

**DETERMINATION OF APPLICATION****TOWN AND COUNTRY PLANNING ACT 1990****Town and Country Planning (General Development Procedure) Order 1995**

Mr Alan MacLean
12 High Street
Lyndhurst
Southampton
Hants
SO43 7BD
UK

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

REFUSED

Proposal: **Erection of 5 x two bedroom flats in a two-storey block with living accomodation in the roof with associated car/cycle parking and refuse store.**

Site Address: **58 Wilton Road Shirley Southampton SO15 5SZ**

Application No: **08/00606/FUL**

For the following reason(s):

01.

REFUSAL REASON - DESIGN

The proposed development by virtue of its design, scale appearance and finished eaves level, having particular regard to the 3-storey build height, is out of keeping with the pattern of development within Wilton Road and the surrounding context that is defined by two storey semi-detached dwellings. Accordingly the development would be detrimental to the visual amenities of the area, and would be contrary to and policies SDP1, SDP7, SDP9 and H7 of the adopted City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (September 2006).

02.

REFUSAL REASON - NEIGHBOURING AMENITY

The proposal represents an un-neighbourly form of development with the second floor (third storey) bedroom windows within the rear elevation giving rise to overlooking and loss of privacy of properties to the north-east boundary. Accordingly the proposal would be detrimental to the residential amenities of the neighbouring occupiers at 37, 45 and 47 Bellemoor Road. The development proposal is thereby contrary to policies SDP1, SDP9, H2 and H7 of the adopted City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (September 2006).

03.

REFUSAL REASON - HIGHWAYS

The proposed vehicular access is considered inadequate in width to allow two vehicles to pass and therefore would prejudice highway safety by creating congestion at the entrance into the site contrary to Policies SDP1 and TI2 of the City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (2006)

04.

REFUSAL REASON - 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 IMP1 of the City of Southampton Local Plan Review Adopted Version March 2006 as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in the following ways:-

- A) Measures to satisfy the public open space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT7.
- B) Measures to satisfy the play space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT6.
- C) Measures to support sustainable modes of transport such as necessary improvements to public transport facilities and pavements in the vicinity of the site have not been secured contrary to the City of Southampton Local Plan Review Adopted Version March 2006 policies SDP1, SDP2 and SDP3;
- D) Measures to support strategic transportation initiatives have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version 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; and

S.106A Informative

The applicant is advised that the second reason for refusal could be overcome following the completion of a S.106 Legal Agreement to support an acceptable scheme.

Note to Applicant:

In reaching its decision to refuse this application the Local Planning Authority has considered drawing numbers 9687-07RevA, 9687-03RevB and 9687-01RevC received on 25.4.08.



David Rothery
Development Control Manager

23 June 2008

For any further enquiries please contact:
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