

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 22 June 2010  
 Planning Application Report of the Head of Division

Application address: 195 - 207 Coxford Road, Southampton, SO16 5JY			
Proposed development: Redevelopment of the site. Erection of three buildings of 3, 4 and 5-storeys to provide 65 flats (22 x one-bedroom and 43 x two-bedroom) with associated access and parking.			
Application number	10/00471/Ful	Application type	Full
Case officer	Andy Amery	Application category	Q7 – Small Scale Major Residential Development

<b>Recommendation Summary</b>	<b>Refuse for failure to achieve minimum sustainability standards and to enter into a s106 agreement.</b>
-------------------------------	---

Reason for Panel consideration	Major Development and site history.
--------------------------------	-------------------------------------

Applicant: BDW Southampton	Agent: AAP Architecture
----------------------------	-------------------------

Date of receipt	26.04.2010	City Ward	Coxford
Date of registration	27.04.2010		Cllr Walker
Publicity expiry date	03.06.2010		Cllr Thomas
Date to determine by	26.07.2010 <b>IN TIME</b>		Cllr Morrell

Site area	0.35ha		
Site coverage (developed area)			
Density - whole site	<b>186 d.p.h</b>		

Residential mix	numbers	size sqm	Other land uses	class	size sqm
Studio / 1-bedroom	22	Approx 45sq m	Commercial use		
2-bedroom	43	Approx 63 sq m	Retail use		
3-bedroom			Leisure use		
other			other		

accessibility zone	3	medium Band	policy parking max	43 spaces
parking permit zone	yes		existing site parking	n/a
cyclist facilities	yes		car parking provision	35 spaces
motor & bicycles	cycles		disabled parking	4 spaces

Key submitted documents supporting application			
1	Design and Access Statement	2	Transport Assessment
3	Sustainability Report		
Appendix attached			
1	Development Plan Policies	2	Planning History
3	Report for 07/01994/Ful reported to 4 March 2008 Panel		

## **Recommendation in full: Refuse**

### **Background**

The site has the benefit of previous planning permissions for 64 and 65 flats dating back to 2007 and 2008 following an initial refusal of an application for 64 units.

The most recent consent, 07/01994/Ful, was considered and approved by the Planning and Rights of Way Panel on 4 March 2008. A copy of that report is attached as Appendix 3. That consent remains valid until 11 March 2011.

Since the consent was issued the original bungalows on the site have been demolished. However, no physical works of construction have begun and the site is currently vacant and surrounded by security fencing.

The applicant has indicated that amendments are required to be made to the scheme in order to allow development to be undertaken for viability reasons.

The main constraint to the existing consent being able to be built out is the significant level of initial construction costs relating to the provision of the approved underground parking beneath Blocks B and C.

The applicant has therefore submitted a fresh application for consideration.

The main changes to the scheme compared to consent 07/01994/Ful can be summarised as follows:

- i. The parking area to serve the development is relocated from beneath Blocks B and C and moved to the rear of the site which originally formed part of the external amenity space.
- ii. The number of parking spaces within the site has been reduced from 41 to 35. This includes four disabled bays and two visitor bays.
- iii. The amenity space to serve the flats has been relocated to the roof top terraces of Blocks B and C.
- iv. Block C has been returned to a five storey block similar in scale to planning consent 06/01601/Ful

- v. The top 'podium' floor on both blocks B and C have been relocated towards the rear of the building thereby increasing the height and massing of the rear and side elevations on that part of the buildings.
- vi. The internal layout of the upper floor units has been re-organised to avoid conflict with the use of the communal roof-top terraces.
- vii. The external appearance of the upper floors have also been amended to avoid conflict with the use of the communal roof-top terraces.

### **The site and surrounding context**

Other than the demolition of the original bungalows having taken place, there have been no alterations to the context of the site.

The site is located on the western side of the City, 1.5km from the nearest 'district' centre (Shirley Town Centre) and 4km from the City centre. It is opposite the General Hospital site and adjacent to the Princess Anne Maternity Hospital. Based on the methodology set out in the Local Plan the area is located in a 'medium' accessibility area, served by between 10-19 buses per hour.

Coxford Road is a busy route serving both the Southampton General Hospital (immediately opposite) and the Princess Anne Maternity Hospital (immediately adjacent to the site). It is used by buses, ambulances, staff and visitors to the hospitals as well as local residents.

The western side of the City is typically characterised by residential suburbs served by small local centres. The town centre of Shirley is 1.5km away. There is now mix of housing type and layout along Coxford Road and surrounding streets with a large area of former two storey council houses to the west and a wider variety of private housing and some flatted developments to the east.

However, in the immediate vicinity of the site the larger scale buildings of both the adjacent Hospitals should be acknowledged. It is within this context of taller buildings which address this section of the street-frontage that the site has previously been considered to be able to accommodate larger scale, higher density residential re-development.

The site itself (0.35 hectares) originally comprised 6 bungalows and a pair of semi-detached houses on the junction of Coxford Road and Vine Road. The bungalows were demolished at around the time of the most recent planning consent and the site is currently vacant and enclosed by security fencing.

## **Proposed Development**

The principle of redeveloping the site with 65 flats in three blocks of 3, 4 and 5 storeys has been previously agreed by the Panel.

The amended scheme retains **Block A** in an identical form and layout to that approved in 2008 and provides 14 flats across three floors. All flats will again be managed by a Housing Association. Block A maintains a separate pedestrian access at the junction of Coxford Road and Vine Road in addition to its own cycle and refuse stores and approximately 200sq m of external amenity space.

The changes to the scheme therefore relate to the taller blocks B and C.

**Block B** comprises 24 flats over 4 floors. 14 have two bedrooms and 10 have one bedroom.

Approximately 150 sq m of communal roof-top terrace is provided as a result of the need to relocate the originally approved car-parking from below the building to the rear of the site. This area would be restricted to use by the occupiers of Block B.

The top floor has been moved back towards the rear of the building to enable the amenity space to be provided along the building frontage. However, this does result in an increase in the height and massing along the rear elevation in close proximity to the rear of houses in Vine Road.

The overall siting, design and massing however, is very similar that approved previously.

**Block C** comprises 27 flats over 5 floors. 25 have two bedrooms and 2 have one bedroom.

Approximately 190sq m of communal roof-top terrace is provided as a result of the need to relocate the originally approved car-parking from below the building to the rear of the site. This area would be restricted to use by the occupiers of Block C.

Block C has been returned to a five storey building similar to that approved under planning consent 06/01601/Ful. The principle of a five storey building has been agreed in this location and it is viewed against the backdrop of the Princess Ann Hospital.

The main change to the building is again the 'shuffling' back of the top floor to allow the roof-top amenity space to be provided along the front edge of the building. Similarly to Block B, as a result of this amendment, the visual impact and massing/height of this section of the building is increased. The roof-top

terrace is accessible by the occupiers of Block C only and would have door-coded restricted access.

### **Relevant Planning Policy**

The relevant planning policies are identified in **Appendix 1** to this report.

### **Policy Assessment**

Since the original consideration of development on this site the Council has adopted its Core Strategy in January 2010. The Regional Spatial Strategy: South East Plan was also approved in May 2009.

The relevant policies contained within the Core Strategy are now the most material consideration and must be given the appropriate weight when determining the application.

The Core Strategy and South-East Plan introduce additional requirements for sustainable development, affordable housing and family housing than were not in place when determining earlier schemes on the site.

At the same time, the most recent decision to permit development on the site remains a material consideration given that it is an extant consent and the majority of the policies under which that application was considered are 'saved' and therefore remain valid.

Redevelopment for residential development at a higher density than existed previously on the site remains acceptable in principle.

The site is still within a medium accessibility area. The maximum parking provision, given the proposed mix of units is 43 spaces, the provision of 35 spaces is in accordance with the councils adopted policies in what is a permit controlled area.

Some concerns are raised about the lack of unit mix (no larger family type units) and new arrangements for the amenity space. However, most concern is raised to the fact that the scheme falls significantly short of achieving the minimum requirements of Policy CS20 of the Core Strategy – Tackling and adapting to climate change, as supported by relevant Policies of the South East Plan.

### **Relevant Planning History**

The relevant planning history is set out in Appendix 2 to this report.

## **Consultation Responses and Notification Representations**

A publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement as appropriate and erecting a site notice. At the time of writing the report 3 representations had been received from surrounding residents opposing the development.

### Summary of Representations made

Increased traffic generation  
Lack of car parking  
Scale and design of buildings is out of character  
Impact on neighbours including loss of privacy and light.

### Summary of Consultation comments

15 City Council and external consultees were contacted seeking comments on the application.

At the time of writing the report comments had only been received from:

**Sustainability** : Object to the proposals on the grounds that the scheme falls significantly below the minimum requirements for residential development as set out in policy CS20 of the Core Strategy.

**Housing**: Given the changes to the affordable housing requirements it has been agreed to accept a combination of the 14 flats comprising Block A and a further off-site contribution which would equate to the site delivering affordable housing in compliance with Policy CS15 of the Core Strategy.

**BAA**: Request a condition be imposed to secure a bird hazard management plan.

**Environmental Health – Contamination**: Request a condition be imposed to require that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.

**Architects Panel**: No objections to the scale or massing of the buildings given the site's context. Need conditions to control detailing on elevations and restrict use of roof terrace after 10pm. Most concern relates to the visual appearance of the ramped access arrangements leading to Block B.

Comments from Highways, Southern Water, Environment Agency, Landscaping, Planning Policy, the Police and Ecology had not been received at the time of writing the report. Any additional comments received will be the subject of a verbal update at the Panel meeting.

## **Planning Consideration Key Issues**

The key issues for consideration in the determination of this planning application are:

Impact on adjoining occupiers.  
Sustainability  
Car Parking  
Scale, Massing and Context of the Character of the Area.  
Provision of Amenity Space

## **Consideration of Key Issues**

### **Impact on adjacent occupiers.**

The nearest residential properties are to the north-west of the site in Vine Road. Nos 117 & 119 Vine Road back directly onto the site and would be most affected but other properties in Vine Road would also be impacted upon.

As already stated Block A is identical to that previously approved under 07/01994/Ful. The impact this element of the development has on neighbouring amenity has already been judged to be acceptable and there have been no changes to policies or standards to justify a different decision. Effectively Block A is designed to be a part two part three storey building. It remains two storey adjacent to the boundary with houses in Vine Road but rises to 3 storey along the Coxford Road frontage to provide an appropriately scaled building along the Coxford Road frontage viewed alongside Blocks B and C.

As Block A is to the south of these houses and their rear gardens, and due to the change in levels on the road which means the site is at a higher level than the adjacent houses, there will be some overshadowing for part of the morning and early afternoon from Block A. The provision of landscaping along the shared boundary between Block A and 119 Vine Road will reduce this impact. Window positions and lack of balconies on elevations facing houses in Vine Road eliminate issues of harm to privacy and over-looking.

**Block B** is no longer 'set in' at the rear of the building and this does increase the visual impact when seen from the rear gardens and windows of 113 -119 Vine Road. Due to this block being to the east of these houses there will be no overshadowing or loss of light suffered by these properties as a result of Block B from late morning onwards although there will be some impact during the morning period. The position of windows and the layout of external spaces, including terraces and balconies has again been designed to address earlier concerns of over-looking and loss of privacy.

However, the additional height and massing at the rear of the block in such close proximity to the houses in Vine Road does cause concern with regard to the creation of an unduly over-bearing impact and sense of enclosure when viewed from these properties.

The main changes are to **Block C** are the re-introduction of the fourth floor, which gives it a similar massing to that approved under 06/01601/Ful. The rear elevation of Block C has retained its design to avoid overlooking of the adjacent Princess Anne Maternity Hospital.

However, the introduction of the roof terrace has a similar implication to that on Block B in that the rear-most element of the building is increased in height and massing. Whilst further away from the house houses in Vine Road and effectively 'hidden' by Block B from the nearest houses in Vine Road, this element will add to the continuous height and massing along the rear elevation and the sense of enclosure created.

### **Scale, Massing and Context of the Character of the Area**

The design approach has again been supported by the Architects Panel subject to the imposition of conditions requiring certain detailing to be shown and provided at a clearer scale.

The height, scale and massing of Blocks B and C relate to the context established along this section of Coxford Road by the large scale hospital buildings. The contemporary design also responds to recent developments within the General Hospital grounds immediately opposite the site.

However, unlike the earlier schemes, where some of the overall massing had been taken out of the larger blocks by recessing the upper floors, this opportunity at the rear of the building has been lost due to accommodating the roof-top terraces.

The impact in the street scene, is again considered acceptable. However, concerns are raised about the additional impact on the occupiers of Vine Road.

### **Sustainability**

Since the consideration of the earlier proposals the Core Strategy has been adopted, in January 2010.

Policy CS20 states that (from adoption) all residential development achieves at least Code Level 3 of the Code for Sustainable Homes.

Block A, will be managed by a Housing Association and as such has previously been designed to achieve the Code 3 rating required to be achieved by all new schemes managed by them.



However, it is clear from the submitted sustainability statement, that whilst additional measures have been introduced since the earlier schemes were approved, Blocks B and C fall significantly short of the Code 3 rating.

There is therefore an objection to the scheme on sustainability grounds.

A member of the sustainability team will be available to take questions on this issue at the Panel.

### **Layout and parking issues**

The fundamental reason for the new application is due to the accepted constraints of the costs of providing the parking beneath the buildings.

The revised layout therefore proposes a much more limited use of under-croft parking beneath the very rear-most sections of Blocks B and C. This can be achieved by using the natural slope of the site to minimise excavation. 14 spaces, including 4 disabled bays are provided in this area.

A further 19 spaces are now shown to be provided to the rear of the site in what was originally intended to be the communal amenity space to serve the occupiers of Blocks B and C. These spaces are broken up with tree planting which is designed to be viewed from the street between the buildings and would be expected to be a tree of some significance to act as a back-drop to the scheme. The area between the parking spaces and the boundaries of the site are also shown to have strengthened planting to act as a screen to neighbours and a softening to the setting and visual impact of the building.

Two further spaces for visitors will be provided.

The main concern about the re-location of the parking spaces is the additional activity and potential disturbance this would introduce to the rear of houses in Vine Road.

Parking is again provided below the maximum standards (35 spaces proposed compared to a maximum of 43). However, cycle storage is provided to the maximum adopted standards. Therefore notwithstanding that there is less than one parking space per unit and local concerns have been raised as the impact this will have no objection had been raised at the time of writing the report.

Any comments received from the Highways Officers prior to the Panel meeting will be reported verbally to the Panel.

## **Provision of Amenity Space**

The relocation of the amenity space to serve Blocks B and C from the rear of the site to roof top terraces is a significant amendment to the proposals.

The original amenity space was judged to be acceptable notwithstanding the quantum of space was below adopted standards.

In review, that space would also have been in the shadow of both blocks of flats for long periods of the day and would have been somewhat removed from the individual flats themselves.

The roof top terraces have qualitative advantages of gaining sunlight throughout the day and being accessible to occupiers of each block only. The space is therefore considered to be more likely to be utilised than the previously consented schemes.

The layout of the flats on the upper floors have been amended to avoid privacy and disturbance issues and access to the terrace would have to be restricted to daylight hours, albeit a planning condition to that effect would be extremely difficult to enforce and involve an intolerable level of supervision.

However, on balance, notwithstanding the shortfall on quantum of amenity space, the function and quality of the space is considered to be a better arrangement than that originally approved.

## **Summary**

The scheme is largely similar to that previously approved in terms of numbers, scale, massing, height and design.

There has been no objection to the reduction in numbers of parking spaces or the relocation of those spaces to the rear of the buildings.

Amenity space, whilst not conventional, has improved functional and qualitative elements compared to that which has previously been approved.

The additional tree planting to the rear of the site will provide some element of screening and an appropriate long term back drop to the development.

Affordable housing is confirmed to be provided to the standards of the adopted Core Strategy via a s106 agreement.

Whilst the mix fails to provide family housing in accordance with the adopted standards of CS16 and is above the densities recommended by Policy CS4 it is considered that the size and shape of the plot, combined with recently approved

applications on this site under policies which still have significant weight, on those particular matters it would be unreasonable to request a whole-scale re-design of the scheme.

## **Conclusion**

Whilst the amended scheme is considered to accord with the council's adopted policies in most respects, the failure to achieve an acceptably sustainable development is contrary to Policy CS20 of the Core Strategy and should primarily be refused for this reason.

## **RECOMMENDATION – REFUSE**

### **1. Reason for Refusal – Unsustainable Development**

Based upon the information submitted the proposed development, by reason of its carbon dioxide emissions and energy use, would be detrimental to addressing the causes of climate change and its impacts, the affordability of the homes for future occupiers and energy security.

The development would prove contrary to Policies CC1, CC2, CC3, CC4, NRM 11 and SH8 of the South East Plan: Regional Spatial Strategy (May 2009), Policy CS20 of the Core Strategy (January 2010) and Policy SDP13 of the Local Plan (2006).

### **2. Reason for Refusal – Impact on Neighbours due to the additional height and massing of the rear elements of Blocks B and C.**

The revised scheme introduces additional height and massing to the rear-most sections of Blocks B and C which would create an unduly over-bearing impact when viewed from the rear habitable windows of houses in Vine Road and as such would cause harm to the existing level of amenity enjoyed by the occupiers of those houses contrary to Policies SDP1 and SDP 9 of the City of Southampton Local Plan Review 2006 and CS 13 of the Core Strategy 2010.

### **3. Reason for Refusal – S.106**

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 CS 25 of the Local Development Framework Core Strategy Development Plan Document 2010 as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in that the following requirements have not been secured:

- A) Measures to satisfy the public open space requirements of the development.

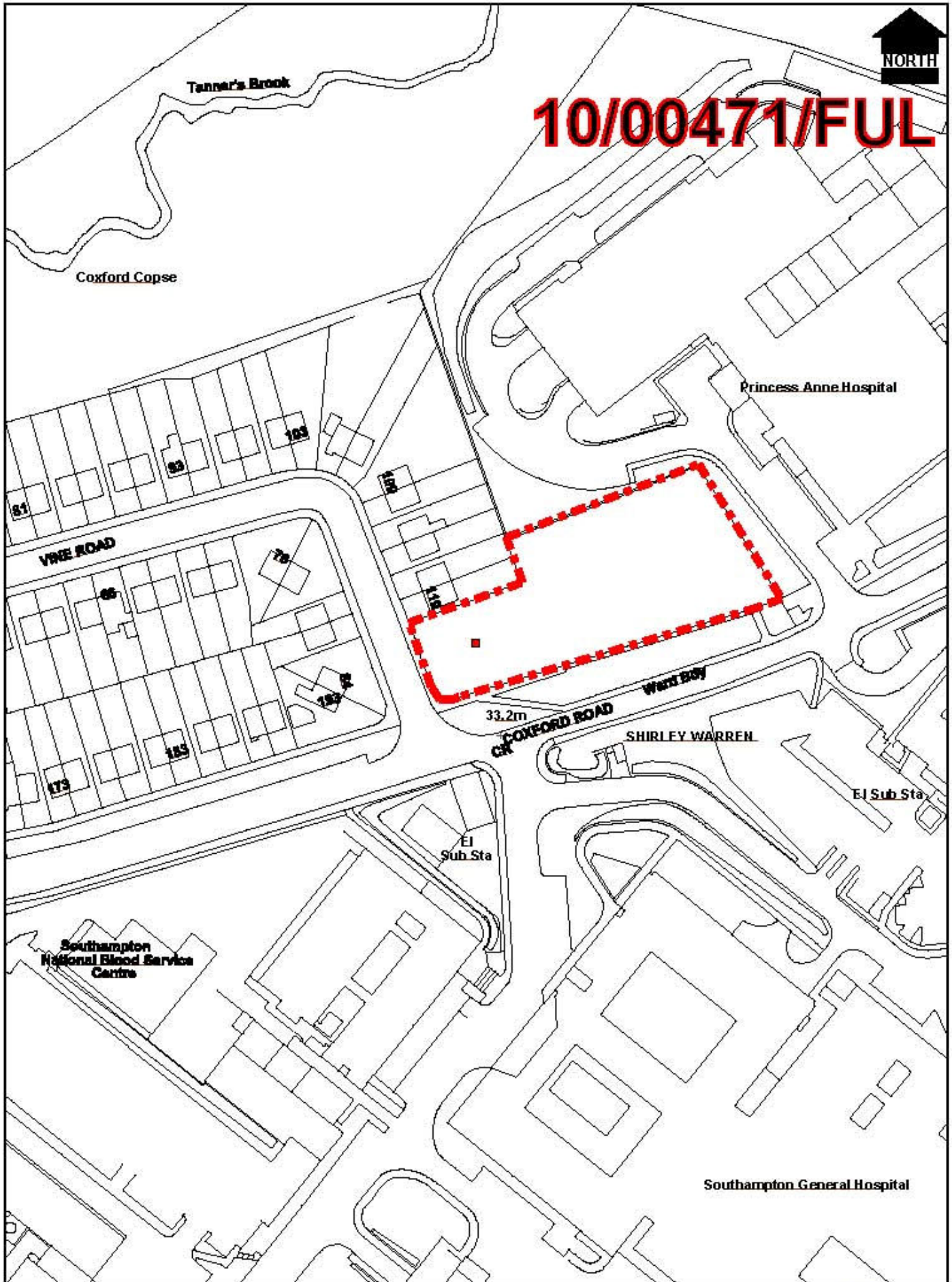
- B) Measures to satisfy the provision and maintenance of play space.
- C) Measures to satisfy the site specific transport of the development such as necessary improvements to public transport facilities and pavements in the vicinity of the site.
- D) Measures to support strategic transportation initiatives.
- E) Measures to satisfy the provision of public art.
- F) Measures to satisfy the provision of affordable housing.
- G) Measures to deliver a Training and Employment Management Plan.
- H) A Highway Condition survey the application fails to demonstrate how the development will mitigate against its impacts during the construction phase

**Local Government (Access to Information) Act 1985**

**Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1 (d), 2 (c), 2 (e), 4(s), 5 (e), 6(a), 6(c), 6(h), 7 (a), 7(c), 7 (m), 7 (q), 7 (w), 7 (x), 7 (z), 8(a), 9(a) and 9(b) PPS5 – Planning and the historic environment

AA 07.06.10 for 22.06.10 PROW Panel



Scale : 1:1250

Date : 09 June 2010

© Crown copyright. All rights reserved. Southampton City Council 100019679 2004.

