

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 21 August 2012  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Mede House, Salisbury Street			
<b>Proposed development:</b> Conversion Of Existing First Floor Offices To Contain 9 X Self Contained Student Units And Use Of Ground Floor As Cycle Store And Refuse Store (Retrospective)			
<b>Application number</b>	12/00753/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Mathew Pidgeon	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	11.07.2012	<b>Ward</b>	Bevois
<b>Reason for Panel Referral:</b>	Departure from Local Plan	<b>Ward Councillors</b>	Cllr Burke Cllr Rayment Cllr Barnes-Andrews

<b>Applicant:</b> Mr A Bajar	<b>Agent:</b> Concept Design & Planning
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</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 including the impact on available office accommodation within in the city, the number and layout of units, the amenity and privacy of adjacent occupiers and the residential environment created have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP13 SDP16, SDP17, H7, REI5 and REI15 of the City of Southampton Local Plan Review (March 2006).

Policies- CS4, CS5, CS13, CS16, CS19 and CS20 of the Core Strategy 2010.

<b>Appendix attached</b>	
1	Development Plan Policies
2	Refusal Reasons for scheme with reference 05/00487/FUL

**Recommendation in Full**

Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended); Amenity Open Space ("open space") Playing Field;
- iv. In lieu of an affordable housing contribution, an undertaking by the developer that only students in full time education be permitted to occupy the studio flats;
- v. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- vi. A financial contribution towards public realm improvements in accordance with the adopted SPG relating to Planning Obligations (August 2005 as amended).

In the event that the legal agreement is not completed by 24/09/2012 the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

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

- 1.1 This site comprises the first floor of a five storey building which was originally approved as office space. The ground floor is occupied by cycle and refuse storage provision and provides a separate entrance to the flats from Salisbury Street. Within the remaining ground floor area is office accommodation and an electrical substation.
- 1.2 In June 2008 planning permission was granted for office accommodation at the first floor level and part of the ground floor; All the upper floors were granted permission for residential use.
- 1.3 In 2010, without the benefit of planning permission, the owners decided to convert the first floor office space into residential accommodation. Nine self-contained units were created.
- 1.4 The building has a commercial appearance and the functional undercroft is large, limiting the active section of the ground floor street frontage and detracting from its appearance in and interaction with the street. A site

adjoins a smaller three storey office building to the south. A multi-storey (4 storey) public car park is located opposite the site. Vernon Walk which provides a pedestrian link with London Road is 20m to the north of the site. There are other examples of upper floors of former office and commercial units being converted to residential use in close proximity to the site, including Waterloo Buildings.

- 1.5 There is a mix of uses within the immediate area including the late evening uses of Bedford Place, Carlton Place and Winchester Street. Salisbury Street itself has the character of a service road serving the multi-storey car park and rear of commercial premises in London Road. There is very little active frontage along the street although the range of nearby uses and pedestrian routes between them creates some level of pedestrian activity.
- 1.6 Immediately behind Mede House, the floorspace at the rear of 23 to 41 London Road at first and second floor level has recently gained planning permission to be converted to residential. Access to these units is via a staircase leading down into a small service road that runs underneath the application.
- 1.7 Some of the properties at first/second floor level in London Road are in residential use. They have an outlook across a flat roofed area back towards the application building.
- 1.8 The site is within a high accessibility area within the city centre and is well served by public transport links and all services.

## **2. Proposal**

- 2.1 The application seeks retrospective planning permission for a change of use at first floor level from B1a office development to 9 self contained residential units of accommodation.
- 2.2 The occupation of the units will be restricted to students only.
- 2.3 The existing refuse and cycle storage facilities on the ground floor can be utilised by the occupants of the flats.

## **3.0 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The use of the site is safeguarded under policy REI15 of the Local Plan Review for the purposes of B1 Office development. Policy REI15 states that there should be no net loss of office floor space and therefore the proposal must be assessed as a departure from the Local Plan Review (March 2006).

- 3.3 However, the case does not need to be brought to the attention of the Government's National Planning Casework Unit for their consideration as the provision of office accommodation within the city is a matter of local concern rather than an issue of regional or national relevance. As such the Panel retain the ability to make the decision without a need for referral.

#### **4.0 Relevant Planning History**

- 4.1 **3820/1085/13 (CAP – 24/4/1956)** Ten Shops, offices or maisonettes at 23-41 London Road.

**3820/1119/67.R.1 (CAP – 17/12/1957)** Office block.

**05/00487/FUL (REF - 31/5/2005)** - Alterations and extensions, including increasing the height of the building by up to 3 storeys with balconies and conversion of the property into 46 x one-bedroom flats. This was refused under delegated powers for the reasons set out in **Appendix 2** to this report.

**05/01174/FUL (CAP – 14/11/2015)** Alterations and extensions, including increasing the height of the building by two storeys with balconies, part conversion of building into 45 flats and provision of additional 168 square metres of offices. - CAP

#### **5.0 Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report **1** representation has been received from surrounding residents. The letter received does not oppose the development.

#### **5.2 SCC Highways**

- 5.2.1 The proposed development does not introduce an impact on highways safety which concerns the Highways Development Management Team provided that the shown cycle store and bin store serves the proposed units.
- 5.2.2 The site is located in the city centre with Traffic Regulation Orders in the local vicinity, as such there should not be any overspill parking or added pressure on the on street parking.

#### **5.3 SCC Planning Policy Team**

- 5.3.1 The evidence provided by the applicant shows that the premises have been marketed as vacant for a period of 2 years without a tenant. It is accepted that this is a secondary location for office space in the city centre, and the premises are unlikely to be occupied as offices in the near future given the current economic climate. Therefore, there is no objection to the conversion of the existing offices to residential use, however, this would be a departure

from the policy REI15.

- 5.3.2 It is intended under policy CS7 to review safeguarded employment sites in the forthcoming City Centre Action Plan (CCAP). The applicant should be aware that the boundaries for the safeguarded office areas in the city centre are being reviewed in CCAP. More information will be available when the draft document goes to public consultation at the end of January. See timetable for CCAP below:

<http://www.southampton.gov.uk/s-environment/policy/developmentframework/actionplan/default.aspx>

- 5.3.3 The site is within the zone identified by policy REI 5 as a secondary retail frontage.

#### 5.4 **SCC Environmental Health Team, Pollution and Safety**

- 5.4.1 No objections subject to recommended condition to prevent noise disturbance to occupants.

### 6.0 **Planning Consideration Key Issues**

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

- Principle of Development
- Neighbouring Residential Amenity
- Residential Environment
- Parking and Cycle Storage

#### 6.2 **Principle of Development**

- 6.2.1 The use of the site is safeguarded under policy REI15 of the local plan review for the purposes of B1 Office development and as there should be no net loss of office floor space the scheme should be considered as a departure Local Plan Review (March 2006).
- 6.2.2 The Policy Team support the conversion to residential and do not object to the departure from the Local Plan. There is not a high demand for office accommodation within this part of the city. As the evidence provided by the applicant shows that the premises have been marketed as vacant for a period of 2 years without a tenant it is judged that the premises are unlikely to be occupied as offices in the near future.
- 6.2.3 Conversion to residential accommodation, specifically for students, provides valuable housing and reduces the demand for the conversion of current housing stock to Houses of Multiple Occupation.
- 6.2.4 The Panel are reminded of the government statement in the Chief Planning Officer's letter dated 31 March 2011 (Annex 2, p3 refers) which advises that whilst having regard to all relevant considerations, the LPA should give

appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably and that they can give clear reasons for their decisions.

6.2.5 In light of the current economic climate, the need for student accommodation within the city and the associated economic benefit which the student population contribute the Local Planning Authority recognise the need to offer a degree of flexibility and thus the principle of the change of use is supported.

### 6.3 Neighbouring residential amenity

6.3.1 The change of use is unlikely to have generated a significant increase in noise and activity in the area.

6.3.2 During the determination of planning application 05/01174/FUL, which granted permission for the original conversion and formation of three additional floors of accommodation, the Local Planning Authority considered that a distance of 17.5m between inter-looking residential windows would not be considered so detrimental to amenity to justify refusal. The Local Planning Authority, in determining the acceptability of the inter-looking distance, made reference to the close-knit urban setting of the development.

### 6.4 Residential environment

6.4.1 Planning conditions can be used to ensure that the residential environment is acceptable, in particular noise disturbance from external sources will need to be managed.

6.4.2 The location of the proposal means that the occupants have access to the public open space and amenities within the city centre.

### 6.5 Parking and Cycle Storage.

6.5.1 The existing refuse and cycle storage facility is able to accommodate the requirement of the additional accommodation.

## 7.0 Summary

7.1 Allowing the use enables what would otherwise be a vacant building to be occupied.

## 8.0 Conclusion

8.1 The residential use is considered to be appropriate for this site.

1(a), 1(b), 2(b), 2(d), 6(c), 7(a)

**MP3 for 21/08/2012 PROW Panel**

**PLANNING CONDITIONS**

**1. APPROVAL CONDITION Cycle Storage Facilities [Performance Condition]**

Provision within the site shall be made for the storage of at least one cycle per flat. Such facilities shall be permanently retained for that purpose.

REASON:

To encourage cycling as an alternative form of transport.

**2. APPROVAL CONDITION - Approved Plans [Performance Condition]**

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. APPROVAL CONDITION External Noise Protection Measures [Performance Condition]**

Within three months of the date of this permission a scheme shall be submitted to the Local Planning Authority which details how the residential units hereby approved are/will be protected from external noise sources (incorporating mechanical acoustically treated ventilation if required). Once approved in writing all works which form part of the scheme shall be completed three months of the Local Planning Authorities written response (unless otherwise agreed in writing). Once fully approved, and installed the scheme of works shall be retained at all times thereafter.

REASON

To ensure satisfactory living conditions exist in the flats hereby approved having regard to the advice in Planning Policy Guidance Note No.24 (Planning and Noise).

**4. APPROVAL CONDITION, Refuse and Cycle Storage Provision [Performance Condition]**

Within three months of the date of this permission plans shall be submitted to the Local Planning Authority, for approval in writing, which detail the location of all cycle and refuse storage facilities allocated to the residential units and office accommodation on site; and visitors (4 spaces required). Once approved in writing all agreed details shall be implemented within three months of the Local Planning Authorities written response (unless otherwise agreed in writing). Once fully approved and installed the scheme of works shall be retained at all times thereafter.

REASON

In the interests of visual amenity, the amenities of occupiers and the occupiers of nearby properties, in the interests of highway safety; and to encourage cycling as a sustainable form of transport.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP13	Resource Conservation
SDP16	Noise
SDP17	Lighting
H7	The Residential Environment
REI5	District Centres
REI16	Identified Offices Sites

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - August 2005 and amended November 2006)



**Proposal:** **Alterations and extensions, including increasing the height of the building by up to 3 storeys with balconies and conversion of the property into 46 x one-bedroom flats.**

**Site Address:** **Mede House Salisbury Street Southampton SO15 2TZ**

**Application No:** **05/00487/FUL**

**REFUSAL REASONS:**

01.The proposals would result in the net loss of all available office floorspace on this site, which situated within an area with good access to public transport, where existing office accommodation is to be safeguarded to contribute toward the vitality of Southampton's employment opportunities. As such the development would be contrary to Policy REI 16 (i) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003 and create a precedent that would undermine Policy REI 16 and its aims.

02.The proposals would result in a cramped overdevelopment of the site by reason of the inadequate private amenity space for residents of the development, which fails to satisfy the requirements of Policy A7 of the Residential Standards Development Control Brief. As such the development would be contrary to Policies GP1 (i)/(viii), ENV3 (iii), H10 (ii) and H16 of the City of Southampton Local Plan 1995 and Policy SDP1 of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

03.The proposed development, by virtue of its increased height in relation to the proximity of existing accommodation at first and second floor levels at 23-41 London Road, would be likely to cause significant harm to the amenities of occupiers of such accommodation by way of undue overshadowing, increased and oppressive sense of enclosure and intrusive overlooking, which would not comply with the principles of Policies A2 and A4 of the Residential Standards Development Control Brief. As such the development would be contrary to Policies GP1 (i)/(viii) and H12 (ii) of the City of the Southampton Local Plan and Policies SDP1 (i), SDP7 (v), SDP9 (i)/(ii)/(v), H3 (iii) and H10 (v) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

04.The proposed development fails to take advantage of an important opportunity to rejuvenate the building by demonstrating a quality built/finished solution with sustainable measures such as greywater systems, the ability to link into the existing geothermal energy plant in Southampton City Centre and to demonstrate the creation of quality , landscaped spaces at balcony level as a means of introducing biodiversity to this otherwise harsh immediate urban environment. As such the development has not adequately met the aims of Policies GP1 (i)/(vii), ENV15 (ii)/(iii) and ENV16 of the City of the Southampton Local Plan and Policies SDP9 (iii)/(iv), SDP13 (v)/(vi)/(vii) and H10 (i)/(ii) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

05. The proposal would be harmful to the character of the area by reason of the three storey scale addition to the building and the appearance, visual impact and design of the development, which would be overdominant within the surrounding area and not respect the context of the existing building. The re-modelling of the building would also fail to introduce an improvement to the streetscene in terms of providing an active and well surveilled/lit ground floor area, which would detract from public safety issues and not improve safe through-movement in Salisbury Street/Winchester Street. As such the development would be contrary to Policies GP1 (i)/(ix)/(xii), ENV3 (i)/(ii)/(iii)/(iv)/(v) and H10 (ii) of the City of the Southampton Local Plan and Policies SDP1 (i)/(ii), SDP7 (iv)/(v), SDP8 (ii)/(iii), SDP9 (i)/(ii), SDP10 (i)/(iii)/(iv), SDP11 (i), H8 (iii), H10 (iii) and MSA1 (i)/(iii) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

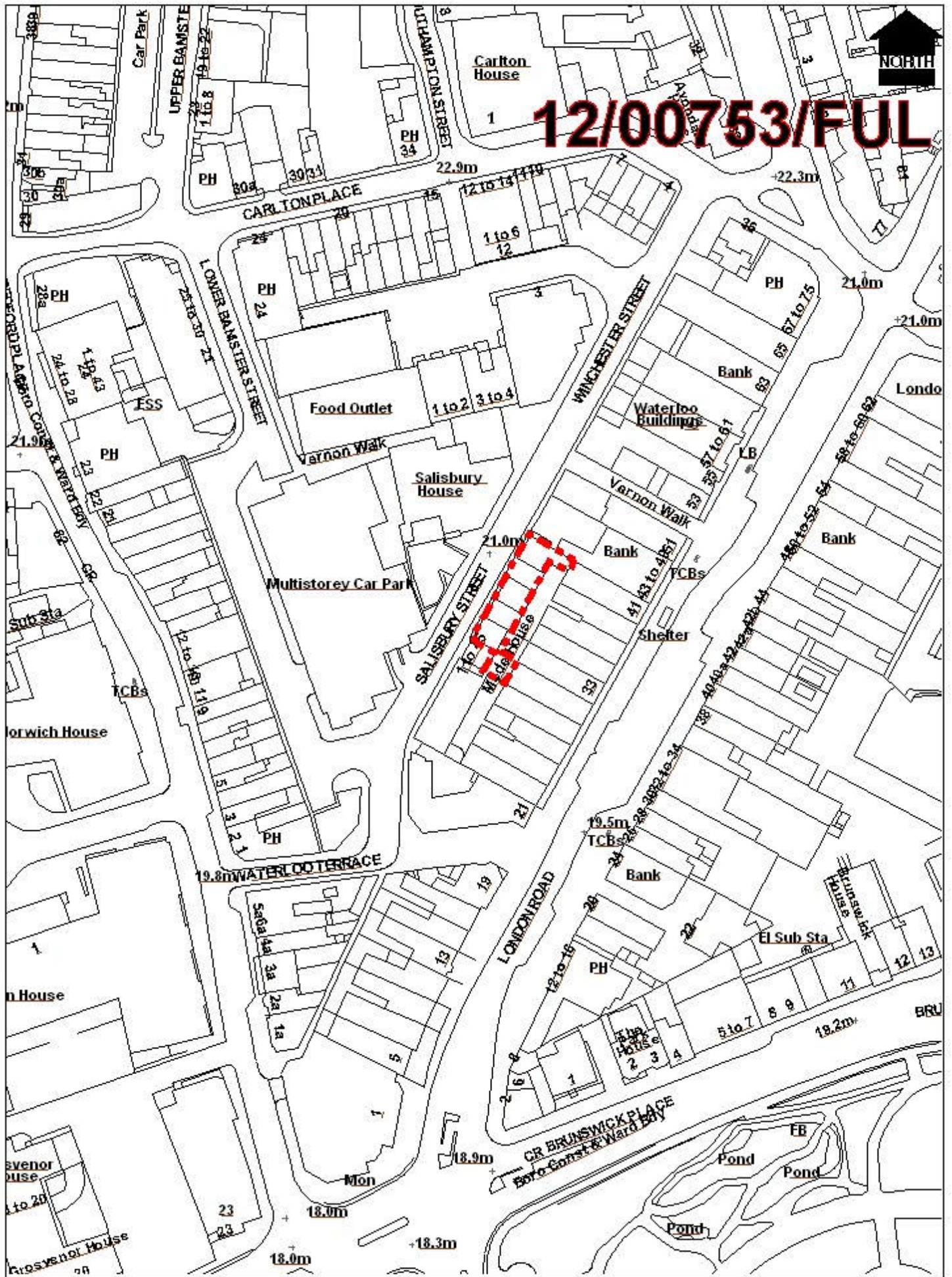
06. The proposed cycle store by virtue of its vertical storage arrangement and lack of fully enclosed space for that and the refuse store, (which does not make adequate provision to recycle waste by virtue of its size), would not provide satisfactory facilities for the parking of bicycles or storage of waste. This would also be likely to encourage anti-social behaviour and vandalism in the poorly surveilled undercroft to the building. As such the development would be contrary to Policy GP1(i)/(ix)/(xv) and H10 (ii) of the City of Southampton Local Plan 1995 and Policies SDP (i)/(ii), SDP5 (iii), SDP7 (v), SDP10 (ii)/(iv), SDP11 (ii), SDP13 (viii) and H10 (iii)/(v) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

07. The proposed development fails to provide a satisfactory mix of dwelling types. As such the proposed development is considered to be contrary to the aims of Policy H1 of the City of Southampton Local Plan 1995 and Policy H17 (i) of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

08. The proposals fail to secure the provision of housing for those unable to resolve their housing needs in the private sector market because of the relationship between housing costs and income. As such the development would be contrary to Policy H2 of the City of Southampton Local Plan 1995 and Policy H13 and H14 of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

09. The proposals fail to secure measures to encourage sustainable forms of travel and would therefore be contrary to Policies GP1 (xvi) and T2 (ii) of the City of Southampton Local Plan 1995 and Policies SDP2 and SDP3 of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.

10. The proposals fail to secure improvements in open space necessitated by the development and would therefore be contrary to Policy L4 of the City of Southampton Local Plan 1995 and Policy CLT5 of the City of Southampton Local Plan Review - Revised Deposit Version February 2003.



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Scale : 1:1250

Date : 09 August 2012

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