



## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

#### Town and Country Planning (General Development Procedure) Order 1995

Drew Smith Ltd  
 Drew Smith House  
 Mill Court  
 The Sawmills  
 Durley  
 Hampshire  
 SO32 2EJ  
 UK

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:** **Redevelopment of the site. Erection of 9 x 4 bed houses (3 x 3 storey terraced houses, 2 x 3 storey semi-detached houses, 2 x 2 storey detached (one with accommodation in roof) and 2 x 2 storey detached houses with a accommodation in roof) following demolition of existing houses with parking and refuse/cycle storage**

**Site Address:** **210 Bassett Green Road Bassett Southampton SO16 3NF**

**Application No:** **09/01236/FUL**

For the following reasons:

#### 01. REFUSAL REASON – Impact on Character

The proposed development would be discordant with the spacious character which prevails in the locality of the site. In particular, two of the proposed dwellings would be designed with insufficient private and useable amenity space in contrast to the surrounding area in which dwellings are served by gardens which are well in excess of the Council's adopted amenity space standards. Furthermore, the reliance on obscure glazing to prevent overlooking of the neighbouring properties also demonstrates that the proposal does not reflect the spacious layout of buildings which is typical of the Bassett character. Finally, the incorporation of three-storey development would be incongruous to the original character of buildings to be found within the vicinity of the site. Taken together, these factors are considered to be symptomatic of an overdevelopment of the site which would harm the character of the area. As such the development would prove contrary to the provisions of policy CS13 (1) (2) of the Local Development Framework Core Strategy 2010, policies SDP1 (ii) particularly the guidance of paragraphs 2.3.17, 3.8.2-3.8.3, 3.9.1 – 3.9.2, 3.9.5 to 3.9.6 and 4.4.1-4.4.4 of the Residential Design Guide [September 2006]), SDP7 (iii)/(iv), SDP9 (i)/(v) and H7 (i)/(iii) of the City of Southampton Local Plan Review (March 2006).

## 02. 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 IMP1 of the City of Southampton Local Plan Review (March 2006) as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005, as amended) in the following ways:-

A) A financial contribution towards the provision and maintenance of open space in accordance with policy CLT5 of the revised deposit of the Local Plan and applicable SPG;

B) A financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 of the revised deposit of the Local Plan and applicable SPG;

C) A financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site in accordance with appropriate SPG to encourage sustainability in travel through the use of alternative modes of transport to the private car;

D) A financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG. As such the development is also contrary to the City of Southampton Local Plan Review (March 2006) policies SDP1, SDP2 and SDP3;

(E) In the absence of a Highway Condition survey the application fails to demonstrate how the development will mitigate against its impacts during the construction phase;

(F) To implement an agreed series of site specific transport works under S.278 of the Highways act, specifically, the introduction of Traffic Regulation Order to introduce parking restrictions on Bassett Green Road, in line with policies SDP3, SDP4, and IMP1 of the City of Southampton Local Plan Review (March 2006) and the adopted SPG relating to Planning Obligations (August 2005 as amended), and,

(G) Affordable housing in accordance with Policy H9 of the Local Plan Review and Policy CS15 from the emerging Local Development Framework Core Strategy 2010.



David Rothery *DR*  
Development Control Manager

19 January 2010

For any further enquiries please contact:  
Jenna Turner

### **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:
060608 P01	A	Block Plan	23.11.2009	Refused
060608 P01		Location Plan	23.11.2009	Refused
2011		General Plan	23.11.2009	Refused
060608 P20		Block Plan	23.11.2009	Refused

060608 P12		Elevational Plan	23.11.2009	Refused
060608 P13		Elevational Plan	23.11.2009	Refused
060608 P11		Floor Plan	23.11.2009	Refused
060608 P10		Elevational Plan	23.11.2009	Refused
060608 P09	A	Elevational Plan	23.11.2009	Refused
060608 P08		Floor Plan	23.11.2009	Refused
060608 P07		Elevational Plan	23.11.2009	Refused
060608 P06		Floor Plan	23.11.2009	Refused
060608 P05		Elevational Plan	23.11.2009	Refused
060608 P04		Elevational Plan	23.11.2009	Refused
060608 P03	A	Elevational Plan	23.11.2009	Refused
060608 P02	C	Site Plan	23.11.2009	Refused
060608 P00		Site Survey	23.11.2009	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](http://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

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**