

Relevant Planning History

1365/P4 (REF - 28.01.1969) – Outline application for erection of bungalow on the rear garden of 13 Grosvenor Road refused for the following reason:-

“The proposals constitute a form of backland development without proper road frontage and would be detrimental to the privacy and amenities of the surrounding properties”.

1368/6 (CAP – 25.3.1969) – Extension to existing house at 13 Grosvenor Road. Condition 1 stated:-

“The proposed extension being used solely in connection with the use of the property as a dwelling house and not for any business or guest house use”.

1512/M2 – (CAP – 9.9.1976) – Rooms in roof and dormer windows at 13 Grosvenor Road.
Condition 2 stated:-

“The three additional bedrooms provided as a result of the loft conversion, the subject of this application, shall only be used by members of the resident family only and not as part of or ancillary to the use of the property as a guest house”.

N.B. under a similar but previously refused application in 1973, the applicant had stated that in **Appendix 3** and then in the subsequent application form dated 7.1.1975 stated that the property had been then used as a guest house for 9 years.

1601/M19 – (CAP – 16.6.1981) – Use of premises as a rest home at No. 13 Grosvenor Road.

M27/1639 - (CAP – 20.12.83) – Use of 11 Grosvenor Road as rest home and erection of a single storey link between 11 and 13 Grosvenor Road.
(Implemented).

M03/1661 – (CAP - 14.05.1985) – Erection of a single storey rear extension to provide 1 x 1 bed self-contained flat at 13 Grosvenor Road. The application form clearly stated that it related to Grosvenor Rest Home 11-13 Grosvenor Road and following conditions of interest were imposed:-

“(3) The premises shall be used as a rest home for the elderly only and for no other purpose including a nursing home or any other purpose within class XIV of the Schedule to the Town and Country Planning (Use Classes) Order 1972.

Reason: To prevent overintensive use of the premises in the interests of road safety and in order to safeguard the amenities of nearby residential properties”.

“(4) No more than 16 elderly persons shall be accommodated on the premises at any one time.

Reason: To prevent overintensive use of the premises”.

“(5) The extension hereby approved shall only be used as the owners accommodation and not for the accommodation of elderly persons.

Reason: To prevent overintensive use of the premises in the interests of road safety and in order to safeguard the amenities of nearby residential properties”.

02/00482/FUL (CAP - 17.05.2002) - 11-13 Grosvenor Road - Change of use to form two dwellings (Implemented – see **Appendix 4**).

11/01025/FUL (REF - ***) - Change of use from Class C3 to a Sui Generis 15 bedroom student house (alternative proposal to planning application reference 11/01026/FUL).

Reason for refusal:-

Reason for Refusal - Harm to the character of the area

The local planning authority considers that the intensification of residential occupation of the property from either family occupation within class C3, or from a C4 occupation by up to 6 unrelated persons, to occupation as Sui Generis House in Multiple Occupation by 15 persons would cause serious harm, contrary to policies of the Development Plan for Southampton (SDP7 (v), H4 and SDP16) Local Plan Review (March 2006) and CS16 (3) Core Strategy (January 2010). The proposed use is also considered contrary to relevant advice set out in Planning Policy Statement 3 (Housing) and the consultation draft of the Draft National Planning Policy Framework. The harm from this over intensive use of the property would manifest itself in the following ways:-

- (i) Disturbance to neighbouring occupiers from comings and goings to and from the site by 15 separate students at various times of the day and night and their use of the garden at the property, potentially more likely to be at unsocial hours (being that the tenants are to be students with more active lifestyles), which would not be compatible with the surrounding family housing;*
- (ii) Adversely affect the character and nature of occupation of this immediate part of the street, by causing the loss of a single family house, in a street predominantly comprised of family houses and making it more difficult for the local planning authority to resist similar proposals in this street in the future;*

- (iii) *Be likely to cause overspill parking difficulties in the street, prejudicial to highway safety with people having to park tight to others' driveways and access points, detrimentally interfering with driver visibility when emerging into the street, whilst also not demonstrating adequate secure cycle storage as an alternative to the private car;*
- (iv) *Not demonstrating adequate refuse storage facilities, where the visual impact of the quantum of such storage would be likely to be visually intrusive in the street scene, given that the open forecourt of the property is the only realistic place to store refuse; and,*
- (v) *Not demonstrating convenient access through the building by occupiers of the separate tenancy agreement for 8 persons in the front of the property, sought through 'saved' Policy H4 of the City of Southampton Local Plan Review (March 2006) as supported by Section 4.4 of the Residential Design Guide (September 2006).*

11/01026/FUL (REF – 13.9.2011) - Conversion of existing dwelling to 2 sui generis houses in multiple occupation (1 x 7 bedroom dwelling and 1 x 8 bedroom dwelling) with associated bin and cycle storage (alternative proposal to application 11/01025/FUL)

Reason for refusal:-

Reason for Refusal - Harm to the character of the area

The local planning authority considers that the intensification of residential occupation of the property from either family occupation within class C3, or from a C4 occupation by up to 6 unrelated persons, to occupation as Sui Generis House in Multiple Occupation by 15 persons would cause serious harm, contrary to policies of the Development Plan for Southampton (SDP7 (v), H4 and SDP16) Local Plan Review (March 2006) and CS16 (3) Core Strategy (January 2010). The proposed use is also considered contrary to relevant advice set out in Planning Policy Statement 3 (Housing) and the consultation draft of the Draft National Planning Policy Framework. The harm from this over intensive use of the property would manifest itself in the following ways:-

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- emerging into the street, whilst also not demonstrating adequate secure cycle storage as an alternative to the private car;*
- (iv) Not demonstrating adequate refuse storage facilities, where the visual impact of the quantum of such storage would be likely to be visually intrusive in the street scene, given that the open forecourt of the property is the only realistic place to store refuse; and,*
 - (v) Not demonstrating convenient access through the building by occupiers of the separate tenancy agreement for 8 persons in the front of the property, sought through 'saved' Policy H4 of the City of Southampton Local Plan Review (March 2006) as supported by Section 4.4 of the Residential Design Guide (September 2006).*

11/00196/ENCOU - Enforcement case reference. Resultant Enforcement Notice reproduced as **Appendix 5**.