adequate provision of car and cycle parking, as supported by the Parking Standards SPD.
- 3.7 Saved policy SDP12 (Landscape and Biodiversity) and policy CS22 (Promoting Biodiversity and Protecting Habitats) require development to protect existing landscape features of value to local ecology and biodiversity.

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

4.1 The planning history is summarised as follows:

| <b>Case Ref:</b> | <b>Proposal:</b>   | <b>Decision:</b>       | <b>Date:</b> |
|------------------|--|------------------------|--------------|
| 19/01403/FUL     | Erection of a part single, part two storey extension and conversion of existing store building to create 1 x 2 bed detached residential accommodation. | Withdrawn              | 24.09.2019   |
| 19/00009/TCA     | Tree Works<br>Cypress & laurel at front of property. Fell<br>Sycamore at rear of property. Fell  | No objection           | 18.03.2019   |
| 07/02001/FUL     | Erection of a ground floor conservatory and new steps at rear of property.   | Conditionally approved | 08.02.2008   |
| 1637/M19         | Use of premises as a hostel for low dependency mentally-handicapped persons.   | Consent given          | 31.01.1984   |

4.2 A previous scheme for alterations to this existing annexe / store building was withdrawn in September 2019. The withdrawn scheme involved a more significant

extension of the annexe / store building in order to form a unit of residential accommodation with 2 bedrooms. The current application now proposes a more modest extension and retains an ancillary use.

## 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 posting a site notice (12.02.2021) and an advert in the Hampshire Independent (12.02.2021) and notifying adjoining and nearby landowners. At the time of writing the report, **23 representations from surrounding residents have been received. 10 in support of the application and 13 objecting to the application.** The following is a summary of the points raised:

### 5.2 **Current Occupiers**

Comments in support of the application:

- *The Yellow Door charity provides an important service of specialist therapeutic support to the community, which has been locally and nationally recognised and should be supported.*
- *The charity has been operating from this site for many years and they have maintained and improved the existing buildings well.*
- *The proposal will support the capacity of Yellow Door to provide a safe environment for service users, staff and volunteers.*
- *The site is ideally suited to the charity's needs, as it provides a calm and peaceful green setting for service users.*
- *The current owners are peaceful neighbours who have proven sensitive to the character of the property and its location within the conservation area*

#### Officer Response

These issues are discussed in the Planning Considerations below.

### 5.3 **ISSUE 1 - Character of the host building and conservation area:**

Comments in SUPPORT of the application

- *The rear extension does not extend beyond the rear of the existing property, so has no material impact on the Residents' Gardens.*
- *The proposal is in keeping with the main house and will be an improvement on the existing building, which is in a poor state of repair.*
- *The majority of buildings attached to houses in local streets have pitched roofs, so this would be in keeping with local character.*
- *There will be minimal change in the ratio between open space and buildings.*

- ***The proposal is not an office block or commercial use.***

Comments in OBJECTION to the application

- ***The proposal is out of character, scale and proportion with the special residential character of the conservation area.***
- ***The proposal fails to preserve or enhance the character of the conservation area and does not respect the historic pattern and layout of development.***
- ***The characteristic ratio between green space and buildings is reduced.***
- ***Brookvale Road is residential in character, not commercial.***
- ***The proposal will create a new structure in the conservation area and presents an inappropriate change of use from a garage to an office block.***

Officer Response

These issues are discussed in the Planning Considerations below.

5.4 **ISSUE 2 - Intensification of use:**

- ***The proposal results in significant increase in the footprint of the building and an over intensification of the commercial use on site.***

Officer Response

This issue is discussed in the Planning Considerations further below.

5.5 **ISSUE 3 - Residential Amenity:**

Comments in SUPPORT of the application

- ***The proposal will not significantly increase the footfall in and out of the building.***

Comments in OBJECTION to the application

- ***The proposal will cause increased noise and disturbance from new activity close to the boundary, causing harm to the amenity of neighbouring property No.32 Brookvale Road.***
- ***Loss of light and outlook for side-facing windows of No.32, due to the increased height and length of the building close to the boundary.***
- ***Overlooking to neighbours.***
- ***Light spill from the front and rear windows would be intrusive.***
- ***Recommend a condition to restrict operating hours to 9:30am – 5:30pm.***

#### Officer Response

These issues are discussed in the Planning Considerations further below. The proposed plans have been amended in order to reduce the height and length of the proposed extension, in order to reduce the impact on neighbouring property No.32.

The current use within the main building is unfettered by restrictions on operating hours, however a condition has been recommended to restrict the hours of use of the converted annexe / store building only.

#### 5.6 **ISSUE 4 - Highways and parking:**

##### Comments in SUPPORT of the application

- ***The volume of traffic will hardly change, since the charity's expectation is to continue their work as it is, just with improved facility.***

##### Comments in OBJECTION to the application

- ***The proposal will increase road traffic and noise, increasing risk on a busy mini roundabout with adjacent Children's' Nursery and Scouts opposite.***
- ***The extension will create more parking demand.***
- ***The application form states there are 6 existing parking spaces, but up to 12 cars have been observed on site.***

#### Officer Response

The highway and parking impact of this development is discussed in the Planning Considerations further below. Whilst the application form mentions an increase from 6 car parking spaces to 8, it is clear from a visit to the site, and from Google Streetview archive images, that the front hardstanding provides for at least 10 parking spaces and has done since at least 2011. The officer assessment set out in this report has been made on this basis.

#### 5.7 **ISSUE 5 - Documentation:**

- ***The building is and was a garage, not an annexe / storeroom.***
- ***The photographs in the Design and Access Statement are out of date and do not reflect recent changes, such as the side gate and landscaping changes.***

#### Officer Response

A site visit has been undertaken by the case officer to understand the current situation on site. Whilst the building may have originally been built as a garage, it has been in use as a store for many years and the narrow double doors (2.2m wide) are too narrow for the majority of modern cars. Notwithstanding this dispute over the description of the existing building, an assessment has been made on the basis of the impact of the proposed plans.

#### 5.8 **ISSUE 6 - Landscaping:**

- ***There were no flowerbeds removed to create car parking spaces.***
- ***The new wooden side gate is more suited to a residential area.***
- ***The previous metal gate shown in the Design Access Statement has been replaced with a wooden gate. PRG7 of the Conservation Area Management Plan resists the removal of existing gates.***
- ***The approved removal of the laurel has also resulted in removal of its flowerbed, replaced with scalping / hardcore. And the flowerbeds / turfed area on the right-hand side have been removed to increase the parking area. PRG6 states encroachments by hardstanding for parking will normally be resisted.***
- ***A section of the brick wall on the right-hand side has fallen and been removed. PRG7 states that alteration or demolition of boundary walls requires planning permission.***
- ***There is a presumption against a second vehicular access. Tarmac and concrete are inappropriate.***
- ***Concern for the loss of greenery and biodiversity and request for additional parking spaces.***

#### Officer Response

It is not clear when the damage to the right-hand southern side boundary wall happened, as this was previously obscured by the laurel and cypress trees that have since been removed.

In conservation areas, notice is only required for works to trees that have a trunk diameter of more than 75mm when measured at 1.5m from ground level.

That said, the removal of the cypress and laurel on the right-hand (southern) side boundary of the front parking area was granted permission by the Council in 2019. Removal of smaller shrubs and planting along this boundary is unlikely to have required planning permission, since they did not result in the encroachment of hardstanding.

Google streetview archive images show that there has been an area of hardstanding large enough for 3 parking spaces and two euro bins along the right-hand (southern) side boundary since 2011. These parking spaces here have not increased in number due to the approved removal of the cypress and laurel trees.

It is also clear from the streetview archive images that the site has had two vehicular entrances since at least 2011 and that there has been no increase in tarmac or concrete hardstanding.

#### 5.9 **ISSUE 7 - Protected trees:**

- ***There are references to a “beech tree removed” to facilitate the rear extension. This tree has already been removed. Did it require permission?***

- ***TPO permission letters are enclosed, regarding removal of a sycamore tree, but the works have already taken place.***
- ***The proposal might affect a mature yew tree in the garden of No.32, next to the boundary.***

Officer Response

The reference to “beech tree removed” has now been removed from the plans. This referred to the sycamore tree that was granted permission to fell in 2019 by the Council and has since been removed from site.

The proposed roof pitch and height have been reduced, reducing potential impact on the adjacent yew tree. The foundations for the proposed rear extension will be approximately 8m from this yew tree. Further details will be requested via condition to demonstrate how this tree will protected during works on site.

5.10 **ISSUE 8 - Reason for expansion:**

- ***There are only 17 rooms, several are small and need for social distancing. The spatial needs of the service are best understood by the charity themselves.***
- ***The existing main building is large enough that the charity’s needs should be able to be met without needing to convert this annexe / store building.***
- ***There are many vacant commercial buildings in Portswood High Street that could be used instead.***
- ***Post Covid-19, most people are now working from home, so there will be plenty of space available in the main building, and the proposal is not needed.***
- ***The application is purely speculative for commercial gain.***

Officer Response

This proposal needs to be assessed on the basis of the plans that have been submitted, not on the intentions of the applicant or suggesting alternative schemes.

5.11 **ISSUE 9 - Procedural issues:**

- ***The proposal would set a precedent.***
- ***There was a previously withdrawn scheme for residential accommodation, so there is a concern that the original scheme could be pursued.***
- ***Concern that the converted building could be used as a separate unit, rather than ancillary to the current charity use.***
- ***Recommend a condition and a s106 legal agreement to restrict the use of the converted building to ancillary use only.***



### Officer Response

All applications are considered on their own merits and this proposal would not set a precedent for future development.

If the converted annexe / store building is altered further and used as residential accommodation, or as a separate planning unit in the future (either commercial or residential), then it would require planning permission and the Planning Enforcement team have powers to investigate this.

Whilst a s106 legal agreement is not appropriate in this instance, a condition to secure the converted building as ancillary to the main building has been recommended further below.

### Consultation Responses (summarised)

**5.12 Historic Environment Officer – No objection, subject to conditions.**

The existing garage appears post-war and is of limited heritage interest. The original front building line will be preserved. The use of conservation roof lights would not be contentious. A traditional clay-tiled roof and similar upper gable treatment would harmonise with the character of the host dwelling.

The structure is set back within the plot with limited views from the pavement and no direct impact on the principle view north-south along Brookvale Road. For these reasons the proposal is considered to have a neutral impact and as such would 'preserve' (and cause no adverse harm) to the character or appearance of this part of the conservation area.

Recommend conditions to secure material, joinery and rooflight details; a schedule of works for the historic boundary wall; and restriction to ancillary use only.

**5.14 City of Southampton Society – Approve.**

Recommend condition to secure window frames and vertical gable elements in timber to match the main house.

**5.15 Highfield Residents Association – Object**

Highfield Residents' Association objects to this application on the following grounds:

- The extension, which is effectively conversion of a garage for business use, would be contrary to the residential nature of the area and the Conservation status of Portswood Residents' Gardens. This follows a number of similar applications within the area in recent years, all of which have been refused.
- It would thus be detrimental to the character and amenity of the area.
- It would be an over-intensification of use for the site.
- Its massing and scale which increases the current footprint by 57% (current building being 35 sq. m and planned extension 20 sq. m). This scale would be completely at odds with the residential nature of the area and have a particularly injurious effect on the neighbouring property.
- It would thus cause material harm, particularly within a Conservation Area
- It would create additional traffic and effectively be for business use in a predominately residential area. There is already a traffic hazard for this part

of Brookvale Road with parking on both sides of the road and adjacent Children's Nursery and Scouts opposite.

- Although the stated aim for the extension would be to create, "a quiet informal area for the charity and occasional staff meeting area" there would be the potential for future commercial use in the enlarged and detached space.
- Granting of the application would create a significant precedent from which the Council would find it difficult to refuse similar applications in the future.

HRA believes there are sufficient Planning grounds for this application to be Refused under Delegated Powers, but failing that, ask for it to be brought to Panel for determination.

## **6.0 Planning Consideration Key Issues**

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

- The principle of development;
- Design and effect on character;
- Residential amenity;
- Parking and highways;
- Impact on protected trees

### **6.2 Principle of Development**

6.2.1 Policy CS10 of the Core Strategy supports the intensification of healthcare uses on existing sites in accessible locations. Given the vital work of this charity providing specialist therapeutic services as part of wider mental health provision in the City, and its sustainable location within a short walking distance of public transport routes and local facilities in Portswood District Centre, expansion of this existing service would not be inappropriate in this location.

6.2.2 The property has not been in residential use for many years, as demonstrated by the 2007 planning application for a conservatory (07/02001/FUL), which describes the use at that time as a mental health clinic for adolescents run by Southampton City PCT, so there is no loss of a dwelling on site.

### **6.3 Design and effect on character**

6.3.1 The amended proposal for the rear extension and new pitched roof to the existing annexe / store building are relatively modest in scale. The amended design with a shallower pitched roof with hipped ends and a height of 4.5m., and a reduction in the length of the proposed rear extension to 11.8m would ensure that the converted building would remain subservient and would not dominate the host building.

6.3.2 The reduction in the size of the proposed pitched roof and the building's position set well back from the road would ensure that the changes would not have a significant impact on character of the host property or wider conservation area, as noted by the Council's Historic Environment Officer further above.

6.3.3 The property has been established as a healthcare setting for mental health services since at least 2007, so it naturally has a very different character to that of surrounding residential properties. This fundamental difference in character needs

to be taken into consideration in the assessment of any planning application for this site.

- 6.3.4 The proposed extension of the annexe / store building will provide additional flexible office / meeting space for the existing charity, along with a store, WC and kitchenette, but is not considered to significantly increase the intensity of the existing use on site, given its relatively small scale compared to the existing use. A condition can be applied to ensure it remains ancillary to the main building, not subdivided into a separate planning unit, or a residential use in the future.
- 6.3.5 The statutory tests for the proposal, as set out in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve or enhance the character or appearance of the Conservation Area. The NPPF requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.3.6 Given the modest size of the extension, it would not significantly alter the building to plot ratio on this site and the existing large rear garden is not compromised. The footprint of the existing building, when viewed from the public footpath and conservation area, will not change. The extension of the footprint of the building is purely to the rear and would only be visible from neighbouring property No.32. The visual gaps in the streetscene between this annexe / store building and the main building and between this annexe / store building and neighbouring property No.32 will not change, so the rhythm within the streetscene and the pattern of development which make up the special character of the conservation area will not be harmed.
- 6.3.7 Given the details discussed above, and in accordance with section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, it is considered that the proposal would preserve the character of the building and the appearance of the Conservation Area. Conditions are recommended to secure details of the materials, joinery and rooflights; to secure a schedule of any works to the historic boundary wall between No.30 and No.32, and a condition to restrict the use of the converted annexe / store building to a use ancillary to the main building only.

#### 6.4 Residential amenity

- 6.4.1 The proposal has no side-facing windows on the northern elevation towards No.32. There is an existing patio to the rear of the annexe / store building, next to the boundary wall, which is currently used as an external amenity space. The proposed extension would enclose this area resulting in some increase in privacy for neighbouring property No.32, moving activity further away from their rear windows. As such, the proposal is not considered to result in a harmful loss of privacy to neighbouring residents.
- 6.4.2 The nearest side-facing ground floor window of No.32 serves a utility room, which also benefits from a large rear-facing window looking out with a south-westerly

aspect over their garden. The separation gap between the proposed rear extension and the closest neighbouring ground floor windows is approximately 3.4m. The amended shallower roof pitch and hipped roof shape have significantly reduced the height and bulk of the proposed roof. The reduction in the length of the rear extension by 750mm has also reduced the impact of the proposed building on this boundary. The rear-ward extension would not breach a line drawn at 45 degrees from the mid-point of the nearest habitable room window of No.32 and therefore there would be no significant loss of light to this neighbouring property.

- 6.4.3 The residents of No.32 advised that this room was originally a study, so consideration has been given to the impact on this room as if it were a habitable room, however the comfortable separation distance from the proposed extension and the large rear-facing window ensure that this room will retain good light and outlook if it were to be changed back to a study in future. Given the details discussed above, the proposal is not considered to present an overbearing or overshadowing impacts for neighbouring residents.
- 6.4.4 The reduction in the height of the roof has removed the previously proposed full-height glazing in the rear elevation, reducing potential light spill nuisance to the neighbouring property. The conversion of the annexe / store building into office / meeting space would introduce more activity close to the boundary with No.32, however given the nature of the business operation and the relative small scale of the converted space, this is not considered to be a significantly harmful change. A condition restricting the operating hours of this converted annexe / store building only from 8am to 8pm could be applied, in order to prevent noise nuisance in the late evening and early morning
- 6.4.5 The proposed roof and rear extension would have an impact on the northern side-facing windows of the main building at No.30, however the modest scale of the changes are not considered to cause a significantly harmful loss of outlook for these rooms.
- 6.4.6 Given the above, the proposal is not considered to have a significantly harmful impact on the amenity of neighbouring residents and would not harm the amenity of staff or service users in the main building. As such the application satisfies saved Policy SDP1.

## 6.5 Parking and highways

- 6.5.1 The modest scale of the proposal is not considered to generate a significant impact on the level of traffic in or out of the property, but enables more flexibility to the current charity. The application form states that the proposal will not result in any increase in the number of employees on site. The proposal is to improve the existing facilities, rather than expanding the level of provision on site.
- 6.5.2 Whilst the application form suggests the number of parking spaces will increase from 6 space to 8, it is clear from a site visit and Google Streetview archive images that the site has provided at least 10 parking spaces on the front forecourt for many years. There are no changes proposed to this parking area and the proposal will not compromise access to existing parking spaces on site.
- 6.5.3 Brookvale Road lies within a medium accessibility area for access to public transport routes on Portswood Road, Highfield Lane and Bassett Avenue. The site

lies within walking distance of local facilities within Portswood District Centre (approximately 390m). The application site is also in the outer edge of a Residents Parking Zone Zone 12 with restricted parking 8am-6pm Mon-Fri.

6.5.4 Given the sustainable location of the application site with public transport routes and local facilities nearby, and given the relatively small scale of the proposal, it is not considered to present significant harm to local parking amenity, nor is the proposal considered to present a significant increase in traffic in and out of the site or risk to highway safety at the nearby junction.

## 6.6 Impact on protected trees

6.6.1 The Council's Trees team have been consulted on this application, but have not made any comments. A verbal update will be given if any are received ahead of the meeting. The protected trees on site that have been removed previously were done so with the consent of the Council. The yew tree within neighbouring property No.32 adjacent to the boundary with the annexe / store building could potentially be affected by the proposed works to the roof of this building, so a condition is recommended to secure details of how this neighbouring tree will be protected during the proposed works.

## 7. Summary

7.1 In summary, the proposed scheme has been designed in such a way to make effective use of land to improve the facilities on site, whilst maintaining the residential amenity of neighbouring residents. The scale and design respond to that of the host building and would not be considered to cause harm to the significant character of the wider conservation area. Furthermore, the development is considered to maintain an acceptable level of highways safety and local parking amenity and the scheme is, therefore, recommended for approval.

## 8. Conclusion

8.1 It is recommended that planning permission be granted subject to appropriate conditions set out below.

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

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

1. (a) (b) (c) (d) 2. (b) (d) 4. (o) (vv) 6. (a) (b)

**AC for 20/04/2021 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. 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.

### **03. 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, joinery, rainwater goods, rooflights and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

### **04. Tree Retention and Safeguarding (Pre-Commencement Condition)**

The mature Yew tree within the front garden of No.32, directly adjacent to the site of the proposed works to the existing annexe / store building 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 measures shall be agreed with the Local Planning Authority in writing before any site works commence. The protection measures shall be implemented and maintained in accordance with the agreed details 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 adjacent trees to be retained will be adequately protected from damage throughout the construction period.

**05. Schedule of works – Boundary Wall (Pre-Commencement Condition)**

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of any works proposed for the modification of the historic northern boundary wall between No.30 and No.32 has been submitted to and approved in writing by the Local Planning Authority. 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.

**06. Limitation to ancillary use (Performance)**

The converted annexe / store building hereby approved shall only be occupied as a use ancillary to the main building and shall not be subdivided, sold, leased, separated or altered in any way so as to create a separate planning unit, or separate unit of residential accommodation without the grant of further specific permission from the Local Planning Authority.

Reason: To avoid any unacceptable sub-division of the plot which would be unlikely to satisfy either adopted or emerging Council planning policies with regards to new business operations, or self-contained residential accommodation.

**07. Hours of Use (Performance)**

The ancillary use of the converted annexe / store building hereby approved shall not operate outside the following hours:

Monday to Saturday - 08:00 to 20:00 (8:00am to 8:00pm)

Sunday and recognised public holidays - 10:00 to 17:00 (10:00am to 5:00pm)

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

**08. Hours of work for Demolition / Clearance / Construction (Performance)**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

|      |  |
|------|--|
| CS10 | A Healthy City                                 |
| CS13 | Fundamentals of Design                         |
| CS14 | Historic Environment                           |
| CS19 | Car & Cycle Parking                            |
| CS22 | Promoting Biodiversity and Protecting Habitats |

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

|       |                                       |
|-------|---------------------------------------|
| SDP1  | Quality of Development                |
| SDP5  | Parking                               |
| SDP7  | Context                               |
| SDP9  | Scale, Massing & Appearance           |
| SDP10 | Safety and Security                   |
| SDP12 | Landscape & Biodiversity              |
| SDP16 | Noise                                 |
| HE1   | New Development in Conservation Areas |

Supplementary Planning Guidance

Portswood Residents' Gardens Conservation Area Appraisal and Management Plan (2009)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2019)