

Planning and Rights of Way Panel 12 November 2024
Planning Application Report of the Head of Transport and Planning

Application address: Land rear of 11 Ardnave Crescent			
Proposed development: Minor material amendment sought to planning permission ref 17/00677/FUL for alterations including changes to windows, raising floor level and increasing size of the first floor (Amended)			
Application number:	24/01051/MMA	Application type:	MMA
Case officer:	Andrew Gregory	Public speaking time:	5 minutes
Last date for determination:	29.10.2024 (ETA)	Ward:	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Chapman Cllr Blackman Cllr Wood
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Mr Khalid Abrkhill		Agent: ARC Architects Ltd	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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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. The development will not adversely harm the character and appearance of the area or the residential amenities of neighbouring occupiers having regard to the appeal decision ref APP/D1780/A/13/2190798 and subsequent planning permission reference 17/00677/FUL. The changes to the building height, roof and window design will not create any new impacts which outweigh the merits of the scheme. The changes to the car parking layout will require tree protection measures which are secured by planning condition.

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 186-187 of the National Planning Policy Framework (2024).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP12 and H1 of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and BAS1, BAS3, BAS4, BAS7, BAS9 and BAS14 of the Bassett Neighbourhood Plan 2016

Appendix attached			
1	Development Plan Policies	2	Planning History
3	Previous plans ref 17/00677/FUL		

Recommendation in Full

Conditionally Approve

Background

In 2007 the owners of 11 Ardnave Crescent applied for planning permission to sub-divide the plot and to build a two-storey 4-bed house with detached garage within the rear garden. The planning application was refused and subsequently dismissed on appeal because the size of the proposed house, garage and hard surfacing would have occupied a substantial proportion of the site and was considered to have a relatively harsh and cramped appearance which would detract from its surroundings.

In 2010 planning permission was granted for alterations to 11 Ardnave Crescent which included the re-grading of the rear garden and installation of a retaining wall which partitioned the rear garden.

Further planning applications for a 4-bedroom detached house within the rear garden were submitted in 2012 but refused because the cramped nature of the plot subdivision was considered harmful to the character of the area. However importantly a subsequent planning appeal in 2013 was only dismissed on the grounds of tree impact on a protected beech within the neighbouring garden. The appeal Inspector found no harm to character or residential amenity with the proposed dwelling. This appeal decision paved the way for a planning approval, once the surmountable tree impact matters were addressed through suitable tree protection design.

A further revised planning application for a 4-bedroom house, which addressed the previous tree impact issues, was then finally granted planning permission in 2013 (application ref 13/01382/FUL). In 2017, further planning permission was granted for an amended house design which included the addition of a front roof gable and a change to the finishing materials to also include timber cladding (application ref 17/00677/FUL).

The development plot within the rear garden of 11 Ardnave Crescent was then subsequently sold off and the new owner implemented planning permission ref 17/00677/FUL, with building works commencing on 14.08.2023.

During the course of construction, site excavation works have undermined and collapsed part of the footway on Ardnave Crescent. The Council's highways team have been involved and have hoarded off the footway and have granted the applicant a hording license which requires the hoardings to stay in place until the

highways team are satisfied that the footway has been repaired.

The construction works have also had an impact on localised site drainage with a ground spring disturbed and water running onto the highway during periods of higher ground water levels. However, on site drainage has been resolved with a recent drainage connection to the foul sewer and this approach has been agreed with Southern Water, Building Control and the Council's Flood team.

The development under construction has also deviated from the plans approved under 17/00677/FUL by excavating a different site level and building taller with a larger pitched roof, removing flat roof terraces at first-floor and by making changes to windows. Following a planning enforcement investigation in relation to breach of condition and changes to the building design, this minor material amendment application has been submitted to regularise the unauthorised works which are park retrospective with the brick and blockwork for the house up to first floor level.

1. The site and its context

- 1.1 The site is located within an area of predominantly large houses of individual designs on spacious plots with generous planting. The topography of the area falls towards the north-west. The garden of 11 Ardnave Crescent has been re-graded with a terraced level and a retaining wall forms the garden sub-division. Planning permission has been granted for a house within the rear garden which is under construction, with the blockwork and brickwork up to first floor level.
- 1.2 A beech tree which is protected by a tree preservation order is located in the neighbouring garden at 13 Ardnave Crescent. The rear site boundary comprises a tall mature hedgerow.

2. Proposal

- 2.1 This minor material amendment proposes the following changes to the house design as approved under planning permission ref 17/00677/FUL:
 - The roof height has been increased with the roof ridge raised by 2m.
 - The extent of floor space has been increased at first-floor level with the external walls matching the ground floor footprint and as a consequence the previously approved external roof terrace areas have been removed.
 - The internal layout has changed with all 4 bedrooms now on the first floor. (Previously 3 bedrooms were at first-floor and 1 was at ground floor).
 - Amendment to parking layout with 2 parking spaces in a tandem arrangement.
 - The rear bedroom window serving bedroom 2 has been enlarged to four casements. Additional windows are also proposed in the side north-west elevation serving a ground floor snug and bathroom and first-floor bedroom.

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**. The planning application must also be considered against policies within the made Bassett Neighbourhood Plan (2016).

- 3.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 225 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 The planning history is set out in the background section at the start of this report and is listed within **Appendix 2**.

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 (27.09.2024). At the time of writing the report **7 representations** have been received from surrounding residents. The following is a summary of the points raised:

Increased size of the dwelling represents an overdevelopment of the site

Officer Response – The proposed amendments fit within the previously approved building footprint. Whilst the first-floor has been enlarged and roof height increased, the building to plot size ratio will be comparable to that previously approved. Furthermore the increase in building height will not be discernibly different.

Insufficient on-site car parking provision for a dwelling of this size

Officer Response – No change to the level of parking provision previously approved with 2 car parking spaces proposed for this 4-bed dwelling

Construction works have undermined and damaged the public footway

Officer Response – The area of damaged footway has been hoarded off and the Council's Highways Team will require the hoarding to remain in place until the footway is repaired under a 171 license.

The construction has not followed the approved plans

Officer Response – Agreed but it rests with the Council to take enforcement action against unauthorised development. This minor material amendment has been submitted to regularise the unauthorised works.

Disturbance of a spring has led to water running onto the highway

Officer Response – A scheme of surface water drainage has been approved for this development which requires connection to the public sewer. The sewer connection works have now been carried out.

Concerns regarding the standards of construction with the site left unsecured

and bonfires.

Officer Response – The scope of planning control only extends to controlling the construction environment in so far as it impacts on the amenity of citizens. Building control ensures developments meet the minimum standards relating to the health, safety and welfare of people in and around buildings. This construction is being monitored by the Council's Building Control Inspectors to ensure it satisfies the requirements of Building Regulations. The developer also has a duty under health & safety legislation to protect the public and failure to do so would put them at risk of prosecution by the Health & Safety Executive. The planning enforcement team have not been notified of any fires but there is a planning condition requiring no bonfires on site which can be enforced, The Council's Environmental Health Team also have powers under Environmental Health legislation to address bonfires.

Raised finished floor level and increase size of property will have an overbearing impact on 11 Ardnave Crescent

Officer Response – The roof design has been amended from a gable to a hipped roof which reduces the bulk, massing and overbearing impact on the garden of 11 Ardnave Crescent. Whilst the roof will be visible above the garden hedge of 11 Ardnave Crescent, it will not lead to harmful sense of enclosure, loss of sunlight or daylight.

Overlooking impact on 11 Ardnave Crescent

Officer Response – There are no new windows or terraces facing towards 11 Ardnave Crescent and as such there will be no new overlooking impacts.

Red line boundary is incorrect in relation to the sub-division of 11 Ardnave Crescent

Officer Response – The red line has been corrected to reflect the plot sub-division along the retaining wall.

Insufficient garden size for a 4-bed property.

Officer Response – There is no change to the building to plot size ratio and the garden area remains the same as previously approved. The property remains a 4-bed house.

Concerns regarding site access

Officer Response – The proposed layout shows single width vehicle access with tandem parking. A dropped kerb would require approval from the Council's Highways Team.

5.2 Consultation Responses

SCC Trees – The Council's Tree Team have been consulted regarding the changes to the car parking layout which involves the tandem car parking spaces encroaching into the root protection area of the neighbouring beach tree, located close to the site boundary within 13 Ardnave Crescent. The construction method of the driveway will require careful consideration in relation to root protection. A verbal update will be provided at the Panel meeting and it is recommended that the tree protection condition be amended to require further agreement of tree protection details prior to

commencement of works to install the driveway/car parking spaces.

6.0 Planning Consideration Key Issues

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

- Minor Material Amendment Process;
- The principle of development;
- Design and effect on character;
- Residential amenity;
- Residential Environment;
- Parking highways and transport and;
- Likely effect on designated habitats.

6.2 Minor Material Amendment Process

A Minor Material Amendment application can be made under section 73 of the Town and Country Planning Act 1990. This application route is available to make the planning system more flexible in order to carry out minor changes to extant planning permissions. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

6.2 A section 73 application involves a consideration of the revisions against the relevant development plan policies. There is no statutory definition of a 'minor material amendment', but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. The proposed amendments to building scale, roof and window design and parking layout are considered to be minor material changes.

6.3 Principle of Development

The principle of housing development on this site has already been supported by the previous planning permissions (references 13/01382/FUL and 17/00677/FUL) for a detached, two-storey, 4-bed house on this plot. Furthermore, there has been no change to development plan policy since the previous planning permission in 2017. The proposal involves no changes to the building footprint, residential density or amount of car parking.

6.4 The LDF Core Strategy identifies the Council's current housing need, and this windfall dwellinghouse would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026.

6.5 The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs. Set against the latest Government housing need target for Southampton (using the standard method with the recent 35% uplift), the Council has less than five years of housing land supply. This means that the Panel will need to have regard to paragraph 11(d) of the NPPF, which states that where there are no

relevant development plan policies, or the policies which are most important for determining the application are out-of-date, it should grant permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

[the so-called “tilted balance”]

6.6 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). It is acknowledged that the proposal would make a contribution to the Council’s five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new dwellings, and their subsequent occupation, and these are set out in further detail below to enable the Panel to determine ‘the Planning Balance’ in this case.

6.7 Design and effect on character

The site layout, building footprint and level of site coverage with building and hard standing is comparable to the previous approvals on this site. It is recognised that the changes to the car parking arrangement introduces tandem parking spaces to the side of the house but the rear garden remains in excess of 90sqm which satisfies the requirements for the size of a private rear garden for a detached dwelling under policy CS16 of the Core Strategy. The proposed increase in height of the building height by 2m will not have a discernible impact having regard to building separation, topography of the area and varying building heights in the area. The larger pitched roof with changes to the window design will not be out of keeping having regard to the varying design of housing within the area. The building finishing materials will remain the same as previously approved comprising clay roof tiles, brick, render and timber cladding to external walls and grey UPVC windows and doors. As such, the proposed minor material amendments are not considered harmful to the character and appearance of the area.

6.8 Residential amenity

The proposed amendments will not have an adverse impact on the residential amenities of neighbouring occupiers.

The proposed amendments to external windows and removal of the external terrace areas will not result in any increased overlooking having regard to the orientation of windows and screening from the existing tall hedgerow at the rear of the site. The proposed 3 no. small in the side north-west elevation will not lead to any overlooking at ground floor however a condition is recommended to require obscure glazing to the first-floor bedroom window to 1.7m above the finished floor level to protect the privacy of 13 Ardnave Crescent. The enlarged roof has been amended to be hipped to reduce its scale, bulk and massing adjacent to the rear garden of 11 Ardanve Crescent. The hipped roof design is not considered to appear unduly dominant or lead to a harmful sense of enclosure to that neighbouring garden. The submission has demonstrated compliant with BRE daylight and sunlight requirements, and the proposed roof

amendments will not obstruct daylighting to habitable windows and will not lead to harmful shadowing of the neighbouring gardens.

6.9 Residential Environment

The property remains a 4-bed house and is compliant and exceeds the national space standards with an internal area of 130sqm. All habitable room windows received outlook and daylight and natural ventilation. The external amenity area exceeds 90sqm and is compliant with the minimum garden sizes for a detached dwelling as set out within policy CS16 and the Residential Design Guide SPD.

6.10 Parking highways and transport

The level of car parking remains consistent with previous planning approvals on this site and is compliant with maximum car parking standards with 2 car parking spaces for this 4-bed dwelling.

6.11 Likely effect on designated habitats

The development as approved under 17/00677/FUL has substantially commenced. The proposed minor material amendments create no additional impacts on designated sites. The development has already provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of the CIL contribution will be taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

7. Summary

7.1 The proposed minor material amendments will not adversely harm the character and appearance of the area or the residential amenities of neighbouring occupiers having regard to the appeal decision ref APP/D1780/A/13/2190798 and subsequent planning permission reference 17/00677/FUL. The changes to the building height and massing, roof and window design will not create any new impacts which outweigh the merits of the scheme. The changes to the car parking layout will require tree protection measures which can be secured by planning condition.

7.2 Taking into account the benefits of the proposed development, the limited harm arising from the conflict with the policies in the development plan as set out above, would be significantly and demonstrably outweighed by the benefits when assessed against the policies in the Framework taken as a whole. As such, consideration of the tilted balance would point to approval. In this instance it is considered that the above assessment, alongside the stated benefits of the proposal, suggest that the proposals are acceptable. Having regard to s.38(6) of the Planning and Compulsory Purchase Act 2004, and the considerations set out in this report, the application is recommended for approval.

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) (f) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Andrew Gregory for 12.11.24 PROW Panel

PLANNING CONDITIONS

01.APPROVAL CONDITION - Samples details of building materials to be used [Pre-Commencement Condition]

The development shall be carried out in accordance with the schedule of external finishing materials as agreed under application reference 20/00084/DIS.

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.

02.APPROVAL CONDITION - Refuse & Recycling Bin Storage - [Pre Occupation Condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the approved plans. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the development is used for residential purposes.

Reason: In the interests of the visual appearance of the building and the area in general.

03.APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]

The development shall be carried out strictly in accordance with the approved landscaping scheme as shown on drawing no. 1087/01 (B) received 26/2/20, as approved under application reference 20/00084/DIS.

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.

The approved scheme 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.

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

04.APPROVAL CONDITION - Means of site enclosure [Pre-Occupation Condition]
Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays of 2m x 2m measured at the back of the footway.

Reason: In the interests of the visual amenities of the area, highway safety and to protect the amenities and privacy of the occupiers of adjoining property

05.No other windows or doors other than approved (Performance Condition)

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

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

06.APPROVAL CONDITION - Residential - Permitted Development Restriction [Permanent Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

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

Class F (hard surface area)

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

07.APPROVAL CONDITION - Drainage, foundation design and retaining wall details [Pre-commencement Condition]

The development shall be carried out and retained in accordance with:

Land and surface water drainage Report as approved under application reference 20/00084/DIS.

Foundation design and retaining wall details as approved under application reference 20/00084/DIS.22/01623/DIS

Reason: To establish the existing site drainage conditions to inform appropriate drainage and foundation design to prevent harm being caused to the drainage environment in and around the site.

08. Construction Management Plan (Pre-Commencement)

The development shall be carried out in accordance with The Construction Management Plan as agreed under application reference 20/00084/DIS.

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.

09. Tree Safeguarding (Performance)

The development shall be carried out strictly in accordance with the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement Heads of Terms by Mark Hinsley Arboricultural Consultants Ltd dated 26.5.17.

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

10.No storage under tree canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality.

11.Retention of trees (Performance Condition)

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

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

12. Tree Survey and Protection

With the exception of the installation of the driveway and car parking spaces, the development shall be carried out in accordance with the Tree Survey and Protection Plan (ref 284-2016) by Mark Hinsley Arboricultural Consultants Ltd dated 26.5.17.

Prior to commencement of work on the surfacing treatment of the driveway and car parking spaces, an addendum to the tree protection plan shall be provided to provide tree protection measures for the area of the tandem car parking spaces within the root protection area of the protected beech tree on the boundary with 13 Ardnave Crescent. The driveway and car parking shall subsequently be installed and retained in accordance with the agreed tree protection measures.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period and from car parking.

13. Energy & Water (Pre-Commencement)

The development shall be carried out in accordance with the Design Stage Sap and Water efficiency calculations as agreed under application reference 20/00084/DIS.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010). Design stage SAP calculations have been submitted with the planning application whereby it has been calculated from TER / DER information provided for the proposed dwelling that the required 19% improvement upon Part L of Building Regulations wouldn't be met (i.e. less than 1%). The applicant will therefore need to consider what measures could be put forward for the development as part of an energy strategy in order to meet the 19% requirement. This can be achieved through a combination of energy efficiency/fabric and servicing improvements and low and zero carbon technologies (LZCs).

14. Energy & Water (performance condition)

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

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

15.APPROVAL CONDITION - Nature conservation (bat box)

The development shall be carried out and retained in accordance with the Bat box provision as agreed under application reference 20/00084/DIS.

REASON: In the interests of nature conservation.

16.Bonfires (Performance Condition)

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

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

17.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.

18.Use of uncontaminated soils and fill (Performance)

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.

19.Unsuspected Contamination (Performance)

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

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

20. Obscure Glazing (Performance)

The first-floor bedroom window in the side north west 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.

21. Approved Plans

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

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

POLICY CONTEXT

Core Strategy (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review (as amended 2015)

SDP1	Quality of Development
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H7	The Residential Environment

Bassett Neighbourhood Plan (2016)

BAS 1	New Development
BAS 3	Windfall Sites
BAS 4	Character and Design
BAS 7	Highways and Traffic
BAS 9	Trees
BAS 14	Drainage

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

PLANNING HISTORY

APPENDIX 2

07/02029/FUL

Erection of two storey four-bed house

Refused on 11.02.2008 (subsequent appeal dismissed)

08/01265/FUL

Erection of a two storey side extension and a single storey rear extension, incorporating the lowering of the existing and proposed roof line.

Refused on 05.11.2008

08/01737/FUL

Two storey side extension and single storey lower ground floor rear extension with balcony above and alterations to the roof.

Refused on 04.02.2009

09/00365/FUL

Single storey side/rear extension, first floor side extension and alterations to roof by raising eaves height yet lowering ridge height

Refused on 03.06.2009

09/00854/FUL

Part two storey part single storey side extension, lower ground floor extension, re-construction of roof and alterations to the front elevation

Conditionally Approved on 08.10.2009

10/00302/FUL

Installation of additional dropped kerb and raising level of front garden with new 1.2m high retaining wall to form hard standing for vehicles (partially retrospective).

Conditionally Approved on 07.05.2010

10/00854/FUL

Extension of existing parking area to form an additional parking space (Amendment to 10/00302/FUL) (Retrospective).

Refused on 18.08.2010

11/00195/FUL

Implementation of planning permission ref 09/00854/FUL for extension to the property without complying with conditions 4(Landscaping), 6(Glazing) and 9(Residential permitted development restriction).

Approved on 29.06.2011

12/01187/FUL

Erection of a 2 storey 4-bed detached house with associated parking and cycle/refuse storage

Refused on 25.09.2012

12/01670/FUL

Erection of a two storey dwelling to rear of 11 Ardnave Crescent with associated car parking and cycle/refuse storage (resubmission of 12/01187/FUL)
Refused on 19.12.2012 (subsequent appeal dismissed)

13/01382/FUL

Erection of a 2-storey, 4-bedroom detached house with associated parking and cycle/refuse storage
Conditionally Approved 28.11.2013

17/00677/FUL

Erection of a 2-storey, 4-bedroom detached house with associated parking and cycle/refuse storage
Conditionally Approved on 20.06.2017