# Appendix 2 Decision notice and refused plans re 06/01643/FUL



#### **DETERMINATION OF APPLICATION**

#### **TOWN AND COUNTRY PLANNING ACT 1990**

Town and Country Planning (General Development Procedure) Order 1995

BCA Architects Lower Barn Lake Court Hursley Winchester SO21 2LD

In pursuance of its powers under the above Act and Order, Southampton City Council as the District Planning Authority, hereby gives notice that the application described below has been:

#### REFUSED

Proposal:

Redevelopment of the site. Demolition of the existing building

and erection of a part 2-storey, part 3-storey and part 4-storey

building to provide 12 flats with associated parking.

Site Address:

Harcourt Mansions 74 Whitworth Crescent Southampton

**SO18 1TP** 

Application No:

06/01643/FUL

For the following reason(s):

01.

The proposals would result in direct overlooking of the rear gardens of houses in Harcourt Road and Whitworth Crescent from habitable room windows at first and second floor level in the east and north facing elevation of the proposed building. Given the closer proximity of the flats to the boundary than windows in the existing building the resultant loss of privacy to occupiers of surrounding properties would be materially greater and more harmful than currently occurs. The proposals are therefore contrary to Policy SDP1 of the City of Southampton Local Plan March 2006.

02

The proposal, having regard to the character of the area, including levels of on-road parking and the failure to provide the maximum number of parking spaces allowable under the adopted policies for a development of this scale, is likely to result in over-spill parking on surrounding nearby roads to the detriment of the amenities of the residents of those areas. The proposal would therefore be contrary to policies SDP1 and SDP3 of the City of Southampton Local Plan March 2006.

03.

The proposal as submitted fails to demonstrate that appropriate measures have been incorporated into the scheme for energy/resource conservation and is therefore contrary to Policy SDP13 of the City of Southampton Local Plan March 2006 which seeks to ensure that new development is of a sustainable nature.

04.

The proposals fail to secure the following measures which would be necessary to enable the development to proceed and are therefore contrary to Policy IMP1 of the City of Southampton Local Plan Review - Adopted Version 2006 and to the Supplementary Planning Guidance on Planning Obligations 2005 (as amended):

- a. measures to address the travel demands of the development by securing measures to encourage sustainable travel for pedestrian, cycle and public transport movement as required by Policy SDP2 of the City of Southampton Local Plan Review Adopted Version March 2006.
- Public open space and play space as required by Policies CLT5 and CLT6 of the City of Southampton Local Plan Review - Adopted Version March 2006.
- c. Contributions towards the strategic transport network.
- d. A highway condition survey.

Alan Sayle

**Development Control Manager** 

2 January 2007

For any further enquiries please contact:

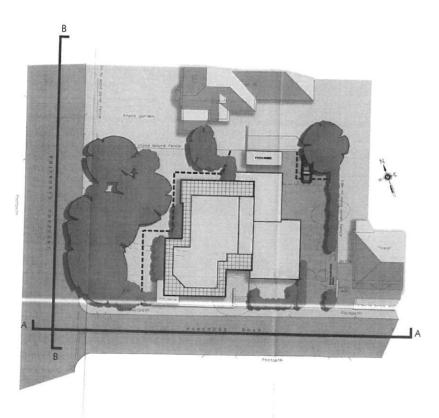
Andrew Amery



SECTION A-A - HARCOURT ROAD STREET SCENE



SECTION B-B - WHITWORTH CRESCENT STREET SCENE



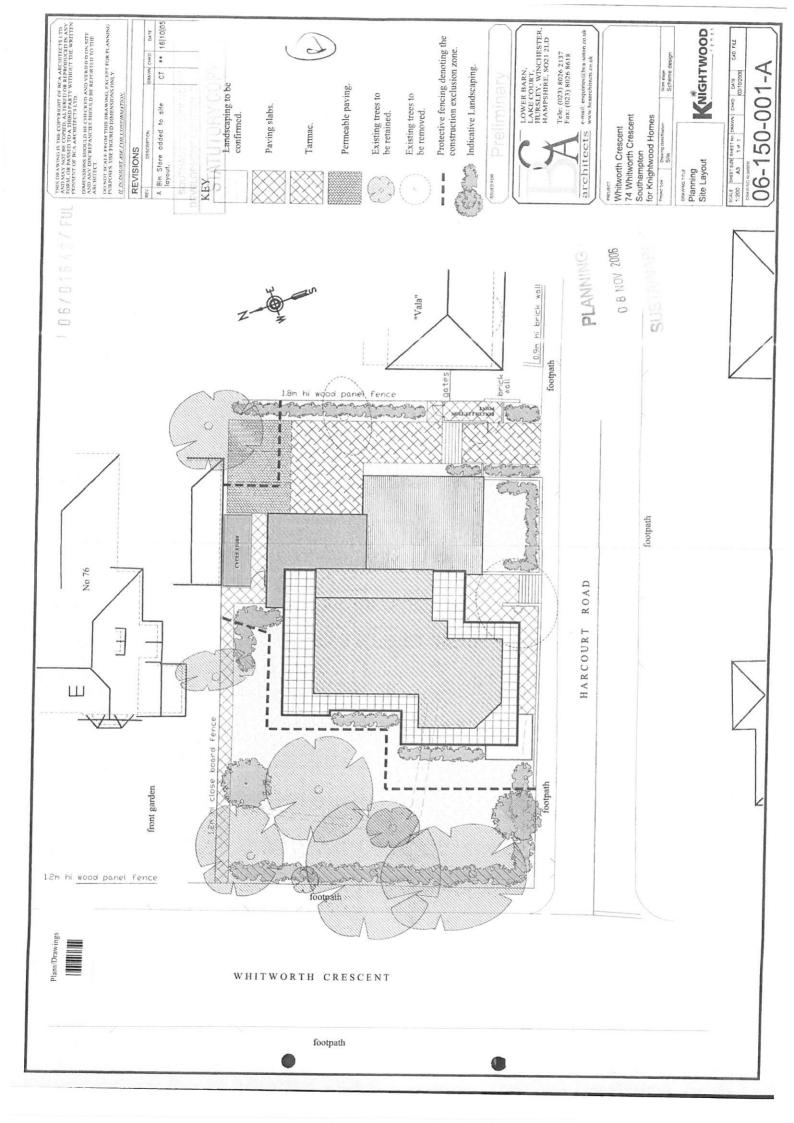
SITE PLAN













ELEVATION FRONTING HARCOURT ROAD



SIDE ELEVATION

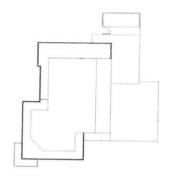


ELEVATION FRONTING WHITWORTH CRESCENT



SIDE ELEVATION





ROOF



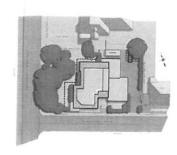
FIRST FLOOR



SECOND FLOOR



GROUND FLOOR



SITE PLAN SCALE 1:500





WHITWORTH CRESCENT, SOUTHAMPTON SCALE 1:200 at A1 06/150.003





Appendix 3 Appeal Decision dated 21.11.2007 and refused plans re 07/00208/FUL



# **Appeal Decision**

Site visit made on 21 November 2007

by G M Hollington MA, BPhil, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate 4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

≥ 0117 372 6372 email:enquiries@pins.gsi.g ov.uk

Decision date: 6 December 2007

# Appeal Ref: APP/D1780/A/07/2052645 Harcourt Mansions, 74 Whitworth Crescent, Southampton, SO18 1TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Knightwood Homes Ltd against the decision of Southampton City Council.
- The application Ref. 07/00208/FUL, dated 14 February 2007, was refused by notice dated 19 June 2007.
- The development proposed is "Resubmission 11 no. flats including demolition of existing building".

#### Decision

1. I dismiss the appeal.

#### **Procedural Matter**

2. The appellant has submitted a section 106 unilateral undertaking which, in the event of planning permission being granted and implemented, would ensure the making of financial contributions in respect of highway works, public open space, playing fields, play space and any repair works identified in a post-development highway condition survey. In addition, each residential unit would be supplied with a sustainable travel voucher. These measures would overcome the sixth reason for which planning permission was refused.

#### **Main Issues**

- 3. I consider the main issues in this appeal to be the effects of the proposed development on:
  - (a) the character and appearance of the surrounding area;
  - (b) the living conditions of the occupiers of adjoining properties, with particular reference to visual impact and noise and disturbance;
  - (c) on-street car parking; and
  - (d) energy/resource conservation.

#### Reasons

- (a) Character & Appearance
- The existing flats building fits in with the surrounding area's largely surviving Victorian and Edwardian character but is of no particular distinction – it is not

listed as being of special architectural or historic importance and it is not in a conservation area. In principle, therefore, I have no objection to its replacement, and Government advice such as in Planning Policy Statement (PPS) 3: *Housing* encourages making better use of previously developed land.

- 5. However, this is qualified by the need not to compromise the quality of the local environment. Policies SDP 7 and SDP 9 of the City of Southampton Local Plan Review respectively expect buildings to enhance and respect their context and to be of a high quality of design, and the *Residential Design Guide* supplementary planning guidance (SPG) has similar aims.
- 6. The proposed flats would have a contemporary design which would not be objectionable in principle. However, the building's footprint would be considerably greater than that of the existing flats and, being 2-4 storeys in height and partly flat-roofed, its bulk would appear substantially greater. Furthermore, both street elevations would stand closer to their respective roads. While the Whitworth Crescent elevation would be set back more than the houses to the south, it would stand forward of its neighbours to the north. More pronounced would be the position of the Harcourt Road elevation, with 3 storeys less than 2m from the footway and balconies closer to the street.
- 7. Such a large building in such proximity to the road frontages would be unduly dominant in the street scene of this mostly traditional residential area and result in the loss of the current spacious appearance arising from the low proportion of the site occupied by buildings, opposite a largely open river frontage. Although taller buildings may be appropriate in principle at junctions to provide a visual focus, in this location a building of such mass and prominence would not adequately respect its context.
- 8. I therefore conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. It would not accord with the aims of Local Plan policies SDP 1, SDP 7 and SDP 9, the SPG and PPS3. This is sufficiently serious that it is not outweighed by my favourable views on the other main issues.

#### (b) Living Conditions

- 9. The proposed flats would stand significantly closer to Vala, Harcourt Road, than the existing flats but the nearest part would be only 2-storey and the 3-storey part, to the rear, would be about 9m from the boundary. In the side of Vala, the ground floor window faces an existing fence and the upper floor window does not appear to serve a habitable room. While the proposed building would affect the outlook from Vala and its garden and result in a loss of openness, I consider this would not be so dominant or oppressive as to be unacceptable.
- 10. Vehicular access and parking areas would adjoin the boundary with Vala, separated only by a fence and narrow planting strip. Occupiers of Vala would, therefore, be likely to be aware of associated activity, but I note that close to this boundary there are existing garages and areas which have been used for parking. Furthermore, residential development is generally regarded (as in Planning Policy Guidance note 24: *Planning and Noise*) as a noise-sensitive use rather than a source of noise. Consequently, I consider the likely volume of traffic and associated activity would not be sufficient to cause such noise and disturbance that it would result in material harm to living conditions.

- 11. The proposed 3-storey north elevation would be some 8m from the south elevation of 76 Whitworth Crescent, i.e. in a position similar to the upper parts of the existing flats. As the proposed 3<sup>rd</sup> floor would be considerably further back from the boundary, I consider the impact on the outlook from no. 76 would not be significant.
- 12. On this issue, therefore, I conclude that the proposed development would not result in unacceptable harm to the living conditions of the occupiers of adjoining properties, with particular reference to visual impact and noise and disturbance. It would not conflict with the aims of Local Plan Policy SDP 1.

#### (c) Car Parking

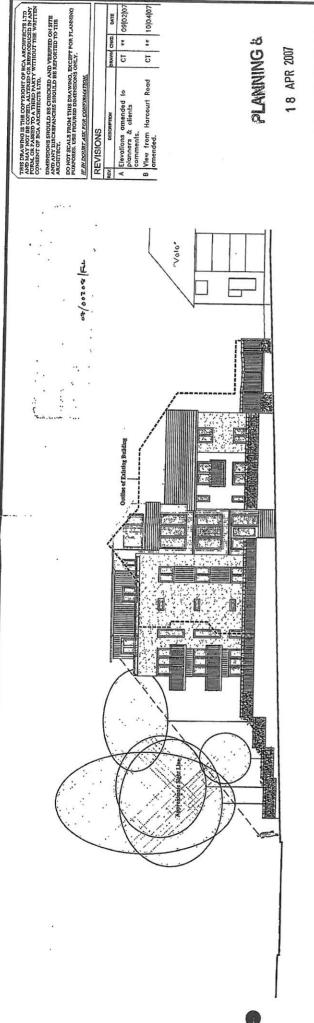
- 13. The Council acknowledges there is no highway authority objection to the proposed development, which would comply with its maximum parking standards (Local Plan Policy SDP 5 and Appendix 1). However, it draws attention to local residents' concerns about high levels of on-street parking and the likely generation of some additional parking on nearby roads. I saw that Whitworth Crescent northwards from about Harcourt Road, Harcourt Road and the nearer end of Macnaghten Road were all well used for car parking, and I would expect more cars to be parked overnight and at weekends (the appellants' parking survey results are of little assistance as they covered only one evening and do not present a clear picture of where cars were parked).
- 14. Nevertheless, there are no nearby waiting restrictions and there was ample space to park along Whitworth Crescent south of the Harcourt Road junction. Planning Policy Guidance note (PPG) 13: *Transport* points out that developers should not be required to provide more spaces than they themselves wish, other than in exceptional circumstances where there are significant implications for road safety.
- 15. Consequently, although any additional on-street parking could cause some residents to park less conveniently close to their own homes, my conclusion is that the proposed development would accord with the aims of Local Plan Policy SDP 3 and not have an unacceptable effect on on-street car parking.

#### (d) Energy/Resource Conservation

- 16. Local Plan Policy SDP 13 expects developments to be designed in a way which minimises their overall demand for resources, and the Council is concerned the submitted scheme fails to demonstrate that appropriate measures have been incorporated for energy/resource conservation.
- 17. However, a sustainability report was submitted with the planning application, indicating measures which would be incorporated in the development. These could be secured by condition and so I conclude that the proposed development would be acceptable in respect of energy/resource conservation and accord with the aims of Local Plan Policy SDP 13.

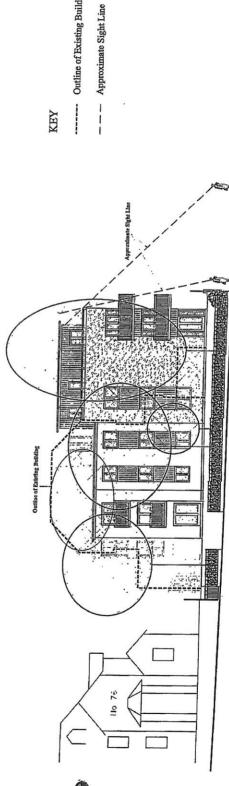
G M Hollington

**INSPECTOR** 



# SUSTAINARIIT

VIEW FROM HARCOURT ROAD



----- Outline of Existing Building

LOWER BARN, LAKE COURT, HURSLEY, WINCHESTER, HAMPSHIRE, SO21 2LD Preliminary

Tele: (023) 8026 2137 Fax: (023) 8026 8618 architects

Whitworth Crescent
74 Whitworth Crescent

Southampton for Knightwood Homes

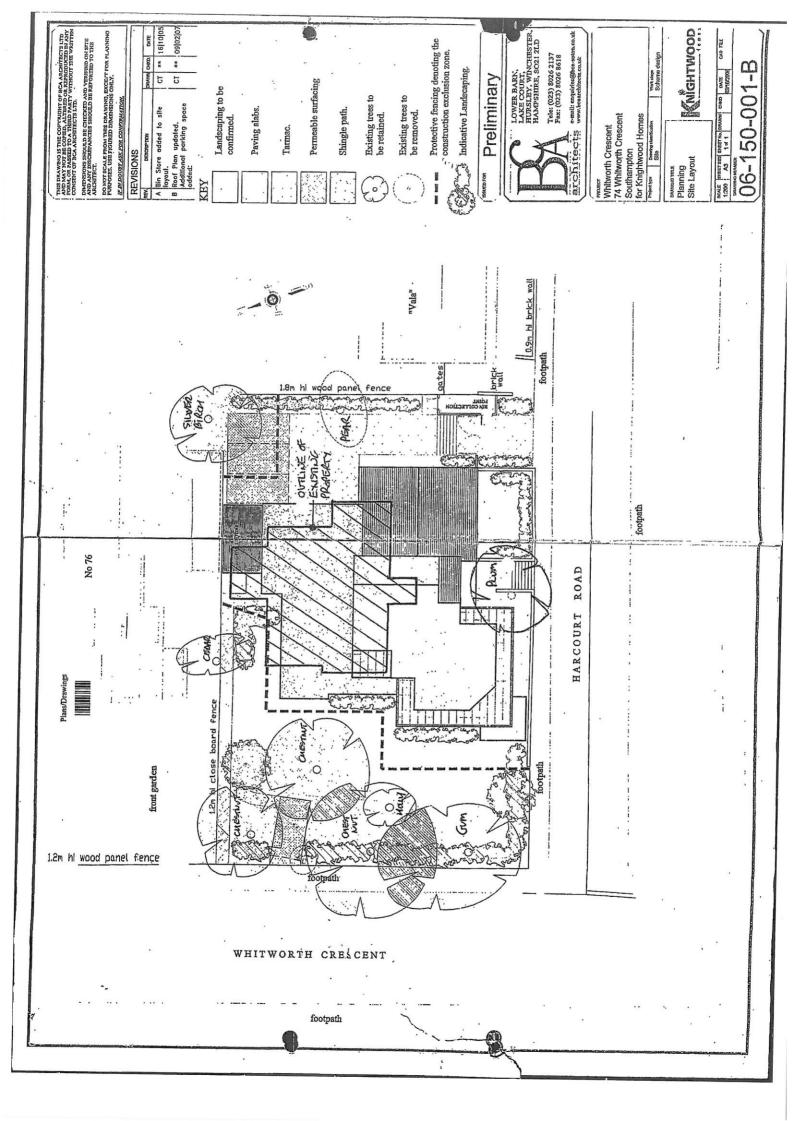
ремуну тис Planning Building Heights

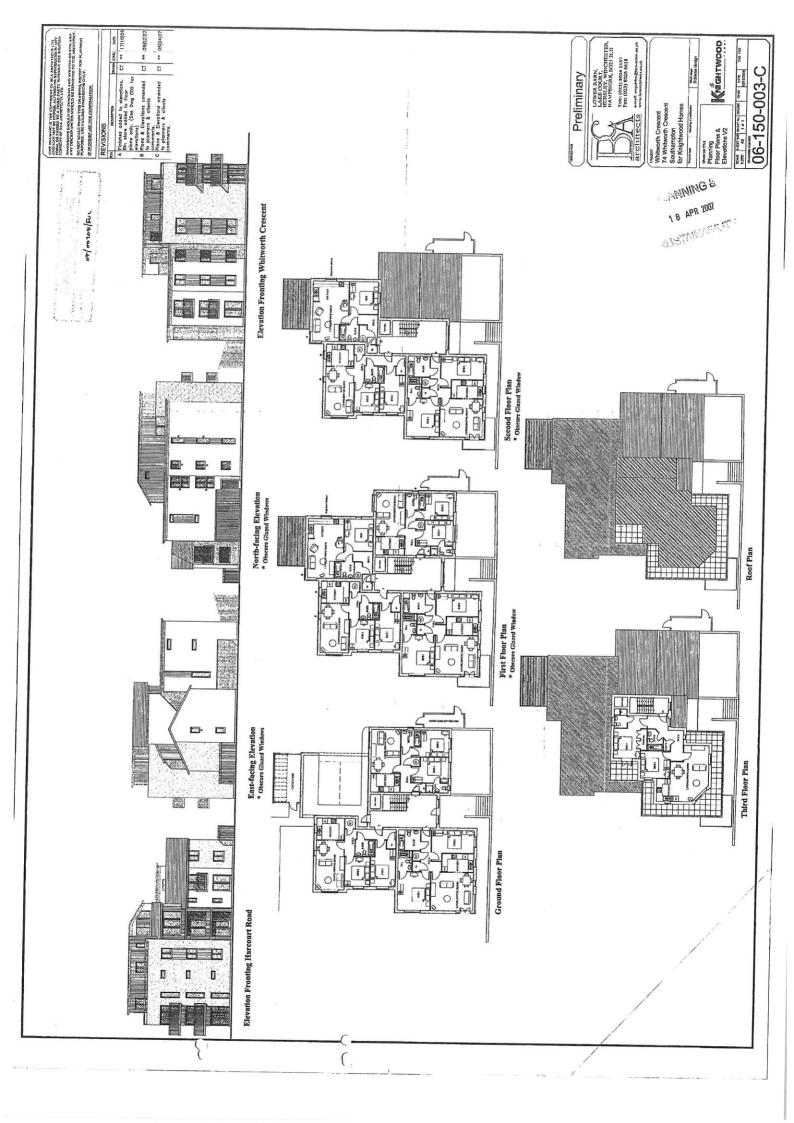
VIEW FROM WHITWORTH CRESCENT

MIGHTWOOD

SCALE SHEET SCHEET NA DRAWN CHKO DATE CAD FILE

06-150-006-B





Appendix 4 Planning and Rights of Way meeting minutes and approved plans re 10/00965/FUL

# PLANNING AND RIGHTS OF WAY PANEL MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2010

Present:

Councillors Fitzhenry (Chair), Jones (Vice-Chair), Letts (except items 95

and 95), Mead, Osmond and Thomas (except items 93, 94 and 95)

Apologies:

Councillor John Slade

#### MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) 84.

RESOLVED that the Minutes of the meetings held on 28th September 2010 and 26<sup>th</sup> October 2010 be approved and signed as a correct record.

## CONSIDERATION OF PLANNING APPLICATIONS

Copy of all reports circulated with the agenda and appended to the signed minutes.

#### 85. CEDAR PRESS LTD, ROYAL CRESCENT ROAD - 08 01791 FUL

Re-development of the site to provide a 100 bedroom hotel and 122 flats (65 x one bedroom, 51 x two bedroom and 6 x three bedroom) in a 25 storey building with associated landscaping, parking and access

Mr Sayle (Agent) was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION IN CONJUNCTION WITH THE SECTION 106 LEGAL AGREEMENT COMPLETED 7<sup>TH</sup> SEPTEMBER 2010, WAS CARRIED

#### RECORDED VOTE:

FOR:

Councillors Fitzhenry, Jones, Mead, Osmond and Thomas

ABSTAINED: Councillor Letts

# RESOLVED that conditional planning approval be granted subject to:-

- the conditions as previously agreed by the Planning and Rights of Way (i) Panel on 26th May 2009 and the additional conditions below; and
- in conjunction with the Section 106 legal agreement completed 7th (ii) September 2010.

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.

#### 22 - Access to Bassett Green Road

The development hereby approved shall not be occupied until details have been submitted and agreed in writing with the Local Planning Authority to stop up the existing access onto Bassett Green Road and thereafter implemented in accordance with the agreed details. No other means of access shall be provided to the site other than the existing access from Northwood Close.

REASON:

In the interests of providing a secure residential environment for the future residents, and protect the highway safety of the users of Bassett Green Road.

#### REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The design and scale of the development responds successfully to the context and character of the immediate area. It results in no net loss of a family home by providing a unit suitable for family occupation with an additional mix of housing types, which make a positive contribution to the mix of housing available within this location. It also provides an appropriate residential environment for future occupants of the site without adversely affecting the residential amenity of neighbouring dwellings. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

'Saved' Policies - SDP1, SDP5, SDP7, SDP9, H1, H2, H7, of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing 2010) are also relevant to the determination of this planning application.

#### 88. HARCOURT MANSIONS, WHITWORTH CRESCENT - 10/00965/FUL

Redevelopment of the site. Erection of a part 3-storey part 2-storey building comprising 3x2-bed houses, 1x3-bed house and 3x2-bed flats with associated parking and cycle/refuse storage

Mr Reay (Agent) and Mrs Simmons (Thekchen Buddhist Centre) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE PLANNING AND DEVELOPMENT MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED UNANIMOUSLY

#### RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:-
  - (a) the conditions in the report, the amended and additional conditions below;
  - (b) the applicant entering into a Section 106 Legal Agreement to secure:
    - a financial contribution towards the provision of public open space in accordance with Policy CS25 of the Core Strategy (January 2010), Policy CLT5 of the adopted City of Southampton Local Plan and applicable SPG;
    - a financial contribution towards the provision of a new children's play area and equipment in accordance with policy Policy CS25 of the Core Strategy (January 2010), Policy CLT6 of the adopted City of Southampton Local Plan and applicable SPG;
    - provision of affordable housing in accordance with LDF Core Strategy Policy CS15;
    - site specific transport obligation for highway improvements in the vicinity of the site in accordance with appropriate SPG to encourage sustainability in travel through the use of alternative modes of transport to the private car;
    - a financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG;
    - 6. a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer; and
- (ii) that the Planning and Development Manager be authorised to refuse permission should the Section 106 Agreement not be completed within two months from the date of determination, on the ground of failure to secure the provisions of the Section 106 Agreement.

#### **Amended Conditions**

- 4 Landscaping, lighting and means of enclosure detailed plan Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted for approval in writing by the local planning authority, which includes:
  - (i) proposed finished ground levels or contours; means of enclosure; car parking surface treatment, surface treatment for pedestrian access and circulation areas, all other hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
  - (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;

- (iii) an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- (iv) details of any proposed boundary treatment, including hedges and retaining walls; and a detailed specification for the northern boundary between the site and 76 Whitworth Crescent.
- (v) a landscape management scheme.

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 hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

The boundary specification agreed under (iv) above, shall be fully implemented before any of the dwellings hereby approved are first occupied and subsequently maintained and retained at the approved heights at all times thereafter.

REASON:

To ensure an appropriate landscaped setting for the development, to safeguard preserved trees on the site, in the interests of crime prevention and privacy and also to safeguard pilot safety for aircraft approaching and departing Southampton airport.

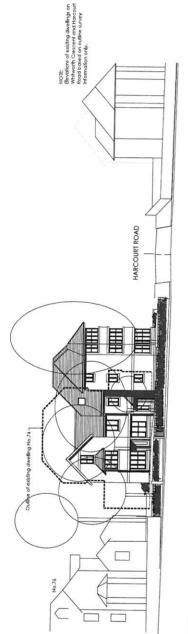
#### 8 - Renewable Energy - Micro-Renewables

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions [as required in core strategy policy CS20] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development by 20% as required in core strategy policy CS20 must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

REVISIONS

| Provision | Provi



WHITWORTH CRESCENT STREET ELEVATION



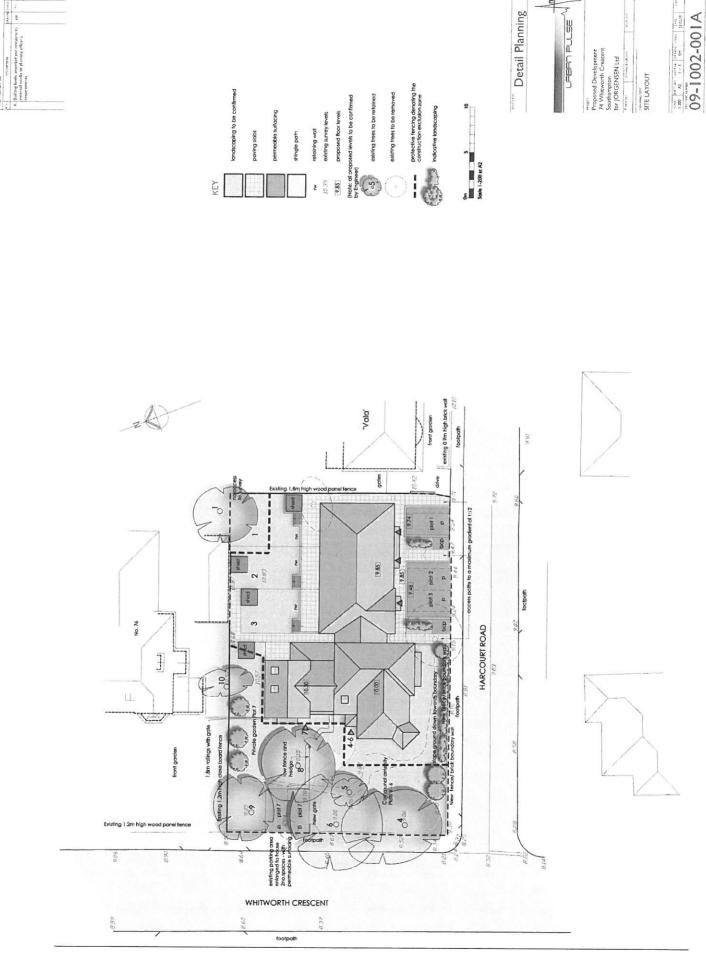
HARCOURT ROAD STREET ELEVATION

POST STATE ELEVATIONS

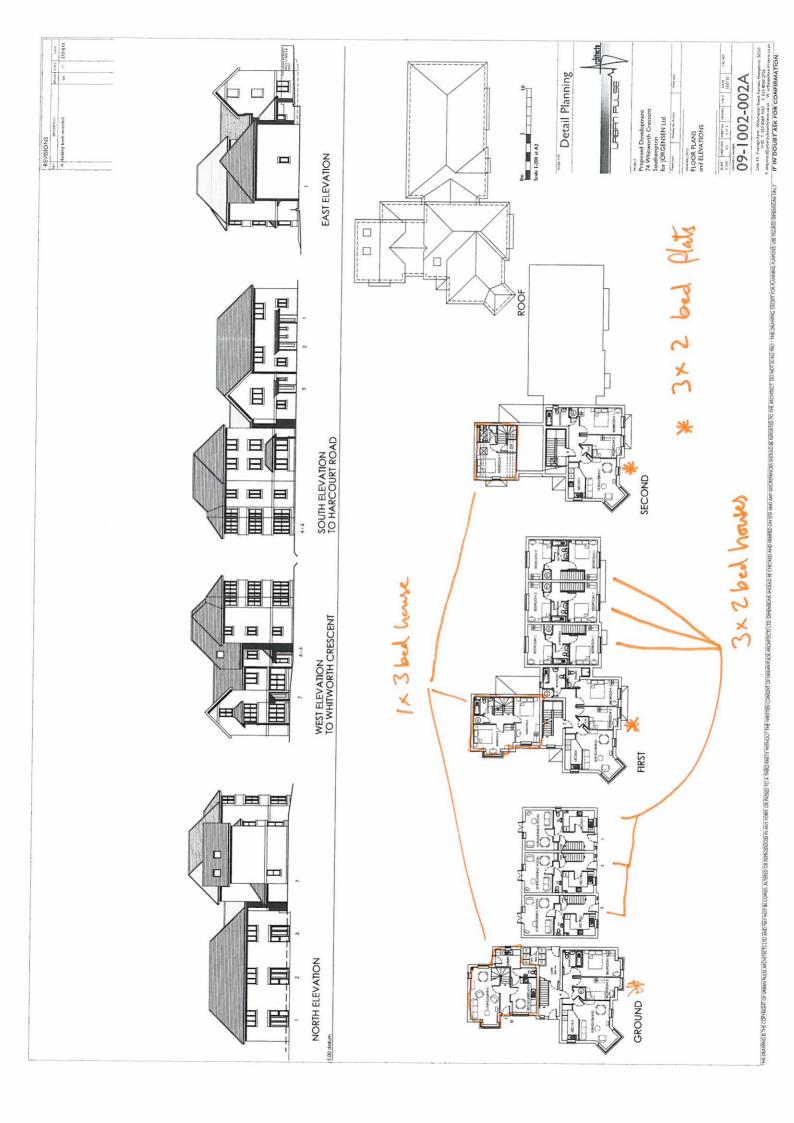
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## Appendix 5 Car Parking Survey

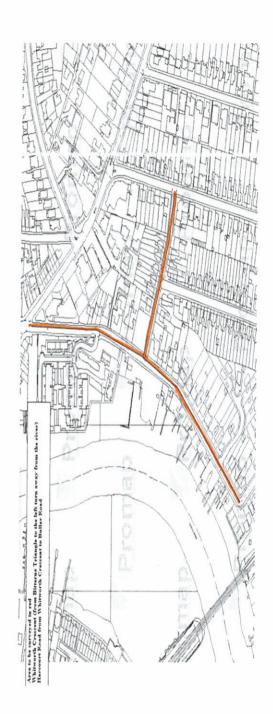


# PARKING BEAT SURVEY

LOCATION: WHITWORTH CRESCENT, SOUTHAMPTON

SURVEY PERIODS: 11 MARCH 2015 - 01:00

12 MARCH 2015 - 04:00



Registered in England No. 07100121.
Registered Office: 7 Bournemouth Rd, Chandlers Ford, Eastleigh, Hants, SO53 3DA

Parking Survey - Whitworth Cres Area, Southampton WEDNESDAY 11/03/2015

DATE		WEDNESDAY 11/03/2015		֝֓֞֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓	a, courilai				
	Road	Location		TIME	Number of Spaces Available exc Disabled	Number of spaces ocupied	Number of spaces empty	No of Disabled	No of Disabled Occupied
		Bitterne Triangle to Riverdean Place	West Side	01:00	16	7	6	0	
		Bitterne Triangle to Riverdean Place	East Side		12	9	9	0	
		Riverdean Place to Harcourt Rd	West Side		6	4	2	0	
	Whitworth Cree	Riverdean Place to Harcourt Rd	East Side		15	8	7	1	-
		Harcourt Rd to Hollingbourne Close	West Side		20	7	13	. 0	-
		Harcourt Rd to Hollingbourne Close	East Side		15	6	2 9		
		Hollingbourne Close to Whitworth Rd	West Side		8	8	0	0 0	
		Hollingbourne Close to Whitworth Rd	East Side		9	4	2		
		Whitworth Cres to Macnaghton Rd	North Side		8	6	1	0 0	
	Harcourt Rd	Whitworth Cres to Macnaghton Rd	South Side		4	-	, w		
		Macnaghton Rd to Bullar Rd	North Side		9	10	4		
		Macnaghton Rd to Bullar Rd	South Side		9	9	. 0	0 0	
	TOTALS			_	120	74	46	- > <del>-</del>	-
	OCCUPANCY LEVEL	EVEL			64 70/	·	2	-	-

Parking Survey - Whitworth Cres Area, Southampton THURSDAY 12/03/2015

DATE	Į.	THURSDAY 12/03/2015	cy will work and a south ampton		a, coulifa	III			
	Road	Location		TIME	Number of Spaces Available exc Disabled	Number of spaces ocupied	Number of spaces empty	No of Disabled	No of Disabled Occupied
		Bitterne Triangle to Riverdean Place	West Side	04:00	16	9	10	0	
		Bitterne Triangle to Riverdean Place	East Side		12	5	7	0	
		Riverdean Place to Harcourt Rd	West Side		6	4	5	0	
	Whitworth Gres		East Side		15	7	80	1	1
		Harcourt Rd to Hollingbourne Close	West Side		20	4	16	0	
		Harcourt Rd to Hollingbourne Close	East Side		15	7	8	0	
		Hollingbourne Close to Whitworth Rd	West Side		e	3	0	0	
		Hollingbourne Close to Whitworth Rd	East Side		9	4	2	0	
		Whitworth Cres to Macnaghton Rd	North Side		8	6	-1	0	
	Harcourt Rd	Whitworth Cres to Macnaghton Rd	South Side		4	0	4	0	
		Macnaghton Rd to Bullar Rd	North Side		9	11	-2-	0	
		Macnaghton Rd to Bullar Rd	South Side		9	7		c	
	TOTALS				120	29	53	· -	-
	OCCUPANCY LEVEL	EVEL		Bessele	55.8%		}	<b>-</b> 3	-