

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (EAST) - 1st March 2016
Planning Application Report of the Planning and Development Manager

Application address: 10-11 Palmerston Road, SO14 1LL			
Proposed development: Alterations including rear extensions at first and second floor levels and reconstruction of the roof in connection with conversion of the existing public house into 13 flats (8 x studios and 5 x 1 bedroom) with associated works			
Application number	15/02208/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	15 minutes
Last date for determination:	12.02.2016	Ward	Bargate
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Bogle Cllr Noon Cllr Tucker

Applicant: Mr I Bajar	Agent: Concept Design & Planning, Mr Rob Wiles
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Overall the scheme is acceptable and the level of development sought will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. The development would secure additional flats and bring a vacant building back into use. The site is in a sustainable location close to public transport, central parks and city centre amenities and therefore reduced parking and private amenity space can be supported in this area. Furthermore the proposed residential use is likely to have less noise impact on neighbouring residents than the authorised public house (Use Class A4).

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP16, H2, H5 and H7 of the City of Southampton Local Plan Review (Amended 2015), Policies CS4, CS5, CS13, CS15, CS16, CS18, CS19, CS20, CS22, CS23 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and AP9, AP15, AP16 and AP18 of the City Centre Action Plan (Adopted 2015).

Appendix attached			
1	Development Plan Policies	2	13/00969/OUT decision notice
3	12/01887/FUL decision notice		

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

i. Financial contributions towards site specific transport 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 SPD relating to Planning Obligations (September 2013);

ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013);

iii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;

iv. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);

v. No resident, with the exception of registered disabled drivers, shall be entitled to obtain parking permits in the Council's Controlled Parking Zones.

2. In the event that the legal agreement is not completed within 2 months the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement; and

3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be brought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1 The site and its context

1.1 The application site comprises a vacant three-storey pub building (Use Class A4) which fronts Palmerston Road. The building has an asymmetric roof pitch with dormer windows to the rear. The site levels step down to the rear and the building incorporates a basement level with outlook onto an enclosed yard area to the rear. Gated rear pedestrian access is available into Cossack Green. Flatted development is located immediately to the south and east, known as Central Park and Green Park Court which ranges in scale from 3-5 storeys. The buildings to the north form a terrace of three-storey buildings with a courtyard to the rear. Palmerston Park is located adjacent to the west. Parking restrictions exist within

surrounding streets.

2 Proposal

- 2.1 The proposal seeks to convert the vacant pub building into 13 flats. The building will be extended by raising the roof so that there is more floor space within the second floor and so that the head room at first floor level is also increased. The foot print of the two upper floors will not exceed the floor area of the ground floor of the original building. Owing to the roof alteration the front elevation will also change slightly. Other external works proposed to facilitate the conversion include changes to windows and doors. From the front the building will largely retain the character of the existing public house. The rear courtyard area will provide an amenity area with cycle storage facilities. Rear pedestrian access is provided onto Cossack Green. No on-site car parking is available.
- 2.2 The basement level contains 2 x 1-bed flats with rear outlook provided to the habitable rooms (lounge and bedrooms). The main entrance into the building is from Palmerston Road. The ground floor contains an integral bin store with access onto Palmerston Road, 1 x 1-bed flat and 2 x studio flats. The first floor contains 1 x 1-bed flat and 3 x studio flats and the second floor also contains 1 x 1-bed flat and 3 x studio flats laid out the same as the first floor. Rear access is taken from ground floor level which steps down to the rear yard area.
- 2.3 The scheme differs from the previously approved application by extending the building at first and second floor level to add four additional flats. The four additional flats are formed by one additional studio flat at first floor level and instead of 1 x 2 bed flat at first floor level there would now be 1 x 1 bed flat and 3 x studio flats at second floor level.

3 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 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.

4 Relevant Planning History

- 4.1 14/00935/FUL - Alterations and conversion of existing Public House to create 9 flats (3 x studio, 5 x 1-bedroom, 1 x 2-bedroom) with associated works (Amended mix).
Supported by the Planning and Rights of Way Panel 22/07/2014, Approved

09/01/2015

- 4.2 13/00969/OUT - Re-development of the site. Erection of halls of residence building providing five-storeys of accommodation (arranged as 19 flats for student occupation) following demolition of existing building. Outline application seeking approval for Layout, Access and Scale.
Refused on 12.09.2013. See Appendix 2 for reasons for refusal.
- 4.3 12/01887/FUL - Demolition of existing building and re-development to provide 21 units of student accommodation in a 4-storey building plus basement.
Refused on 27.03.2013. See Appendix 3 for reasons for refusal.
- 4.4 11/00261/FUL - Redevelopment of site. Erection of 3-storey building (including basements) comprising 5 flats (1x 1-bed and 4x 2-bed) following demolition of existing building.
Conditionally Approved however the permission expired 14.04.2014.

5 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (11/12/2015) and erecting a site notice (11/12/2015). At the time of writing the report 6 representations have been received from surrounding residents, it is also noted that one of the letters submitted comes in the form of a petition with 29 signatories. The following is a summary of the points raised:

5.1.1 Noise nuisance arising from 13 flats

Response - It is likely the flats will have less noise impact than the authorised pub use. Statutory noise nuisance from future tenants would be controlled by Environmental Health legislation. Flatted development would be in keeping with the surrounding character of the area. The proposal seeks C3 planning use and the application cannot be refused because of a perceived noise impact from any future residents.

5.1.2 Zero parking provision is insufficient in the City centre, impact of traffic and loss of parking

Response - This is a highly sustainable location where no car parking can be supported. Parking controls are in place within the City centre and residents of the development would not be entitled to apply for parking permits. Bin and bike storage would be contained within the site. The applicants have provided land registry details to indicate they have rear access rights for bins, cycles and pedestrians. The planning application form indicates this is a zero parking scheme. Residents would not be entitled to park on neighbouring private land without the landowners consent.

5.1.3 Overdevelopment

Response - There is no upward density level within the City centre and therefore the proposed density of 520 dwellings per hectare would be policy compliant. Furthermore the Council doesn't have any planning policies requiring minimum

room size standards. All habitable rooms are provided with outlook and natural daylighting. There is an identified need for 1 bed flats within the City centre.

5.1.4 Concern regarding overlooking and privacy enjoyed by neighbouring occupiers has been raised

Response - A reasonable back to back separation distance of up to 21m is provided between the original part of the building and Green Park Court. Due to the change in levels across the site, whereby the basement level flats have their floor level below that of the rear garden, significant harm will not be caused by the rear facing ground floor habitable room windows. The relationship of proposed habitable room windows to neighbouring habitable room windows is acceptable having regard to the tighter urban grain within the City centre. It should also be noted that this relationship has previously been approved.

5.1.5 Issues regarding right of access over third party land to gain rear access to Cosack Green.

Response - The applicant has submitted title deed information which claims a right of access for pedestrians, to include bin and bike access.

5.1.6 Concern regarding noise, dust and debris during construction work

Response - The impact of noise dust and debris is far less for a conversion compared to a redevelopment. An hours of work condition can be added to ensure construction noise is limited to Monday to Friday 8am-6pm and Saturday 9am-1pm. Furthermore, a construction environment management plan can also be added to control the location of parked construction vehicles and materials storage.

5.1.7 There is concern that residents will park within the private courtyard adjacent (rear of 12-13 Palmerston Road).

Response - The planning application form indicates this is a zero parking scheme. Residents would not be entitled to park on neighbouring private land without the landowners consent.

5.1.8 Concern regarding potential damage to neighbouring parked vehicles during construction works

Response - This is a civil matter and cannot be controlled by planning condition nor can planning permission be refused for this reason.

5.1.9 Concerns regarding the impact of large delivery vehicles on the neighbouring courtyard

Response - The applicant does not have a right of vehicle access into the neighbouring courtyard. The proposed development is unlikely to generate high levels of large construction vehicles furthermore this is a civil matter that could potentially be resolved at a later date if planning permission is granted.

5.1.10 **Concerns regarding bin storage**

Response - It would appear the rear bin storage area cannot be served by the Council refuse collection team because euro bins cannot be stored on the public footway and the applicant does not have the right to store bins on third party land. Therefore integral storage to the front has been incorporated.

5.1.11 **Concerns regarding party wall**

Response - Party wall matters are civil matters to which the applicant must attend to separately from the planning application.

Consultation Responses

5.2 **SCC Highways** - No objection subject to recommended conditions:

- Waste Management plan.
- Construction management plan.
- Wheel Cleaning.

5.3 **SCC Housing** – As the scheme comprises of 13 dwellings in total the affordable housing requirement from the proposed development is 20%. The affordable housing requirement is therefore 3 dwellings (2.6 rounded up).

5.4 **SCC Employment** - There is no requirement for an Employment and Skills Plan Obligation under Section 106 planning agreement.

5.5 **SCC Heritage and conservation** - No objection. A key element of the street scene is the façade, which is proposed for retention. The extent of any below-ground works associated with the development is unclear (below ground works include the construction of new service runs and connections). Apply recommended conditions:

- Archaeological watching brief investigation [Pre-Commencement Condition].
- Archaeological watching brief work programme [Performance Condition].

5.6 **SCC Flooding** - The proposals for the reduction in impermeable area on the site compared to existing, through the introduction of permeable paving and grassed areas, will provide betterment for surface water runoff through reduced peak flow and volume. Recommend that the proposals for a reduction in impermeable area are secured by condition, in addition to further design details for the surface water drainage system.

5.7 **SCC Ecology** - No objection, apply recommended condition:

- Protection of nesting birds

5.8 **Southern Water** – No objection subject to recommended condition.

6 Planning Consideration Key Issues

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

- Principle of development
- Impact on the character and appearance of the area

- Residential environment for future occupiers
- Transport and parking issues
- Impact on residential amenity

Principle of Development

- 6.2 The development and formation of 13 flats is acceptable in principle and residential use would be compatible with neighbouring uses. The site is not safeguarded for A4 use and the proposal would bring the building back into use. The pub is not considered a community facility, in line with paragraph 70 of the National Planning Policy Framework (March 2012), because it has been vacant since at least 2011 and there are many alternative drinking establishments within the City centre. The public house was also of fairly small scale and did not include a function room thus community use is unlikely to have occurred. It is also important to note that pubs are not safeguarded as community facilities within Policy CS3 of the Core Strategy.
- 6.3 The development has a density of 520 dwellings per hectare which accords with Policy CS5 of the Core Strategy. Densities in excess of excess of 100dph can be considered in high accessibility areas, such as the City Centre. The extension is small in comparison to the overall size of the building and as such the density will not harm the character of the area. Policy CS16 seeks a target of 30% family housing on sites where 10 or more residential properties are proposed. The scheme does not include family housing. However, given the constraints of the site; namely the re-use of this commercial building, the location on a busy road and limited available garden space, it is considered that the site is not conducive to family housing. The precedent for providing residential accommodation in the city centre without including family housing has been established by other planning permissions granted by Southampton City Council. The provision of studio flats along with 1-bed units is suitable in this locality and there is need for such accommodation within the City centre. Accordingly considering the established character and density of the neighbourhood and specifically due to the site in question the decision to not include family housing is acceptable in terms of Policy CS16.
- 6.4 Planning permission has been granted in the past for residential development on the site. The most recent permission (14/00935/FUL) granted the conversion of the building to 9 flats. The proposal, including an extension, is not significantly dissimilar in terms of principle. Planning permission for redevelopment of the site with a 3-storey building comprising 5 flats was approved in 2011 which has now lapsed. Subsequent redevelopment schemes (References 13/00969/OUT and 12/01887/FUL) for larger 4-storey buildings with deeper footprints than the current proposal have been refused however the current proposal, and the approved schemes, are materially different to those previous refusals.

Impact on the character and appearance of the area

- 6.5 The proposed conversion and extension of the existing building and limited external works will not adversely impact on the appearance of the area. Bringing the building back into use will enhance the area and residential use would be compatible with neighbouring flats and offices.

Residential environment for future occupiers

- 6.6 All habitable rooms will receive sufficient outlook and day lighting. The Council does not have minimum room size standards in relation to self-contained flats. 115 square metres of communal amenity space is provided to the rear which is acceptable given the nature of the units, residential mix of studio flats (one bed flats) and proximity to City centre parks and amenities.

Transport and parking issues

- 6.7 The development represents a 'car free' scheme which can be supported in the City centre because the area is high accessibility. The site is located close to public transport and City centre amenities. Local and national policies aim to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling. On-street parking controls are in place. Details of bike storage have been provided and will be controlled by condition. An integral bin store has been provided to the front of the building.

Impact on residential amenity

- 6.8 The residential amenities of neighbouring residents will not be adversely harmed. A reasonable back to back separation distance of up to 21m is provided with Green Park Court which is acceptable having regard to the tighter urban grain within the city centre and opportunity to bring this building back into use. It is likely the flats will have less noise impact than the authorised pub use. Statutory noise nuisance from future tenants would be controlled by Environmental Health legislation. It is also noted that this arrangement has previously been supported under 14/00935/FUL.

7 Summary

- 7.1 The existing A4 drinking establishment is not safeguarded and conversion of the building, its extension and bringing it back into use for residential purposes is policy compliant. Retention of this character building is welcomed and the proposed external alterations are in keeping with the character and appearance of the building and will not harm the visual amenities of the area. The principle of the conversion of the public house, which has been vacant since 2011 is not opposed.
- 7.2 The impact of the development, in terms of visual and neighbouring amenity, highway safety and parking is considered to be acceptable as is the quality of the proposed residential environment for future occupants.

8 Conclusion

- 8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

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(b), 2(d), 2(e), 2 (f), 4(f), 4(g), 6(a), 6(b).

MP3 for 01/03/16 PROW Panel

PLANNING CONDITIONS

1. Full Permission Timing Condition (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Materials to match (Performance Condition)

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

3. Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

4. Construction Management (Pre-Commencement Condition)

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, construction vehicles, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason: To avoid undue congestion on the site and consequent obstruction to access.

5. Glazing - soundproofing from external traffic noise [Pre-Occupation Condition]

The residential units hereby approved shall not be occupied until a scheme for protecting the proposed flats from traffic noise from Palmerston Road has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall specify either:- Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

There must be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from traffic noise.

6. Energy & Water (Pre-Commencement Condition)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

7. Energy & Water (Performance condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

8. Waste storage - Performance Condition

Bin storage shall be provided in accordance with the approved plans (Drawing no. C15/072.07, Rev A) prior to the occupation of the development hereby approved and shall be maintained in perpetuity for refuse storage purposes thereafter. At no times shall refuse bins be stored on the public highway and bins shall be provided within the bin store which enable the separation of waste into non-recyclables, recyclables and glass.

Reason: To encourage recycling, in the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

9. Cycle storage - Pre Occupation Condition.

The building shall not be occupied in full or in part until secure, covered space has been laid out within the site for 13 bicycles to be stored for the benefit of the occupants in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

Reason: To encourage cycling as a sustainable form of transport.

10. Foul and surface water sewerage disposal - Pre-commencement Condition.

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development must be carried out in accordance with the approved details.

Reason: To ensure correct disposal of foul and surface water is achieved from the site.

11. Wheel Cleaning Facilities (Pre-commencement)

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

12. Archaeological watching brief investigation [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

13. Archaeological watching brief work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed.

14. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
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
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP16	Noise
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment

City Centre Action Plan - March 2015

AP 9	Housing supply
AP 15	Flood resilience
AP 16	Design
AP 18	Transport and movement

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

13/00969/OUT Reasons for refusal.

1. REFUSAL REASON - Unacceptable residential environment / Overdevelopment

The proposal by reason of the layout, depth of the building and provision of single-aspect units would provide an unacceptable living environment for future occupiers. In particular, the introduction of obscure glazed oriel windows to prevent overlooking would provide unacceptable limited outlook to the sole window serving the rear-facing studio and 2-bed flats. The use of obscure glazing to design out overlooking, in the manner proposed, is considered symptomatic of a site overdevelopment and inappropriate given the type of accommodation proposed. Furthermore it has not been demonstrated satisfactorily that the front-facing single-aspect basement units would receive adequate outlook and daylighting to meet the needs of the residents. As such, the proposed intensification of development over that previously consented has been assessed as contrary to 'saved' Policy SDP1 (i) of the adopted Southampton Local Plan Review (2006) and Section 2 of the Council's approved Residential Design Guide SPD (2006).

2. REFUSAL REASON - Harm to neighbouring amenities

The proposal, by reason of its layout, depth of rear projection and associated separation distances, scale, bulk and massing would result in loss of outlook, sense of enclosure and loss of daylighting to the rear ground floor (north facing) flat within the neighbouring Green Park Court. The development would therefore be harmful to the residential amenities of neighbouring occupiers and contrary to 'saved' Policy SDP1 (i) of the adopted Southampton Local Plan Review (2006), Section 2 of the Council's approved Residential Design Guide SPD (2006) and section 2.2 of the BRE guidance for site layout planning for daylight and sunlight.

3. REFUSAL REASON - S106 obligations

The applicant has failed to enter into a legal agreement securing a highway condition survey, site travel plan (including a student drop-off/collection management plan and a commitment that residents will not seek to secure parking permits to the Council's Controlled Parking Zones) and contributions towards site specific transportation/highway works that will mitigate the direct impacts of the development. Furthermore, the scheme does not limit occupation to students in lieu of an affordable housing contribution. In the absence of such an agreement it cannot be demonstrated that the proposal will not have an adverse impact on infrastructure or achieve a high quality development and the scheme is, therefore, contrary to policy CS15 and CS25 of the adopted Southampton LDF Core Strategy (2010) as supported by the Council's approved S.106 Planning Obligations SPD (2013).

12/01887/FUL Reasons for refusal.

1. REFUSAL REASON - Design and bulk.

The proposal by reason of its height, scale, bulk and design detailing would create an awkward form of development appearing at odds with its neighbours which would be incongruous within the street scene to the detriment of the character and appearance of the area contrary to policy CS13 of the Southampton Core Strategy (2010), policies SDP1 (i), SDP7 (iii) and (iv) and SDP9 (i), (iv) and (v) of the Southampton Local Plan Review (2006) and Section 3 of the Residential Design Guide SPD (2006)

2. REFUSAL REASON - Residential environment.

The proposal by reason of its internal layout, failure to provide amenity space and service yard access arrangements would provide an unacceptable residential environment for its proposed occupiers contrary to policy SDP1 (i) of the Southampton Local Plan Review (2006) and Section 2 of the Residential Design Guide SPD (2006).

3. REFUSAL REASON - Impact on residential amenity.

The proposal by reason of its rear projection and elevational design would achieve inadequate separation distances between the development and Central Park which would result in mutual overlooking and a loss of privacy to the occupiers of the units and would also have an enclosing impact on the rear aspect of these neighbouring units. The proposal is therefore contrary to policy SDP1 (i) of the Southampton Local Plan Review (2006) and Section 2 of the Residential Design Guide SPD (2006).

4. REFUSAL REASON - Loss of the public house.

In the absence of a supporting statement it cannot be determined that the loss of the public house is acceptable in accordance with to Paragraphs 69 and 70 of the National Planning Policy Framework (2012).

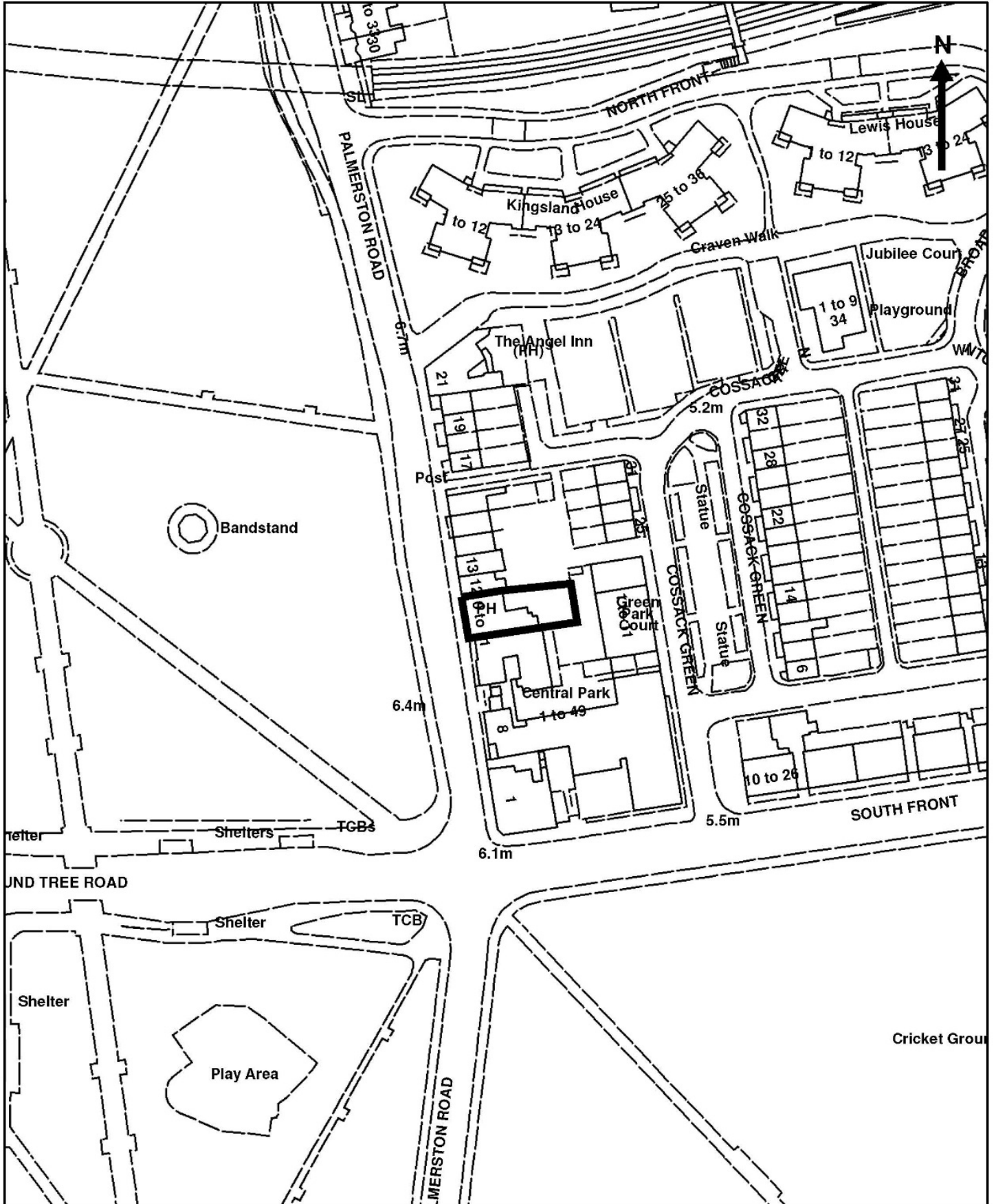
5. REFUSAL REASON - Sustainability.

The proposal fails to adequately demonstrate how it will achieve BREEAM 'excellent' standard in accordance with policy CS20 of the Southampton Core Strategy (2010).

6. REFUSAL REASON - Legal Agreement.

The applicant has failed to enter into a legal agreement securing: a highway condition survey, contributions towards transportation/highways, open space and the public realm, student restrictions and a travel plan. In the absence of such an agreement it cannot be demonstrated that the proposal will not have an adverse impact on infrastructure or achieve a high quality development contrary to policy CS25 of the Southampton Core Strategy (2010).

15/02208/FUL



Scale: 1:1,250

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