

**Southampton City Planning & Sustainability**  
**Planning and Rights of Way Panel meeting 13 March 2012**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 39 Archers Road			
<b>Proposed development:</b> Redevelopment of the site. Demolition of the existing building and erection of a part 3-storey, part 4-storey and part 5-storey building to provide 20 flats (7 x 1-bedroom, 7 x 2-bedroom and 6 x 3-bedroom) with associated storage and parking.			
<b>Application number</b>	11/01336/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	13.12.11	<b>Ward</b>	Freemantle
<b>Reason for Panel Referral:</b>	Referred by the Planning & Development Manager to agree reasons for refusal.	<b>Ward Councillors</b>	Councillor Parnell Councillor Moulton Councillor Ball

<b>Applicant:</b> Oakdene Construction Ltd	<b>Agent:</b> Tony Oldfield Architects
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**Recommendation in Full**

That the draft reasons for refusal listed in this report would have been the Council's decisions had the applicant's not appealed non-determination.

<b>Appendix attached</b>			
1	Previous report to panel		

**1.0 Background**

1.1 This planning application was taken to the Planning and Rights of Way Panel on the 14<sup>th</sup> February 2012 with a recommendation to delegate for approval. The officer report to panel is included as **Appendix 1**. The decision was taken at the meeting to refuse the application and the draft reasons for doing so are listed as follows:

**1. Refusal reason – Inadequate level of car parking**

Notwithstanding the council's adopted Supplementary Planning Document (SPD) on Parking Standards, which are expressed as maximum quantum of parking that can be proposed to serve new development, the council considers that the provision of 10 parking spaces would be inadequate to help meet the travel demands of occupiers of the new flats. In particular, it is considered that this would provide a poor level of amenity for occupiers of the new flats with poor surveillance of any vehicles that would need to be parked off-site. And it is considered that it would harm the amenity of adjoining residents by exacerbating on-street parking difficulties, owing to overspill parking being generated by the new flats, which cannot be accommodated on site. As such, the proposed development is considered to be contrary to the following Policies from the Development Plan for Southampton:- City of Southampton Local Plan Review (March 2006) 'saved' policies SDP1 (i – particularly the guidance set out in paragraphs 5.2.12-5.2.13 of the Residential Design Guide SPD [September

2006]) and SDP10 (ii); City of Southampton Local Development Framework Core Strategy Document (January 2010) policies CS13 (4)/(10)/(11).

## **2. Refusal reason - Poor quality of design**

The proposed development is considered to exhibit the following aspects of poor quality design, which are considered harmful to the character and appearance of the surrounding area and amenities of adjoining residential occupiers:-

(i) The elevational treatment of the building appears to have been drawn from surrounding modern built form that is considered to be unattractive – particularly Over Dell Court, opposite the site. The Residential Design Guide SPD, at paragraph 3.10.2, calls for new high quality 21<sup>st</sup> Century contemporary architecture for the city that makes appropriate reference to the local vernacular architecture.

(ii) Notwithstanding the closer proximity of the existing building on the site to No. 37 Archers Road, the council considers that the new building would produce harmful shading to existing habitable room windows in the side elevation of 37 Archers Road, as it faces the application site. This would be particularly so at ground floor level in the mid to late afternoon.

The proposals are therefore considered to be contrary to the following Policies from the Development Plan for Southampton:- City of Southampton Local Plan Review (March 2006) 'saved' policies SDP1 (i – particularly the guidance set out in paragraphs 2.2.1, 2.2.12 and 3.10.2 of the Residential Design Guide SPD [September 2006]) and SDP7 (v), SDP9 (i)/(v) and H2 (iii); City of Southampton Local Development Framework Core Strategy Document (January 2010) policies CS13 (1)/(2)/(11).

- 1.2 Since the previous panel meeting, and before the Council's Decision Notice could be issued, the applicant lodged an appeal with the Planning Inspectorate on the grounds of Non-Determination of the application within the statutory 13 week timeframe. As the officer recommendation was overturned, confirmation is needed that, had the appeal not been lodged, the detail in the reasons for refusal stated above reflected the concerns of the Planning and Rights of Way Panel.
- 1.3 In addition to the 2 reasons for refusal listed above, were the application approved, it would have triggered the need for a Section 106 agreement to mitigate the direct impacts on the development on local infrastructure as well as to secure affordable housing. As such, confirmation is also sought that the following deemed reason for refusal should be added:

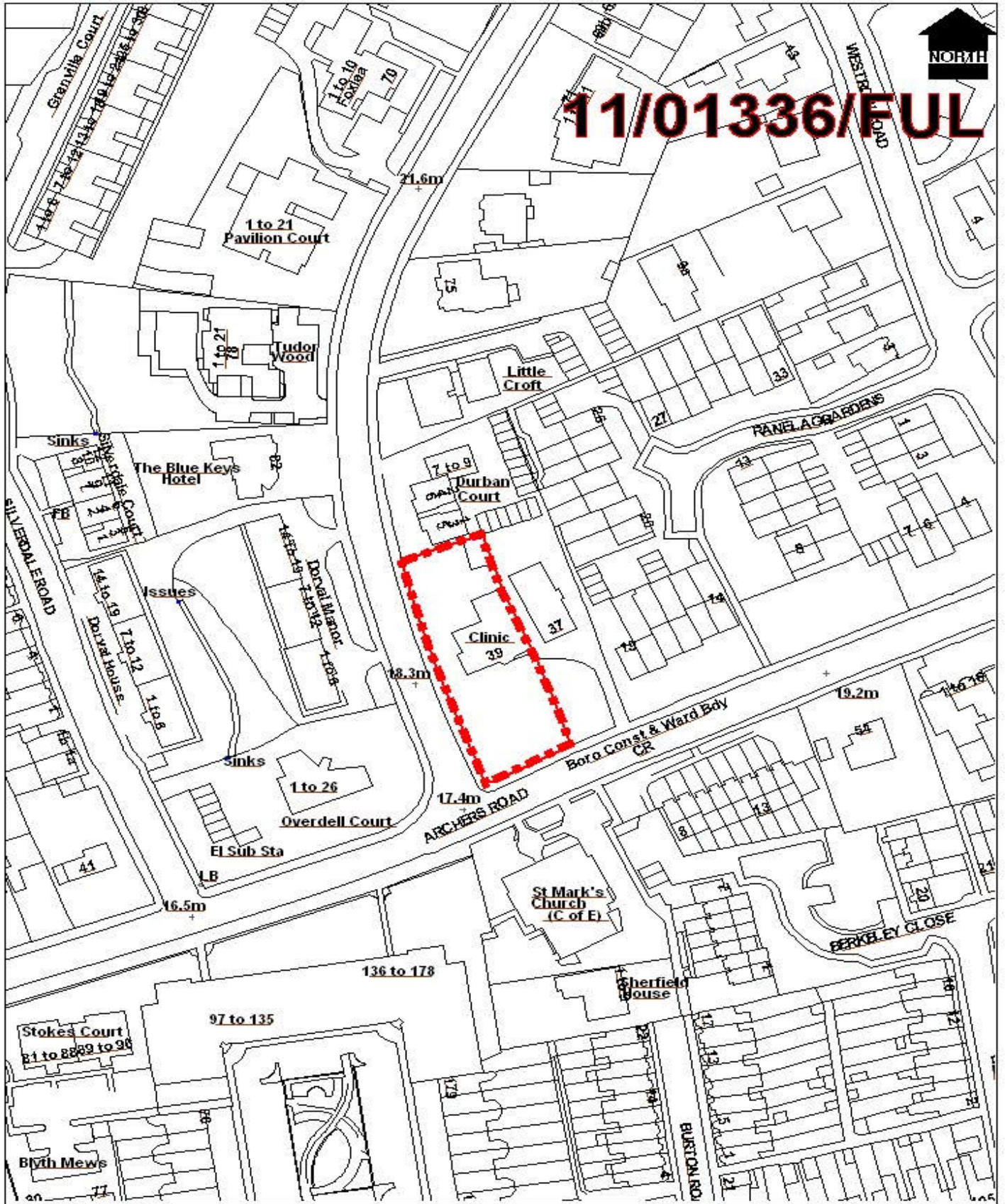
### **Refusal reason - Failure to enter into a Section 106 Agreement**

In the absence of a completed S.106 Legal Agreement the proposals fail to mitigate against their direct impact and do not, therefore, satisfy the provisions of policy CS25 of the adopted Local Development Framework Core Strategy (January 2010) as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005, as amended) in the following ways:-

a) As the scheme triggers the threshold for the provision of affordable housing it is expected to provide a contribution to affordable housing to assist the City in meeting its current identified housing needs as required by Policy CS15 from the adopted Local Development Framework Core Strategy Development Plan

Document (January 2010)

- b) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms - in accordance with policies CS18, CS19 & CS25 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) - have not been secured.
- c) Measures to support strategic transport improvements in the wider area in accordance with policies CS18 & CS25 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) have not been secured.
- d) A financial contribution towards the provision and maintenance of open space in accordance with 'saved' policy CLT5 of the adopted City of Southampton Local Plan Review (March 2006), policies CS21 and CS25 from the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and applicable SPG is required to support the scheme and has not been secured;
- e) A financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 of the adopted City of Southampton Local Plan Review (March 2006), policies CS21 and CS25 from the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) and applicable SPG is required to support the scheme and has not been secured;
- f) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway - caused during the construction phase - to the detriment of the visual appearance and usability of the local highway network.



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Scale : 1:1250

Date 28 February 2012

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