



Appeal Decision

Site visit made on 13 October 2020

by **D.R McCreery MA BA (Hons) MRTPI**

An Inspector appointed by the Secretary of State

Decision date: 03 November 2020

Appeal Ref: APP/D1780/W/20/3249427

Compass House Car Park, Romsey Road, Southampton SO16 4HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Margulies (BMR Compass Ltd) against the decision of Southampton City Council.
 - The application Ref 19/00726/FUL/4647, dated 18 April 2019, was refused by notice dated 6 January 2020.
 - The development proposed is re-development of the site to create a three-storey hotel containing 73 rooms with associated works including 34 car parking spaces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - The effects of the proposed development on the living conditions of nearby residents, when particular regard is paid to demands for on-street car parking.
 - Whether the it would make adequate provision for improvements to other local infrastructure in order to mitigate its effects.

Reasons

Demands for on-street car parking.

3. The proposal includes 34 car parking spaces to serve the new hotel. The Council consider that this would not be adequate to meet the demand of a 73 bedroom hotel and that the proposed development would have negative effects on the local highway network, in particular levels of parking stress that would be harmful to the living conditions of those living nearby.
4. Whilst outside of a commercial centre as defined by the local plan, the site has good access to public transport, particularly by bus. There are bus stops within close walking distance that provide frequent services to the City Centre and other locations. Although it is outside the areas of high accessibility identified in the Parking Standards Supplementary Planning Document the edge of this area would be within walking distance for many.

5. The area around the appeal site provides a safe and convenient environment for walking and cycling, in part due to recent development and the changing nature of the surroundings from its former commercial context to one that is more residential. Whilst the immediate surroundings are relatively flat, the land slopes more steeply as it moves towards the City Centre. Given the nature of the proposed use and likelihood that many would visit with luggage, this would limit the realistic opportunities to access the hotel by means of predominantly walking and cycling.
6. The Appellant's points about further improvements to public transport happening in the future are noted. Given the timeline and scale of these improvements and the evidence presented it is not possible to attribute significant weight to them in an assessment of accessibility.
7. Notwithstanding the relatively good access to public transport links and general accessibility of the site, I note the concerns raised by the Council and those living in the area about the levels of car parking stress already experienced.
8. The Appellant relies on a car parking accumulation assessment that anticipates that 25 of the 34 spaces proposed would be occupied at the time when they are most in demand. This equates to an occupancy level of 73% and suggests that the proposed development would not be reliant on overspill parking outside the site, including in surrounding roads.
9. The assumptions in the assessment relies on data about parking from 5 hotels located elsewhere in town centre locations, and 2 at the edges of town centres. Whilst the appeal site has relatively good access to public transport I do not regard it to be in a town centre, giving the words their ordinary meaning. As only 2 edge of centre hotels are selected for inclusion the assessment is heavily skewed in favour of town centre comparisons for reasons which are not adequately explained.
10. I appreciate that the pool of comparison sites may have been limited. However, due to the likely differences between parking demands in a town centre location and an area such as the appeal site, the assessment does not provide a reliable basis for predicting the likely parking demands that would result from the proposed development.
11. Further, the assessment includes data on expected parking occupancy between the hours of 7am and 10pm, anticipating that the peak hour would be between 9pm and 10pm. Little detail is provided on night time parking occupancy, the time at which it is logical to expect that parking would be in higher demand given the nature of the proposed hotel use.
12. For the above reasons, and taking account of the Appellants other points on this matter, the evidence does not indicate that the parking demands of the proposed development would be accommodated within the site. Given the shortfall between the number of parking and bed spaces proposed, the number of users of the hotel reliant on overspill parking outside the site could be significant at times. This would be the case even when some allowance is made for those choosing to use public transport and other means beyond the private motor car. There would also be additional demand resulting from the needs of employees and servicing.

13. The Appellant's parking survey identifies in excess of 240 available on-street car parking spaces within a 500 metre walking distance of the site. In terms of the suitability of parking locations, it is logical that most drivers would at least initially seek out spaces as close as possible to the hotel that they perceived to be safe. This would particularly be the case if they were carrying luggage and planned to leave the vehicle overnight.
14. As such, the impacts of the need for overspill parking associated with the proposed development 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 unreasonable effect on the living conditions of residents.
15. Mercator Close is one of the roads closest to the site that, amongst others nearby, many drivers would logically go to seek out a parking space if none were available on site. I note that this road is a cul-de-sac and already serves as access for residents and users of the small supermarket. From my site visit I observed significant numbers of vehicle movements around this area. The comments of residents suggests that the road operates at near capacity to what is tolerable to those living close to it in terms of disturbance and pressure for parking.
16. As such, I judge that the impact of the proposed development on those living close to this area would be particularly severe. I note that the Appellant has excluded an assessment of parking available on Mercator Close and some other roads on the grounds that they are new developments where the road has not yet been adopted. Nevertheless, those unfamiliar with the area and local parking restrictions would make no such distinction when looking for spaces on a speculative basis.
17. The Appellants suggestion that, following adoption, the Council could manage overspill parking associated with the proposed development through the use of double yellow lines or other such measures is inadequate in terms of managing the effects.
18. For the reasons set out, the proposed development would have a harmful effect on the living conditions of nearby residents, when particular regard is paid to resulting demand for on-street car parking. Consequently, I find conflict with policies in the Local Plan, including Policy SDP1 of the Southampton Local plan in relation to ensuring that development has acceptable effects on the amenity of citizens and Policy CS19 regarding car parking and taking account of the scale, travel needs, location, and level of public transport accessibility when considering development proposals.

Other local infrastructure provision

19. The Council's second reason for refusal refers to completion of a legal agreement aimed at mitigating various effects of the proposed development, including those relating to local highway improvements and contributions to public art. The Appellant has submitted a draft agreement as part of the appeal that seeks to address the reason for refusal. However, as an executed and certified copy of the agreement has not been provided, I am unable to attribute weight to its contents.

20. Notwithstanding this, as I find harm in relation to the first reason for refusal and the contents of the agreement would not have overcome the harm, the lack of a completed agreement has not had a bearing on the outcome of this appeal.

Planning balance

21. I have found harm in relation to the effects of the proposed development on the living conditions of nearby residents, when particular regard is paid to resulting demands for on-street car parking. I have paid regard to the benefits of the proposed development as set out by the Appellant, including the potential role it could play in supporting tourism in the area, job creation, and spend it may generate in the local economy. However, the benefits when taken as a whole do not overcome the harm identified.

Conclusion

22. For the above reasons the appeal is dismissed.

D. R. McCreery

INSPECTOR