

**Planning and Rights of Way Panel 8<sup>th</sup> March 2022**  
**Planning Application Report of the Head of Planning & Economic Development**

<b>Application address:</b> Land and Verge between 4 and 6 Blakeney Road, Southampton			
<b>Proposed development:</b> Change of use of open space and verge to 9 parking spaces facilitated by Grassblock paving (departure from local plan)			
<b>Application number:</b>	21/01894/FUL	<b>Application type:</b>	FULL
<b>Case officer:</b>	Sam Kushner	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	09.02.2022	<b>Ward:</b>	Redbridge
<b>Reason for Panel Referral:</b>	Three or more letters of objection have been received (departure from Local Plan)	<b>Ward Councillors:</b>	Cllr Guest Cllr McEwing Cllr Spicer
<b>Applicant:</b> Balfour Beatty on behalf of Southampton City Council		<b>Agent:</b> N/A	

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations such as character of the conservation area, residential amenities and highway safety have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2021). Policies –CS13, CS14, CS18, CS19, CS20, CS21, CS22 and CS23 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP4, SDP5, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, of the City of Southampton Local Plan Review (Amended 2015), as supported by the relevant sections of the NPPF (2021)

<b>Appendix attached</b>			
1	Development Plan Policies	2	Relevant Planning History

**Recommendation in Full**

**Conditionally Approve**

**1. The site and its context**

1.1 The application site comprises of a rectangular parcel of open land between 4 and 6 Blakeney Road. The site lies to the north east of Blakeney Road, with residential properties to the west, south and east. To the rear (the north) there are parking spaces serving the residents of Oldbury Court.

- 1.2 The existing site is a grass verge with hooped perimeter barriers preventing through access between Oldbury Court and Blakeney Road. The area is characterised by residential housing in a variety of styles. The predominant style is terraced housing with some detached properties as well. The footway is separated from the main carriageway by grass verges, though there are breaks in the verge for vehicle access to existing driveways / hardstanding for parking as well as for the ease of pedestrian crossing.
- 1.3 The site has been identified as part of the Council's 1000 car parking spaces project. The area has been highlighted for having extensive car parking issues. On street parking is not possible for long term parking as the street is too narrow.

## **2 Proposal**

- 2.1 Planning permission is sought to redevelop the rectangular parcel of land to form 9 car parking spaces. The proposed plans would use grassblock for the surfacing, rather than tarmac, enabling grass to grow through. The total area of verge converted to car parking would be 235sqm as well as providing a 5.5m wide access on to Blakeney Road. Each of the parking spaces has a depth of 4.8m and a width 2.4m with an aisle space of 6m. The footway between the main carriageway of Blakeney Road and the entrance to the car park will be converted to vehicle crossing. New kerbs will be installed between the carriageway and the footpath.

## **3 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at ***Appendix 1***.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated

## **4. Relevant Planning History**

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

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

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, and erecting a site notice (**14.01.2022**). At the time of writing the report, **13 representations** have been received.

5.2 At the time of writing **9 letters of SUPPORT** have been received from members of the public and ward councillors. The following is a summary of the points raised:

- There is additional need for parking in the area around Blakeney Road, especially during the week as it is nearby to a primary school.
- There is already informal usage of the verges on Blakeney Road which has led to the grass being damaged.
- There is a nearby play area so loss of greenspace for children is not an issue.

**Ward Councillor McEwing – Supports**

Extra parking across the Redbridge/Millbrook estate is a welcome proposal, although not all sites chosen are the best for parking sites. However, the proposal for 21/01894/FUL is welcome. Having experienced the parking situation in Blakeney/Hayburn Rd at best as difficult, especially during school runs - Monday-Friday - term time. For extra parking in this area is welcome, this will help those who not only live in Blakeney/Hayburn Rd but also Oldbury Court. I have concerns for the tenant in no.6 Blakeney Rd, but looking at what we have in place in other parts of the ward, I'm sure their fears will be allayed.

**Ward Councillor Spicer – Supports**

I wish to support this application for parking.

It will help nearby residents with parking issues they have had for many years. In the past residents would drive on the grass area opposite this proposed car park. It would turn the grass area into an unsightly, muddy mess making pathways slippery with mud. The dragons teeth have helped preserve the grass area. This new parking area should now help relieve some of the parking issues in this area.

Overall I have had positive feedback for this location for more parking. With that in mind I am happy to support. I am pleased this area will not just be tarmacked over. Instead, it will be grassblock paving. This will help to blend in the new parking area with the grass area behind it in Oldbury.

5.3 At the time of writing **4 letters of OBJECTION** have been received from members of the public. The following is a summary of the points raised:

5.4 ***The proposed plans would cause issues with overlooking and overshadowing and headlights would shine through windows. The proposal impacts on neighbours with additional noise, particularly at late night.***

**Response**

Concerns noted. It is acknowledged that during hours of darkness there will be some issues with headlights shining in the direction of properties sitting opposite the site of the proposed plans, as well as increased noise for neighbours directly neighbouring. The car parking scheme is for 9 spaces and, therefore, there should not be constant movement that could be expected at a scheme of a larger nature. Blakeney Road is a residential street not a main road and therefore times waiting to join the carriageway should be minimal. Additionally, there is a distance of approximately 32m between the edge of the carriageway at the verge and the front of the properties which sit opposite.

- 5.5 ***The proposed plans have a poor design and should be placed somewhere else where they are required more***

**Response**

The council has identified this area as having existing parking issues, and has deemed this grass verge as the most suitable area to accommodate parking spaces. The design meets standards set out in the parking SPD and residential design guidance.

- 5.6 ***The proposed plans would result in a loss of green space***

**Response**

The loss of green space is contrary to our Development Plan planning policies, which seek to ensure no net loss. Mitigation has been included in the proposals which seek to offset the impact of this loss. The appropriateness of this mitigation will be considered and assessed below as part of the Planning balance.

- 5.7 **Consultation Responses**

- 5.8 **SCC Ecology – No objection subject to mitigation**

The proposed development will result in the permanent loss of greenspace. Compensation will be required for the loss of greenspace which should either involve the re-provision of greenspace elsewhere or improvements to the remaining greenspace.

The frequency of vehicle movements is likely to prevent grass from growing within the grass block and it cannot therefore be considered to provide adequate mitigation for the loss of the grassland. Instead, I would expect to see the introduction of an equivalent area of wildflower grassland around the margins to improve the quality of some of the remaining grassland. This would also deliver biodiversity enhancements which are required under policy CS22 Promoting Biodiversity and Protecting Habitats. If planning permission is granted, I would like a planning condition to secure an Ecological Mitigation Statement.

**Updated Comments 24/02/2022**

Housing have committed to funding the proposed replacement habitat which will address the full extent of the amenity grassland be lost as part of the wider car parking project. They has also undertaken to set up some meetings in order to develop a delivery programme. As a consequence, I am prepared to withdraw my objections to the current car park planning applications.

- 5.9 **SCC Highways – No objection**

No highways objection to the proposals in principle. However, pedestrian access to the parking spaces should be improved, with a grassblock paved footway (min width 1.5m) and dropped kerb to the south of the site to connect with existing footway. The depth of the spaces should be increased slightly to allow for future proofing of the car parking to enable sufficient space for installation of electric charging terminals. As per application 21/00758/R3CFL (1- 36 Honister Close), ducting should be provided along the edge of parking spaces to allow for future electrical charging installation.

- 5.10 **SCC Sustainability (Flood Risk)– Holding Objection**

The site at Blakeney Road is located within an area that carries a present day high risk of surface water flooding and a moderate susceptibility to groundwater flooding. In this area, drainage of existing hard standing areas (including the highway) and roofs is via a public surface water sewer (Southern Water) which connects into a culverted watercourse of mixed ownership (including Southampton City Council and private land owners) approximately 90m from the site. The capacity of the culvert is largely unknown however there have been increasing incidents of surface water flooding during high intensity rainfall events. Given this it is therefore important to ensure that additional flows to this asset are minimised otherwise the risk of downstream flooding may increase. This site may be a relatively small scale development, however the cumulative impact of loss of natural permeable area within the catchment can have a large impact on local flood risk.

Whilst there is no requirement within National Planning Policy for minor developments to incorporate sustainable drainage, Southampton Core Strategy Policy CS20 and CS23 requires Sustainable Drainage Systems and measures to reduce or avoid water contamination and safeguard groundwater supply should be incorporated into all development, unless it can be demonstrated that this is not appropriate in a specific location. This site is also classified as undeveloped greenfield which elevates the importance on ensuring that there is no increase in surface water volume or runoff rates as a result of the change of use in this space.

The proposal is for the use of grass grids. Whilst this will allow some water to infiltrate through the surface, there is still an increase in impermeable area, particularly as over time the soil between the grids is likely to become compacted reducing infiltration properties. Drawing 21/AH/M/002/700/01 shows that the proposal includes an area of dense asphalt to create a pavement which slopes towards the grass grids. It is not clear whether there is sufficient storage for water within the sub-base of the grass grids for the design rainfall event, or whether the ground will be suitable for infiltration based drainage given increase of water arriving at the site. If insufficient attenuation storage, runoff is likely to leave the site and enter the local drainage system.

Consideration should also be given to water quality as there is potential contamination of the sub-soil and groundwater arising from provision of parking on grass without any method of treatment to reduce hydrocarbons, oils and other chemicals entering the ground directly.

There is no detailed drainage strategy included to provide information on what the current greenfield runoff rate is, what the post-developed runoff rate will be or the amount of storage required to offset any changes that arise from increase in impermeable area therefore it is difficult to provide an assessment of whether the proposal is deemed acceptable for a greenfield site. It is recommended that a holding objection is applied to obtain further detail on the drainage strategy.

**Officer Response**

*A planning condition is recommended to secure further drainage details prior to the commencement of development. The submitted details will be shared with the Council's Flood Officer ahead of sign off.*

## 6. Planning Consideration Key Issues

6.1 The key considerations in the determination of this planning application are:

- The principle of development;
- Design and effect on character
- Residential amenity
- Parking highways and transport; and;
- Mitigation of direct local impacts
- Planning Balance / Summary

### 6.2 Principles of Development

6.2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38 (6) of the Planning and Compulsory Purchase Act 2004). The development plan for the area is the City of Southampton Local Plan Review (2015), and the Local Development Framework Core Strategy Development Plan Document (2015). The National Planning Policy Framework (NPPF) constitutes national policy to which the Local Planning Authority (LPA) must have regard. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any determination.

6.2.2 Policy CS21 (Protecting and Enhancing Open Space) of the adopted Core Strategy states that:

*The Council will retain the quantity and improve the quality and accessibility of the city's diverse and multi – functional open spaces and help deliver new open space both within and beyond the city to meet the needs of all age groups through:*

1. *Protecting and enhancing key open spaces including Southampton Common, central, district and local parks;*
2. *Replacing or reconfiguring other open spaces in order to achieve wider community benefits such as improving the quality of open space, or providing a more even distribution across the city;*
3. *Safeguarding and, when opportunities arise, extending the green grid (see Policy 22);*
4. *Seeking developer contributions to provide high quality, accessible open spaces*

The proposals to provide 9 parking spaces would be directly contrary to the aims of Policy CS21 as they result in the loss of open space and does not deliver new open space.

6.2.3 In accordance with section 38 (6) of the Planning and Compulsory Purchase Act 2004 development proposals that are considered to be in conflict with the Development Plan should be refused, unless material considerations outweigh the perceived conflict. In this instance the proposals seek to deliver off road parking spaces for existing residents in order to address the current issues with on road parking including indiscriminate parking behaviour, such as parking on grass verges. These spaces aim to provide relief to those issues. In addition, the applicant has stated their intention to replant wildflower areas, provide additional

landscaping around the site and estate to improve the quality of open spaces and to provide the infrastructure for electric vehicle charging. These 'benefits' amount to a material consideration, which seek to outweigh the conflict with the Policy CS21 and will be considered within the Planning Balance/Mitigation section below.

### 6.3 Design and effect on character

6.3.1 The area comprises of rows of two storey terraced dwellings which front Blakeney Road. The rows of terraces are intercepted with grass verges and footpaths providing permeability through the estate. The open spaces in particular provide small pockets of amenity space and visual breaks between dwellings. The proposals would develop a rectangular portion of this open/amenity space in order to provide parking spaces. Some properties have already converted their front gardens to off-site parking spaces, and some have retained their grass frontages. In addition, there are examples of dedicated parking bays providing off road spaces for residents. These proposals would provide dedicated parking bays which would be parallel to the road. Providing these parking bay spaces would not be out of character with the wider area and would back on to the existing parking spaces provided at Oldbury Court and they would not provide 'built up' development that would interrupt views through the site. However, they would result in a loss of visual amenity through developing on a existing open space. Whilst some soft landscaping is proposed around the edges of the new parking area, this would not fully compensate for the loss of grass verge on its own. The loss of visual amenity will be considered below against the perceived benefits of the application as a whole.

### 6.4 Residential Amenity

6.4.1 In general, there are both positive and negative impacts on residential amenity, as can be observed from the letters of representation. In terms of the positives, resident's amenity is currently affected by antisocial parking which causes harms to the verges and indiscriminate parking behaviour. The introduction of the proposed plans would prevent further damage from being made by providing more spaces which would reduce inappropriate parking behaviour. In addition, the spaces would provide dedicate and safer (unallocated) parking spaces for existing residents, which is a benefit to residential amenity.

6.4.2 Whilst the proposals provide benefits for some residents, concerns have been raised that their location could result in noise and disturbance and loss of amenity to immediate neighbouring properties. In particular concerns have been raised by some of the occupiers of 8-13 Blakeney Road which are located opposite the entrance to the parking bays. Their particular concerns are that vehicles exiting the parking court would shine their headlights in the front elevation of these properties, which would result in loss of amenity. Whilst these concerns are noted, the front elevation of these properties are located approximately 32m from the point of access on to Blakeney Road, which included a grass verge in between. This distance, coupled with the relatively smaller number of parking spaces, would limit the duration and frequency of headlights shining directly towards these neighbouring properties. Therefore, whilst the neighbours would experience some loss of amenity, this impact would not be significant or justify a reason for refusal, especially when considering the material benefits of the

proposals. As such, the residential amenity is concluded to be acceptable, and the improvements outweigh the minor loss of amenity for some residents.

## 6.5 Parking highways and transport

6.5.1 The proposal provides parking in an area identified with existing parking issues. The provision of off road parking spaces, would represent an improvement to existing highway conditions as the road does not benefit from a Traffic Regulation Order. The layout of the car parking area and its spaces meets the standards set out in the Parking Standards SPD and provides suitable access width and clear sight lines either side of the entrance/exit. On this basis Highways officers do not object to the proposed plans.

6.5.2 The comments of the Highway Officers are supported and it is acknowledged that the proposals would provide highway safety and amenity benefits to the area. The proposals also represent an opportunity to provide the infrastructure for electric vehicle charging for each space. Provision for this infrastructure will be safeguarded through the size and depth of the parking bays and will be secured through conditions.

## 6.6 Mitigation of direct local impacts

6.6.1 In order compensate for the loss of open space and associated impact on Biodiversity, the applicant has agreed with the Biodiversity Team that this scheme, and others coming forward, will contribute towards the implementation of a wildflower meadow elsewhere on land owned by the Council, which would appropriate compensate for the loss of open space and potential impact on biodiversity. This will ensure that the scheme mitigates against the loss of habitat from this particular area and provides an overall enhancement to the quality of biodiversity habitat across the wider area. This mitigation will be secured through a suitably worded planning condition.

6.6.2 In terms of flood prevention, the proposals result in the loss of grass, which currently offers a permeable area for the drainage of surface water. The current policy position in respect of flood risk is that new development should seek to replicate the current greenfield rates. The proposals would use a grasscrete base for the parking areas, which comprises of concrete grids, allowing surface water to seep through the grid in to the soil below. The type of grasscrete to be used demonstrates that the surface water run off would replicate 90% of greenfield run off rates. However the Flood Risk Team have requested that a specific drainage strategy is provided in order to ensure that the proposals do not increase surface water run off and flooding issues. This strategy will be secured through a condition in order to address their concerns.

## 7. Planning balance / summary

7.1 The loss of open space / amenity land is directly contrary to Policy CS21 of the adopted Core Strategy and is therefore in conflict with the Development Plan. However, the application to provide residents with additional off road parking spaces for residents would deliver a number of benefits to the local area which



constitute notable material considerations, which together, outweigh the conflict with the development plan, including the loss of visual amenity and minor loss of amenity to neighbouring residents. These include the provision of off-site parking spaces to address current issues with verge parking and on road congestion. In addition the application would deliver biodiversity improvements and specific infrastructure for EV charging. On this basis these material benefits are considered to outweigh the conflict with the Development Plan and the application can be supported in the round.

## **8. Conclusion**

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

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

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

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) 6. (a) (b) 7. (a)

**Sam Kushner for 08/03/2022 PROW Panel**

## **PLANNING CONDITIONS**

### **1. Full permission timing (Performance)**

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

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

### **2. Approved Plans (Performance)**

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

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

### **3. Materials as specified and to match (Performance Condition)**

The materials and finishes to be used for the grassblock, hardstanding, drainage goods and dragon's teeth in the construction of the development hereby permitted, shall be as specified on the approved plans. Where there are no materials specified on the approved plans, the materials shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those in the existing street scene.

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

### **4. No lighting (Performance condition)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2021 as amended or any Order amending, revoking or re-enacting that Order, at no time shall lighting of any type be added without separate planning permission or the relevant licenses ahead of undertaking a permitted development change. No lighting infrastructure shall be added as part of this scheme.

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

#### **5. 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.

#### **6. Electric Vehicle Spaces**

Prior to the development hereby approved first coming into use provision of infrastructure for the installation of charging facilities for electric vehicles shall be provided in accordance with the details hereby approved.

Reason: In the interest of reducing emissions from private vehicles and improving the city's air quality.

#### **7. Ecological Mitigation Implementation**

The development shall be carried in accordance with the Council's Ecological Management Plan and contribute towards the implementation of an off-site Wild Flower Meadow. The agreed mitigation measures shall be 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.

#### **8. Parking (Performance)**

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

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

#### **9. Surface Water Drainage (Pre-commencement)**

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

Reason: To ensure satisfactory drainage provision for the area.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - September 2013)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2021)

**RELEVANT PLANNING HISTORY**

<b>Case Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
C10/1674	CONSTRUCTION OF 10 CAR PARKING SPACES adj. 17-43 Blakeney Road	Consent Given	11/03/1986