



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Toldfield Architects Ltd
5 Freemantle Business Centre
152 Millbrook Road East
Southampton
SO15 1JR

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

FULL APPLICATION - REFUSAL

Proposal: **Erection of a three storey rear extension to facilitate a change of use of existing first and second floors from a restaurant (Class A3) to residential (Class C3) to provide 5 flats (3 x 1 bed, 2 x Studio) with associated bin and cycle storage.**

Site Address: **59 Oxford Street, Southampton, SO14 3DL**

Application No: **18/01095/FUL**

For the following reason(s):

01.REFUSAL REASON - Impact on the Oxford Street Conservation Area

The proposed development would be visible from within the Oxford Street Conservation Area (CA) on both Oxford Street and from land to the rear of properties adjacent to the application site and fails, in the opinion of the Local Planning Authority, to present an external design aesthetic that is good enough for its established context. In particular, the profile of the roof required to form the fifth flat is incongruous with the character of the street and disrupts the profile of the block. The incorporation of a rooftop terrace and the contrived design form of the rear extension (including the extensive use of timber cladding, which is not a prominent feature of the existing CA) also represents an intrusive built element to the rear of the properties and would cause additional harm to the character of the area. Potential tree loss caused as a result of pressure to prune or fell trees within the conservation area owing to their proximity to proposed habitable room windows would also cause harm to the character of the conservation area. The position of the refuse store, with stepped access, coupled with the number of bins required to service the development, is also likely to lead to bins being permanently stored on the public highway to the detriment of the visual amenity of the conservation area. The defining characteristics of the conservation area would also be eroded by the addition of a new front entrance, particularly in the manner in which it has been designed, which is considered to be out of sympathy with local character. As such the proposal is contrary to paragraphs 127, 130, 192, 193, 194, 195 and 196 of the NPPF (2018), policies SDP1 (i) of the Amended Local Plan Review (2015), (as supported by paragraphs 3.5.1, 3.9.5, 3.10.2, 3.10.4 and 3.10.6 of the Residential Design Guide Supplementary Planning Document 2006), Policy CS13 and CS14 of the amended Local Development Framework Core Strategy Development Plan Document (2015) and AP16 of the City Centre Action Plan (Adopted 2015) as supported by the Oxford Street Conservation Area Appraisal (2010) all of which to ensure that new development preserves or enhances the special qualities of the CA.

02.REFUSAL REASON - Neighbouring Amenity

The proposal, by means of its rearward projection, height and juxtaposition with neighbouring property, and proximity to the common boundary, with the Booth Centre (57 Oxford Street) to the east relates poorly to the neighbouring residential units and garden space. In particular the residential amenity enjoyed by the occupants of the Booth Centre, in terms of privacy/sense of privacy as caused by the roof terrace (and notwithstanding the addition of the planters), sense of enclosure and outlook from the rear garden and habitable rooms would be harmed as a consequence of the development. Therefore the proposal introduces an un-neighbourly form of development. Accordingly the scheme is considered contrary to Policies SDP1 (i) (as supported by paragraph 2.2.18 of the approved Residential Design Guide Supplementary Planning Document (2006)) of the amended City of Southampton Local Plan Review (2015).

03.REFUSAL REASON - Quality of Living Environment

In the absence of a section clearing showing the useable floorspace of the top floor flat, and the nature in which residents outlook is provided wholly from rooflights, the Local Planning Authority has not been provided with sufficient information to confirm that the quality of the living environment for residents of this flat will be acceptable; when assessed against saved Policy SDP1(i) of the Council's adopted City of Southampton Local Plan (2015) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (2006).

04.REFUSAL REASON - Mitigation - S.106 Legal Agreement

In the absence of a completed Section 106 legal agreement to support the development the application fails to mitigate against its wider direct impacts in the following areas:

- 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 (Amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (Amended 2015) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
- ii. The 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.
- iii. In the absence of an alternative arrangement or the lack of a financial contribution towards the Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), SDP12 of the City of Southampton Local Plan Review (Amended 2015), CS22 of the Core Strategy (Amended 2015) and the Planning Obligations SPD (September 2013) as supported by the current Habitats Regulations.
- iv. Obligations to explain to residents that they will not be entitled to obtain parking permits for the Council's Controlled Parking Zones.

Note to Applicant:

This final reason for refusal could be addressed following the submission of an acceptable scheme and the completion of a S.106 legal agreement.

Note to Applicant - Community Infrastructure Liability (Refusal)

You are advised that, had the development been acceptable, it could be liable to pay the Community Infrastructure Levy (CIL). Please ensure that, should you chose to reapply or appeal, you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx> or contact the Council's CIL Officer



Samuel Fox
Planning & Development Manager

10 August 2018

For any further enquiries please contact:

Mathew Pidgeon

IMPORTANT NOTE TO APPLICANT

This decision has been made in accordance with the submitted application details and supporting documents and in respect of the following plans and drawings:

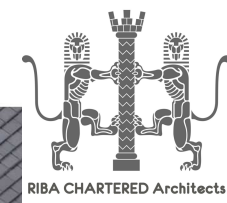
Drawing No:	Version:	Description:	Date Received:	Status:
P11 - Amended	rev A	Site Plan	08.08.2018	Refused
P12 - Amended	rev A	Floor Plan	08.08.2018	Refused
P13 - Amended	rev A	Floor Plan	08.08.2018	Refused
P14		Elevational Plan	15.06.2018	Refused
P15 - Amended	rev A	Elevational Plan	08.08.2018	Refused
P16		Elevational Plan	15.06.2018	Refused
P17		Elevational Plan	15.06.2018	Refused
P18		Other Plans	15.06.2018	Refused
P19		Other Plans	15.06.2018	Refused
P20		Other Plans	15.06.2018	Refused
P21		Other Plans	15.06.2018	Refused
P22		Other Plans	15.06.2018	Refused

NOTES

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, they may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

1. Appeals **must be registered within six months of the date of this notice** and be made using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or do it online at <https://acp.planninginspectorate.gov.uk/>
2. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
3. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
4. If permission to develop land is refused, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Local Planning Authority a purchase notice requiring that the Authority purchase their interest in the land in accordance with Part IV of the Town and Country Planning Act 1990.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
7. The applicant is recommended to retain this form with the title deeds of the property.
8. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Please address any correspondence in connection with this form quoting the application number to:
Development Management, Southampton City Council, Lower Ground Floor, Civic Centre, SOUTHAMPTON, SO14 7LS.



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REAR ISOMETRIC VIEW OF NEW EXTENSION TO REAR OF No.59 OXFORD STREET



Project Name and Address:

59 Oxford Street, Southampton.
 SO14 3DL

Client:

Mr Andy Hewitt

Drawing Title:

Proposed Rear Isometric View

Project Ref: Origin: Zone: Level: Type: Role: Number: Rev:

180301 TA - - -V - A - P21 -

Status:

Planning Application

TA Code: Project Stage: Sheet @ A1: Date:

180301 Planning 17/05/2018
 15:45:18

Rev:	Comments:	Dr:	Ch:
		AP	

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 5 Freemantle Business Centre,
 152 Millbrook Road East,
 Southampton.
 SO15 1JR
 Tel: 023 80 236165
 Email: info@toldfieldarchitects.co.uk
 adi@toldfieldarchitects.co.uk
 kouros@toldfieldarchitects.co.uk
 Webwww.toldfieldarchitects.co.uk

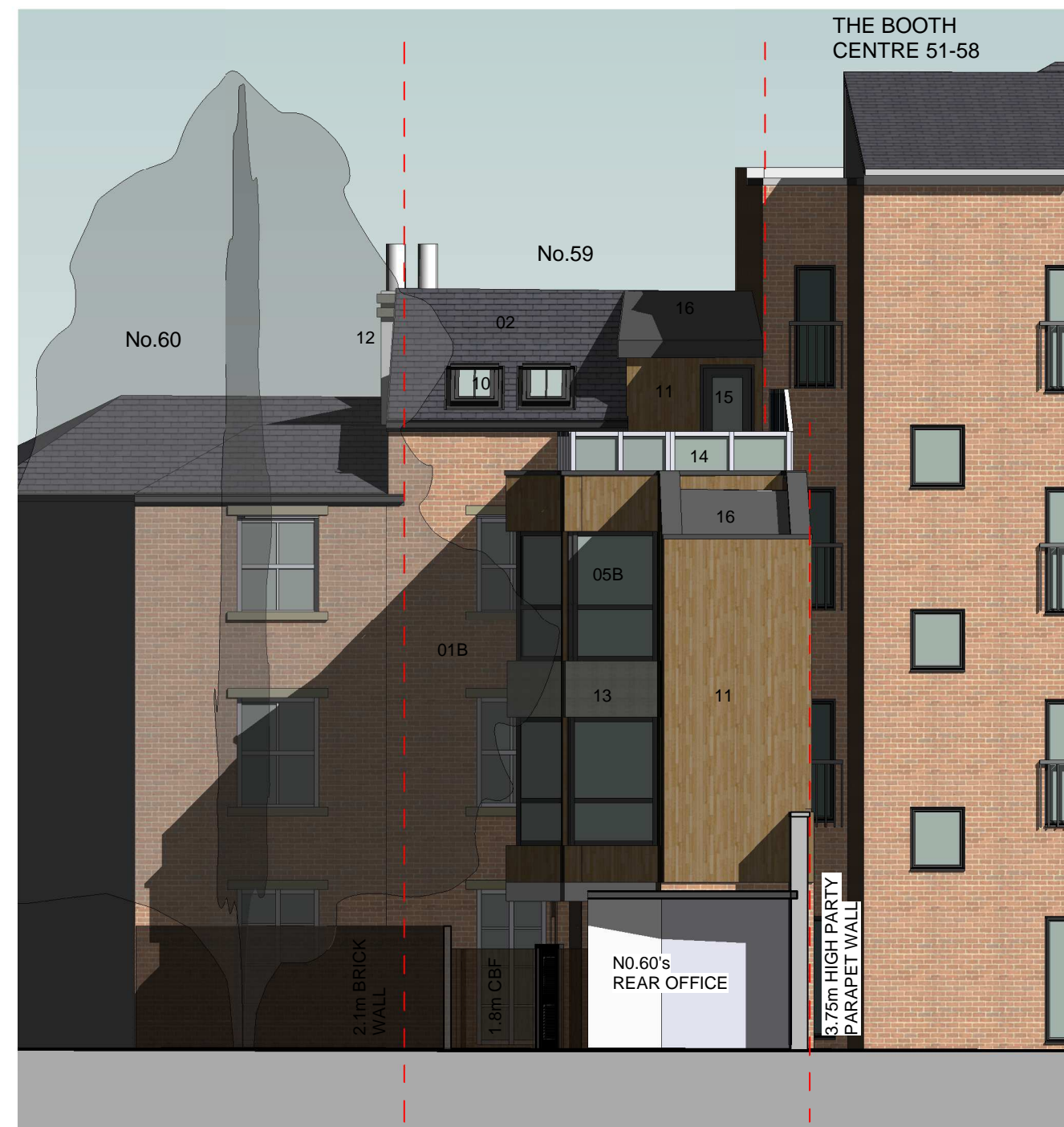
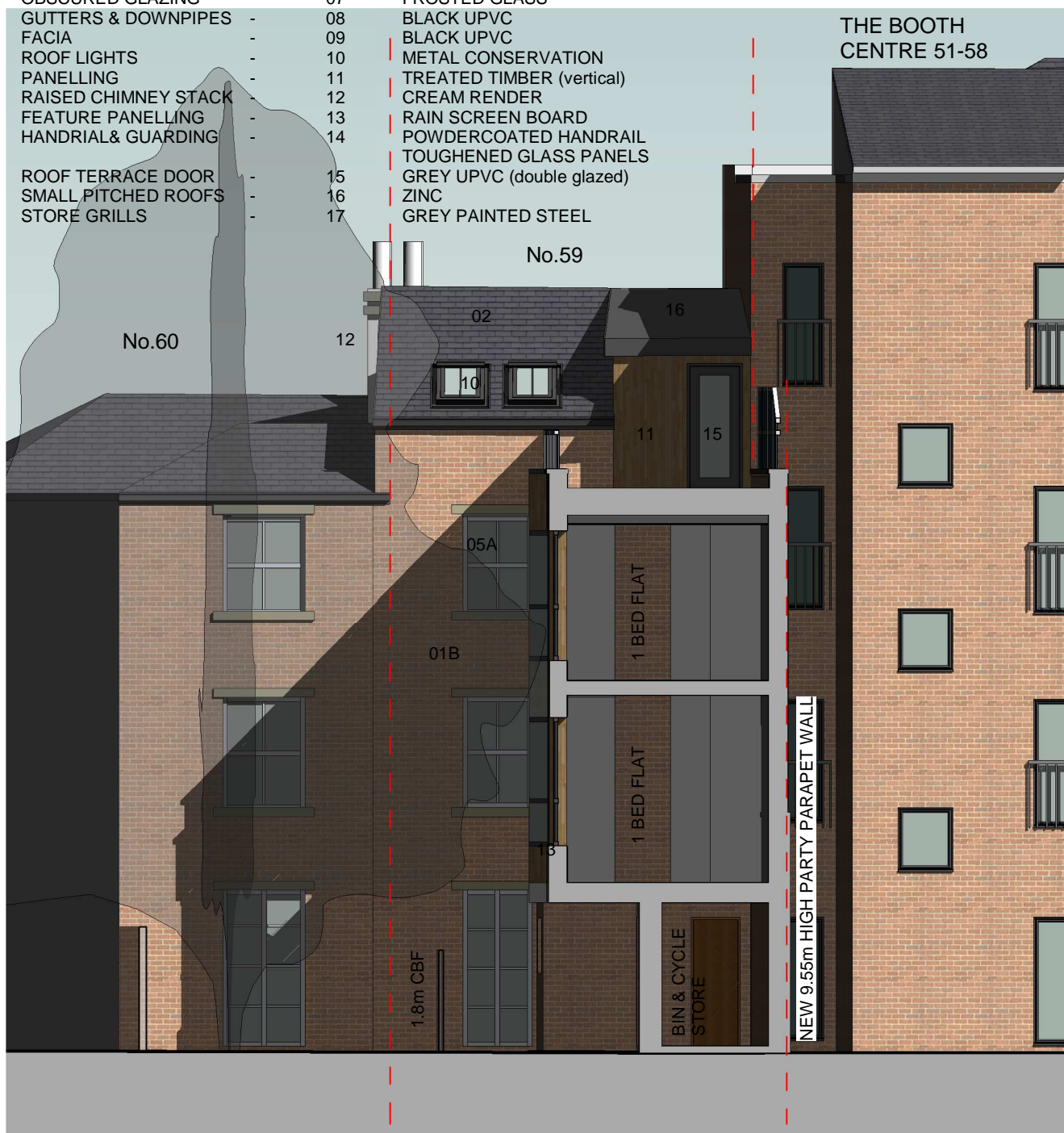
EXISTING & PROPOSED MATERIALS:

WALLS	-	01A	CREAM RENDER
		01B	RED BRICK MULTI
ROOF	-	02	SLATE TILES
EXISTING FRONT DOOR	-	03A	PAINTED TIMBER / BROWN
NEW RESI FRONT	-	03B	TIMBER PAINTED WHITE
REAR ACCESS DOOR	-	04	PAINTED TIMBER
WINDOWS EXISTING	-	05A	WHITE UPVC (double glazed)
WINDOWS NEW	-	05B	GREY UPVC (double glazed)
FEATURE CILLS & HEADS	-	06	STONE & CONCRET PAINTED CREAM
OBSCURED GLAZING	-	07	FROSTED GLASS
GUTTERS & DOWNPIPES	-	08	BLACK UPVC
FACIA	-	09	BLACK UPVC
ROOF LIGHTS	-	10	METAL CONSERVATION
PANELLING	-	11	TREATED TIMBER (vertical)
RAISED CHIMNEY STACK	-	12	CREAM RENDER
FEATURE PANELLING	-	13	RAIN SCREEN BOARD
HANDRIAL& GUARDING	-	14	POWDERCOATED HANDRAIL
			TOUGHENED GLASS PANELS
ROOF TERRACE DOOR	-	15	GREY UPVC (double glazed)
SMALL PITCHED ROOFS	-	16	ZINC
STORE GRILLS	-	17	GREY PAINTED STEEL



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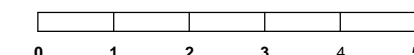
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PROPOSED SOUTH SECTIONAL ELEVATION

PROPOSED SOUTH ELEVATION

SCALE 1:100



Project Name and Address:
59 Oxford Street, Southampton.
SO14 3DL

Client:
Mr Andy Hewitt

Drawing Title:
Proposed South and South Sectional Elevations

Project Ref:	Origin:	Zone:	Level:	Type:	Role:	Number:	Rev:
180301	TA	-	-	-E	-A	- P15	-

Status:
Planning Application

TA Code:	Project Stage:	Sheet @ A1:	Date:
180301	Planning	1 : 100	22/05/2018 14:44:09

Rev:	Comments:

Dr:	Ch:
AP	



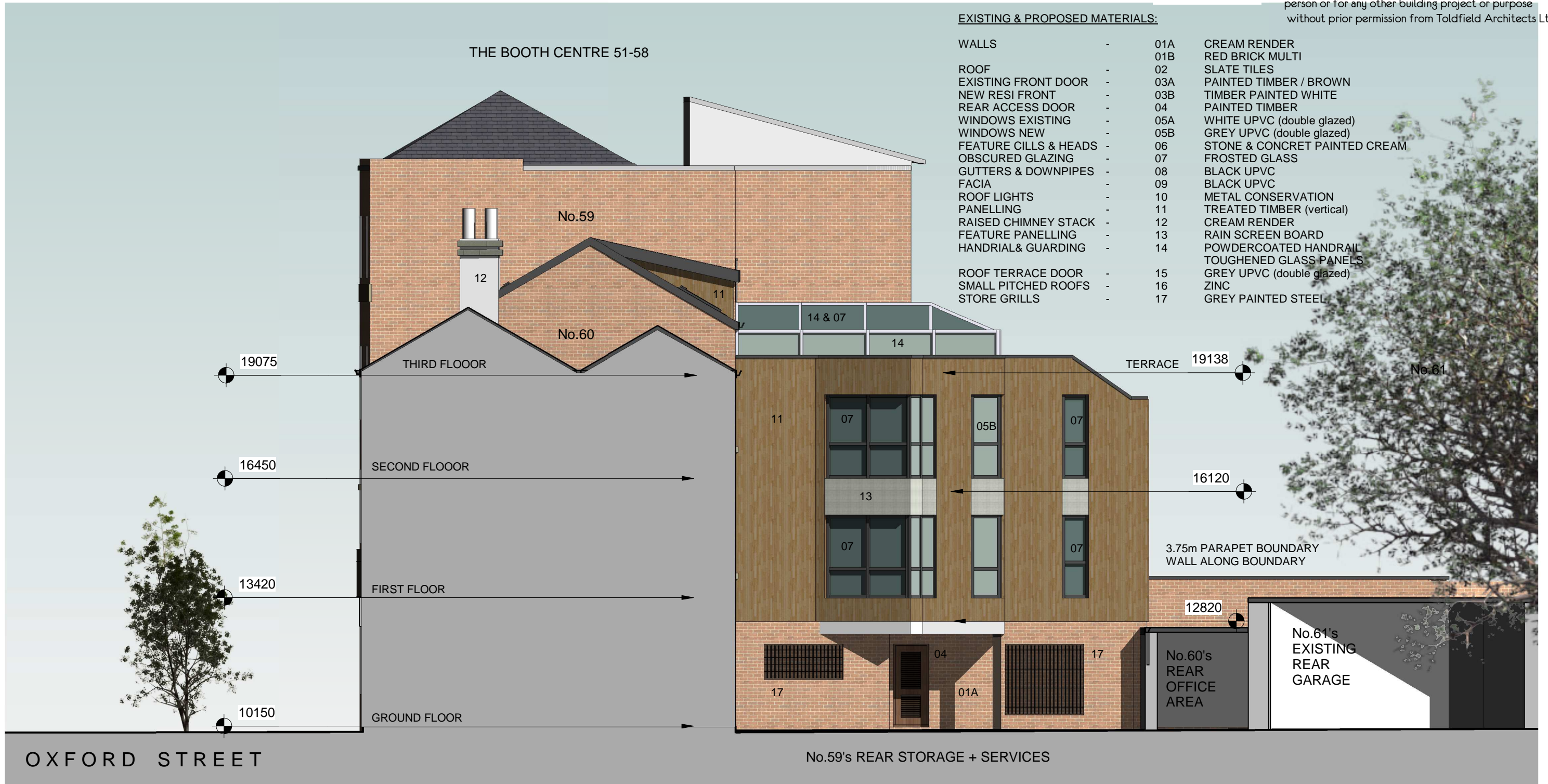
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THE BOOTH CENTRE 51-58

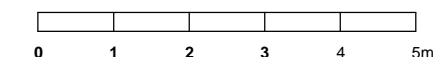
EXISTING & PROPOSED MATERIALS:

WALLS	-	01A	CREAM RENDER
		01B	RED BRICK MULTI
ROOF	-	02	SLATE TILES
EXISTING FRONT DOOR	-	03A	PAINTED TIMBER / BROWN
NEW RESI FRONT	-	03B	TIMBER PAINTED WHITE
REAR ACCESS DOOR	-	04	PAINTED TIMBER
WINDOWS EXISTING	-	05A	WHITE UPVC (double glazed)
WINDOWS NEW	-	05B	GREY UPVC (double glazed)
FEATURE CILLS & HEADS	-	06	STONE & CONCRET PAINTED CREAM
OBSCURED GLAZING	-	07	FROSTED GLASS
GUTTERS & DOWNPIPES	-	08	BLACK UPVC
FACIA	-	09	BLACK UPVC
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			TOUGHENED GLASS PANELS
ROOF TERRACE DOOR	-	15	GREY UPVC (double glazed)
SMALL PITCHED ROOFS	-	16	ZINC
STORE GRILLS	-	17	GREY PAINTED STEEL



PROPOSED WESTERN SECTIONAL ELEVATION

SCALE 1:100



Project Name and Address:
 59 Oxford Street, Southampton.
 SO14 3DL

Client:
 Mr Andy Hewitt

Drawing Title:
 Proposed West Elevation

Project Ref: 180301
Origin: TA
Zone: -
Level: -
Type: -E
Role: -A
Number: -P16
Rev: -

Status:
 Planning Application

TA Code: 180301
Project Stage: Planning
Sheet @ A1: 1 : 100
Date: 22/05/2018
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THE BOOTH CENTRE 51-58

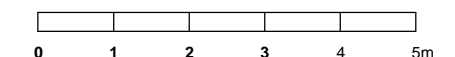


EXISTING & PROPOSED MATERIALS:

WALLS	-	01A	CREAM RENDER
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ROOF	-	02	SLATE TILES
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SMALL PITCHED ROOFS	-	16	ZINC
STORE GRILLS	-	17	GREY PAINTED STEEL

PROPOSED STREET SCENE ELEVATION TO OXFORD STREET

SCALE 1:100



Project Name and Address:
 59 Oxford Street, Southampton.
 SO14 3DL

Client:
 Mr Andy Hewitt

Drawing Title:
 Proposed Street Scene Elevation to Oxford Street

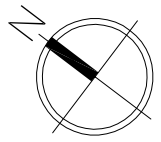
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Origin: TA
Zone: -
Level: -
Type: -E
Role: -A
Number: -P14
Rev: -

Status:
 Planning Application

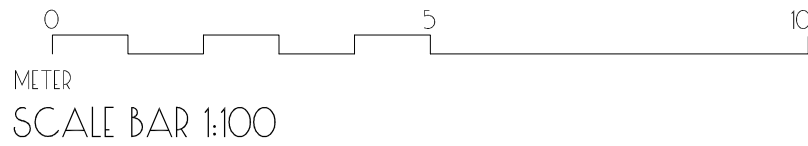
TA Code: 180301
Project Stage: Planning
Sheet @ A1: 1 : 100
Date: 22/05/2018
 14:45:09

Rev:	Comments:	Dr:	Ch:
		AP	

Toldfield Architect Ltd,
 5 Freemantle Business Centre,
 152 Millbrook Road East,
 Southampton.
 SO15 1JR
 Tel: 023 80 236165
 Email: info@toldfieldarchitects.co.uk
 adi@toldfieldarchitects.co.uk
 kouros@toldfieldarchitects.co.uk
 Web: www.toldfieldarchitects.co.uk

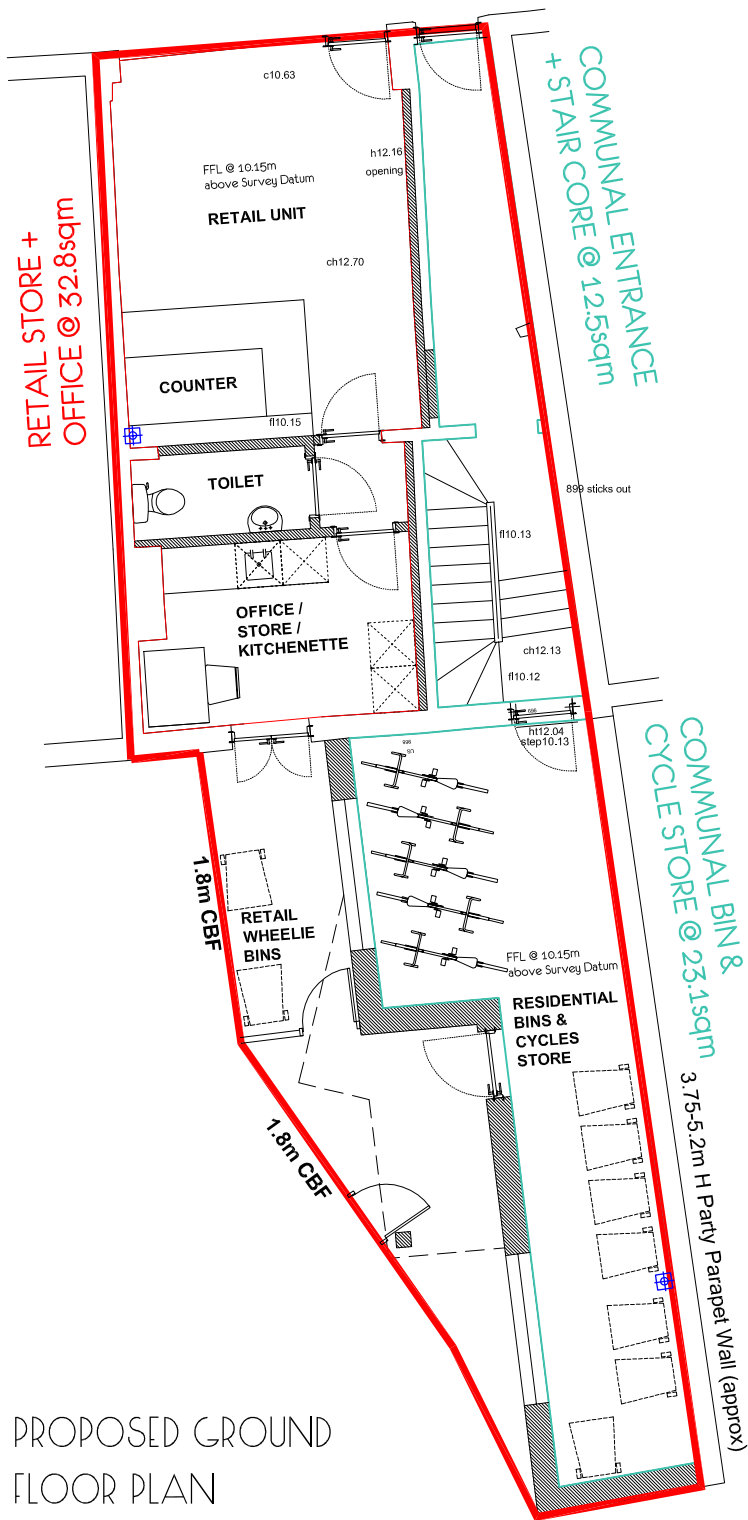


PROPOSED GROUND, FIRST & SECOND FLOOR PLANS

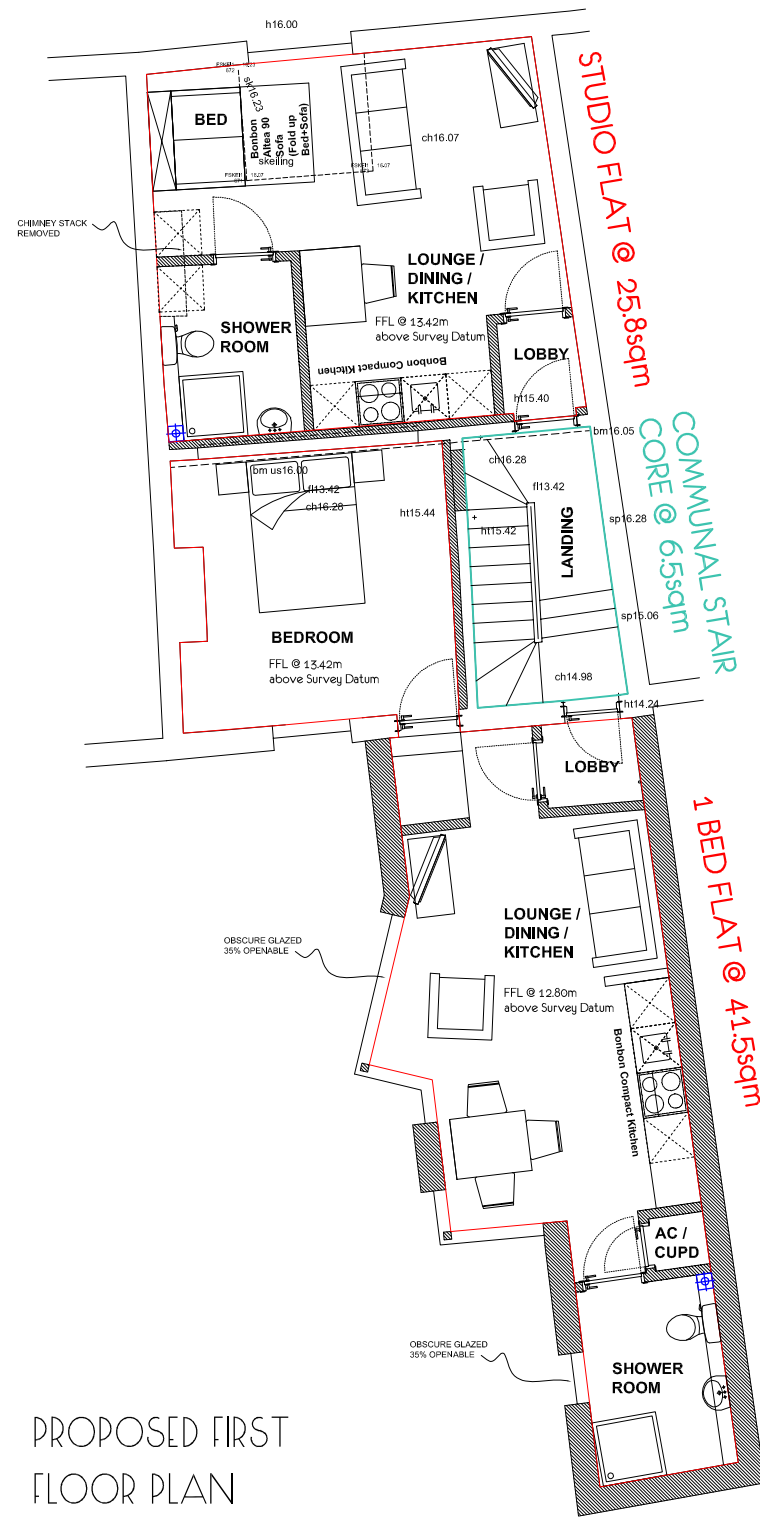


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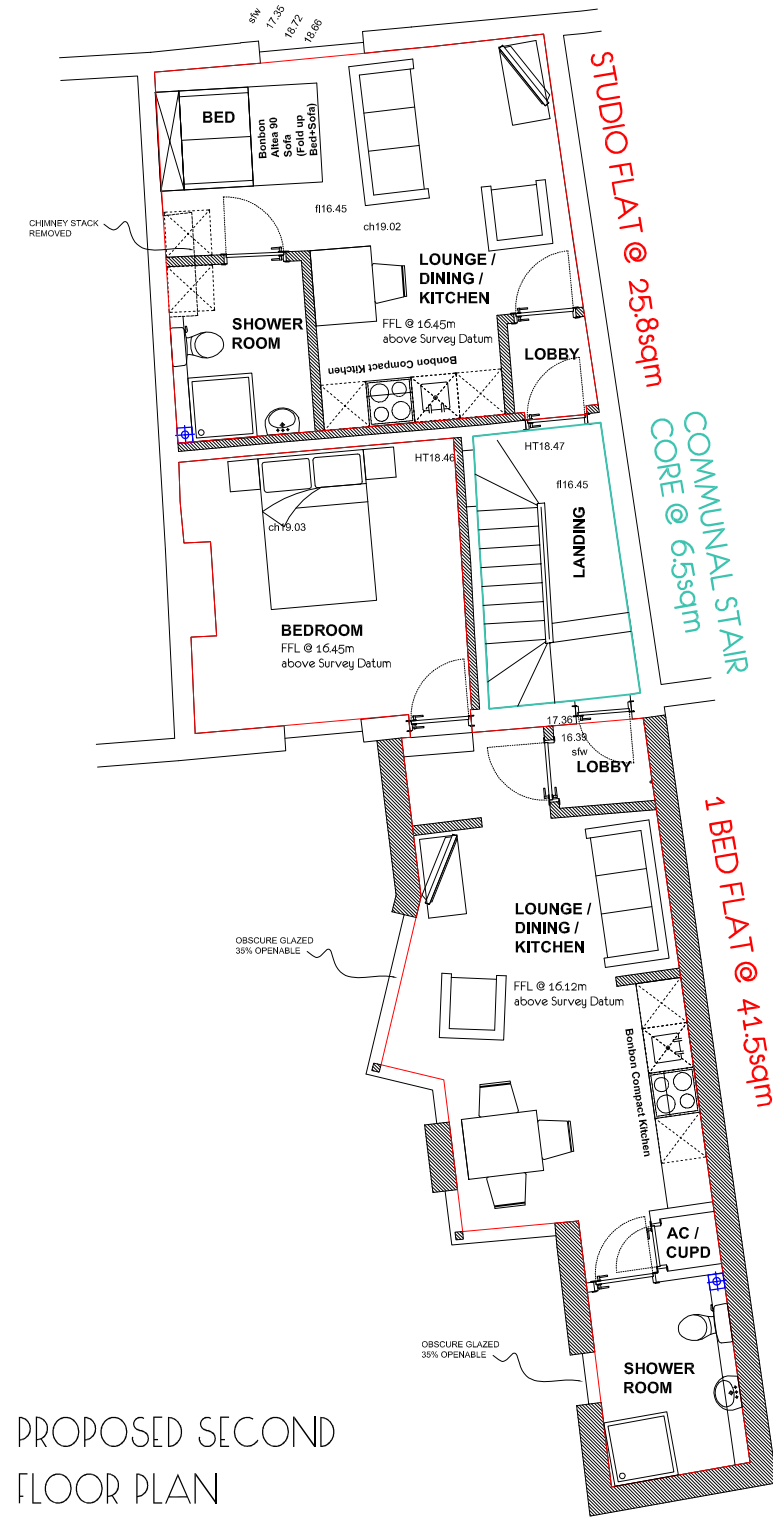
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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

Key to terms used on survey:

- th - threshold level
- u/s - height to underside
- c - Window cill/cil of feature
- h - head of opening
- ht - height of feature
- co - clear opening
- sp - spring height
- fl - floor height
- ch - ceiling height
- elec - electric service apparatus
- cupd - cupboard

Green partition (colours may vary - for key see floor plans)
White solid wall (best effort is made to identify but where critical should be verified)
△ - survey station

NOTES:
ABSOLUTE LEVELS RELATE TO SURVEY DATUM, RELATIVE LEVELS TO FLOOR LEVEL



Toldfield Architect Ltd
5 Freemantle Business Centre
152 Millbrook Road East
Southampton
SO15 1JR
Tel: 023 80 236165

Emails:
info@toldfieldarchitects.co.uk
adi@toldfieldarchitects.co.uk
kouros@toldfieldarchitects.co.uk
Web: www.toldfieldarchitects.co.uk

Project Name and Address:
59 Oxford Street, Southampton. SO14 3DL

Client:
Mr Andy Hewitt

Drawing Title:
Proposed Ground, First and Second Floor Plans

Project Ref: 180301
Origin: TA
Zone: -
Level: -
Type: -P
Role: -A
Number: -P12
Rev: -

Status:
Planning Application

TA Code: 180301
Project Stage: Planning
Sheet @ A3: 1:100
Date: 16/04/2018

Rev:	Comments:	AP	Dr:	Ch: