

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 20th August 2013
 Planning Application Report of the Planning and Development Manager**

Application address: Site of former 118 Waterloo Road			
Proposed development: Erection of a three-storey building to provide 12 flats (4 x 1 bedroom, 8 x 2 bedroom) with associated parking and vehicle access from Almond Road.			
Application number	13/00418/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	04.09.13	Ward	Freemantle
Reason for Panel Referral:	Referred by the Planning & Development Manager	Ward Councillors	Cllr Parnell Cllr Shields Cllr Moulton

Applicant: SSL (Fund) General Partner Ltd - Mr James Turner	Agent: Clancy Design Services Ltd
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Recommendation Summary	Refuse
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01. Reason for Refusal - Family Housing

In the absence of either a development that includes any family housing (with 3 bedrooms and access to private amenity space) or further justification for a lack of such provision the scheme fails to assist the Council in maintaining a mixed and balanced community and meeting its current housing needs, particularly for families and, notwithstanding the permission for a mix of 1 and 2 bed flats, the current scheme has now been assessed as contrary to Policy CS16 of the Council's adopted Local Development Framework Core Strategy (January 2010).

02. Reason for Refusal - Poor Design

The proposed design approach would not create a high-quality, context sensitive development by reason of the following:

- (i) The introduction of habitable room windows which would directly look onto the neighbouring property at 106 Paynes Road leading to a loss of privacy for occupiers of the neighbouring property whilst prejudicing this site's future redevelopment potential;
- (ii) The development would not provide sufficient private, useable and fit for purpose amenity space to serve the development by reason of its positioning adjacent to the public highway and its constrained nature adjacent to parking and circulation routes within the development;
- (iii) The bland, prominent design appearance of the building would not address the corner. Furthermore, by reason of the roof design, the proportioning and appearance of the fenestration and the lack of meaningful articulation to the elevations, the massing of the building would appear excessive in the street scene when viewed in relation to the more domestic scale properties that are adjacent to the site.

The proposal would therefore have a harmful impact on the character and appearance of the area, the amenities of neighbouring occupiers, create a poor residential environment for future occupants of the development and therefore prove contrary to the provisions of Policy CS13 (1, 2, 11) of the Local Development Framework Core Strategy Development Document (January 2010), Policies SDP7 (ii) (iii) (iv) (v), SDP1 (i), SDP7 (iv) (v) SDP9 (i) (iii) (iv) (v) of the City of Southampton Local Plan Review 2006 as supported by The Residential Design Guide Supplementary Planning Document 2006 specifically reference to sections 2.2, 4.4 (inc reference to 2.3.12-2.3.14) and part 4.

03. Reason for Refusal - 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.
- g) In the absence of a mechanism for preventing future residents of the development from receiving car parking permits for adjoining Controlled Parking Zones, the proposal is likely to result in overspill car parking which would represent harm to the amenities of neighbouring residents, contrary to saved policy SDP1 of the Local Plan Review 2006.

Appendix attached			
1	Development Plan Policies	2	Planning History

1. Background

- 1.1 This application would normally be refused under delegated powers however, Ward Councillors have requested that a further reason for refusal relating to insufficient car parking be added to the decision. For the reasons given in this report, this additional reason for refusal is not justified but the Panel should now decide whether or not to add an additional refusal reason.

2. The site and its context

- 2.1 The application site is currently vacant and hoarded but previously contained a two-storey residential building which was demolished approximately 5 years ago. The site is located on the corner of Waterloo Road and Almond Road and is close to the junction with Paynes Road.
- 2.2 Opposite the application site is the Grade II Listed Christ Church. The surrounding area has a varied character containing a mixture of flatted developments and dwelling houses of differing periods and architectural styles.

3. Proposal

- 3.1 The application seeks full planning permission for the construction of a three-storey block of 12 flats which would provide a mixture of 1 and 2 bedroom accommodation. Six car parking spaces would be provided to the rear of the site which would be accessed from Almond Road. Stand alone structures for cycle and refuse storage would be provided to the rear of the site. At ground floor level approximately 105sq.m of amenity space would be provided, although, not all of this would be fit for purpose. This is discussed in more detail below.

4. Relevant Planning Policy

- 4.1 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**.
- 4.2 Major developments are expected to meet high sustainable construction standards in accordance with the adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

- 4.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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.

5. Relevant Planning History

- 5.1 The planning history of the site is set out in **Appendix 2**. Planning permission was granted in 2007 for the redevelopment of the site to provide 12 flats. This planning permission has now lapsed.

6. Consultation Responses and Notification Representations

6.1 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 and erecting a site notice (expired 26.07.13). At the time of writing the report 7 representations have been received from surrounding residents and objections have also been received from Ward Councillor Shields and Moulton. The following is a summary of the points raised:

6.2 ***There is insufficient car parking proposed and there would be an issue with overspill car parking on the surrounding streets which would exacerbate existing on-street car parking pressures.***

6.3 Response

Please refer to the comments from the Highways Officer below.

6.4 ***Three storeys of accommodation would be out of keeping with the surrounding area.***

6.5 Response

Whilst the properties that immediately neighbour the site are two storeys in scale, there are numerous examples within the area of two and three storey developments within streets. Furthermore, the overall height of the building is the same as the building which previously existed on the site and as the scheme which was previously approved. As such, the scale of the building is not necessarily considered to be harmful.

6.6 ***The proposed design is poor and does not reflect the character of the area, particularly with regards to the roof design and use of materials.***

6.7 Response

Agree. This is discussed in more detail in the Planning Considerations below.

6.8 ***The development would result in overlooking of the neighbouring properties.***

6.9 Response

Agree. First floor habitable room windows in the west-side elevation of the building would take outlook from neighbouring sites. Whilst it could be required to obscurely glaze these side-facing windows, this would not create an acceptable residential environment.

Consultation Responses

6.10 **SCC Highways** - This site is located on the western end of Waterloo Road, a bus route and principle link into the city centre. Almond Road runs to the eastern boundary of the site, and a spur runs to the rear of the site which is where it is proposed that vehicles will park associated with this site.

6.11 The site benefits from 6 parking spaces, which equates to one space per 2 flats basis. The site is located just outside the city centre, and again, is just outside of the high accessibility corridor for buses which run along Shirley Road. However, the site is located adjacent to convenient bus stops which provide regular links into the city centre, and to the west in the other direction. Millbrook Road East, which is just south of the site, is a recognised cycle route and offers good cycle connection to the city centre, and some off road cycle connection to Millbrook and

beyond. It is therefore considered that the alternative transport options are adequate to allow for the level of parking shown. The adopted parking standards would allow a maximum of 20 spaces to be provided in this location, the provision of 6 spaces therefore fits within this policy.

- 6.12 There is on street parking in the near vicinity, although most of this is for residents only, via the Section 106 agreement new residents would be precluded from being able to apply for on street permits. These restrictions would apply from 8am until 6pm, Monday to Saturday.
- 6.13 **SCC Housing** – There is a requirement to provide 2 affordable housing units and the preference for this is on site.
- 6.14 **SCC Sustainability Team** – Suggest conditions to ensure that the development meets Code for Sustainable Homes Level 4
- 6.15 **SCC Architect's Panel** – The proposal has poor design detailing and doesn't respond to site constraints. The amenity space offer is poor.
- 6.16 **SCC Environmental Health** – No objection subject to conditions to minimise disturbance to neighbours during the construction process.
- 6.17 **SCC Environmental Health (Contaminated Land)** - No objection subject to conditions to secure a contaminated land investigation and any necessary land remediation works.
- 6.18 **SCC Ecology** – No objection subject to a condition to protect any nesting birds during the clearance of the site.
- 6.19 **Southern Water** – No objection subject to a condition to secure details of foul and surface water disposal.

7. Planning Consideration Key Issues

- 7.1 The key issues for consideration in the determination of this planning application are:
 - i. The principle of development;
 - ii. The design of the proposal together with the impact on the character of the area;
 - iii. The impact on residential amenity;
 - iv. The quality of the residential environment proposed;
 - v. Parking and highways and;
 - vi. Mitigation of direct local impacts and Affordable Housing.

7.2 Principle of Development

- 7.2.1 The application would make efficient use of previously developed land to provide housing. The site lies within an area of Medium Accessibility for public transport and policy CS5 of the Core Strategy supports densities of between 50 and 100 dwellings per hectare in such locations. The application would achieve a residential density of 118 d.p.h and this needs to be assessed in terms of character, open space and the need to make good use of previously developed sites. This is discussed in more detail below.

- 7.2.2 Policy CS16 of the Core Strategy (approved since the previous planning permission) seeks the provision of 3 family homes (units with 3 or more bedrooms

with direct access to private gardens) within the development site. Whilst the development provides a mix of one and two bedroom accommodation, no family-size units are provided and the proposal is not, therefore, considered to be acceptable in this respect.

7.3 Design and impact on the character of the area

7.3.1 Whilst the earlier scheme approved on this site had a similar scale and footprint to the current proposal, it proposed a better design solution which enabled the level of development to better integrate into its context. Whilst the surrounding area is varied in character, the proposed design approach would not result in a high-quality, context sensitive building within the street. In particular, whilst the previous scheme included a set back top floor, the current application proposes three floors of accommodation which would be in one plane and so accentuate the massing of the building. The roof design of the building would emphasise the horizontality of the building, making it appear excessively wide within the street scene and giving the building a more commercial appearance. The design of the fenestration would also emphasise the width of the building and does not relate to the proportions of buildings within the area. In addition to this, the two-storey height mono-pitched roofs would result in a contrived design appearance.

7.3.2 Overall, it is considered that the building would have a bland appearance, which fails to adequately address the corner and given the prominent corner location of the site, which is readily visible from the junction with Paynes Road, would result in significant harm to the character of the area.

7.4 Impact on residential amenity

7.4.1 The proposed building would have a similar height and footprint to the previous building which existed on the site and to the previously approved scheme and as such, is considered acceptable in amenity terms in this respect. However, the current proposal introduces bedroom windows which would take direct outlook from the adjoining site at 106 Paynes Road. This would result in overlooking of the neighbouring property and erode the privacy currently enjoyed by the occupants and, in addition, could prejudice the neighbouring site from being developed in the future.

7.5 Quality of the residential environment

7.5.1 The communal amenity space proposed is not private and would be subject to disturbance from communal walkways, parking and the public highway and so would not provide good quality recreational space for future residents. Whilst the earlier scheme also incorporated roof terraces and private balconies, there is no such provision with the current proposal. As such, it is considered that an acceptable residential environment would not be achieved.

7.6 Parking and Highways

7.6.1 The maximum number of parking spaces that would be permitted to serve the development would be 20. The application proposes 6 spaces which is well less than the maximum standard however, the site adjoins the boundary with the high public transport accessibility zone and is accessible to the city centre, central station (1 km) and Shirley town centre (1/2 km). As such, the level of parking proposed is considered to be acceptable. The position of the access and parking is in a similar position to that which previously existed on the site and that was previously approved and is, therefore, considered to be acceptable.

7.7 Mitigation of direct local impacts and Affordable Housing

- 7.7.1 The level of development proposed would trigger the need for a section 106 agreement to secure affordable housing, to mitigate site specific transport impacts and also contribute towards strategic infrastructure. A viability appraisal of the proposal has been submitted and were the application to be approved, would need to be independently tested before the affordable housing obligation could be reduced or waived.

8. Summary

- 8.1 Whilst the proposal would make good use of a previously developed site to provide residential use, it would not provide an acceptable mix of accommodation types and would result in harm to the character and residential amenity.

9. Conclusion

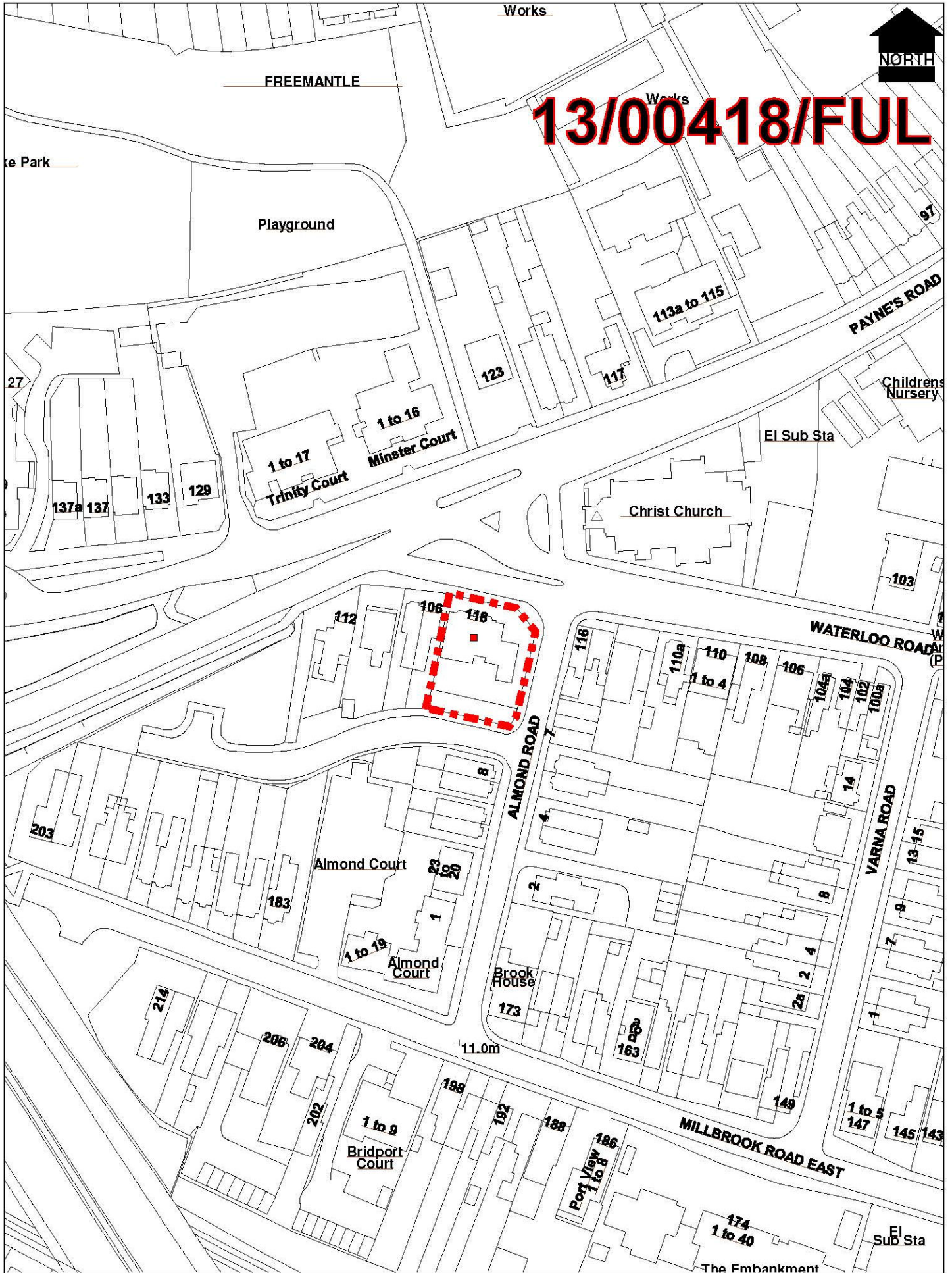
- 9.1 The proposal is not considered to be acceptable in planning terms and is therefore recommended for refusal for the reasons listed above.

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), 6 (a) (c) (f) (i), 7 (a)]

JT for 20/08/13 PROW Panel



13/00418/FUL

Scale : 1:1250

Date : 06 August 2013

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POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP22	Contaminated Land
HE3	Listed Buildings
CLT6	Provision of Children's Play Areas
CLT7	Provision of New Public Open Space
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012

Relevant Planning History

07/01308/FUL Redevelopment of the site. Demolition of the existing building and erection of a three-storey block of 8 x two-bed flats & 4 x one-bed flats with associated car parking (resubmission)	Conditionally Approved 12.11.07
07/00759/FUL Redevelopment of the site. Demolition of the existing building and the erection of a part 3 and part 4 storey block of 14 x 2 bedroom flats with associated car parking.	Withdrawn 14.08.07
882497/11355/W Change of use from guest house and flat to 3 no. self-contained flats	Conditionally Approved 15.02.89
11355/1533/W5 Change of use of property to guest house	Conditionally Approved 20.12.77
11355/1462/84 Conversion of the property into ground floor and first floor flats and maisonette	Conditionally Approved 16.10.73
11355/1443/P.5 The erection of 3 town houses and 1 detached house	Conditionally Approved 05.09.72
1437/P1 Redevelop for residential	Refused 13.06.72
11355/1431/P26 Demolition of existing building and erection of six terraced houses	Refused 08.02.72