



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Development Procedure) Order 1995

Concept Design & Planning
Office 21/22
Roxan Business Centre
142 Lodge Road
Southampton
SO14 6QR

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

FULL APPLICATION - REFUSAL

Proposal: Alterations and conversion to provide 18 flats for student accommodation with a part two-storey and part single-storey rear extension and associated parking

Site Address: The Talking Heads Public House 320 Portswood Road Southampton SO17 2TD

Application No: 12/01764/FUL

For the following reasons:

01. REFUSAL REASON - Loss of community facility

Whilst the application has been submitted as a fallback position in the event the pub / music venue fails, granting consent would effectively allow for the loss of this community facility. The application has been supported by representations to indicate the venue represents a community asset and the National Planning Policy Framework advises the planning system to guard against the unnecessary loss of valued community facilities (which includes public houses). Furthermore no evidence has been submitted to demonstrate that the pub/music venue is not viable and that it would not be viable as a community building for alternative community use. Therefore the proposal is contrary to paragraph 70 of the National Planning Policy Framework (March 2012).

02. REASON FOR REFUSAL - Failure to secure planning obligations

The proposal fails to satisfy the provisions of Policy CS25 of the City of Southampton Local Plan Review (March 2006) and the Council's Supplementary Planning Guidance on planning obligations by not securing the following:

- a) Site Specific Transport measures to support sustainable modes of transport and

highway safety

OR

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);

b) Measures to support Strategic Transport initiatives, where it is demonstrated that the development creates a net increase in multi-modal trips

OR

A financial contribution towards strategic transport projects for highway network improvements in the wider area, where it is demonstrated that the development creates a net increase in multi-modal trips, as set out in the Local Transport Plan and appropriate SPG/D;

c) The provision of public open space to serve the needs of the development as required by policies CLT5 of the City of Southampton Local Plan Review (March 2006)

OR

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;

d) In lieu of making an Affordable Housing provision, the restriction of the occupation of the buildings to full-time students only.

e) The provision of a Student Intake Management Plan, detailing the measures whereby the impact of students' arrival and departure at the start and end of each term is mitigated to reduce the impact on the residents in the immediate vicinity of the development site.

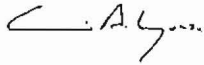
f) The submission of Highway Condition Surveys to ensure that damage attributable to the construction process is repaired and the public highway is reinstated to the original condition before development commenced

g) Car parking permit restrictions

Notes to Applicant

1. It is noted that the applicants have agreed to amend the front elevation to retain the existing fenestration and fascia detailing. At the time of writing this decision no amendments had been received.

2. Issues relating to transportation matters in the second reason for refusal might be clarified by the submission of a transport statement detailing existing and proposed trips rates to and from the site and a commitment/detail of how the moving in and out of students is to be managed.




Chris Lyons
Planning & Development Manager

21 March 2013

For any further enquiries please contact:
Andrew Gregory

IMPORTANT NOTE TO APPLICANT

This decision has been made in accordance with the submitted application details and supporting documents and in respect of the following plans and drawings.

Drawing No:	Version:	Description:	Date Received:	Status:
C12/013.08		Site Plan	14.01.2013	Refused
C12/013.01		Location Plan	14.01.2013	Refused
C12/013.09		Floor Plan	14.01.2013	Refused
C12/013.10		Floor Plan	14.01.2013	Refused
C12/013.11		Floor Plan	14.01.2013	Refused
C12/013.12		Roof Plan	14.01.2013	Refused
C12/013.16		Sections	14.01.2013	Refused
C12/013.14		Elevational Plan	14.01.2013	Refused
C12/013.13		Elevational Plan	14.01.2013	Refused

NOTES

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, they may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within the timescales set out below.

1. Appeals can be submitted on line and **must be registered within six months of the date of this notice at www.planning-inspectorate.gov.uk** or by a form available from the Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority.
2. If permission to develop land is refused, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Local Planning Authority a purchase notice requiring that the Authority purchase their interest in the land in accordance with Part IV of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
5. The applicant is recommended to retain this form with the title deeds of the property
6. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012)

Please address any correspondence in connection with this form, quoting the application No to: **Development Control Service, Southampton City Council, Civic Centre, SOUTHAMPTON, SO14 7LS**