

Application 09/01377/OUT **468-480 Portswood Road**

Reasons for refusal (dated 21.7.2009) to 09/00409/OUT, which had proposed:-

Redevelopment of the site. Erection of a new building (part two-storey, part three-storey, part four-storey plus lower ground floor) to provide 50 student housing units and a retail unit - Class A1 with associated parking (Outline application seeking approval for layout, access, appearance and scale).

01. Unsatisfactory living conditions in 10 flats

The Local Planning Authority is not satisfied that satisfactory living conditions would be created in the 10 flats in the southern wing face Belgrave Road. This would be by reason of the size of these flats, enjoying only one non-openable window with an angled outlook, where unacceptable, claustrophobic living conditions would result. As such the development would be contrary to policies SDP1 (i) and H7 (ii) of the City of Southampton Local Plan Review (March 2006). The proposals would also be likely to prove contrary to LPR Policies SDP16 (ii) and H2 (iii), if ultimately no sealed glazing came to be fitted in the 10 flats of the southern wing facing Belgrave Road, as supported by PPG4 (Industrial, Commercial Development and Small Firms -paragraph 18) and PPG24 (Planning and Noise -paragraph 12 and paragraphs 3 and 4 of Annex 1).

02. Traffic Impact

An incomplete Transport Assessment has been submitted in support of the planning application, which does not set out the details of the proposed pool car club facility. It is not considered that the traffic likely to be generated by the residential element of the development, could be accommodated without resulting in additional kerbside parking pressures which would be prejudicial to highway conditions and highway/pedestrian safety in Belgrave Road. This would be especially likely at the end of student let contract periods, when up to 50 students could be likely to be bringing/taking their personal belongings to/away from the site by a vehicle. As such, the proposed development is considered to be contrary to Policies SDP3 and H13 (iv) of the City of Southampton Local Plan Review (March 2006), supported by the advice of paragraph 51 of PPG 13 (Transport)(2001), where evidence exists of congestion occurring from indiscriminate parking, especially by the bend in Belgrave Road.

03. Failure to secure planning obligations

The proposal fails to satisfy the provisions of Policy IMP1 of the City of Southampton Local Plan Review (March 2006) and the Council's Supplementary Planning Guidance on planning obligations by not securing the following:

- a) measures to support sustainable modes of transport such as necessary improvements to public transport facilities and footways within the vicinity of the site;
- b) measures to support strategic transport initiatives;
- c) a Traffic Regulation Order for the Belgrave Industrial Estate;
- d) the provision of public space to serve the needs of the development as required by Policies CLT5 of the City of Southampton Local Plan Review (March 2006);
- e) an undertaking that only students would occupy the studio flats, a list of such students who have signed contracts to be provided to the local planning authority at the start of each contract and each student signing an agreement not to bring their own car to the site, together with the local planning authority agreeing details of how the pool car sharing club would be operated at the site;
- f) a commitment to repairing any damage to the public highway attributable to the build process.

An Appeal was lodged against this decision on 20 January 2010 and will be heard at an Informal Hearing on 27 April 2010. The local planning authority's statement of case was dispatched on 3 March 2010.

Reasons for refusal (dated 11/11/2008) to 08/01123/OUT, which had proposed:-

Redevelopment of the site, Erection of a new building (part 2- storey, part 3 - storey, part 4 - storey plus lower ground floor) to provide 46 student housing units and a retail unit (Class A1) with associated parking. (Outline application seeking approval for layout, access, appearance and scale).

01. Noise disturbance

Notwithstanding the Acoustic Report and Planning Statement submitted in support of the planning application the proposal fails to adequately address the impact of noise disturbance on occupiers of the proposed flats arising from their proximity to neighbouring noise sources, particularly the adjoining car repair workshop and The Brook Public House. The Local Planning Authority is subsequently not satisfied that the residential use of the site would result in an acceptable living environment but, instead could result in noise complaints from residents of the proposed flats which would prejudice the continued operation of neighbouring commercial premises. As such the development would be contrary to policies SDP1 (i),SDP16 (ii),H2 (iii)and H7 (ii) of the City of Southampton Local Plan Review (March 2006)as supported by PPG24 (Planning and Noise)(1994).

02. Traffic Generation

Notwithstanding the Transport Assessment submitted in support of the planning application and pool car club facility it is not considered that the traffic likely to be generated by the development, which has no off street servicing area for the retail unit, could be accommodated without resulting in additional kerbside parking pressures which would be prejudicial to highway conditions in neighbouring streets and highway/pedestrian safety. As such, the proposed development is considered to be contrary to Policies SDP3, H13 (iv) of the City of Southampton Local Plan Review (March 2006) and paragraph 51 of PPG 13 (Transport)(2001).

03. Living conditions

The ground floor layout of the proposed building would render poor quality living accommodation for future occupiers residing on the northern side of the courtyard as a result of restricted outlook, excessive enclosure and inadequate light contrary to Policies SDP1 (i -particularly the design principles set out in paragraphs 2.2.1,2.2.2, 2.2.7,2.2.11,2.2.12 and 3.2.2 of the Residential Design Guide [2006])and H7 (ii)/(iii) of the City of Southampton Local Plan Review (March 2006).

04. North elevation harmful to visual amenities

Notwithstanding the varied character of the area, the north elevation of the proposed building, by reason of its scale, massing and largely unrelieved brickwork, having regard to the site's topography, would constitute an overdominant and unattractive aspect of a building on a prominent site, which would be harmful to the character and appearance of the area. As such this aspect of the proposals is considered to be contrary to Policies SDP1 (i - particularly the guidance of paragraphs 3.9.5 and 3.10.11-3.10.14 of the Residential Design Guide [September 2006]), SDP7 (iv)/(v), SDP9 (i)/(iv)/(v) and H7 (i)/(ii)/(iii) of the City of Southampton Local Plan Review (March 2006).

05. Failure to secure planning obligations

The proposal fails to satisfy the provisions of Policy IMP1 of the City of Southampton Local Plan Review (March 2006)and the Council 's Supplementary Planning Guidance on planning obligations by not securing the following:

- a) measures to support sustainable modes of transport such as necessary improvements to public transport facilities and footways within the vicinity of the site;
- b) measures to support strategic transport initiatives;
- c) a Traffic Regulation Order for the Belgrave Industrial Estate;

d) the provision of public space to serve the needs of the development as required by Policies CLT5 of the City of Southampton Local Plan Review (March 2006);

e) a contribution towards the provision of affordable housing as required by Policy H9 of the City of Southampton Local Plan Review and, in particular, paragraph 2.11 of the Supplementary planning guidance on planning obligations (November 2006); and,

f) a commitment to repairing any damage to the public highway attributable to the build process.