

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

In 1933, terraced properties used to occupy the site. Known as Brook Terrace, the design and access statement shows a picture of these properties still in place in 1950. They have since been demolished and the site is currently used as a car sales lot with ancillary vehicle repair work undertaken.

Relevant Planning History of the application site Belgravia Car Sales 468-480 Portswood Road (Terrier number 11316)

04/01719/FUL
24.01.2005

Refused

Redevelopment of the site by the erection of a three storey block to comprise 12 x 2 bedroom flats with associated car-parking involving demolition of existing buildings.

Reasons:-

01. The proposal constitutes an over development of the site with inadequate amenity space which would result in sub-standard living conditions for future occupiers of the development contrary to Policy GP1(viii) of the City of Southampton Local Plan 1995 and Policy H5(iv) of the City of Southampton Local Plan Review (February 2003)

02. The proposal fails to address the impact of noise disturbance on occupiers of the proposed flats arising from traffic noise in Portswood Road and proximity to the nearby industrial units and The Brook Public House. The Local Planning Authority are not satisfied that the residential use of the site would not result in an unacceptable living environment or 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 GP1(v), ENV17(ii) of the City of Southampton Local Plan 1995 and Policies SDP16(ii), H3(iv), H8(iii) of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003).

03. The proposal makes inadequate provision to accommodate the traffic generated by the development at this sensitive location close to the Portswood Road junction and would result in additional kerbside parking pressures and congestion in surrounding roads prejudicial to highway safety. As such the development would be contrary to Policies GP1(x), (xiv), H10(i), T2(ii), (iii) of the City of Southampton Local Plan 1995 and Policies SDP1(i), SDP3 of the City of Southampton Local Plan Review Revised Deposit Version (Feb 2003).

04. The proposal fails to make contributions towards off-site highway works to encourage the use of sustainable modes of transport contrary to Policy GP1(xvi) of the City of Southampton Local Plan 1995 and Policy SDP2 of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003)

05. *The proposal fails to secure the provision of housing that would be available to people who are unable to resolve their housing needs in the private sector market because of the relationship between housing costs and income contrary to Policy H2 of the City of Southampton Local Plan 1995 and Policy H13, H14 of the City of Southampton Local Plan Revised Deposit Version (Feb.2003).*

06. *The proposal fails to secure the provision of open space and play space or play facilities contrary to Policy L4, L5, L6 of the City of Southampton Local Plan 1995 and Policy CLT5, CLT 6 of the City of Southampton Local Plan Review Revised Deposit Version (Feb.2003) .*

07. *The proposal fails to address the potential effects of land contamination on future occupiers of the flats contrary to Policy GP1(vi) of the City of Southampton Local Plan 1995 and Policies SDP1(i), SDP22 of the City of Southampton Local Plan Review Revised Deposit Version (Feb.2003).*

08. *The proposal fails to provide details of the method of investigation and recording of archaeological resources contrary to Policy EV4 of the City of Southampton Local Plan 1995 and Policy HE6 of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003).*

05/01384/FUL
15.11.2005

Refused

Redevelopment of the site by the erection of a three-storey building to provide 12 x 2 bedroom flats with associated car parking involving demolition of existing buildings.

Reasons:-

01. *Notwithstanding the Acoustic Report submitted in support of the application the proposal fails to adequately address the impact of noise disturbance on occupiers of the proposed flats arising from traffic noise in Portswood Road and proximity to the nearby industrial estate, car repair workshop and The Brook Public House. The Local Planning Authority are not satisfied that the residential use of the site would not result in an unacceptable living environment or 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 GP1(v), ENV17(ii) of the City of Southampton Local Plan 1995 and Policies SDP16(ii), H3(iv), H8(iii) of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003).*

02. *The proposal fails to secure adequate priority access to the development site and bin/cycle store for pedestrians, future occupiers and cyclists detrimental to highway and pedestrian safety. As such the proposal is contrary to Policies GP1(ix), (xi), (xii), (xiii), (xiv); T2 (i),(iv) of the City of Southampton Local Plan 1995 and Policies SDP1(i), SDP2, SDP4(i), SDP11 of the City of Southampton Local Plan Review Revised Deposit Version (Feb.2003).*

03. *The proposal fails to make contributions towards off-site highway works to encourage the use of sustainable modes of transport contrary to Policy GP1(xvi), T2(ii) of the City of Southampton Local Plan 1995 and Policy SDP2 of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003)*

04. *The proposal fails to address the potential effects of land contamination on future occupiers of the flats contrary to Policy GP1(vi) of the City of Southampton Local Plan 1995 and Policies SDP1(i), SDP22 of the City of Southampton Local Plan Review Revised Deposit Version (Feb.2003).*

05. *The proposal fails to secure the provision of open space and play space or play facilities contrary to Policy L4, L5, L6 of the City of Southampton Local Plan 1995 and Policy CLT5, CLT 6 of the City of Southampton Local Plan Review Revised Deposit Version (Feb.2003) .*

06. *The proposal fails to provide details of the method of investigation and recording of archaeological resources contrary to Policy EV4 of the City of Southampton Local Plan 1995 and Policy HE6 of the City of Southampton Local Plan Review Revised Deposit Version (Feb. 2003).*

07. *The proposal fails to make contributions towards the Strategic Transport Network in accordance with the Supplementary Planning Guidance on planning obligations adopted in August 2005.*

07/01092/FUL

Withdrawn 5.09.2007

Redevelopment of the site by the erection of a three-storey building to provide 12 x 2 bedroom flats with associated car parking involving demolition of existing buildings.

07/01901/FUL

Refused

22.02.2008

Redevelopment of the site. Erection of a three storey building to provide 12 x two bedroom flats with associated parking and vehicular access from Belgrave Road.

Reasons:-

01. *Noise disturbance*

In the absence of an Acoustic Report to accompany the application the proposal fails to address the impact of noise disturbance on occupiers of the proposed flats arising from traffic noise in Portswood Road and their proximity to the nearby industrial estate, adjoining car repair workshop and The Brook Public House. The Local Planning Authority are subsequently not satisfied that the residential use of the site would result in an acceptable living environment and, instead, will result in noise complaints from residents of the proposed flats which could prejudice the continued operation of neighbouring commercial premises. As such the development would be contrary to policies SDP1, SDP16 (ii) and H5(iii) of the adopted City of Southampton Local Plan

Review (March 2006) as supported by PPG24 (Planning and Noise) (1994).

02. Over intensive development

The proposal represents an over intensive form of development in terms of the amount of the site given over to buildings and hard surfacing dedicated to parking facilities in relation to the amount of soft landscaping and amenity space. As such, the development is considered to be contrary to Policies SDP1 (ii - particularly paragraphs 3.2.2, 3.9.2 of the Residential Design Guide [Sept. 2006]) and H7 (i)/(ii) of the adopted City of Southampton Local Plan Review (March 2006).

03. Sub-standard access and parking arrangements

The proposal provides sub-standard pedestrian access and parking facilities and would be prejudicial to pedestrian/highway safety, living conditions and amenities and convenience of future residential occupiers for the following reasons:

(i) the sub-standard aisle width serving the ground floor car parking spaces would not allow sufficient space for cars to manoeuvre in an effective and efficient manner within the site.

(ii) sub-standard sized parking spaces.

(iii) inadequate pedestrian footway width along Belgrave Road adjacent to the vehicular access into the site for residents of the development which does not provide sufficient pedestrian dominance or refuge.

(iv) inadequate information regarding access and collection arrangements for the bin store taking into account that the refuse store and its collection point are at different levels.

(v) the doors of the bin store open out onto the vehicular accessway.

(vi) convenient pedestrian access within the site from the entrance to the building to the areas of communal amenity space is not provided.

As such the development would be contrary to Policies SDP1 (i - particularly paragraphs 4.3.4, 4.4.4, 5.1.13, 5.1.14, 5.1.15, 5.2.3, 9.2.4, 9.3, 9.3.1, 9.3.2, 9.4 of the Residential Design Guide [September 2006]), SDP4, SDP11 (ii) and H7 (i) / (ii) of the City of Southampton Local Plan Review (March 2006).

04. Resource Conservation

In the absence of a detailed sustainability statement/checklist the application fails to properly address the Council's sustainable development principles. As such, the proposed development is considered to be contrary to Policies SDP 1 (i - particularly the guidance contained in paragraphs 7.3, 7.3.1 - 7.7.6 and 7.9.1-7.9.4 of the Residential Design Guide [September 2006]) and SDP13 of the City of Southampton Local Plan Review (March 2006).

05. Land Contamination

In the absence of any supporting information the proposal fails to address the potential effects of land contamination on future occupiers of the flats contrary to Policies SDP1(i) and SDP22 of the adopted City of Southampton Local Plan Review (March 2006).

06. Archaeological Remains

In the absence of any supporting information the proposal fails to provide details of the method of investigation and recording of archaeological resources contrary to Policy HE6 of the adopted City of Southampton Local Plan Review (March 2006).

07. S106 Contributions

In the absence of a completed S.106 legal agreement to mitigate against the scheme's direct impacts 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 (August 2005 - as amended) in the following areas:

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) the provision of public open space and children's play space to serve the needs of the development as required by Policies CLT5 and CLT6 of the City of Southampton Local Plan Review (March 2006) and

d) a highways condition survey to make good any possible damage to the public highway in the course of construction.

Informative:

The applicant is advised that this final reason for refusal could be resolved following the submission of an acceptable scheme and the completion of a S.106 Legal Agreement to address the above requirements.

08/01123/OUT

Refused 11.11.2008

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).

See **Appendix 1** to this report

09/00409/OUT

Refused 21.07.2009

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).

See **Appendix 1** to this report

Relevant Planning History of nearby sites (bold numbers are the terrier number – refer to map)

Phil White Carworks, Belgrave Road, SO17 3AN

05/01787/LDCE (Lawful Development Certificate)
Grant 06.02.2006
Retention and use of building and land for vehicle repair
(NB - no planning restrictions on use)

L & S Commercials Belgrave Road SO17 3AN

20264/M11/1673(X) (aka 85/01390/FUL) Conditionally
Approved 10.12.99
Permanent retention of garage/workshop and office for maintenance of motor vehicles
(N.B. first temporary consent granted 1.4.80 under **20264/1568/M5**)

Conditions of interest stating:-

(2) All loading and unloading taking place within the site
REASON
To prevent obstruction in neighbouring roads

(3) All maintenance works to coaches/vehicles shall be carried out within the site and not on the adjoining highway.
REASON
To prevent obstruction to traffic in Belgrave Road.

940036/**20264**/W (aka 94/10800/FUL) Conditionally
Approved 24.02.94
Erection of a first floor extension (No limiting conditions as to use)

07/01052/FUL/**20264** Conditionally
Approved 13.09.2007
Erection of two storey side extension with recladding to form additional office space.
Conditions of interest stating:-

03. Specified Use

*The **extension** hereby permitted shall only be used for the ancillary workshop uses specified in the Description of Development above and shown on the approved plans and for no other purpose whatsoever, including any other purpose within Class B1 of the Schedule to the Town and Country Planning (Use Classes) Amendment Order 2005, (or in any equivalent provision in any statutory instrument revoking or re-enacting that Order).*

REASON

To enable the Local Planning Authority to retain control over the development in the interests of the amenities of the area.

05. Loading and unloading

All loading and unloading operations associated with planning permission M11/1673/20264x shall take place within the site.

REASON

To prevent obstruction to traffic in neighbouring roads.

06. Maintenance works

All maintenance works to coaches/vehicles associated with planning permission M11/1673/2026x shall be carried out within the site and not on the adjoining highway.

REASON

To prevent obstruction to traffic in Belgrave Road.

Allied National Pallet Site (immediately east and south of 'L & S Commercials), Belgrave Road

00/01439/FUL/**6138**

Conditionally Approved

29.04.2002

Construction of 5 industrial units

No restrictions on what use class, nor hours of operation.

Conditions of interest stating:-

02. Parking/Loading/Unloading

The development hereby permitted shall not be brought into use until the area shown on the approved plan for parking, loading and unloading of vehicles has been made available and surfaced. Such areas shall be subsequently retained and reserved for those purposes at all times.

REASON

In the interest of highway safety and to achieve a satisfactory form of development.

09. Full details of the repair and reinstatement of the footway to Belgrave Road adjacent to the application site shall be submitted to and approved by the Local Planning Authority before development commences. The approved scheme shall thereafter be implemented and wholly completed before any building is first occupied.

REASON

To secure properly planned development and in the interests of the safety and convenience of highway users.

Brook Inn, 466 Portswood Road

03/00795/FUL/**2706**

Conditionally

Approved 07.11.2003

Continued use of the premises as a live music and entertainment venue (Use Class D2) and expansion by erecting a two storey side extension, formation of

new entrance canopy and alterations to existing doors and windows.
Conditions of interest stating:-

05. Prior to the commencement of any development the applicant shall submit a scheme detailing the specifications of the wall structure and associated insulation materials to the southern facing external wall of the extension hereby approved and all walls which enclose a room where amplified music is to be played. The details shall include sectional drawings illustrating the proposed construction. The scheme shall also include measures to attenuate any extract ventilation equipment that may be included within the fabric of the building. No development shall commence until such details have been submitted to and approved in writing by the Local Planning Authority and the approved sound insulation system shall be fully installed in accordance with the approved scheme.

REASON

In order to ensure that the use does not cause harm to the surrounding environment in terms of noise emissions.

07. The whole of the accommodation hereby approved shall be used as a live music venue Class D2 and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the grant of a fresh planning consent.

REASON

In order to control the intensity of activities on the site in the interest of protecting amenity values.

08. This permission is personal to Mr B Lewis of Soundbase Entertainment during their occupation of the premises. On their vacating the premises the use shall revert to the authorised use of A3.

REASON

In granting this permission the Council has regard to special circumstances of the case and wishes to have the opportunity of exercising control over the subsequent use of the premises in the event of the authorised user vacating the premises.

09. The use hereby permitted shall not operate outside the following hours:-

Monday to Wednesday 7.00pm to 11.00pm

Thursday to Saturday 7.00pm to 01.00am

Sundays 7.00pm to 10.30pm

Unless agreed otherwise in writing by the Local Planning Authority

REASON

In order to control the use in the interests of amenity.

03/01718/VC/2706

Conditionally

Approved 09.01.2004

Variation of condition 8 of planning permission 03/00795/FUL to amend the wording; variation of condition 09 to allow opening until 1am on Wednesdays and amendment to the extension as approved under the same planning

permission on the 6th November 2003 to include an additional two storey rear element and the erection of an external partially enclosed fire escape.
Conditions/points of interest stating:-

02. This permission is for the sole use of Soundbase Entertainment during their occupation of the premises on their vacating the premises the use shall revert to the authorised use of A3.

REASON

In granting this permission the Council has regard to special circumstances of the case and wishes to have the opportunity of exercising control over the subsequent use of the premises in the event of the authorised user vacating the premises.

03. The use hereby permitted shall not operate outside the following hours:-

Monday to Tuesday 7.00pm to 11.00pm

Wednesday to Saturday 7.00pm to 01.00am

Sundays 7.00pm to 10.30pm

Unless agreed otherwise in writing by the Local Planning Authority

REASON

In order to control the use in the interests of amenity.

NOTE TO THE APPLICANT

Please be advised that this consent approves the variation of the wording of condition 8 of planning permission SCC reference 03/00795/FUL as detailed in condition 02 above and amends the hours of opening for Wednesdays, as detailed in condition 03 above and also gives approval for the additional elements set out in the description of development. The planning conditions hereby varied and the planning conditions attached to that previous planning permission are still applicable once that planning permission is implemented.

05/01220/VC/2706

Conditionally Temporarily

Approved 04.11.2005

Variation of Condition 2 of previous planning permission ref: 03/00795/FUL dated 6/11/03 (as amended by condition 02 of planning permission

03/01718/VC dated 9/01/04) to allow operating hours of 11.00 to 01.30

Monday to Thursday, 11.00 to 02.30 Friday and Saturday and 12.00 to 00.30 on Sundays.

Conditions/points of interest stating:-

01. The hours of use hereby permitted shall be discontinued either on or before the period ending on Sunday 5th November 2006, a period of one year.

REASON

To enable the Local Planning Authority to review the special circumstances under which planning permission is granted for the hours of use provided in order to monitor the use in relation to the amenities of residential property in the area.

02. The whole of the accommodation shall be used as a live music venue Class D2 and for no other purpose (including any other purpose in Class D2

of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the grant of a fresh planning consent.

REASON

In order to control the intensity of activities on the site in the interest of protecting amenity values.

03. This permission is for the sole use of Mr Bryn Lewis who trades as Soundbase Entertainment during their occupation of the premises. On their vacating the premises the use shall revert to the authorised use of A3.

REASON

In granting this permission the Council has regard to special circumstances of the case and wishes to have the opportunity of exercising control over the subsequent use of the premises in the event of the authorised user vacating the premises.

04. The use hereby permitted shall not operate outside the following hours as a live music and entertainment venue (Use Class D2)

Monday to Thursday 19.00 hours to 01.30 hours

Friday and Saturday 19.00 hours to 02.30 hours

Sunday 19.00 hours to 00.30 hours

unless agreed otherwise in writing by the Local Planning Authority

REASON

In order to control the use in the interests of amenity.

482 Portswood Road

1517/1631/M52

Conditionally

Approved 28.06.83

Single storey building for use as a car showroom.

R/o 486 Portswood Road

99/01146/FUL/25501

Conditionally

Approved 10.12.99

Use for dismantling of motorcycles, storage and retailing of parts

Conditions of interest stating:-

02. Unless the Local Planning Authority agree otherwise in writing this consent shall operate for the benefit of the person or organisation specified below, only whilst they are in occupation of the premises and shall not operate for any organisation or person other than the specified beneficiary. Mr James Fordham.

REASON

The permission has been granted solely because of the applicant's personal circumstances without which permission would not normally have been granted.

03. Opening Hours

Unless the Local Planning Authority agree in writing, the premises to which this permission relates shall not be open for business outside the hours specified below

8.00 am to 6.30 pm Monday to Saturday.

REASON

To protect the amenities of the occupiers of adjoining residential properties.

05. No motorcycles or other articles shall be stored, displayed or dismantled on the site outside the areas stipulated on the approved plans.

REASON

To ensure a satisfactory form of development.

06. Collections and deliveries to and from the site shall not take place outside the normal working hours.

REASON

To protect the amenities of nearby residents.

07. No machinery or power tools shall be used for any process of dismantling or assembly associated with the use of the site.

REASON

To protect the amenities of nearby residents.

08. Car Parking

The car parking area shown on the approved drawing shall be laid out and surfaced before the use hereby permitted commences and shall thereafter be kept clear and maintained at all times for that purpose.

REASON

To prevent obstruction to traffic in neighbouring roads.

09. The access track adjacent to the site shall not at any time be obstructed by vehicles or other goods or materials associated with the use of this site.

REASON

To ensure access to other sites is maintained at all times.

10. The use of the premises shall be for the dismantling of motorcycles, storage and retailing of parts only.

REASON

For the avoidance of doubt.

Bend in Belgrave Road

1556/12938/C1

Approved 12.6.79

Widening of bend in road

Portswood/Swaythling By-pass Road Southampton

21410/H01/1647
SCC - 5.7.1984

No objections by

Modifications to by-pass proposals by Hampshire County Council (Thomas Lewis Way)

442 / 464 Portswood Road (Roxan Mews)

04/00429/FUL/**27022**
Approved 14.10.2005

Conditionally

Redevelopment of the site by the erection of 3 no. 4-storey residential blocks to provide 39 flats with undercroft car parking.

R/o 484-496 Portswood Road

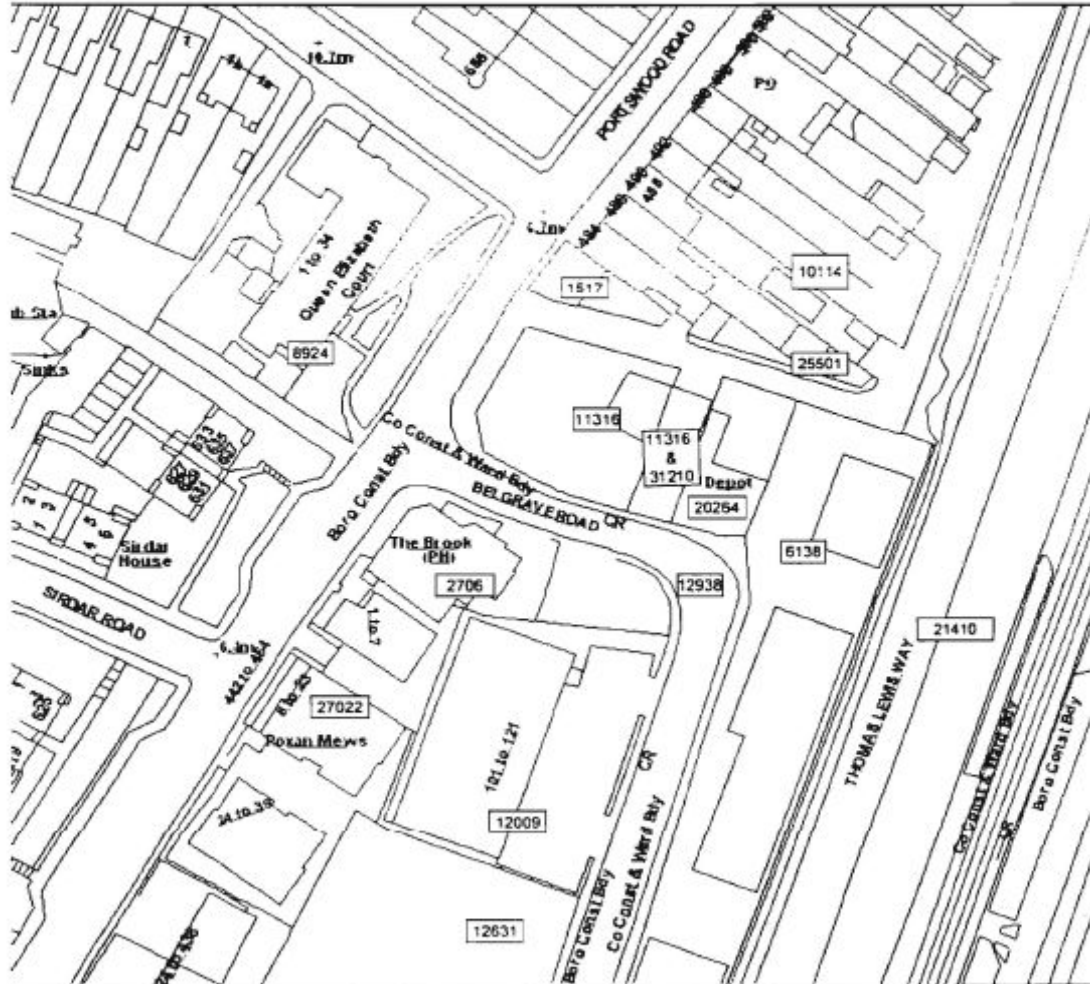
07/01141/FUL/**10114**
Withdrawn 25.10.2007

Redevelopment of the rear of the site. Demolition of the existing buildings and erection of a part two-storey, part three-storey and part four-storey block of 12 flats (11 x two-bedroom, 1 x one-bedroom) with associated parking.

09/00964/FUL/**10114**
Withdrawn 11.12.2009

Erection of a part two-storey, part three-storey and part four-storey building to provide 12 flats (11 x two-bedroom and 1 x one-bedroom) with associated access, parking and storage facilities and additional parking for the existing Portswood Road properties.

Appendix 3
to 09/01377/OUT



Terrier numbers in boxes: please refer to written schedule of site histories