

**Planning and Rights of Way Panel 6<sup>th</sup> June 2023**  
**Planning Application Report of the Head of Transport and Planning**

<b>Application address:</b> 382 Winchester Road, Southampton			
<b>Proposed development:</b> Re-development of the site to provide a three-storey 26-bedroom apart hotel providing short-term serviced accommodation, including residents gym/studio, cafe, secure cycle parking, 9 associated on site car parking spaces, space for public e-scooter or e-bike docking station and landscaping (Resubmission 22/00737/FUL).			
<b>Application number:</b>	23/00079/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Mathew Pidgeon	<b>Public speaking time:</b>	15 minutes
<b>Last date for determination:</b>	18.05.2023 (extension to 08 <sup>th</sup> June 2023)	<b>Ward:</b>	Bassett
<b>Reason for Panel Referral:</b>	Referred by the Head of Transport and Planning due to wider public interest.	<b>Ward Councillors:</b>	Cllr Blackman Cllr Chapman Cllr Wood
<b>Applicant:</b> Sabre Commercial Investments Ltd		<b>Agent:</b> Luken Beck	

<b>Recommendation Summary</b>	<b>Refuse</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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<b>Appendix attached</b>			
1	Development plan policies	2	Previously refused plans: 22/00737/FUL & Panel Minutes
3	Approved plans: 07/01624/FUL	4	Compass House appeal decision

**Recommendation in Full - REFUSE for the following reasons:**

**01. Reason for Refusal - Parking**

As a direct consequence of the location of the proposed hotel; which is outside of a City, Town, District or Local Centre and the Council's defined area of 'high accessibility'; and based on the information submitted, including the number of car parking spaces proposed on site, the number of bedrooms proposed and a parking stress survey, it has not been adequately demonstrated that the parking demand of the proposed development would not cause harm to the amenity of nearby residential neighbours through increased direct/indirect competition for existing on-street car parking, where high demand already exists, and/or be detrimental to the

viability of the Southampton Sports Centre following the expected loss of its car parking spaces within the nearby unrestricted car park. The development would, therefore, be contrary saved policy SDP1(i) of the amended City of Southampton Local Plan Review (2015), saved policy CS19 of the amended Southampton Core Strategy Development Plan Document (2015), policy BAS 7 2. of the adopted Bassett Neighbourhood Plan (2016) and the relevant parts of the adopted Parking Standards Supplementary Planning Document (2011).

## **02. Reason for Refusal - Impact on Neighbours' Amenity**

The proposed development by reason of its height, mass, bulk and depth of projection within close proximity to the common boundary would have an overbearing and unduly dominant impact on existing residential amenity when viewed from Nirvana Place, leading to an overbearing sense of enclosure and unacceptable level of shade cast over the rear garden. The proposal would therefore harm the residential amenity of the neighbouring occupiers, and demonstrates symptoms of an overdeveloped site. As such, the proposal would be contrary to saved policy SDP1(i), SDP7(v), SDP9(v) of the amended Southampton Local Plan Review (2015) as supported by paragraphs 2.2.1 to 2.2.2 of the Council's approved Residential Design Guide SPD (approved 2006).

## **03. Reason for refusal - Mitigation; S.106 Legal Agreement**

In the absence of a completed S.106 Legal Agreement or Unilateral Undertaking the proposal fails to mitigate against its direct impacts and does not, therefore, satisfy the provisions of Policy CS25 (The Delivery of Infrastructure) of the Southampton Amended Core Strategy Development Plan Document (2015) as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in the following ways:-

- a) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms - in accordance with policies CS18 & CS25 of the amended Core Strategy Development Plan Document (2015) and the adopted SPG relating to Planning Obligations (August 2005 as amended) - have not been secured;
- b) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway - caused during the construction phase - to the detriment of the visual appearance and usability of the local highway network;
- c) In the absence of an alternative arrangement the lack of a financial contribution towards the Solent Disturbance Mitigation Project (SDMP) and towards measures to reduce pressures from guests of the hotel visiting the New Forest SPA in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), SDP12 of the Amended Local Plan Review (2015), CS22 of the Amended Core Strategy Development Plan Document (2015) and the Planning Obligations SPD (2013) as supported by the current Habitats Regulations;

- d) A Training & Employment Management Plan committing to adopting local labour and employment initiatives has not been secured in accordance with Policies CS24 & CS25 of the amended Core Strategy Development Plan Document (2015) and the adopted SPD relating to Planning Obligations (September 2013) and, as such, the scheme fails to deliver local targeted employment opportunities;
- e) The submission and implementation of a Staff & Customer Travel Plan has not been secured to support strategic transport initiatives including those within the Local Transport Plan in an effort to promote and secure alternative transport modes to the private car;
- f) In the absence of a use restriction clause for the apart hotel accommodation, with time limited occupations, the proposed self-contained nature of the development (where residents have access to all the necessary requirements to meet their day to day needs within their apartment) could be occupied akin to a residential use with wider implications that have not been fully assessed.

## **Background**

This resubmission for a 26-bed apart-hotel on this site follows the refusal of application 22/00737/FUL by Panel on the 1<sup>st</sup> November 2022 for a similar proposal. In seeking to address the previous reasons for refusal this revised scheme has reduced the number of guestrooms by 8 (from 34 to 26), increased the number of onsite parking spaces by 1 (from 8 to 9), reduce the scale of the building, most notably by removing the upper floor and reducing its length; by removing the maximum stay duration (up to 6 months) and by incorporating electric vehicle charging.

The Planning Panel are asked to determine the application afresh, but with specific attention given to whether or not these amendments have addressed the previous reasons for refusal given (as set out at section 4 below in full). It is the opinion of officer's that the changes to the length of stay and the provision of electric vehicle charging has addressed reasons for refusal 3 and 5, but that the scheme is still harmful.

### **1. The site and its context**

- 1.1 The application site is located on the prominent corner of Winchester Road and Hill Lane with vehicular access achieved from Hill Lane. Informal car parking is available for approximately 9 - 10 vehicles. The site is occupied by 2 no.2 storey buildings one of which was originally a family dwelling house; both of which have most recently been in office use (use class E). The site is located opposite, but outside of the defined Winchester Road Local Centre, which provide a range of uses and services for the local community. On street parking adjacent to the site is prevented by Traffic Regulation Order and the section of Hill Lane directly in front of the site forms part of an Air Quality Management Area (AQMA). The site is located within an area of lower accessibility in relation to Public Transport.

- 1.2 The wider surrounding area is largely residential, comprised of a mix of terraced, semi-detached and detached houses although there are some larger flatted blocks to the north on Winchester Road, including the direct neighbour Nirvana Place which has three floors of accommodation. Southampton Common is less than 100m to the south, and Southampton Sports Centre is less than 500m to the north.

## 2. **Proposal**

- 2.1 The application seeks permission for the redevelopment of the site to form a three storey apart hotel fronting onto Winchester Road and Hill Lane. An apart hotel functions in a similar way to a traditional hotel, but rooms are offered with their own cooking facilities meaning that they are, effectively, self-contained with the option of using the communal offer.
- 2.2 9 parking spaces are proposed and the building would accommodate 26 serviced apartments, a ground floor café which will be open to the public, a gym only available to guests, bin and cycle storage and associated back of house facilities for staff. The proposal would lead to 2 x full time jobs (1 onsite manager and 1 x working remotely) and 2 x part time cleaners. The proposal includes small landscaped areas facing Hill Lane and Winchester Road. As stated above an aparthotel comprises serviced apartments using a hotel-style booking system. It is similar to renting an apartment, but with no fixed contracts and occupants can "check out" whenever they wish, subject to the applicable minimum and maximum length of stay. An apart hotel room usually offers a complete fully fitted apartment with serviced laundry and cleaning. The Local Planning Authority normally seek a 3 month occupancy restriction on such Apart hotels to distinguish the C1 hotel use from a C3 dwellinghouse which requires different residential environment/amenity considerations. The applicant has now agreed to limit the duration of occupancy for all units to 3 months.

## 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) and the City Centre Action Plan (adopted 2015). Policies BAS1, BAS2, BAS3, BAS4, BAS5, BAS7, BAS9, BAS12, BAS13 and BAS14 of the Bassett Neighbourhood Development Plan (2016), as supported by the relevant guidance set out in the Residential Design Guide SPD (2006), are also material to this case. 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 Paragraph 81 of the National Planning Policy Framework (NPPF) sets out the

national policy approach for supporting economic development. This states that:-

*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*

- 3.4 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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 The most recent and relevant planning history for the site is the refusal of an application for redevelopment by demolition and erection of a four-storey 34 bedroom apart hotel including flexible cafe/function space, private gym/studio, secure cycle parking, 8 associated on site car parking spaces, landscaping and space for public e-scooter/e-bike docking station. The application was refused by planning Panel on 1<sup>st</sup> November 2022 for five separate reasons and the details of this application are set out in **Appendix 2** of this report for comparison:

##### **1.Reason for Refusal - Parking**

As a direct consequence of the location of the proposed hotel; which is outside of a City, Town, District or Local Centre and the Council's defined area of 'high accessibility'; and based on the information submitted, including the number of car parking spaces proposed on site, the number of bedrooms proposed and a parking stress survey, it has not been adequately demonstrated that the parking demand of the proposed development would not cause harm to the amenity of nearby residential neighbours through increased direct/indirect competition for existing on-street car parking, where high demand already exists, and/or be detrimental to the viability of the Southampton Sports Centre following the expected loss of its car parking spaces within the nearby unrestricted car park. The development would, therefore, be contrary saved policy SDP1(i) of the amended City of Southampton Local Plan Review (2015), saved policy CS19 of the amended Southampton Core Strategy Development Plan Document (2015), policy BAS 7 2. of the adopted Bassett Neighbourhood Plan (2016) and the relevant parts of the adopted Parking Standards Supplementary Planning Document (2011).

##### **2.Reason for Refusal - Impact on Neighbours' Amenity**

The proposed development by reason of its height, mass, bulk and depth of

projection; and position of windows, within close proximity to the common boundary would have an overbearing and unduly dominant impact on existing residential amenity when viewed from Nirvana Place, leading to an overbearing sense of enclosure, unacceptable level of shade cast over the rear garden and a loss of privacy. The proposal would therefore harm the residential amenity of the neighbouring occupiers, and demonstrates symptoms of an overdeveloped site. As such, the proposal would be contrary to saved policy SDP1(i), SDP7(v), SDP9(v) of the amended Southampton Local Plan Review (2015) as supported by paragraphs 2.2.1 to 2.2.2 of the Council's approved Residential Design Guide SPD (approved 2006).

### **3.Reason for Refusal - Quality of Residential Accommodation**

Whilst the application seeks approval for an apart hotel use, and the Council recognises the transiency of such a use the proposed development would provide an unacceptable living environment for the future occupiers of the 4 apartments proposed for up to 6 month's occupancy. This 6 month maximum length of tenure for the self-contained serviced apartments would be more akin to a residential use class C3 and, owing to limited internal floorspace, fails to comply with Nationally Described Space Standards, offers limited external amenity space, and would provide a poor quality living environment for these long term residents and is symptomatic of a site overdevelopment. As such the development would be contrary to saved policy SDP1(i) of the amended Southampton Local Plan Review (2015) as supported by paragraphs 2.3.14 and 4.4.1 of the Council's approved Residential Design Guide SPD (2006).

### **4.Reason for refusal - Mitigation; S.106 Legal Agreement**

In the absence of a completed S.106 Legal Agreement or Unilateral Undertaking the proposal fails to mitigate against its direct impacts and does not, therefore, satisfy the provisions of Policy CS25 (The Delivery of Infrastructure) of the Southampton Amended Core Strategy Development Plan Document (2015) as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in the following ways:-

- a) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms - in accordance with policies CS18 & CS25 of the amended Core Strategy Development Plan Document (2015) and the adopted SPG relating to Planning Obligations (August 2005 as amended) - have not been secured;
- b) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway - caused during the construction phase - to the detriment of the visual appearance and usability of the local highway network;
- c) In the absence of an alternative arrangement the lack of a financial

contribution towards the Solent Disturbance Mitigation Project (SDMP) and towards measures to reduce pressures from guests of the hotel visiting the New Forest SPA in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), SDP12 of the Amended Local Plan Review (2015), CS22 of the Amended Core Strategy Development Plan Document (2015) and the Planning Obligations SPD (2013) as supported by the current Habitats Regulations;

d) A Training & Employment Management Plan committing to adopting local labour and employment initiatives has not been secured in accordance with Policies CS24 & CS25 of the amended Core Strategy Development Plan Document (2015) and the adopted SPD relating to Planning Obligations (September 2013) and, as such, the scheme fails to deliver local targeted employment opportunities;

e) The submission and implementation of a Staff & Customer Travel Plan has not been secured to support strategic transport initiatives including those within the Local Transport Plan in an effort to promote and secure alternative transport modes to the private car;

f) In the absence of a use restriction clause for the apart hotel accommodation, with time limited occupations, the proposed self-contained nature of the development (where residents have access to all the necessary requirements to meet their day to day needs within their apartment) could be occupied akin to a residential use with wider implications that have not been fully assessed.

#### **5. Reason for Refusal: Electric Vehicle and low emission vehicle charging.**

The applicant has failed to provide adequate supporting information to sufficiently demonstrate that the charging of plug-in and other ultra-low emission vehicles can be achieved on site in a safe, accessible and convenient location. The development would therefore fail to take the opportunity to help improve air quality and would be contrary to the provisions of paragraphs 112 (e) and 186 of the National Planning Policy Framework (2021).

- 4.2 Prior to this the most recent and relevant planning history for the site relates to permission for redevelopment by demolition and erection of a part two/part three-storey building (including basement car park) consisting of eight flats (three x one-bed and five x two-bed) on first and second floor levels and offices at ground floor level (reference 07/01624/FUL). It should also be noted that the permission was granted in 2007 under delegation. The length of time available to implement the permission was also extended in 2011 (reference 10/01514/TIME). The details of this application are set out in **Appendix 3** of this report for comparison.

#### **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 24/02/2023 and erecting a site notice 24/02/2023 & 10/03/2023. At the time of writing the report **100 representations** (59 objections, 40 support and 1 neutral) had been received from surrounding residents with comments and objections from Cllr Blackman, Cllr Hannides, Cllr Fielker, Cllr Kaur, the Old Bassett Residents Association and the City of Southampton Society. It should be noted that many of these comments – particularly in Support – are not from the same ward as the application and whilst they are nevertheless material to the Panel's decision the application is brought to Panel at the discretion of the Head of Transport and Planning given the wider public interest.

The following is a summary of the points raised:

5.2 **Cllr Blackman**

*I am writing to object to the plans for a 26-bed apart hotel at 382 Winchester Road.*

*My concerns are similar to those outlined in objection to the first proposal. I am particularly concerned about the limited parking facilities. Provision remains inadequate with heavy pressure on neighbouring streets and the Sports Centre car park. Placing additional demand for parking on these roads would cause considerable inconvenience to residents, as well as spread the problem to roads further afield, which also already have significant competition for parking places.*

*Paragraph 13.6 of the Bassett Neighbourhood Development Plan (BNDP) states that 'Where there is new development, re-development or change of use or intensity of a property, preference will be given to development that includes adequate provision for parking on site, as there will be a need for personal transport. When looking at development, any proposals must take account of the lack of service provision, particularly the inconvenience and random nature of public transport, and take account of the Council's maximum parking standards.'*

*I am also concerned about the addition of a site with busy entrance and exit requirements on Hill Lane so close to the busy Hollybrook roundabout. This will generate further complexity and additional hazard. Paragraph 13.7 of the BNDP states: 'Any new development feeding directly onto these routes should therefore take account of the high volume of traffic on these roads.' This too should be taken into account.*

*I request that the above concerns are taken into account when the plans are considered.*

5.3 **Cllr Hanides**

*I very strongly object to the above application on the following grounds:*



- Excessive density
- Overdevelopment
- Detrimental impact on the character of this location and loss of local amenity
- Not in keeping with the character of the area
- Unsafe location for safe access and egress on the site.
- Insufficient Parking

*I would be grateful if this is taken onto account during your deliberations. I also request that in the event you are minded to approve the application, this application is referred to the Planning Panel for determination.*

5.4 **Cllr Fielker**

*I object to this planning application on the grounds of adequacy of parking and its impact on the Outdoor Sports Centre.*

*The application states that the Outdoor Sports Centre car parking spaces can be 'utilised to further minimise the impact on parking on local residential streets' by arguing that these spaces are more lightly used in evening.*

*The facilities at the Sports Centre contribute to the We Can Be Active Strategy encouraging more people to take up exercise. The proposed improvements to the Sports Centre include 3 additional floodlit artificial grass pitches increasing usage of the facilities in the evening. The promotion of parking here by the applicant for guests to the hotel will place undue pressures on parking available for users of the centre which may discourage usage.*

5.5 **Cllr Kaur**

*Some Upper Shirley residents are worried about the above planning application. There are concerns over:*

- Excessive density.
- Overdevelopment
- Detrimental impact on the character of this location and loss of local amenity
- Not in keeping with the character of the area
- Unsafe location for safe access and egress on the site.
- Insufficient Parking

*Can these please be given some consideration.*

5.6 **Old Bassett Residents Association (OBRA) (Summarised)**  
**Objection on multiple grounds including:**

- principle of hotel use;
- inadequacy of on-site parking;
- inadequacy of parking survey;
- contrary to Bassett Neighbourhood Plan;
- no consultation with community prior to submission;
- contrary to local character, scale and mass,
- overdevelopment;

- inadequacy of consultation exercise undertaken by Council;
- fails to achieve minimum space standards for residential units; and
- insufficient cycle parking;

The representation also criticises officer's interpretation of relevant policy & guidance; and also criticises the accuracy & quality of the submitted planning application and associated documents.

**Officer Response:**

*Officers agree with some of the concerns listed by OBRA and for those reasons the application is recommended for refusal. Where appropriate Officers have summarised comments and provided responses below. Material planning considerations are also discussed in more detail within the planning considerations section, also below.*

**5.7 City of Southampton Society:**

We support the concept of an Apart/Hotel midway between the University and the Hospital. The site chosen is on the university bus route U6 which serves both the hospital and the university (Mon-Fri every 15 mins, Sat every 30 mins, Sun every 60 mins).

We feel the reduced size to 3 storeys provides a corresponding reduction in its impact on local buildings to an acceptable level.

We are still concerned about the size of the accommodation being suitable for long term stay but note that this has been significantly reduced in this latest application.

Although the ratio of guests to parking spaces has improved, there is still the possibility of significant pressure on neighbouring streets. With the proposed improvements to the Outdoor Sports Centre, the availability of free parking in the Triangle Car Park cannot be guaranteed. One also has to consider the impact of guests arriving by car, parking on the hotel forecourt, checking-in, off loading luggage and then driving off to find a parking space. At peak check-in and check-out times on a Monday and Friday congestion and confusion is likely to occur.

However, and this is the critical point, the Planning and Rights of Way Panel has set a precedent when agreeing the proposal for a hotel at Compass House on insisting that there is 100% provision of parking spaces to bedrooms (82 spaces for 82 bedrooms) so as not to inconvenience local home owners.

Accordingly, we feel there is little option but to recommend REFUSAL of this application.

**Summary of OBJECTIONS received:**

**5.8 *Weak planning justification for out of centre hotel, no overarching policy need. The sequential assessment fails and there are no valid grounds for***

***allowing a C1 generic hotel development at this location, which would be contrary to Council policy.***

**Response**

The NPPF defines hotels as a main town centre use and the application is supported by a sequential test and needs assessment to demonstrate that this site is appropriate (in principle). The Council's Planning Policy Team, who have also taken account of the agreed 3 month maximum stay duration, are again satisfied that this submission demonstrates the potential need, targeted clientele, clear and logical reasoning for the identification of the site and has carried out an assessment of alternative sites to serve the identified need, of which there are none. Therefore, the principle of hotel use in this edge of (local) centre location is supported. On this basis, the development should be assessed more broadly in relation to its design, amenity and transport impacts.

5.9 ***Hotel use is contrary to Bassett Neighbourhood Plan policy BAS 1 which requires housing.***

**Response**

Policy BAS 1 does not prevent non-residential uses and instead encourages a range of dwellings, particularly family dwellings, in Bassett.

5.10 ***Contrary to paragraph 5.2 of the Bassett Neighbourhood Plan and policy CS16 of the Core Strategy as the scheme results in the loss of a former family dwelling.***

**Response**

Whilst one of the buildings on site was likely to have been capable of accommodating a family in the past the building does not currently contain bathrooms or kitchens necessary to facilitate use as a dwelling. Furthermore, reverting to a family dwelling house from the current office use would require separate approval and it is not certain whether this would be granted. As such there are no guarantees that the property would be available as a family home in the future, even if permission were sought. For these two reasons redevelopment in the form of an apart hotel is not considered contrary to policy CS16 or the Bassett Neighbourhood Plan.

5.11 ***No affordable housing is proposed.***

**Response**

Hotel & apart hotel uses are subject to a limited occupancy period of a maximum of 3 months and fall outside of residential planning use and therefore affordable housing requirements are not applicable.

5.12 ***Impact of overspill parking***

- ***Contrary to Bassett Neighbourhood Plan policy BAS 7 and paragraph 13.6 as the scheme fails to achieve maximum off road parking numbers.***
- ***Most pressure on closest residential streets with unrestricted parking.***
- ***Harm to economic viability of retail units as customer parking will***

*be further limited.*

- *Reduced availability of parking linked to the sports centre & consequential impact on uptake of sports and recreation/health and wellbeing.*
- *Reduced on street parking available for parents during school drop off and pick up times.*

**Response**

- It is agreed that there is a risk of harmful parking overspill as set out within the considerations section of this report..
- Reduced parking availability at the sports centre is also a concern, particularly when the sports facilities are in full use (particularly at the weekend when hotel demand tends to be higher).
- Harm to viability of commercial units' opposite is not a concern given that parking restrictions are in place including 'no waiting at any time' and restricted bays Mon – Sat 8am – 6pm 2 hours max (no return within 2 hours) and the temporary accommodation is also likely to increase local trade.
- Impact on reduced availability of parking for visitors to nearby schools (drop off and pick up times) is not a material consideration, although associated highway safety clearly is.

- 5.13 ***Traffic/congestion increase, including impact caused by customer drop offs and pickups, deliveries and refuse collection. Effecting emergency vehicle movement. Bassett Neighbourhood Plan (BNP) 13.7 recognises Winchester Road as having a high volume of traffic.***

**Response**

No objection received from the Council's Highway Engineers.

When compared to the existing office use the proposed apart hotel would not generate a significant increase in traffic or congestion at network peak hours and whilst there is a potential for some localised highway disruption caused by kerbside servicing, including taxi drop off and pick up; and deliveries, this would not cause a significantly harmful impact to other highway users. That said, the parking concerns arising from the scheme are noted and supported. Where necessary site-specific highway works could be delivered through the Section 106 legal agreement process. Refuse collection would likely occur at times of the day outside of peak traffic hours limiting impact and the Council's Highway Engineers have confirmed that refuse collection can take place from the public highway. These details would have been secured by condition if permission could be supported and do not warrant a further reason for refusal.

- 5.14 ***Parking spaces measure 4.8m x 2.4m but the minimum size standard required by the Council's parking standards SPD is 5m x 2.5m. Since the majority of the proposed parking is in an undercroft space, and the Parking SPD has a different and larger, minimum standard for undercroft***

***parking, requiring a minimum of 5.5x2.9m (SPD 4.3.1.5) the application should be refused.***

**Response**

The Council's Highways Engineers have commented that under-croft size standard is larger as it allows for greater circulation space and storage (for example bikes) due to potential obstructions like supporting columns between parking spaces which could affect tracking and doors opening etc. In this instance, the parking area does not have columns between spaces and there is adequate access to enter the building. Additionally, there would be a dedicated cycle store elsewhere on site. In summary, the parking spaces do not meet the recommended undercroft dimensions but for the above reasons, these spaces are still usable and therefore can be accepted. In addition, the Parking SPD suggests that not meeting these dimensions would simply not count towards parking and would not necessarily form a reason for refusal.

- 5.15 ***The parking survey calculation is based entirely on the false premise of a 5.5m road length allocation per space.***

**Response**

There is no parking survey methodology that has been formally adopted by the Council. By using 5.5m sections of kerbline for the survey the applicant has complied with the London Borough of Merton (LBM) parking survey methodology which the Council's Highways Officers consider reasonable; and similar assessments (also using 5.5m as the basis for the calculation) have regularly been accepted by the Council on previous occasions.

- 5.16 ***Harm to highway safety, including lack of turning space & reversing onto the highway.***

**Response**

Currently there is space for approximately 9 or 10 vehicles to be parked on site and the proposal includes a similar parking provision (9 spaces) and also formalises the parking layout and on-site turning space providing some benefit to highway safety. Removal of office will also likely reduce trips generated during network peak hours. Considering these points, the Council's Highways Engineers are satisfied with the layout and level of trips proposed.

- 5.17 ***There is a requirement for 2x disabled parking spaces.***

**Response**

There is no requirement for 2x disabled parking spaces because the development provides less than 20 car parking spaces and therefore does not trigger a requirement for disabled car parking space provision.

- 5.18 ***Potential for light reflection caused by bronze cladding having harmful impact on highway safety.***

**Response**

No objection raised by the Council's Highway Engineers. Specific details of materials proposed could be secured by condition.

- 5.19 ***Contrary to Bassett Neighbourhood Plan in terms of height and appearance.***

**Response**

The Council's Urban Design Manager raises no objection to the proposed architectural design and scale of development which will bookend this prominent corner site. The BNP does not stipulate the height restrictions for this particular site.

5.20 ***The position of building is forward of neighbouring building line.***

**Response**

There is a staggered building line for properties fronting Hill Lane and the Council's Urban Design Manager is not concerned by the position of the building in its plot and juxtaposition with neighbouring buildings and their building line.

5.21 ***Overdevelopment.***

**Response**

The site is capable of accommodating refuse and cycle storage, some parking and access around the site doesn't rely on the public highway.

5.22 ***Impact on neighbours; overlooking.***

**Response**

Louvers are proposed to serve windows that would otherwise overlook the rear garden and rear facing windows of Nirvana Place. In the event that officers had been minded to approve conditions could be used to ensure that the louvers are maintained throughout the lifetime of the development. Overall, it is considered that impact on neighbouring privacy has been addressed.

5.23 ***Impact on neighbours; loss of light & increased shadowing.***

**Response**

The application has been supplemented with a Daylight, Sunlight and Overshadowing Report which confirms no significant loss of sunlight or daylight to any neighbouring habitable rooms because of the development. Reduced daylight reaching the garden serving Nirvana Place is, however, a consequence of the scheme and its relationship with its neighbours is discussed further in the Planning Considerations section below.

5.24 ***Impact on neighbours; overbearing to neighbours and public realm.***

**Response**

The proposed three storey scale would have an overbearing impact on neighbours which is discussed in the considerations section of this report. In relation to the street scene and public realm it is considered that this prominent corner can accommodate a transition in scale to bookend the street.

5.25 ***Incorrect consultation.***

**Response**

The council has a statutory duty to either post a site notice or notify direct neighbours (along with a press notice for major applications). In this case letters were sent to 164 separate addresses including the closest neighbours

and all objectors to the previous application. Furthermore, a site notice was erected on 24<sup>th</sup> February near the site on Winchester Road, and both local residents associations and ward cllrs were contacted. As such our initial consultation met and exceeded the necessary consultations with the public, however, following a request from local cllrs three more site notices were added on 10<sup>th</sup> March 2023 (in the below locations) and a further 2 weeks were provided for comments to be submitted:

- 1 x on Hill Lane (north of the common);
- 1 x on Lordswood Road near to the junction with Hill Lane; and
- 1 x on Malwood Ave near the junction with Lordswood Road.

5.26 ***Not in compliance with BNP paragraph 8.5 which states that developers are 'expected to work closely with those directly affected by their proposals'.***

**Response**

Paragraph 8.5 of the BNP does not explicitly require public consultation or refusal of applications which have not taken local views into account. Officers recommend public engagement with the local community, and it is up to the applicants how far they engage. The Planning Department has undertaken its own statutory consultation.

5.27 ***Harmful living environment due to air quality.***

**Response**

The site is not located within an air quality management area. Any impacts can be mitigated by conditions including, for example, mechanical ventilation in the event that permission is supported.

5.28 ***What do CIL officers consider a 'temporary basis'?***

**Response**

3 months/90 days.

5.29 ***Minimum floor space standards should apply.***

**Response**

The proposals is not for a residential use and so minimum room space standards do not apply.

5.30 ***Nitrates, impact on protected habitats.***

**Response**

In the event the application had been supported then nitrate mitigation would have been secured for this overnight accommodation.

5.31 ***Poor sustainability.***

**Response**

The matters raised by the Council's Sustainability Officer in relation to energy performance over current Building Regulations could be secured by condition in the event the application is approved.

5.32 ***Needs of disabled users not adequately included.***

**Response**

All development has a duty to meet the needs of all users as required by the Equalities Act. Furthermore, the current Building Regulations will manage access arrangements including the needs of the disabled; a lift is also proposed which will allow access to the majority of apartments. An Equality Impact Assessment is not a requirement for the planning purposes although the decision is bound by the requirements of the Act and the scheme is deemed to be broadly compliant.

5.33 ***Bat survey is out of date.***

**Response**

No objection is raised from the Council's Planning Ecologist subject to conditions requiring ecological mitigation and protection of nesting birds. An updated bat survey could be secured in the event that the application is approved.

5.34 ***Noise assessment doesn't take account of the gym or café.***

**Response**

Conditions can be used to limit the noise impact of the gym or café had the application been recommended for approval. Statutory noise nuisance is controlled by separate legislation.

5.35 ***Safety and security.***

**Response**

Conditions can be used should the application be supported.

5.36 ***Impact on sewers.***

**Response**

Southern Water raise no objection to the proposal and, as such, it is anticipated that an engineering solution could be achieved if permission is granted.

5.37 ***Proximity of building to neighbouring building and maintenance impacts.***

**Response**

This is a civil matter rather than a material planning consideration.

**Summary of SUPPORTIVE comments received:**

5.38 ***Will meet market demand particular from visiting university and hospital professionals and students.***

5.39 ***Little impact on traffic or local parking pressure expected.***

5.40 ***Improves design.***

**Consultation Responses**



5.41

<b>Consultee</b>	<b>Comments</b>
Planning Policy	<p><b>No objection.</b></p> <p>The proposed development of an apart-hotel is considered to fall within Use Class C1. We consider short stay occupancy to be no more than 90 days. Because the proposed development is over 750msq.m gross floorspace and not within an identified centre a sequential test is required and is noted to be included as part of the planning statement. The assessment clearly demonstrates the potential need, targeted clientele, clear and logical reasoning for the identification of the site and an assessment of alternative sites to serve the identified need, of which there are none. We are satisfied that the sequential test has been adequately conducted and we are in support of the edge of centre location proposed. In addition, we would like to note that the prominent location of this site offers the chance to create a new local landmark in the city, again which we are highly supportive subject to high quality design and support from the Council's Urban Design Manager.</p> <p>The Strategic Planning team is supportive of the proposed C1 development. Should the applicant not wish to have the 90 day restriction applied then the proposed use is considered to represent a C3 use and will need to be considered against all residential design policies, standards and contribution requirements.</p> <p><b><u>Officer Response</u></b>  <i>If minded to support Officers would add a condition restriction use to C1 and maximum stay duration to 3 months/90 days.</i></p>
Urban Design Manager	<p><b>No objection.</b></p> <p>(Previous comments below remain unchanged)</p> <p>I think this looks really great, so from an aesthetic perspective I have no objection. I guess the only thing is whether there's too much white brick. There's certainly plenty of white used in the area on buildings so it is not out of character, but the building it's replacing is red brick. It maybe however that they've gone for white as it's a bigger building than the existing and therefore white as a light colour visually appears smaller than an equivalent sized building in a dark colour such as a red. Also, as a corner building it does have the ability to landmark/bookend the existing streets in a manner which is different to those streets. Either way I think it is going to present a positive building addressing this spatial node.</p>

	<p>The first-floor connection above the entrance to the parking area is acceptable in design terms; it needs to be in a different material to help emphasise the 'break' in the façade otherwise the building would read as a single piece which would be inappropriate.</p>
<p>Independent Design Advisory Panel</p>	<p>Not engaged for this resubmission</p> <p>Commenting on an earlier pre-application scheme the Panel made the following relevant observations:</p> <ul style="list-style-type: none"> <li>• The Panel felt that there was a clear case of overdevelopment of the site and 3 storey to 3 and a half storey (interpreted as 3 storeys with a 4<sup>th</sup> in the roof space) would be more appropriate to this suburban context.</li> <li>• Pitched roofs and particularly the presence of gables is a key characteristic of this area and the flat roofed approach is at odds with this established form.</li> <li>• The previously approved scheme (07/01624/FUL) was the correct footprint and form; and if expressed using the excellent contemporary precedents shown in the submitted document would deliver an impressive and appropriate local landmark onto the roundabout.</li> </ul> <p><b><u>Officer Response</u></b>  <i>The pre-application scheme had five floors of accommodation with the top being considerably smaller in footprint to the rest. The ground floor footprint was larger than the currently proposed footprint.</i></p>
<p>Highways Engineer</p>	<p><b>No objection.</b></p> <p><u>Trip Generation:</u> It is noted that although informal, the hardstanding areas on site have been historically used for parking. Total number of spaces is difficult to determine but it would seem there have been times when up to 10 vehicles have been parked on site.</p> <p>Office land use tend to generate more peak hour trips than hotel uses and therefore the proposal will likely result in fewer trips during network peak hours. The proposed apart hotel would behave slightly differently to general hotel use whereby occupants could stay for longer leading to less daily trips. However, if the purpose of the stay is for business, this may generate trips coinciding with network peak. The amended plan includes a gym linked with the hotel; this would not generate its own trips.</p>

Based on TRICS data, the proposed use will generate 1 additional trip in the AM peak but a reduction of 9 trips in the PM peak and an increase of 3 trips across the entire day. On balance, this is considered acceptable and would not generate significant harm to the highway network.

Safety: The development proposes to use the same existing vehicular access which currently serves a large forecourt/informal car parking area. Judging from historic photos, some likely reversing onto or off of the highway has occurred in the past. The proposal would formalise both the parking layout for 9 spaces and on-site turning space providing some benefit to highway safety by permanently maintaining sufficient manoeuvring space. Widening of the footway on Hill Lane, which could be secured by legal agreement, would also improve safety. This would provide a better pedestrian and cycle environment along a shared path as well as providing more space for servicing, resulting in less obstruction to both footway and carriageway.

Servicing: The submission suggests that waste servicing (refuse collection) can and will be achieved from the kerb side. This is not opposed as this is already an established movement based on the existing office uses and is also a standard arrangement in general. It is anticipated that other servicing requirements would be met by widening the footway on Hill Lane which, if minded to approve, would be secured by legal agreement.

Parking: Onsite parking would be improved by a small alteration to the layout, if minded to approve amendments would be sought. The transport information indicates that any potential overspill can be accommodated off site without the need for the Sports Centre Car Park. The local highway contains restrictions around areas such as junctions where kerbside parking could pose problems for sightlines and obstructions and therefore any potential overspill is an amenity issue rather than a highway safety issue.

Regarding EV charging, each of the on site spaces will include infrastructure to facilitate EV charging.

The proposed level of cycle parking is considered acceptable and although the level of employee numbers are unknown at this time, the provision is considered acceptable and would accommodate the likely levels considering the scale of use of the development

	<p><u>Summary:</u> Overall, the proposed application is considered acceptable provided that site specific highways measures are secured if the application is recommended for approval.</p>
<p>Environmental Health</p>	<p>Environmental Health have concerns about and do not support the application. Although the area is a mixed residential and commercial location adjacent to a very busy road and roundabout, the dominant use of the immediately adjacent properties is residential and generally two - three storey properties.</p> <p>It is considered that the noise assessment which looks at the plant noise and indicates unlikely to be a detrimental effect on residents shows only a small part of the potential noise generation and environment. The greater concerns relate to noise emanating during use of the building; to include extraction systems from food areas, servicing and deliveries of foods etc and collection of refuse, noise emanating from functions and the general operation of the site.</p> <p>It is acknowledged that some of this can be addressed by licensing conditions and controls, but there are concerns that the scale of the intended use is not suitable for this location so close to residential houses.</p> <p>Further information is required, or conditions will need to be applied, to address the following:</p> <ul style="list-style-type: none"> <li>• Noise levels from equipment,</li> <li>• Control of delivery hours,</li> <li>• Lighting locations and levels,</li> <li>• Refuse storage and collection</li> <li>• Hours of use of the office space and café</li> <li>• A demolition and construction management plan</li> <li>• Details of the ventilation of the property and if it will be mechanical or natural - with openable windows.</li> </ul> <p><b><u>Officer Response</u></b>  <i>Whilst the amended ground floor plan indicates a 'flexible café/function space' the expected level of activity is unlikely to be high and conditions can be used to limit the noise impact of the development, on neighbouring residential occupiers including hours of use. As such officers do not recommend that these concerns manifest themselves as a further reason for refusal.</i></p>

Sustainability (Air Quality)	Concerns are raised around exposure due to the proximity to the Air Quality Management Area and dust however if minded to approve these issues could be assessed and addressed with the addition of planning conditions, including mechanical ventilation and sealed windows on the ground floor; & a construction environment management plan.
Sustainability	The floorspace of the proposed development is 1103 m <sup>2</sup> (not under 500m <sup>2</sup> as stated in the sustainability checklist). To comply with policy CS20 sustainability improvements (energy and water) can be made and will need to be secured by condition if officers are minded to approve.
Sustainability (Flood Risk)	<p>The Drainage Strategy (dated January 2023) proposes to manage the 100 year rainfall event plus 40% allowance for climate change, limiting flow to 5l/s (controlled via hydrobrake or similar flow control device fitted to the last manhole) through the provision of 30m<sup>3</sup> of attenuation storage. Attenuation features outlined include rain gardens, geocellular attenuation tank and permeable paving. The use of above ground features such as rain gardens is a positive contribution to the site as provides attenuation for surface water as well as supporting biodiversity, water quality and amenity.</p> <p>If the case officer is minded to approve this application, it is recommended that sustainable drainage features as outlined within the Drainage Strategy are secured by condition.</p>
Ecology	<p>The application site consists of a building, an area of hardstanding, amenity grassland and a line of shrubs around the boundaries. An ecology report supporting the planning application confirmed that the existing building does not support any bat roosts. The boundary vegetation has potential to support nesting birds so any vegetation removal must be timed to avoid the nesting season (March to August).</p> <p>The new development must compensate for loss and to achieve a net gain in biodiversity. The replacement vegetation should be of value to wildlife. In addition, bat and swift boxes should be incorporated into the building. No objection subject to recommended conditions.</p>
Employment and Skills	An Employment and Skills Plan obligation (secured by legal agreement) will be required for this development if the Build Value is above the minimum threshold.

Contamination	No objection subject to a condition to secure a full land contamination assessment and any necessary remediation measures.
Housing Management	<p>Assuming Planning are satisfied the proposal meets the definition of an apart-hotel and the maximum length of stay permitted is consistent with what has been allowed on other similar schemes in the city (as opposed to a term more akin to a residential let) we would not seek affordable housing, but would look for a use restriction to be put in place.</p> <p><b><u>Officer Response</u></b>  <i>The applicant has agreed to a maximum stay duration of 3 months which could be secured by condition or legal obligation.</i></p>
Trees & Open Spaces	With regards impact to trees, this is very similar as the last submission. Still unclear exactly what impact there may be to street tree on Winchester Road and there is a potential for new foundations to be within close proximity to the RPA of this tree and therefore there may be a need for specialist ground protection. An impact assessment is needed to determine the impact, this would then dictate the need and layout of a tree protection plan.
Archaeology	No objection subject to conditions to secure archaeological investigation.
CIL Officer	The proposal is unlikely to be CIL liable provided that the rooms are let on a temporary basis akin to a hotel use. Note: Duration of stay for a C1 Hotel use is considered to be no longer than 3 months/90 days.
Crime Prevention Design Advisor	No objection in principle.
Southern Water	No objection; apply recommended conditions and informatives.
Natural England	<p><b>OBJECTION</b>  Objection on the following grounds:</p> <ul style="list-style-type: none"> <li>• Have an adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site through increasing visitor numbers.</li> </ul> <p><b><u>Officer Comment</u></b>  <i>This objection could be overcome following the preparation of a Habitats Regulations Assessment with</i></p>

	<i>associated mitigation against the impacts upon the Special Protection Areas. This would be undertaken in the event that the scheme is supported.</i>
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## **6.0 Planning Consideration Key Issues**

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

- The principle of development;
- Parking highways and transport;
- Design and effect on character;
- Neighbouring residential amenity
- Quality of accommodation;
- Air Quality and the Green Charter and;
- Mitigation of direct local impacts.

6.2 There are no material changes in circumstances that alter the assessment in terms of the principle of development, design and effect on character, trees and ecology, flood risk, likely effect on designated habitats or highways safety. As such the assessment and conclusion set out in the Panel report to meeting 1<sup>st</sup> November 2022 for these subject areas remain largely unchanged:

### Principle of Development

6.3 The current proposal differs from the previously refused scheme because there are no longer any units which would have occupancy of longer than 3 months. This change does not significantly alter the assessment in terms of the principle of development and there are no other material changes in circumstances that effect the assessment set out below. It should also be noted that the previous scheme was not opposed in principle.

6.4 The site is not safeguarded for a specific policy allocation and is located opposite, but not within, Winchester Road Local Centre as defined by Local Plan policy REI 6 (Local centres).

6.5 The existing buildings on site accommodate office floor space and whilst policy CS7 (Safeguarding employment sites) of the Core Strategy safeguards existing employment uses it does not specifically require the retention of office floorspace in this location. Likewise, policy CS8 of the Core Strategy (Office location) does not specifically support office development outside of city, town or district centres so loss of the office accommodation is not opposed in principle.

- 6.6 The National Planning Policy Framework (2021) (NPPF) defines hotels as 'main town centre uses' and, as supported by Core Strategy policy CS3, applies a sequential approach that seeks to direct hotels to city, town or district centres if there are sites which are available, viable and suitable. The applicant has therefore undertaken a sequential assessment based on an agreed location criteria focused on proximity to both the University Hospital Southampton and the Highfield Campus - Southampton University. Officers are satisfied that the sequential test has been adequately conducted and no other alternative available sites within the area, which are more suited to the proposed hotel use, have been identified. The principle of the proposal has also been supported by the Council's Planning Policy Team who have reviewed the sequential test and have confirmed that there have been no material changes in circumstance since the refusal of application 22/00737/FUL.
- 6.7 The NPPF requires planning decisions to promote an effective use of available land. Development of the site has the potential to improve the site's appearance through building design & landscaping, increase flood mitigation by removing impermeable hard surfacing & incorporating sustainable urban drainage systems, improve site biodiversity, provide a location for community groups to gather and create employment opportunities.
- 6.8 The proposal now seeks to limit the occupancy to a maximum stay duration of 3 months meaning that whilst the proposal is slightly different to a typical hotel in its operation, in planning terms it is agreed that the use falls within the C1 use class (hotel). On this basis the assessment no longer needs to take account of residential standards.
- 6.9 Taking account of the above there are no reasons to oppose the development in principle.

#### Parking highways and transport

- 6.10 Section 13 of the Bassett Neighbourhood Plan acknowledges that Bassett experiences high volumes of traffic and parking pressure is an issue for the whole ward; partly due to the proximity to Southampton University Hospital and the recognised need for personal transport given that the area is relatively deprived of public transport; and development needs to take this into account when considering how many parking spaces are needed. Officers acknowledge that bus services into and out of the city centre do not follow direct routes and are also relatively infrequent and that the junction of Winchester Road and Hill Lane is restricted by traffic regulation orders limiting on street parking opportunities close to the site. Although the Development Plan seeks to promote more sustainable modes of travel such as public transport, walking and cycling the application does not sufficiently recognise that reliance on private vehicles is likely to be higher than normal owing to the characteristics listed above.
- 6.11 The planning application proposes 9 parking spaces (an increase of 1), which



is 22 less than maximum parking standards allow: the maximum being one space for each bedroom and 1 space for each 20 square meters of café space. This standard takes account of staff requirements. To justify this lesser quantum a parking survey has been provided. The survey covers available parking within 200m of the site. The survey also includes an extended survey area of up to 500m which includes the triangle sports centre car park, which should not be relied upon otherwise it could compromise the parking needs of the Sports Centre. In any event if the Sports Centre parking is full – as occasionally happens – guests will then look to park in neighbouring streets to the detriment of existing residential amenity.

- 6.12 When considering the 200m assessment area and the updated survey which was carried out overnight Wednesday/Thursday 11<sup>th</sup> & 12<sup>th</sup> January 2023 (which discounts the triangle), the survey still suggests that there are sufficient free spaces in neighbouring streets to accommodate potential overspill to meet the maximum. Overall the survey results show that on two separate dates (8<sup>th</sup> and 9<sup>th</sup> September 2021) there were 29 and 32 spaces available and overnight 11<sup>th</sup>/12<sup>th</sup> January 2023) there were 30 spaces; this is out of a total of 141 available spaces within 200m of the site. Nevertheless, the survey fails to acknowledge, as the inspector did when considering the Compass House Appeal (**Appendix 4**, paragraphs 13 & 14) that logically most drivers would initially seek out spaces as close as possible to the hotel that they perceive to be safe. This would particularly be the case if they were carrying luggage and planned to leave the vehicle overnight. As such, the impacts of the need for overspill parking would be most keenly felt by those living closest. In these locations, and in particular the smaller residential streets closer to the site, the displacement of parking and noise and disturbance as a result of additional vehicles and associated waiting and movements would have an adverse effect on the residential amenities of local residents. As such the previous reason for refusal regarding the impact of an on-site parking shortfall has not been addressed. However, as the scheme now includes EV charging the final Reason for Refusal has been addressed.
- 6.13 As the development would replace an office use the Council's Highways Engineers are of the opinion that the development would not cause significant highway impact in terms of trip generation or congestion. The proposal is also expected to have limited impact on the highway from its servicing requirements, in terms of obstruction, with it being agreed that kerbside refuse collection is adequate. In addition, if the application were approved site specific highways works would be required to improve the adjacent highway network where appropriate. Servicing requirements of the development are considered acceptable to the highway network as there would be a laundry provided on site, the number of bedspaces proposed is not likely to generate significant delivery requirements and the café would not have proportionally high associated delivery demands during peak traffic hours. The existing use of the site for office accommodation has also been considered which would have a greater potential trip generation at peak traffic hours.

### Design and effect on character

- 6.14 The building design remains acceptable to officers and is not considered to harm the character and appearance of the area. Previously the Planning Panel did not raise an objection to the proposed design. The proposal has been amended principally by removing the third floor, adding a 9<sup>th</sup> car parking space on site and rearranging the ground floor layout. The length of the building has also been shortened by 4m. The applicant also intends to relocate the laundry although at the time of writing the report the plans do not indicate its location. As such the remainder of the design and effect on character section of this report remains largely unchanged.
- 6.15 Along with the policies set out in the Local Plan and Core Strategy (SDP1, SDP7, SDP9 & CS13) the development also needs to be judged against relevant policy that includes the Bassett Neighbourhood Plan (2016). Key policies in terms of character are BAS1 and BAS4 in particular:
- 6.16 BAS1 New Development: *Development proposals should be in keeping with the scale, massing and height of neighbouring buildings and with the density and landscape features of the surrounding area.*
- 6.17 The Urban Design Manager, did not previously and has not again, raised the scale of the building as a concern. The Planning Team appreciates how the building proposes to create a transition from 2 storey dwellings on Hill Lane up to 3 storeys on the corner and round to the adjacent flatted block on Winchester Road by use of pitched roofs. The link between the two main elements on the Hill Lane elevation helps to reduce the mass and bulk proposed. The road layout in front of the building also provides a suitable setting which enables the Winchester Road elevation to be taller than the majority of other buildings nearby. The prominent corner also assists in justifying the scale proposed and in this case the guidance set out in paragraph 3.6.10 of the residential design guide is deemed to be relevant and supportive of the proposal: *'Taller buildings may be considered at street corners...'* The scheme also seeks to include a buffer within the site ensuring that the elevations do not meet the pavement edge; this will also help to balance the scale in the surroundings. Therefore, whilst the proposal does not match exactly the scale, massing and height of neighbouring buildings taking other relevant guidance into account the scheme is not judged to be significantly harmful to the overall appearance and character of the Winchester Road and Hill Lane corner position. Density is also less relevant as the use proposed is within use class C1 – hotel, rather than C3 residential.
- 6.18 BAS4 Character and Design: *New development must take account of the densities set out in Policy BAS 5 and the existing character of the surrounding area. The design of new buildings should complement the street scene, with particular reference to the scale, spacing, massing, materials and height of neighbouring properties.*
- 6.19 For the reasons set out above in the response/commentary to BAS1 the

proposal is also not deemed to be significantly at odds with BAS4. There is scope to bookend the street with a 3-storey scale building on this prominent corner and for variety including increase in scale provided that certain principles are followed. In this particular instance the transition of building height is considered sympathetic, and use of pitched roofs reflect other properties in the location. The street is not homogenous and there are other buildings in the area which differ to the traditional two storey housing. It must also be recognised that the Council are under increasing pressure to accept larger scale and higher density for residential schemes, so the proposed building height and mass is considered appropriate in this context.

- 6.20 Having considered all aspects of the proposal and the characteristics of the location the Urban Design Manager remains confident that the scheme will make a valuable contribution to the appearance of the neighbourhood; Officers do not disagree, but the Panel are free to reach a different conclusion although it should be noted that the defence of a design-led reason for refusal would be difficult for officers to defend in light of the above commentary and previous decision.
- 6.21 The existing site is significantly covered by buildings and hard surfacing and therefore the proposal, which also seeks a significant building to plot ratio, is not opposed in principle.

#### Neighbouring residential amenity

- 6.22 The previous scheme was considered harmful to neighbouring residential amenities and as such was listed as a reason for refusal. This is still the case despite the amendments made.
- 6.23 Saved policies SDP1, SDP7, SDP9 of the Adopted Local Plan Review (2015) and the principles contained in the approved Residential Design Guide (2006), amongst other things, seek to ensure that development will only be granted where it does not unacceptably affect the amenity of existing residents; integrates into the local community and respects its surroundings in terms of scale and massing.
- 6.24 The proposal seeks to replace 2 no.2 storey pitched roof buildings with a 3 storey building with 3 distinct elements:
1. Fronting Winchester Road and Hill Lane section 1 has a maximum height of 13m (reduced from 15m), a roof pitching away from the boundary and would be positioned within 0.4m (an increase of 0.2m) from the boundary with Nirvana Place.
  2. The middle section no longer includes a roof terrace and is also 3 storeys in height. It's flat roof would be 9.5m in height and would be 5m from the boundary with Nirvana Place.
  3. The final section would be separated from 171 Hill Lane by 7m (an increase of 4.5m), it would have a maximum height of 11.7m (a reduction

of 0.3m) and it would also be 0.2m from the boundary with Nirvana Place.

- 6.25 Notwithstanding the attempt to reduce impact on residents of Nirvana Place by including a stepped rear elevation, reduced depth of projection along the boundary and pitched roof the relationship remains a concern due to its height, proximity to and depth of projection along the boundary. As a result, the proposal would remain an intrusive and dominant addition which would have an overbearing effect which would be harmful to the living conditions of Nirvana Place. No significant impact is still deemed to occur on 171 Hill Lane when viewed from the rear garden due to the separation distance from the proposed building.
- 6.26 The proposal has addresses previous overlooking/loss of privacy concerns as the windows within the rear elevation now include louvers to protect neighbouring privacy. A such occupants within the rear garden of Nirvana Place would no longer suffer from a significant loss of privacy.
- 6.27 The submitted BRE Daylight and Sunlight Assessment confirms no significant loss of sunlight or daylight to any neighbouring habitable rooms however during winter months there would be a reduction of direct sunlight received to the garden area serving Nirvana Place. The survey results show 43% of the rear garden receiving 2 hours of direct sunlight on the spring equinox whereas currently 76% of the rear garden receives 2 hours of direct sunlight on the spring equinox; the target set out in the BRE guidance is no less than 50%. Therefore, this impact is considered sufficient to contribute to a reason for refusal based on neighbour impact.

#### Quality of accommodation

- 6.28 The proposed layout would likely provide reasonable levels of privacy and outlook for occupiers of the proposed accommodation units. All units would also achieve acceptable daylight and ventilation. Noise impacts from the adjacent highway, the ground floor café and gym; and any required plant equipment, could be mitigated by Building Regulations or a planning condition.
- 6.29 As the maximum stay duration will not exceed three months the proposal will no longer need to be judged against the internal Nationally Described Space Standards that apply to residential accommodation.

#### Air Quality and the Green Charter

- 6.30 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be

refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards.

- 6.31 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive.
- 6.32 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive – up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m<sup>3</sup>. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:
- Reduce pollution and waste;
  - Minimise the impact of climate change
  - Reduce health inequalities and;
  - Create a more sustainable approach to economic growth.
- 6.33 The application has partially addressed the Green Charter and the air quality impact of the development by identifying an acceptable sustainable drainage system for the site and planning conditions could be used to secure energy and water efficiency improvements along with biodiversity enhancement measures.

#### Mitigation of direct local impacts

- 6.34 The application also needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Developer Contributions Supplementary Planning Document. Given the impacts associated with a development of this scale, the package of contributions and obligations required would be limited to the following:
- i. financial contributions towards site specific transport improvements in the vicinity of the site.
  - ii. a highways condition survey to make good any possible damage to the public highway in the course of construction.
  - iii. Solent Disturbance Mitigation Project (SDMP) and New Forest Mitigation.
  - iv. Employment and skills.
  - v. Staff & customer travel plan.
  - vi. Obligations to limit duration of occupation.

## **7.0 Summary**

7.1 Whilst the principle of an apart hotel is accepted and the need proven the proposal again fails to provide adequate car parking on site causing unacceptable increased pressure for on street parking. The height and depth of projection of the proposed building would have an overbearing and unduly dominant impact leading to an unacceptable sense of enclosure and shading, although amendments to the windows has now removed earlier concerns about a loss of privacy to neighbours. Planning obligations have also not been secured to offset the impact of the development locally.

## **8.0 Conclusion**

8.1 Whilst some of the previous reasons for refusal have been addressed the positive aspects of the scheme are still judged to be outweighed by the negative impacts, namely on street parking pressure closest to the site, neighbour impact and failure to secure planning obligations; and, as such, the scheme is recommended for refusal.

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

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

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) 4.(a) (b) (c) (d) (e) (f) (g) (r) (ll) (vv) 6 (a) (b)

**Mathew Pidgeon** for 06/06/2023 PROW Panel

