

# Planning and Rights of Way Panel

Tuesday, 6th December,  
2016

at 6.00 pm

## **PLEASE NOTE TIME OF MEETING**

Conference Room 3 and 4 - Civic  
Centre

This meeting is open to the public

### **Members**

Councillor Denness (Chair)  
Councillor Coombs (Vice-Chair)  
Councillor Barnes-Andrews  
Councillor Claisse  
Councillor L Harris  
Councillor Hecks  
Councillor Mintoff

### **Contacts**

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## PUBLIC INFORMATION

### **Role of the Planning and Rights of Way Panel**

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

### **Public Representations**

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

**Smoking policy** – The Council operates a no-smoking policy in all civic buildings

**Mobile Telephones:-** Please switch your mobile telephones to silent whilst in the meeting

**Use of Social Media:-** The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting. By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

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Details of the Council's Guidance on the recording of meetings is available on the Council's website.

### **Southampton City Council's Priorities**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

**Fire Procedure** – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

**Access** – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

### **Dates of Meetings: Municipal Year 2016/17**

<b>2016</b>	
7 June	13 September
21 June	4 October
12 July	25 October
2 August	15 November
23 August	6 December

<b>2017</b>	
10 January	25 April
31 January	
21 February	
14 March	
4 April	

## **CONDUCT OF MEETING**

### **Terms of Reference**

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

### **Business to be discussed**

Only those items listed on the attached agenda may be considered at this meeting.

### **Rules of Procedure**

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

### **Quorum**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## **AGENDA**

### **1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

### **2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### **3 STATEMENT FROM THE CHAIR**

### **4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 6)

To approve and sign as a correct record the Minutes of the meetings held on 15<sup>th</sup> November 2016 and to deal with any matters arising, attached.

## **CONSIDERATION OF PLANNING APPLICATIONS**

### **5 PLANNING APPLICATION -16/01778/MMA - FORMER PORTSWOOD BUS DEPOT** (Pages 11 - 52)

Report of the Service Lead, Planning, Infrastructure and Development recommending the Panel delegate approval in respect of an application for a proposed development at the above address.

### **6 PLANNING APPLICATION - 16/01509/FUL - 8 WESTRIDGE ROAD** (Pages 53 - 70)

Report of the Service Lead, Planning, Infrastructure and Development recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

### **7 PLANNING APPLICATION - 16/01122/FUL - 238 BURSLEDON ROAD** (Pages 71 - 78)

Report of the Service Lead, Planning, Infrastructure and Development recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

**8 PLANNING APPLICATION - 15/01250/FUL - 106-113 ST MARY STREET**  
(Pages 79 - 108)

Report of the Service Lead, Planning, Infrastructure and Development recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

Monday, 28 November 2016

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2016

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Present: Councillors Denness (Chair), Coombs (Vice-Chair), Barnes-Andrews, Claisse (Except Minute Number 48), L Harris, Hecks and Mintoff

45. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED:** that the minutes for the Panel meeting on 25 October 2016 be approved and signed as a correct record.

46. **PLANNING APPLICATION -16/00568/FUL - 305 WIMPSON LANE**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Erection of a two storey building to contain 3 x 1-bed flats with associated parking and bin/cycle stores - description amended following validation to remove 1 flat.

Councillor Pope (ward councillor / objecting) was present and, with the consent of the Chair, addressed the meeting.

The Panel question officers on the requirement for Condition 14 of the report and on the defensible space for residents within the development in order to assure privacy and also requested an amendment on conditions seeking for obscured glass.

Upon being put to the vote the officer recommendation to delegate planning permission, with the amendments set out below, was approved.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes-Andrews, Coombs, Denness and Mintoff

AGAINST: Councillors Hecks and Claisse

ABSTAINED: Councillor L Harris

**RESOLVED**

- (i) to delegate to the Service Lead, Planning Infrastructure and Development Manager to grant planning permission subject to the planning conditions set out in the report; the additional / amended conditions set out below; and subject to the submission of the following;
  - a. Financial contributions towards Solent Disturbance Mitigation Project in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (ii) In the event that the Solent Disturbance Mitigation Project contributions are not received authority be delegated to the Service Lead, Planning Infrastructure and Development Manager to refuse the application for failing to mitigate its direct impacts upon the Special Protection Area of the Solent Waters.

### **Additional and Amended Conditions**

REMOVE CONDITION 14:No storage under tree canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

REASON: To preserve the said trees in the interests of the visual amenities and character of the locality

ADDITIONAL CONDITION: No other windows or doors other than approved (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

REASON: To protect the amenities of the adjoining residential properties.

ADDITIONAL CONDITION: Defensible space (Pre-occupation Condition)

Prior to occupation amended plans detailing an enclosed area to provide defensible space adjacent to the rear elevation for the rear flat shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved plans and retained for that use unless otherwise agreed in writing.

REASON: To protect the amenities of the residential properties.

#### 47. **PLANNING APPLICATION -16/01358/OUT - 78 WARREN CRESCENT**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Erection of a 3 storey building comprising 9 flats (6 x 1-bed, 3 x 2-bed) with associated parking, bin store and amenity space following demolition of existing building (Outline application seeking approval for access, appearance, layout and scale) (resubmission of 15/02138/OUT)

The Panel requested officers tighten the materials condition to ensure that the development would be in keeping with the surrounding area.

Upon being put to the vote the officer recommendation to delegate planning permission, with the amendments set out below, was unanimously approved.

### **RESOLVED**

- (i) to delegate to the Service Lead, Planning, Infrastructure and to delegate to the Service Lead, Planning, Infrastructure and Development to grant planning



- permission subject to: the conditions listed in the report; the amendments to the report, set out below; and the completion of a S106 Legal Agreement, to secure
- a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - b. 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.
  - c. Either a scheme of works or a financial contribution towards Solent Disturbance Mitigation Project in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (ii) In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, Service Lead, Planning, Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- (iii) That the Service Lead, Planning, Infrastructure and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

### **Amended Condition**

#### **Details of building materials to be used (Pre-Commencement Condition)**

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, and the roof of the proposed buildings. In addition, further details of window reveals, sills and lintel design and brickwork detailing to add interest to the building shall be submitted to and agreed in writing. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

48. **PLANNING APPLICATION -16/01590/FUL - HIGHFIELD FARM, HILLDOWN ROAD,**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Convert 2 x existing buildings to residential (Use Class C3) to create 1 x three bed dwelling and 1 x two bed dwelling including a single-storey side extension to the barn and dormer window to the front of the annexe and additional windows and doors.

Janet Irene Witt (local resident / objecting) and Owen Thrush (agent) were present and, with the consent of the Chair, addressed the meeting.

The presenting officer reported an update to the parking condition changing the number of spaces required to 4. The Panel raised concerns about the boundary treatment of the development requested that officers add an additional condition to mitigate this issue. In addition the Panel questioned whether with the current planning permissions, available to the applicant, if part development of the site was a possibility it was explained that a further additional condition could be added to ensure that the site is not part developed alongside a commercial use.

Upon being put to the vote the officer recommendation to delegate planning permission, with the amendments set out below, was unanimously approved.

**RESOLVED**

- (i) To delegate to the Service Lead Planning, Infrastructure and Development Manager to grant conditional planning permission subject to: the conditions set out in the report; any amendments to the conditions set out below; and the completion of a Habitats Mitigation Agreement or Unilateral Undertaking to secure:
  - a. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (ii) In the event that the legal agreement is not completed within two months of the Service Lead Planning, Infrastructure and Development Manager be authorised to refuse permission following consultation with the Chair of the Planning & Rights of Way Panel on the ground of failure to secure the provisions of the Habitats Mitigation Agreement or Unilateral Undertaking.

**Amended or Additional Conditions**

**AMEND CONDITION 3 - Parking (Pre-Occupation)**

Before the development hereby approved first comes into occupation, the parking and access shall be provided in accordance with the plans hereby approved and shall include one additional parking space to that shown, to create two tandem car parking spaces for one of the dwellings. The parking shall thereafter be retained.

REASON: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

**ADDITIONAL CONDITION - Boundary Treatment (Performance)**

Before the development hereby approved first comes into occupation boundary treatment shall be provided in accordance with a scheme to be first agreed in writing by the Local Planning Authority. The scheme shall include a brick retaining wall along the southern site boundary between no. 1 and 5 Hilldown Road. The boundary treatment shall be thereafter retained as approved.

**REASON:** In the interest of residential amenity and the character of the area.

**ADDITIONAL CONDITION – Cessation of Commercial Use (Performance)**

No single dwelling unit hereby approved shall be occupied until the existing commercial operations carried out on the site have fully ceased.

**Reason:** To ensure that the existing commercial use on the site has ceased before the residential use commences to ensure an acceptable residential environment will be achieved.

**NOTE:** Councillor Claisse declared an interest and withdrew from the meeting.

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# Agenda Annex

## INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 6<sup>th</sup> December 2016 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	JT	DEL	15	16/01778/MMA Former Portswood Bus Depot
6	AC	CAP	5	16/01509/FUL 8 Westridge Road
7	JF	CAP	5	16/01122/FUL 238 Bursledon Road
8	SM	DEL	15	15/01250/FUL 106-113 St Mary Street

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers:  
PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Delete as applicable:

JT – Jenna Turner  
JF – John Fanning  
AC – Anna Coombes  
SM – Simon Mackie

**Southampton City Council - Planning and Rights of Way Panel**

**Report of Planning & Development Manager**

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

**Index of Documents referred to in the preparation of reports on Planning**

**Applications:**

**Background Papers**

1. Documents specifically related to the application
  - (a) Application forms, plans, supporting documents, reports and covering letters
  - (b) Relevant planning history
  - (c) Response to consultation requests
  - (d) Representations made by interested parties
  
2. Statutory Plans
  - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
  - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
  - (c) Local Transport Plan 2006 – 2011 (June 2006)
  - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
  - (e) Adopted City Centre Action Plan (2015)
  - (f) Community Infrastructure Levy Charging Schedule (2013)
  - (g) Bassett Neighbourhood Plan (Adopted 2016)
  
3. Statutory Plans in Preparation
  
4. Policies and Briefs published and adopted by Southampton City Council
  - (a) Old Town Development Strategy (2004)
  - (b) Public Art Strategy
  - (c) North South Spine Strategy (2004)
  - (d) Southampton City Centre Development Design Guide (2004)
  - (e) Streetscape Manual (2005)
  - (f) Residential Design Guide (2006)
  - (g) Developer Contributions SPD (September 2013)
  - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
  - (i) Women in the Planned Environment (1994)
  - (j) Advertisement Control Brief and Strategy (1991)
  - (k) Biodiversity Action Plan (2009)
  - (l) Economic Development Strategy (1996)
  - (m) Test Lane (1984)
  - (n) Itchen Valley Strategy (1993)

- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (1997)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)\*
- (dd) Bassett Avenue Character Appraisal (1982)\*
- (ee) Howard Road Character Appraisal (1991) \*
- (ff) Lower Freemantle Character Appraisal (1981) \*
- (gg) Mid Freemantle Character Appraisal (1982)\*
- (hh) Westridge Road Character Appraisal (1989) \*
- (ii) Westwood Park Character Appraisal (1981) \*
- (jj) Cranbury Place Character Appraisal (1988) \*
- (kk) Carlton Crescent Character Appraisal (1988) \*
- (ll) Old Town Conservation Area Character Appraisal (1974) \*
- (mm) Oxford Street Conservation Area Character Appraisal (1982) \*
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)\*
- (qq) Houses in Multiple Occupation (2012)
- (rr) Vyse Lane/ 58 French Street (1990)\*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)\*
- (tt) Old Woolston Development Control Brief (1974)\*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

\* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

## 5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Southampton C.C. - Cycling Plan (June 2000)
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) DETR Traffic Advisory Leaflets (various)

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (27.3.2012)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)



# Agenda Item 5

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 6<sup>th</sup> December 2016**  
**Planning Application Report of the Service Lead, Planning, Infrastructure and Development**

<b>Application address:</b> Former Portswood Bus Depot			
<b>Proposed development:</b> Development to provide purpose built student residential accommodation (435 bedspaces) in three buildings of between 3-storeys and 6-storeys plus lower ground floor level with vehicle access from Belmont Road and associated landscaping (amendment to previous planning permission reference 15/01510/FUL - changes relate to the type of accommodation and changes to elevations).			
<b>Application number</b>	16/01778/MMA	<b>Application type</b>	Minor Material Amendment
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	27.01.16	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	Referred by the Planning & Development Manager	<b>Ward Councillors</b>	Cllr O'Neill Cllr Claisse Cllr Savage
<b>Applicant:</b> SPG(H) Newco One Limited		<b>Agent:</b> None	
<b>Recommendation Summary</b>		<b>Delegate to Service Lead, Planning, Infrastructure and Development to grant planning permission subject to criteria listed in report</b>	
<b>Community Infrastructure Levy Liable</b>		Yes	

## Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including parking pressure, impact on neighbouring amenity, design and character have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. 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). "Saved" Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, HE6, H1, H2, H7 and H13 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS6, CS7, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council's current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>			
1	Habitats Regulation Assessment	2	Panel Report for 15/01510/FUL
3	Relevant Planning Policies	4	Relevant Planning History

## Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead, Planning, Infrastructure and Development to grant planning permission subject to the completion of a deed of variation to bind this permission to the previous S.106 Legal Agreement for application 15/01510/FUL.
3. In the event that the legal agreement is not completed within 2 months of the Panel meeting the Service Lead, Planning, Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Service Lead, Planning, Infrastructure and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

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

- 1.1 The site and its context is set out in the previous report to the Planning Panel, attached in **Appendix 2** of this report.

### 2. **Proposal**

- 2.1 The application seeks to amend the previously approved scheme for the development of the site to provide 435 student bed spaces, approved by the Planning and Rights of Way Panel on the 27<sup>th</sup> October 2015. The key differences between the two scheme are summarised as follows:
  - The cluster flats have been removed from the scheme and replaced with self-contained studios. The number of student bed spaces remains the same at 435.
  - The footprint of Block B (which runs broadly parallel with the access to Sainsbury's) has been increased by approximately 4 metres in width.
  - On the lower ground floor level, the cycle storage and other ancillary accommodation has been reconfigured to provide a gym and movie room.
  - At ground floor, the main entrance has been brought forward in the undercroft area and a single, large common room or, 'student hub' has been provided.
  - The elevation design has changed with minor changes to the position of windows and an amended approach to the cladding of elevations.
  - Block C, which fronts Belmont Road, has been amended from a series of pitched roofs to flat roofs, resulting in a 3.1 metre reduction in height to this block.

### 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). The most relevant policies to these proposals are set out at **Appendix 3**.
- 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 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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 relevant planning history of the site is set out in **Appendix 4** of this report.

#### **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 (11.11.16) and erecting a site notice (08.11.16). At the time of writing the report **0** representations have been received from surrounding residents but a verbal update of comments received will be provided at the Panel meeting, following the expiration of the publicity expiry.

#### **5.2 Consultation Responses**

5.3 **SCC Highways** – No objection subject to further information regarding the refuse and cycle storage arrangements.

5.4 **SCC City Design** – The changes to the Portswood Road frontage make a potentially very elegant revised façade to the street. Raise concerns with the loss of the pitched roofs to the Belmont Road frontage.

5.5 **SCC Archaeology** – No objection or conditions suggested.

5.6 **SCC Sustainability Team** – No further comments to previous application

5.7 **SCC Environmental Health (Pollution & Safety)** – No objection subject to the previous recommendations being re-imposed on this application.

5.8 **SCC CIL Officer** – The development is CIL liable and the charge will be levied at £70 per sq.m (subject to indexing) on the Gross Internal Area of the development.

5.9 **City of Southampton Society** – The minor amendments appear to introduce changes that will improve the quality of life for the residents. Particularly welcome the introduction of Juliet balconies and the omission of loft rooms and pitched roofs. The reduction in height should reduce the impact on the surrounding area.

5.10 **SCC Ecology** – No objection

5.11 **Natural England** – The proposed amendments to the original application are unlikely to have significantly different impact on the natural environment than the original proposal.

#### **6. Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are set out in the previous report to Planning Panel attached as **Appendix 2**. The main assessment of the key issues in the previous report are still relevant to this application.

6.2 In terms of the changes to the scheme, as noted above, the intensity of the scheme remains the same with no increase in the number of students that would be accommodated within the development. The changes to the communal spaces have resulted in slightly improved facilities for future residents.

6.3 Whilst the footprint of Block B has increased slightly, this block is set away from the street frontages of the development, with views of these elevations contained by the blocks to the Portswood Road and Belmont Road street frontages. A high-quality, landscaped courtyard would still be retained to the centre of the site. As such, this change is not considered to introduce harm to either the character of

the area or to the amenities of nearby residents.

- 6.4 The design changes to the elevations are, in general, considered to represent an improvement to the appearance of the buildings, particularly so to the Portswood Road frontage. Whilst the loss of the pitched roof to the Belmont Road elevation has eroded the more domestic design approach to this street frontage, the revised design has taken care to break the massing of this elevation to reflect the appearance of more domestic plot widths found within the area. Variations in external materials is also proposed to add interest to this elevation. Furthermore, the reduced scale of this block (by 3.1 metres) is considered to result in a lesser impact on nearby residents which would better assist the development in integrating into the context.

## **7. Summary**

- 7.1 The proposed changes to the scheme are considered to be acceptable in terms of the impact of the development on the surroundings and are minor in nature.

## **8. Conclusion**

- 8.1 It is recommended that planning permission be granted subject to a Deed of Variation to the Section 106 agreement and the conditions set out below.

**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) 3. (a) 4. (g) 6. (a) (c) (f) (i) 7. (a) 9. (a) (b)

**JT for 06/12/16 PROW Panel**

**PLANNING CONDITIONS**

**01. Full Permission Timing Condition**

The development works hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

**02. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

**03. Details of building materials to be used (Pre-Commencement Condition)**

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

**04. Refuse and Cycle Storage (Pre-Occupation Condition)**

The cycle and refuse storage shall be provided in accordance with the plans hereby approved, before the dwellings, to which the facilities relate, are occupied. The storage shall thereafter be retained and made available for that purpose.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

**05. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement Condition)**

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- iv. details of any proposed boundary treatment including.
- v. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

#### **05. Tree Retention and Safeguarding (Pre-Commencement Condition)**

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

#### **06. Arboricultural Protection Measures (Pre-Commencement Condition)**

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

Reason: To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees

#### **07. Replacement Trees:**

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority and shall include the following species:

- *Acer platanoides* *Olmstead*
- Incense Cedar *Calocedrus decurrens* for evergreen interest
- Non-Fastigate Scots Pine *Pinus sylvestris Fastigiata* for evergreen interest
- *Prunus Amanogawa* for autumn colour and spring flowers
- Small Leaves Lime *Tilia cordata Greenspire* (as above)
- Elm *Ulmus carpinifolia Wredei Aurea*

The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

#### **08. Tree Planting Method (Performance Condition)**

Prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. a root barrier for mitigating root damage to the public footway
2. Specification for constructing the above-ground surfacing to the front of the plots in a way that allows continuous soil volumes not individual 'tree pits', while avoiding future root damage to surfacing that will bring pressure to fell for actionable nuisance.

The development shall thereafter proceed in accordance with the agreed specification.

Reason: To ensure that replacement tree planting improves the appearance of the site and enhances the character of the area.

#### **09. Wheel Cleaning Facilities (Pre-Use Condition)**

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

**10. Construction Method Statement (Pre-Commencement Condition)**

The development hereby approved shall not commence until a method statement and appropriate drawings of the means of construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify vehicular access arrangements, the areas to be used for contractor's vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbours and the wider environment

**11. Hours of work for Demolition / Clearance / Construction (Performance Condition)**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday                                   08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays    09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

**12. Unsuspected Contamination (Performance Condition)**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

**13. Protection of nesting birds (Performance Condition)**

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason: For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

**14. Ecological Mitigation Statement (Performance Condition)**

The Ecological Mitigation Measures shall be implemented fully in accordance with the submitted Ecology Report and thereafter retained as approved.



Reason: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

**15. Sustainable Drainage Systems (Pre-Commencement Condition)**

Prior to the commencement of development a specification for the proposed sustainable drainage system (including green roofs) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason: To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

**16. Sustainability statement implementation (Pre-Occupation Condition)**

Prior to the first occupation of the development hereby granted consent, written documentary evidence proving that the development has implemented the approved sustainability measures as contained in the report Energy Statement ' issue 02 July 2015 C6028 shall be submitted to the Local Planning Authority for its approval. Technologies that meet the agreed specifications must be retained thereafter.

Reason

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**17. BREEAM Standards (Pre-Commencement Condition)**

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Excellent against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**18. BREEAM Standards (performance condition)**

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Excellent against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**19. Foul and Surface Water Drainage (Pre-Commencement Condition)**

No development shall commence, apart from demolition of the existing buildings, until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The

development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

**20. Active Ground Floor Frontage** (Performance Condition)

Notwithstanding the provisions of Class 12 of Schedule 3 of the Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any Order amending, revoking or re-enacting these Regulations, the occupiers of the ground floor frontage to Portswood Road hereby approved shall retain clear glazing on the ground floor along the length of the shop frontages hereby approved (without the installation of window vinyls or equivalent) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of retaining a lively and attractive streetscene without obstruction and to improve the natural surveillance offered by the development.

**21. Bonfires** (Performance Condition)

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason: To protect the amenities of the occupiers of existing nearby properties.

**22. Piling** (Pre-Commencement Condition)

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the selected piling method can be justified on the grounds of structural, geotechnical, contamination, noise, vibration and practicability and ensure any adverse environmental impacts are identified and appropriate mitigation measures are proposed.

## Application 16/01778/MMA

### Habitats Regulations Assessment (HRA)

Application reference:	16/01778/MMA
Application address:	224 Portswood Road, Southampton S017 2AD
Application description:	Proposed development of land at 224 Portswood Road, Southampton S017 2AD (the former Bus Depot Site) to provide purpose built student accommodation
HRA completion date:	05/10/2015

#### HRA completed by:

Lindsay McCulloch  
Planning Ecologist  
Southampton City Council  
Lindsay.mcculloch@southampton.gov.uk

#### Summary

The project being assessed would lead to the provision of student halls of residence with a total of 443 bedspaces located approximately 1km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and 7.5km from the New Forest SPA/Ramsar site.

The site is currently vacant having been previously used as a bus depot. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.

The findings of the initial assessment concluded that a significant effect was possible. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that **the significant effects which are likely in association with the proposed development can be overcome.**

## Section 1 - details of the plan or project

<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at</p>	<ul style="list-style-type: none"> <li>▪ New Forest SPA</li> <li>▪ New Forest Ramsar site</li> <li>▪ Solent and Southampton Water (SPA)</li> <li>▪ Solent and Southampton Water Ramsar Site</li> </ul>
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development consists of new student accommodation which is neither connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> <li>▪ Southampton Core Strategy (amended 2015) (<a href="http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf">http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf</a>)</li> <li>▪ City Centre Action Plan (<a href="http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx">http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx</a>)</li> <li>▪ South Hampshire Strategy (<a href="http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm">http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm</a> )</li> </ul> <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m<sup>2</sup> of office development and 550,000m<sup>2</sup> of manufacturing or distribution floorspace across the South Hampshire area between 2011 and 2026.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of the former Bus Depot site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

## Section 2 - Assessment of implications for European sites

### Test 1: the likelihood of a significant effect

- This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1) (a) of the Habitats Regulations.

The proposed development is located 910m to the west of a section of the Solent and Southampton Water SPA and Solent and Southampton Water Ramsar Site whilst the New Forest SPA and New Forest Ramsar site are approximately 7.6km to the south.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be permanent arising from the operational phase of the development.

In their response to the consultation on this planning application, dated 11th August, 2015 Natural England raised concerns about insufficient information being provided about potential impacts on the New Forest sites. The response also highlighted the potential for recreational impacts upon the New Forest SPA as a consequence of the operation of the proposed development.

The following mitigation measures, which are set out in the 'Response to Objection by Natural England, September 2015, have been proposed as part of the development:

- No parking spaces, apart from 4 for disabled students, will be provided within the proposed development.
- Information on public transport plus pedestrian and cycle route maps will be provided.
- The development will incorporate 220 secure cycle parking spaces and a free cycle rental scheme within the accommodation.
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.

### Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.

The project being assessed would lead to the provision of a total of 443 bedspaces for students located approximately 1km from Solent and Southampton SPA/Ramsar site and 7.5km from the New Forest SPA/Ramsar site.

The site is currently vacant having been previously used as a bus depot. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.

The applicant has provided details of several avoidance and mitigation measures which are intended to reduce the identified impacts. However, without more detailed analysis, it is not possible to determine whether the proposed measures are sufficient to reduce the identified impacts to a level where they could be considered not to result in a significant effect on the identified European sites. Overall, there is the potential for permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate

assessment of the implications for the identified European sites is required before the scheme can be authorised.

## Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives

The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152> .

The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive."

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

### **TEMPORARY, CONSTRUCTION PHASE EFFECTS**

The designated sites are all located a substantial distance away from the development site and are therefore outside the zone of influence of construction activities. As a consequence, there will be no temporary, construction phase effects.

### **PERMANENT, OPERATIONAL EFFECTS.**

#### **New Forest SPA/Ramsar site**

The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. Footprint Ecology.), indicates that 40% of visitors to the area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.

The report states that the estimated number of current annual visits to the New Forest is predicted to increase by 1.05 million annual visits by 2026 based on projections of housing development within 50km of the Forest, with around three quarters (764,000) of this total increase originating from within 10km of the boundary (which includes Southampton).

The application site is located 7.6km from the nearest part of the New Forest SPA and Ramsar site in terms of linear distance and as such, students resident in the proposed

development would fall into the category of non-local day visitors.

### **Characteristics of visitors to the New Forest**

In addition to visitor numbers, the report, "Changing patterns of visitor numbers within the New Forest National Park", 2008 also showed that:

- 85% of visitors to the New Forest arrive by car.
- 23% of the visitors travelling more than 5 miles come from the Southampton/Eastleigh area (see para 2.1.1).
- One of the main reasons for visiting the National Park given in the 2005 Visitor Survey was dog walking (24% of visitors - Source New Forest National Park Visitor survey 2005).
- Approximately 68% of visitors to UK National Parks are families. (Source:www.nationalparks.gov.uk).

The majority of the visitors to New Forest locations arriving from Southampton could therefore be characterised as day visitors, car-owners in family groups and many with dogs. Whilst students may fall within the first two of the above bullet points they are unlikely to have dogs or visit as part of a family group.

### **Occurrence of students**

The peak period for visitor numbers in the New Forest National Park is the summer, Sharp, J., Lowen, J. and Liley, D. (2008), which also coincides with the critical breeding period of woodlark, nightjar and Dartford Warbler which are features of interest of the New Forest SPA. Although students would be able to remain in occupation within their accommodation throughout the year (tenancies would be for a complete year) many, particularly undergraduates will vacate their accommodation and return home over the summer period.

There is no direct evidence of the extent to which students contribute to visitor numbers to the New Forest National Park. However, the characteristics of typical visitors to the New Forest are consistent with an analysis of visitors to the North York Moors National Park in 2002 which showed that skilled manual workers, poor retired couples, young single parents and students were more likely to use the local Moorsbus Network but were poorly represented in surveys at car parks (Countryside Recreation News April 2002, "Missing Persons - who doesn't visit the people's parks". Bill Breaker).

It would therefore be reasonable to conclude that there are likely to be very low numbers of students visiting the New Forest, particularly during the sensitive summer period.

### **Car ownership and accessibility**

Data gathered as part of the visitor survey undertaken by Footprint Ecology in 2008 clearly indicated that the majority of visitors travel to the New Forest by car. The proposed development will not have any private car parking spaces available for students and it is a condition of their tenancy agreement that students are not allowed to bring their own cars. This would be enforced by termination of the letting agreement (see para 7.1.4 of the Framework Travel Plan submitted with the planning application). Facilities at the proposed development will be limited to just 10 car parking spaces, consisting of 4 disabled spaces

and 6 staff spaces. On this basis the development can reasonably be described as car free.

Car parking on the campuses of both universities is very limited. Solent Southampton University (SSU) does not have any on campus parking whilst the University of Southampton (UoS) is seeking to further reduce levels of car use from the current 4.6% down to 4.2% by 2015 (UoS Travel Plan)

Students will therefore be expected to travel around Southampton on foot, bicycle and public transport. To support this the development will provide:

- A Travel Plan Coordinator;
- Pedestrian route information, cycle route maps and public transport information;
- 220 secure cycle parking spaces and a free cycle rental scheme within the student accommodation;
- A restrictive tenancy barring students from bringing their own cars. Breaching this clause will result in termination of the tenancy.

The Framework Travel Plan, in paragraph 4.1.1, shows that the site benefits from its close proximity to the central location of Portswood Centre and is therefore highly accessible by public transport, bicycle and on foot. There are 8 bus services passing within 250 metres of the site including Uni-link buses serving UoS campuses and enabling travel to SSU. The site is therefore highly accessible to residing students whilst the nearby Portswood Road is both pedestrian and cycle friendly.

The high level of accessibility and the restrictive tenancies mean that it is very unlikely that the residents have access to cars.

### **Recreation options for students**

Students at both universities have extensive opportunities to access sports and recreational facilities and are positively encouraged to make use of these. Details of the UoS facilities can be found at the following web address:

[http://www.southampton.ac.uk/assets/imported/transforms/content-block/UsefulDownloads\\_Download/67A7C84E3D424F08B28A6E76CADD46E5/2015-16%20Sport%20and%20Wellbeing%20Brochure.pdf](http://www.southampton.ac.uk/assets/imported/transforms/content-block/UsefulDownloads_Download/67A7C84E3D424F08B28A6E76CADD46E5/2015-16%20Sport%20and%20Wellbeing%20Brochure.pdf) . Solent University has two major sports centres in the city centre, extensive playing fields at Test Park Sportsground, Fitness Centres and access to a range of local sports clubs and recreational facilities (details available on SSU) website <http://www.solent.ac.uk/sport/facilities/facilities-home.aspx> ).

In addition, Southampton benefits from an extensive network of common land, green corridors, city and district parks and local green spaces, which provide opportunities for quiet recreation of the type available to visitors to the New Forest. In particular, Southampton Common, a 125 hectare natural green space in the heart of the city, is only 20 minutes walking distance from the application site. Just to the north of the Common lie the Outdoor Sports Centre, Southampton City Golf Course, and the Alpine Snow Centre which provide opportunities for organised and informal recreation activities. Outside the city centre are the Greenways, a series wooded stream corridors which connect a number of



open spaces. The four most significant of these, Lordswood, Lordsdale, Shoreburs and Weston, are within easy cycling distance of the development site and provide extended opportunities for walking and connections into the wider countryside.

Figure 3 of the Framework Travel Plan (page 10) shows walking distances from the development site. Southampton Common lies within a 20 minute walking distance west to the site and offers a wide range of opportunities for recreation and a healthy lifestyle. The waterfront of the River Itchen is a 10 minute walk to the east of the site and allows access to the Itchen Riverside Boardwalk which runs along the western river bank. The general accessibility of the site to a wide range of services gives residents the opportunity to walk on a regular basis.

The road network around the application site also encourages cycling. Figure 4 of the Framework Travel Plan (page 11), is an extract from the Southampton Cycle Map which demonstrates that carriageways adjacent to the site are quiet routes appropriate for cycling. These cycle routes link the development site with Southampton Common (10 min) and National Cycle Route 23 which passes through Southampton. It is reasonable to expect that students will make use of the many leisure activities and commercial centres of Southampton.

Just outside the city boundary, to the north-east, are the Itchen Navigation (3.5km) and Itchen Valley Country Park (4.5km). These sites provide opportunities for informal recreation in a 'countryside' type environment and can be readily accessed on foot. The Itchen Valley Country Park can also be accessed by bicycle.

The availability of good quality and accessible open space described above, combined with sport and recreation facilities at both universities, reduces the likelihood that students would travel to the New Forest for recreational purposes.

### **Visiting the New Forest National Park using public transport**

The linear distance to New Forest SPA/Ramsar site is approximately 7.6km however, by road the distance is somewhat longer. The shortest route, using the Hythe Ferry, is 10.4km whilst the closest section when travelling purely by road is approximately 12km. It is unlikely, therefore, that visits made on foot or by bicycle will a frequent occurrence.

Should students choose to visit the National Park using public transport they are unlikely to find it a straight forward proposition. Direct travel from the development site is not possible. The first stage of a visit requires a journey to Southampton Central Station or the bus interchange in the city centre. Bus services into the city centre are frequent however, train travel requires a 10min walk to St Denys station from where there are just two direct trains an hour.

Travelling onward from Southampton city centre, the destinations for train and bus services are the urban centres which, aside from Beaulieu Road, lie outside the New Forest SPA/Ramsar site. Once at these locations further travel is required to reach the

designated site. Table 1 below provides details of the train services available from Southampton Central Railway Station.

**Table 1 Train services from Southampton Central to New Forest Locations**

<b>Destination</b>	<b>Service frequency (outside of peak hours)</b>	<b>Journey time</b>
Ashurst	1 service per hour	10 mins
Beaulieu Road	6 services between 0900- 1800	14 mins
Lyndhurst	No service	
Brockenhurst	4 services per hour	16 mins
Lymington	2 services per hour (change at Brockenhurst)	20 mins
Burley	No service	

The only direct bus service from Southampton to the locations in the New Forest identified above is the Bluestar 6 service which runs hourly from the city centre (during the day) to Lyndhurst, Brockenhurst and Lymington taking 30-40 minutes. Other services are available throughout the National Park from those locations.

Clearly, whilst it is possible to reach the designated site from the proposed halls of residence the process is complicated and likely to be costly. It is therefore reasonable to conclude that there are only likely to be a very small number of visits as a consequence.

### **Conclusions**

The evidence provided suggests that students comprise a small proportion of visitor to the New Forest and that, as a visitor destination, the New Forest is most attractive to dog walkers and/or families that have access to a car.

Students resident within the new accommodation will not be permitted to keep dogs and will not be present with their families. In addition, the development will be designed in such a way as to stop students bringing their cars with them. Finally, the wide range of recreation and sports facilities available to students are closer to the development and easier and cheaper to access than the New Forest. As a consequence, it is very unlikely that students will make trips to the New Forest designated sites and will not therefore contribute to increased recreational disturbance,

### **Solent and Southampton Water SPA/Ramsar site**

In 2008 the Council adopted the Solent Disturbance Mitigation project in collaboration with other Councils within the Partnership for Urban South Hampshire in order to mitigate the effects of new residential development on the Solent SPA. This enables financial contributions by developers to be made to fund appropriate mitigation measures. The report to the Cabinet of 19 August 2014 acknowledged that impacts on the SPA would be less likely from single bedroom car free developments within the city centre and student residential schemes than from typical family dwellings and that these would be exempted from the need for mitigation. This took account of the lower likelihood that residents of single bedroom flats with no car ownership and particularly students would visit the waterfront areas of the SPA and would be less likely to own dogs. As the current proposals

are for 443 bedspaces with no car parking spaces for students (except for 4 spaces for disabled persons) and limited to student occupation the impact on the New Forest SPA would be similarly limited, particularly as the site is even further from the New Forest sites than it is from the Solent SPA.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

### **Conclusions**

The following conclusions can be drawn from the evidence provided:

- Residents of the new accommodation will not have access to cars.
- The availability of open space, sport and recreation facilities at both universities reduces the likelihood that students would travel to the New Forest for recreational purposes.
- Evidence suggests that low car and dog ownership amongst students contributes to the relatively low proportion of students in the make-up of visitor numbers to the New Forest.
- Access to New Forest locations by students living at the proposed development would be complicated and costly especially when compared to the availability of alternative recreational activities.

The following mitigation measures have been proposed as part of the development:

- No parking spaces, apart from 4 for disabled students, will be provided within the proposed development.
- Information public transport and pedestrian and cycle route maps will be provided.
- The development will incorporate 220 secure cycle parking spaces and a free cycle rental scheme within the accommodation.
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.

As such, visitor pressure on European and other protected sites in the New Forest arising from the proposed development is likely to be extremely low and it can therefore be concluded that, subject to the implementation of the identified mitigation measures, **significant effects arising from recreational disturbance will not occur.**

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**Application 16/01778/MMA**

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel (West) 27<sup>th</sup> October 2015  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 224 Portswood Road, part of the former Portswood Bus Depot, at the junction of Portswood Road and Belmont Road, Southampton.			
<b>Proposed development:</b> Development of the site to provide 330 Purpose Built Student Accommodation flats (435 bed spaces) in three buildings of between 3-storey's and 6-storey's plus lower ground floor level with vehicle access from Belmont Road and associated landscaping.			
<b>Application number</b>	15/01158/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	28.10.2015	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	Major application with objections	<b>Ward Councillors</b>	Cllr O'Neill Cllr Claisse Cllr Norris

<b>Applicant:</b> Orchard Homes (Portswood) Ltd	<b>Agent:</b> Paris Smith LLP
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including parking pressure, impact on neighbouring amenity, design and character; and the loss of the post office and gym on the site have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. 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). “Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, CLT5, CLT6, H1, H2, and H7 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS7, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council’s current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>	
1. Habitats Regulation Assessment	2. Development Plan Policies
3. Planning History	

### **Recommendation in Full**

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Planning and Development Manager to grant planning permission subject to the confirmation from Natural England that they remove their holding objection and subject to the completion of a S.106 Legal Agreement to secure:
  - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013);
  - ii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education higher education be permitted to occupy the development and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v).
  - iii. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved policy SDP12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013). Measures to mitigate the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
  - iv. 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.
  - vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon

emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).

- vii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013).
  - viii. Submission and implementation of a Travel Plan.
  - ix. Submission and implementation of a Waste Management Plan.
  - x. Provision of on-site CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy policies CS13 and CS25.
  - xi. Submission and implementation of a Student Intake Management Plan to regulate arrangements at the beginning and end of the academic year.
  - xii. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.
3. In the event that the legal agreement is not completed within 2 months of the panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
  4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

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

- 1.1 The application site is part of a wider site which previously contained the First Bus depot. The bus depot buildings have since been demolished, the site cleared and part recently developed to provide the Sainsbury's supermarket.
- 1.2 This application relates to the north-east part of the former bus depot site and adjoins Portswood Road to the north, the new vehicular access to Sainsbury's to the west and Belmont Road lies to the east and south of the site boundary. Not included as part of this application, is the final parcel of land relating to former bus depot site which lies to the south of the supermarket, to the corner of Belmont Road and St Denys Road.
- 1.3 The application site itself is subject to a significant change in levels; Portswood Road slopes up from east to west at this point and the land also

falls towards Belmont Road. The site is subject to group Tree Preservation Order which comprises a mixed species group to the north-east corner of the site, a group and group outside the south-east corner of the site, along Belmont Road.

- 1.4 The context is varied and comprises the vibrant District Centre, just over 100 metres to the west, together with more traditional residential streets, which includes Belmont Road. The neighbouring Sainsbury's supermarket is a two-storey, flat-roof building, although steps up in height from 12 to 17 metres on the Portswood Road frontage.

## **2 Proposal**

- 2.1 The application seeks full planning permission to develop the site to provide purpose-built student accommodation. Following concerns raised by officers regarding the scale and design of the building, the scheme has been amended since originally submitted. In particular, the height of the Portswood Road frontage has been reduced and the design amended to reduce the perceived massing of the building.
- 2.2 The accommodation is comprised of 3 blocks of accommodation arranged around a central courtyard area. A mix of student accommodation is provided in the form of cluster flats (small groups of study bedrooms arranged around a communal kitchen), 1-bedroom flats and self-contained 2 and 3-bedroom flats.
- 2.3 **Block A** fronts Portswood Road and the amendments to the scheme have mostly affected this part of the proposal. In terms of scale, initially the application proposed part 4 and part 6-storey frontage to Portswood Road. This block now steps up from 4-storeys from the corner with Belmont Road, to a 5-storey central section and the 6-storey element is limited to the section of building adjacent to the access to the supermarket. This block has been designed to take advantage of the change in levels on the site, meaning an additional lower level of accommodation is provided to the rear, although only apparent from the central courtyard of the development.
- 2.4 Block A also incorporates the main entrance to the development, located at the corner of the building, adjacent to the vehicular access to Sainsbury's. This entrance leads to the main reception of the development and a stepped access to the internal courtyard. The lower level courtyard can also be accessed by an internal lift. The ground floor of Block A also incorporates common room areas and a gym. The lower level of Block A comprises the main servicing and storage areas for the building, including cycle storage and room for a standalone Combined Heat and Power system.
- 2.5 In terms of form, Block A has a flat-roof appearance and the 4 and 5-storey sections would be finished using a buff facing brick. The 4-storey section would be set-back from the boundary with Portswood Road by between 5 and 17 metres to enable the retention of the protected tree group to the corner. The 5-storey central section is set back from the 6-storey corner section of



building by approximately 1 metre. The 6-storey element would be finished in using a contrasting rainscreen cladding.

- 2.6 **Block B** adjoins Block A, connected by an internal corridor and is positioned parallel with the access to Sainsbury's. This block would also be 6-storeys in height and is set off of the boundary with Sainsbury's by over 5 metres and away from the boundary with Belmont Road by approximately 36 metres. Tree planting is proposed between the building and the boundary with Sainsbury's. As with Block A, due the change in levels across the site, Block B also incorporates a lower level of accommodation, apparent from the internal courtyard.
- 2.7 **Block C** is physically detached from Blocks A and B, although the primary entrances to the building are via the internal courtyard. This block is set back by approximately 4 metres from the boundary with Belmont Road to accommodate a new row of tree planting to the Belmont Road frontage. Block C is predominantly 3-storeys in height with pitched roof and gable ends facing Belmont Road. The block steps up to a 4-storey element adjacent to the boundary with the Sainsbury's store, although this angles away from the Belmont Road frontage.
- 2.8 A total of 10 car parking spaces would be provided to the north-east of the site and accessed from Belmont Road. The intention is that access to these parking spaces would be controlled and mainly used to manage the arrival and departure of students at the start and end of the academic year.

### **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). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 The site is not identified for development within the adopted Development Plan. 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 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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 There have been a number of previous applications for the whole bus depot site seeking the redevelopment of the site for a supermarket and residential

accommodation. The planning history includes 3 previous planning permissions. The relevant planning history of the site is summarised in **Appendix 3** of this report.

## **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 (07.08.15) and erecting a site notice (07.08.15). At the time of writing the report **33** representations have been received from surrounding residents and interested parties which includes from Ward Councillor Claisse, the Highfield Residents Association, the Portswood Residents' Gardens Trust and Portswood Central Residents Association. The following is a summary of the points raised:

5.2 *Portswood already has an excessive student population which has an impact on existing residents in terms of noise and disturbance as well as the mix and balance of the character of the area. The proposal will exacerbate these impacts significantly. New student accommodation should be dispersed more widely throughout the city and not concentrated within the Portswood and Highfield Areas.*

Response:

Saved policy H13 of the Local Plan Review guides the location of student accommodation to locations that are easily accessible to the educational establishments by foot, cycle or public transport. Since the site is within walking distance of the University of Southampton and accessible to the Uni Link Bus stops, the proposal would fulfil this aim. The development is designed to take access from Portswood Road meaning the future occupants can access the District Centre, with its shops and facilities and public transport links to the city centre, whilst avoiding quieter residential streets as primary access routes.

5.3 *Concern with the practicality of drop-off and collection arrangements for new students and that insufficient car parking on site will result in further on-street car parking pressures within the vicinity of the site.*

Response:

The application is supported by a Student Intake Management Plan which sets out how the arrivals and departures of students will be managed. The implementation of this management plan is proposed to be secured through the section 106 legal agreement (see recommendation 2 xii above). It is also recommended to introduce a residents parking scheme within the vicinity of the site and to prevent occupiers of the development from being issued with on-street car parking permits. These controls together with excellent accessibility of the site is considered to adequately manage the travel demands of the development.

5.4 *The amount of accommodation proposed is excessive.*

Response:

Core Strategy Policy CS5 supports high density development in the most

accessible locations of the City, which includes District Centre locations. Furthermore, saved Local Plan Policy SDP9 supports the location of taller buildings in and adjacent to District Centres. As noted above, the site has excellent sustainable transport links to the University, City Centre as well as direct access to the facilities within the District Centre. The development of the site to provide a significant amount of student accommodation is, therefore, considered to be appropriate.

- 5.5 *The scale would be imposing and overbearing when viewed from nearby residential properties and result in over-shadowing/loss of light to them. The design appears utilitarian.*

Response:

As set out in section 2 above, the scheme has been amended since originally submitted to address concerns relating to the scale and design of the proposal. The largest scale buildings on site are proposed to be located on the Portswood Road frontage and adjacent to the existing Sainsbury's store. Where buildings would have a closer relationship to existing domestic residential properties, the scale is reduced to closely follow the parameters of the outline planning permission. The application is accompanied by a shadow analysis and this demonstrates that the proposal would not generate harmful over-shadowing to neighbouring residents.

- 5.6 *The need for family housing and affordable housing is acute and developing the site for student accommodation misses an opportunity to address other housing need.*

Response:

The application site is not allocated for general purpose residential accommodation in the adopted Development Plan and the Council has identified a supply of sites to meet its housing need, which does not include the application site. The application needs to be assessed in terms of whether the principle of the proposed use is acceptable and not whether an alternative use may be preferable.

- 5.7 *As the development would be privately run, there is no guarantee that the development would be used for students.*

Response:

As set out in recommendation 2 ii above, a clause would be added to the section 106 legal agreement to restrict the occupancy of the development to students.

- 5.8 *Concern with the lack on on-site management.*

Response:

The application submission sets out that there would be on-site management of the accommodation which will sign up to the Southampton Accreditation Scheme for Student Housing (SASH). This is proposed to be secured through the section 106 legal agreement.

- 5.9 *Loss of trees and the proposed tree planting will take a long time to mature.*

Response:

The application is designed to enable the retention of the significant protected

tree group to the corner of the Portswood Road and Belmont Road and proposes replacement tree planting along Belmont Road, enhanced tree planting along the boundary with Sainsbury's, new tree planting along the frontage of the development with Portswood Road together within tree planting within the internal courtyard of the development. The impact on the landscape setting of the site is, therefore, considered to be acceptable.

- 5.10 *Concern that the site is being considered in isolation to the other residential parcel on the wider Portswood Bus depot site.*

Response:

Sainsbury's supermarket does physically separate the application site from the last section of the former Portswood Bus Depot site and the application proposal can, therefore, be considered on its own merits without prejudicing the future delivery of the remainder of the site.

- 5.11 *The proposal would not preserve or enhance the special character of the Portswood Residents Garden Conservation Area.*

Response:

The proposed development would not be visible from the Conservation Area and is not part of the direct setting of the Conservation Area. As such, the Council's Historic Environment Group Leader has raised no objection to the proposal.

- 5.12 *Concern with the impact of the proposal on local drainage.*

Response:

Southern Water have not objected to the application and conditions are recommended to secure adequate drainage for the development.

- 5.13 *The use of buff bricks is out-of-character with the area.*

Response

Existing buildings within the context of the site are finished in a variety of material treatments which also includes buff/yellow bricks (including nos. 160-162, 180-188, 297, 317, 327 Portswood Road as well as the flats directly opposite the site). The materials suggested indicate that a high-quality finish to the building would be achieved and as such, are considered to be appropriate.

### **Consultation Responses**

- 5.14 **SCC Highways** – No objection subject to securing a refuse management plan and student intake management plan. The section 106 legal agreement will also require improvements to pedestrian and cycle routes to the university, bus stops and the District Centre. There will also need to be a funded consultation with local residents on the implementation of a parking permit scheme, and subject to the outcome of the consultation, the implementation of that scheme.
- 5.15 **SCC Heritage and Conservation** - No objection or conditions suggested.
- 5.16 **SCC Sustainability Team** – No objection subject to conditions to secure

energy and water efficiency measures.

- 5.17 **SCC Environmental Health (Pollution & Safety)** – No objection subject to conditions to minimise disruption to residents during the construction process.
- 5.18 **SCC Environmental Health (Contaminated Land)** - No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.
- 5.19 **SCC Ecology** – No objection.
- 5.20 **SCC Trees** – The existing trees on site are protected by a Tree Preservation Order. It is accepted that some trees are of poor quality, but collectively their landscape value is significant. The degree of tree removal and replacement is not clear at this time. Any replacement trees must be given sufficient room to achieve their full potential and this does not appear to be possible within the current layout. *This is discussed in more detail below.*
- 5.21 **SCC City Design** – Initially raised concern with the lack of articulation to the Portswood Road frontage. A step change of the building would assist with this and assimilating the scale of the building into the Portswood Road street scene. Requested verified views of the development from Belmont Road. The scheme has been amended to address these points.
- 5.22 **Southern Water** – No objection. Suggest a condition be imposed to secure the necessary sewerage infrastructure to service the development and to secure details of surface water disposal.
- 5.23 **Natural England** – Holding Objection. Concerned that the impact of the development on the New Forest National Park has not been adequately assessed.
- 5.24 **Environment Agency** – No objection or conditions suggested.

## **6 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
  - (i) The principle of this development;
  - (ii) The suitability of the design;
  - (iii) The impact on the living conditions of nearby residents;
  - (iv) Impact on trees;
  - (v) Highways and parking and;
  - (vi) The direct local impacts, including on protected habitats.
- 6.2 (i) Principle of Development
  - 6.2.1 CS16 of the Core Strategy confirms that ‘in response to concern about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the

provision of suitable, affordable accommodation for students to relieve the pressure on housing markets”. This policy confirms the Council’s dual approach of delivering purpose built student accommodation whilst simultaneously managing the conversion of existing family housing to HMOs to relieve the pressure on local markets. Since the application proposes purpose-built accommodation for students, it would be consistent with this approach. In addition to this, ‘saved’ Local Plan Policy H13 supports the delivery of student accommodation in locations accessible to the Universities and where there is an identified need. The location of the site, at the edge of the District Centre, with excellent public transport links to the city centre and, approximately 900 metres walking distance to the University of Southampton is appropriate for a significant level of student accommodation.

6.2.2 The application is accompanied by a detailed Student Need Assessment. This sets out that currently there are some 31,000 students in the city and 12,000 existing student bed spaces. This number includes sites with planning permission for student accommodation and sites where student accommodation is under construction. The residual students either live in their own/parental home or rely on private sector landlord markets in HMOs. The proposal would meet a demonstrable need for further student accommodation and would bring a long-term vacant site back into active use, as such, the principle of development is, therefore, acceptable.

### 6.3 (ii) Suitability of the Design

6.3.1 It is acknowledged that the context of the site typically comprises buildings of between 2 and 4 storeys, however, the Council’s policy framework recognises that taller buildings can be appropriate in certain specified locations. In particular, ‘saved’ Local Plan Policy SDP9 confirms that tall buildings (those which are 5 or more storeys) are generally permitted on major sites and in and adjacent to the district centres. The principle of a taller building in this location is, therefore, supported by the adopted Development Plan. The taller sections of the building are limited to the Portswood Road frontage of the site. The development steps up from 4-storeys at the corner with Belmont Road, to the tallest section adjacent to Sainsbury’s. The 6-storey element now provides a ‘book-end’ to the access to Sainsbury’s, reflecting the tallest point of the Sainsbury’s store, directly opposite the site.

6.3.2 The amendments to the design, which include a reduction in the scale of the building to achieve a clear graduation in height towards Sainsbury’s together with clear breaks in the massing of Block A, result in the frontage appearing as three distinct elements. This is a considerable improvement to the massing and design of Block A as originally proposed and better reflects the more varied character of the area. It is considered that the proposal would successfully finish off this section of the Portswood Road frontage of the former bus depot site and will also assist in integrating the existing supermarket better into the surrounding context. Furthermore, the development will effectively screen the long, blank eastern elevation of the Sainsbury’s Store, with high-quality built form. The development has been designed to provide active ground floor uses to Portswood Road, including

the main entrance, reception of the development and a gym. Overall, the submitted information indicates that a high-quality design appearance would be achieved in terms of the choice of materials and architectural detailing.

6.3.3 The remainder of the development closely follows the scale parameters set by the previous outline planning permissions on this site. The development is built around a central landscape courtyard, which provides a sense of space between the blocks, ensuring that the level of development does not appear over-intensive. A perimeter block style layout is achieved, which ensures the development addresses the streets that wrap the site boundaries. Whilst the Belmont Road frontage is a continuous block of development, the design successfully breaks the massing with front gables that reflect the narrower plot widths typical within the area. Furthermore, the built form to Belmont Road would provide enclosure to the street that would limit views to the taller sections of development at the front of the site.

6.3.4 The application proposes a high quality residential environment for occupants of the development. Outlook from habitable room windows would be generally good and residents would have access to an internal landscaped courtyard of over 1000 sq.m in area. The development also provides for internal facilities for residents including common rooms and an on-site gym.

#### 6.4 (iii) Impact on Living Conditions

6.4.1 In terms of the type of accommodation proposed, it is likely that there could be some degree of noise and disturbance given the relatively high-density student occupation of the development. However, Portswood Road is a relatively busy road and the development is designed to take access from Portswood Road rather than the quieter Belmont Road to the rear of the site. In particular, it should be noted that the entrances to Block C are all within the north-western elevation of the building rather than from Belmont Road. As set out above, the application confirms that the development will include management presence on site, available 24 hours a day, 7 days a week for students or local residents to contact, which should limit any adverse impact on local amenity.

6.4.2 In terms of the physical impact of the proposed building, as noted above, the scale of the development is reduced where a closer relationship to residential neighbours would occur, to closely follow the parameters set by the outline planning permission. The taller buildings on site are set away from properties on Belmont Road by between approximately 43 and 55 metres and with intervening lower-scale buildings limiting views of the taller aspect of the development. This would ensure that the taller buildings would not have an over-bearing impact when viewed from the more domestic scale neighbouring buildings or result in any harmful overlooking.

6.4.3 In terms of sunlight impact, shadow diagrams have been submitted with the application and demonstrate that some overshadowing would occur to the residential properties opposite the site on Portswood Road in the morning and, in the late afternoon, there would be some additional overshadowing to properties at the northern end of Belmont Road. However, for the majority of

the day, nearby residential properties would be unaffected by over-shadowing and as such, there would not be harmful impact on residential amenity.

#### 6.5 (iv) Impact on Trees

6.5.1 As set out above, the Council's Tree Officer has raised concerns that it is not clear from the submission whether there is sufficient space within the development to provide the necessary replacement tree planting. The impact of the previously approved development on trees is a material consideration, particularly since the layout benefits from a resolution to grant planning permission.

6.5.2 The proposed layout of the development is not dissimilar to the approved layout with regards to the impact on protected trees. Both the current proposal and the approved layout, leave a similarly sized undeveloped zone at the north-east corner of the site to enable the retention of the existing protected group. Both the previously approved scheme and the current application would result in the same degree of tree loss along the Belmont Road frontage. It is acknowledged that the current layout is constrained in terms of the level of replacement planting that can be achieved along the Belmont Road frontage, but this is not considered to be a worse situation when compared with the previously approved layout. Furthermore, in discussions with the tree officer, it is considered that an alternative species to that proposed would be more appropriate and can be secured by planning condition. In addition to this, the current application includes a significantly larger internal courtyard which could accommodate additional tree planting when compared with the approved layout. As such, it is considered that, subject to securing the necessary tree protection measures for the retained trees, and securing the necessary replacement trees, the proposal is considered to be acceptable in this respect.

#### 6.6 (v) Highways and Parking

6.6.1 Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The car parking on site would essentially serve the moving in and out of students, meaning effectively, the application would be a car-free scheme. As set out above, the section 106 agreement will secure additional on-street car parking controls, subject to community consultation, and car parking permits would not be generally available to residents of this development. The accessible nature of the site coupled with the limited car parking will meet the aim for sustainable patterns of development, as required by the Council's adopted policies. Furthermore, the controls on local parking, secured by the section 106 agreement will prevent significant over-spill parking on surrounding streets that would be harmful to residential amenity.

6.6.2 The vehicular access to the site would be from Belmont Road, so not to affect the flow of traffic on Portswood Road. The Highways Team are satisfied with



the location and design of this access is acceptable.

6.7 (vi) Protected Habitats Impact and other Direct Local Impacts

- 6.7.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application will comply with the requirements of the SDMP (when the legal agreement is completed) and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 6.7.2 As set out in paragraph 5.23 above, Natural England have lodged a holding objection on the basis that the impact of the development on the New Forest National Park has not been adequately assessed. The New Forest National Park is also a Special Protection Area, Special Area of Conservation, Ramsar site and contains Sites of Special Scientific Interest. Accordingly, the Council have undertaken an Appropriate Assessment as required by the Habitats Regulations. This Assessment is included as **Appendix 1** to this report and concludes that the development is unlikely to have a significant effect on the designated habitats. As recommended, subject to Natural England agreeing to the Council's approach set out in **Appendix 1**, the development is, therefore, considered to be acceptable in this respect.
- 6.7.3 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 wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application.
- 6.7.4 A development of this scale would normally trigger the need for 35% affordable housing in accordance with Core Strategy Policy CS15. However, as the proposal is for student accommodation no affordable housing requirement is required. The S.106 legal agreement would include a restriction that occupiers of the flats would be in full time higher education in

accordance with Local Plan Review Policy H13(v).

## **7 Summary**

- 7.1 The proposed development would bring a long-term vacant, previously developed site back into active use. Given the accessibility of the site to the University of Southampton and Southampton Solent University, the provision of further purpose built student accommodation in this location is consistent with the Council's adopted policies and would meet an identified accommodation need. The applicant has worked with officers of the Council to reduce the scale and massing of the development and to provide an enhanced design approach to Portswood Road. The proposal is considered to have addressed concerns initially raised and is, therefore, supportable.

## **8 Conclusion**

- 8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

OCTOBER 2015

### Application 16/01778/MMA

#### POLICY CONTEXT

##### Core Strategy - (Amended 2015)

CS3	Town, District and Local Centres, Community Hubs and Community Facilities
CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

##### City of Southampton Local Plan Review – (Amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

##### Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - August 2005 and amended November 2006)  
Parking Standards 2011

##### Other Relevant Guidance

The National Planning Policy Framework 2012  
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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**Application 16/01778/MMA**

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>	<b>Summary</b>
05/01407/FUL	Demolition of existing buildings. Redevelopment of the site to provide a supermarket of 6907 sq.m gross floor space (Class A1 retail) provision of 14 residential units, vehicular access from Portswood Road and St Denys Road with 398 car parking spaces. (Note: this application is for part of the site only - see also application number 05/01409/OUT)	Refused 03.07.07	Subject to a Planning and Rights of Way Panel resolution of grant planning permission. Application was called in for determination by the Secretary of State and refused for the impact on character and living conditions. This related to the flats relationship with the decked car park and the decked car parks poor appearance within the street.
05/01409/OUT	Demolition of existing buildings. Redevelopment of the site to provide a supermarket of 6907 sq.m gross floorspace (Class A1 retail), provision of 73 residential units, vehicular access from Portswood Road, St Denys Road and Belmont Road with a total of 441 car parking spaces and a primary care health facility. (Outline application for the whole site seeking approval for siting of buildings and means of access - see also application number 05/01407/FUL)	Refused 03.07.07	Submitted and refused concurrently with the application listed above.
08/00386/OUT	Demolition of the existing buildings. Redevelopment of the site to provide a new supermarket (Class A1 retail - 6,578 square metres gross floorspace) with associated 325 space car park, medical centre (Class D1), with associated 40 space car park and public play area (no matters reserved for later approval) and 140 residential units (22 houses, 118 flats) with 119 associated car parking spaces (details of appearance reserved for later	Conditionally Approved 11.12.07	Hybrid application. All matters approved for the supermarket and residential approved in outline. The scale of the residential ranged from 3 storeys fronting Belmont Road and 4-storeys to the Portswood Road frontage.

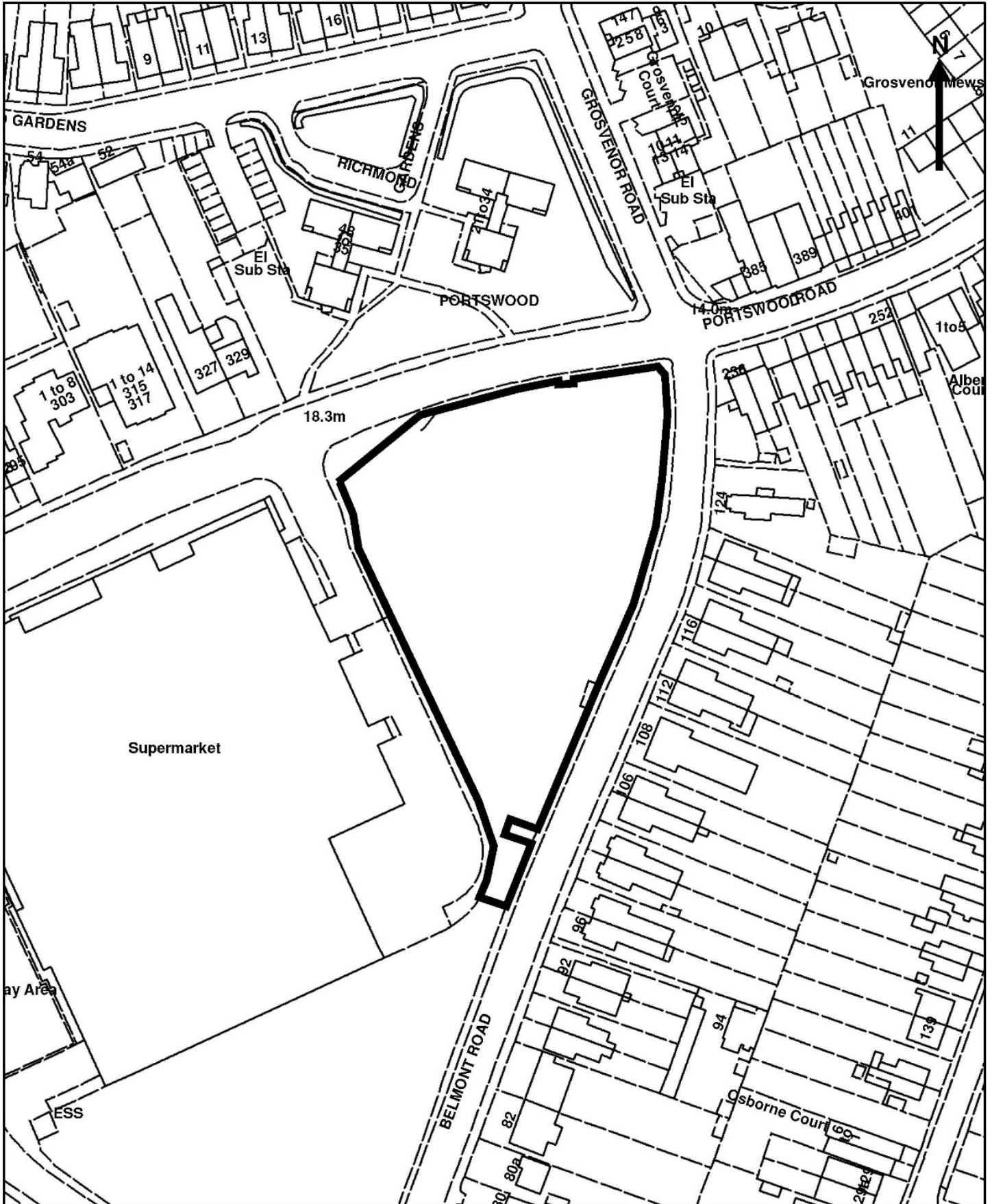
	approval).		
09/00513/OUT	Demolition of the existing buildings. Redevelopment of the site to provide a new supermarket (Class A1 retail - 7,492 square metres gross floorspace) with associated 325 space car park, medical centre (Class D1) with associated 40 space car park and a public play area (no matters reserved for later approval) and 140 residential units (22 houses and 118 flats) with 119 associated car parking spaces (details of appearance reserved for later approval - revised application)	Conditionally Approved 18.01.10	Hybrid application. All matters approved for the supermarket and residential approved in outline. This application amended the initial planning permission with an increase in the height of the buildings fronting Portswood Road and other amendments which included changes to the access points.
10/01399/OUT	Redevelopment of the site to provide a new supermarket (Class A1 retail 9,730 square metres gross floorspace with associated 344 space car park, new community use (Class D1 1,166 square metres gross floorspace) and public play area (no matters reserved for later approval) and 59 residential units (29 houses and 30 flats) with 49 associated car parking spaces (details of landscaping and appearance reserved for later approval)	Conditionally Approved 02.11.11	Hybrid application. All matters approved for the supermarket and residential approved in outline. The key changes to this application included the omission of the health centre and subsequent increase in the size of the supermarket and a reduction in the number of residential units due to the provision of more family housing.
11/01877/FUL	Variation or removal of the following conditions of planning permission ref 10/01399/OUT to provide a new supermarket. Variation of condition 20 to allow opening hours of 07:00 to 23:00 Monday to Saturday and 09:00 to 17:00 on Sundays and imposition of restrictions on the use of the car park by the public to prevent access earlier than 30 minutes prior to the store opening and 60 minutes after the store closing time. Variation of condition 41- delivery hours, to allow no more than 3 deliveries to be received or items despatched from the retail building between the hours of 2300 to 0700 Monday to Saturday.	Appeal allowed 10.10.12	

	On Sundays no deliveries to be take place before 0800 and no more than two deliveries to take place after 6pm. Variation of condition 58- to restrict the allocation of the parking spaces for the D1 use to between the hours of 0900 and 17.30 Monday to Friday.		
12/00094/NMA	Non-material amendment to 10/01399/OUT comprising: Roof mounted flue to serve bio-mass boiler, 3 x external access ladders to roof, balustrades to raised walkways, alterations to window detail at 2nd floor level on south elevation (to D1 Use), additional windows to first floor level on south elevation (facing St Denys' Road), Fire escape stair to rear elevation, repositioning of canopy support in north east corner of site (fronting Portswood Road), removal of solid canopy section above store entrance and additional fencing to rear boundary along retaining wall.	Approved 28.02.12	
12/00091/FUL	Relocation of substation.	Approved 17.11.2014	
14/01783/OUT	Redevelopment of the site to provide 59 dwellings (29 houses and 30 flats) with associated access and parking (Outline application seeking approval for access, layout and scale)	Pending Decision	Resolution to grant planning permission subject to the completion of the s106 legal agreement. This applications renews the residential planning permission

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# Agenda Item 5 16/01778/MMA



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**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel 6<sup>th</sup> December 2016  
 Planning Application Report of the Service Lead, Planning, Infrastructure and  
 Development**

<b>Application address:</b> 8 Westridge Road			
<b>Proposed development:</b> Change of use from a 6-bedroom HMO (Class C4) to a 7-bedroom HMO			
<b>Application number</b>	16/01509/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Coombes	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	01.11.2016	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr Savage Cllr Claisse Cllr O'Neill

<b>Applicant:</b> Mr Rai	<b>Agent:</b> ACHIEVE - Town Planning and Urban Design Ltd
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. 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). Policies - SDP1, SDP7, SDP9, H4 of the City of Southampton Local Plan Review (Amended 2015) and CS13, CS16 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) as supported by the guidance set out in the relevant sections of the HMO SPD (amended May 2016).

<b>Appendix attached</b>			
1	Relevant Development Plan Policies	2	Previous Decision Notices
3	Timeline of Events		

**Recommendation in Full**  
 Conditionally approve

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

- 1.1 This application site lies within the ward of Portswood. The surrounding area is predominantly characterised as a suburban residential area with properties in a mix of styles. The site is located close to Portswood District Centre on Portswood Road.
- 1.2 The existing property is a semi-detached, two-storey dwelling, which was extended and refurbished in early 2011 to form 7 bedrooms. The property has recently been established as a HMO for up to 6 occupiers prior to 23rd March 2012 (prior to the introduction of the Article 4 direction to remove C3 to C4 permitted development rights) by way of a Lawful Development Certificate.
- 1.3 Existing communal facilities comprise of an open plan lounge and kitchen/dining room on the ground floor, as well as shared bathrooms on the ground and first floor. The occupiers also have access to a private garden at the rear (188 sqm in area).

## **2. Proposal**

- 2.1 It is proposed to increase the number of bedrooms from 6 to 7. No internal or external alterations are required to achieve this, as the extension and refurbishment works in early 2011 provided these 7 bedrooms and a communal open plan Kitchen / Lounge / Diner. This large communal space (41sqm) will be retained as existing.
- 2.2 Bin and cycle storage facilities are currently provided within the existing garage. There is ample space to store one cycle per occupant, plus refuse and recycling bins with safe and convenient access.
- 2.3 In effect, this application seeks to regularise the existing use of the property as a large HMO for up to 7 persons by changing the use from a C4 small HMO for up to 6 persons, which was established as lawful under the Lawful Development Certificate (LDC) 16/00772/ELDC.

## **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). The most relevant policies to these proposals are set out in **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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.
- 3.3 The Houses in Multiple Occupation SPD was originally adopted in March 2012. A revised SPD was recently adopted on 4<sup>th</sup> May 2016. This provides supplementary planning guidance for policy H4 and policy CS16 in terms of assessing the impact of HMOs on the character and amenity, mix and balance of households of the local area. The revised SPD also sets a maximum threshold of 10% across the City of Southampton for the total number of HMOs within an assessment area of a 40m radius.

- 3.4 There will be no physical increase in the concentration of new HMO dwellings within the assessment area, as a C4 HMO use has been established by LDC 16/00772/ELDC, so the 10% threshold test is not applicable in this case. With regard to the increase in occupation of the existing C4 HMO by 1 person to a large HMO, the planning application is assessed against policy H4 and CS16 in terms of balancing the need for multiple occupancy housing against the impact on the amenity and character of the local area.
- 3.5 The revised SPD (section 4.8) recognises that the intensification of existing small HMOs, by increasing the number of occupiers to become large HMOs, can have a harmful impact on neighbouring occupiers. This is due to increased traffic in and out of the property associated with the independent lifestyle pattern of occupiers living as individual households, as such, careful consideration of the impacts on the local community has been taken into account.

#### **4. Relevant Planning History**

- 4.1 The property was purchased by the applicant, Mr Rai, in late 2011, with the intention of converting it into an HMO. Student tenants were secured in November 2011 to occupy the property in the following year.
- 4.2 In February 2012 the applicant secured planning permission for a single storey rear extension to the property in order to provide the additional ground floor bedrooms and internal refurbishment works were under way to convert the property to an HMO (ref.11/01858/FUL). An application for use as a 7-bed HMO is also submitted, but subsequently refused (ref.12/00189/FUL).
- 4.3 On 23<sup>rd</sup> March 2012 the City-wide Article 4 Direction came into force, restricting the conversion of C3 family dwellings into C4 small HMOs without planning permission. At this point there was a clear intention to operate the premises as an HMO, as the extension to provide the additional bedrooms, and the internal refurbishments works were well underway, as seen on site visits by the Planning Case Officer. The HMO use for 7 bedrooms had also been applied for, although it was later refused in June 2012.
- 4.4 In July 2012 the tenants who had signed their tenancy agreement in November 2011 moved into the property. The pattern of signing a tenancy agreement in November / December of the previous year and occupying the premises in July of the following year is not unusual, as it is followed for all tenants at this property in the intervening years. This also reflects a common pattern of student tenancies across the City.
- 4.5 The applicant submitted a further application for the 7 bed sui generis HMO use in January 2016, following an Enforcement enquiry (ref. 16/00121/FUL). This was refused on the basis of a new HMO use breaching the 10% threshold for Portswood Ward.
- 4.6 In May 2016 the applicant submitted an application for a Lawful Development Certificate (LDC) for an existing C4 small HMO use for up to 6 occupants (ref. 16/00772/ELDC). An application for a LDC is assessed on a matter of fact and degree. The test was: was there clear intention to operate the property as an HMO on 23<sup>rd</sup> March 2012. The Council's evidence bases were cross-referenced and the information available did not cast doubt on the applicant's claim and evidence that the property was intended as an HMO, so the LDC was granted.

- 4.7 The validity of this LDC has recently been questioned by local residents in the Portswood area, who also provided further evidence of the occupation of the premises prior to Mr Rai's ownership. This new evidence was reviewed in detail, but was not found to alter the finding that, on 23<sup>rd</sup> March 2012, Mr Rai was in possession of the premises and actively refurbishing it with clear intention to provide an HMO use. This was considered sufficient evidence to grant the LDC. The Council is aware that the decision to grant the LDC, and subsequently not to revoke it following the submission of information/evidence from local residents is a cause for concern for residents but the LDC must in this case be seen as relevant and a material consideration to be used in considering this application
- 4.8 For further information, please refer to **Appendix 2** for the decision notices of the applications mentioned above and see **Appendix 3** for a detailed timeline of the above events.

## **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 and erecting a site notice (09.09.2016). At the time of writing the report **6** representations have been received, all objecting to the development, including objections from the Portswood Central Residents Association and from the North Southampton Community Forum. The following is a summary of the points raised:

### **5.1.1 Two previous refusals of planning permission for 7 bed Sui Generis HMO and the LDC, upon which this application is based, is subject to challenge.**

#### Response

The two previous refusals of planning permission related to a change of use from a C3 family dwelling to a 7 bed Sui Generis HMO and were therefore subject to the 10% threshold test. This application is not subject to the 10% threshold test, as the HMO use has now been established via the granting of the LDC and the application does not, therefore, propose a new HMO use, only an increase of 1 occupant, in order to change the use from a C4 small HMO to a 7 bed Sui Generis HMO. The LDC has been reviewed in detail in light of the new evidence submitted by local residents, however the decision to grant this LDC has been found to be valid and correct.

### **5.1.2 Existing high concentration of HMOs and student houses in the local area.**

#### Response

This proposal does not introduce a new HMO use to the area, as the property has been operating as a 7 bed HMO (albeit unlawfully) since July 2011, so the effects of having 7 occupants on site are known. The property is now established as a C4 HMO use (allowing up to 6 persons) by way of the Lawful Development Certificate, so the effective increase in occupiers would be 1 person. As such, the introduction of 1 additional person living in the local area is unlikely to arise in a significant change to the mix and balance of the local community. As noted above, it is also important to note that the previous application was refused on the basis of the threshold approach rather than the level of intensity associated with the use of the property as a 7-bed HMO.

### **5.1.3 Insufficient off-street parking, exacerbating existing parking pressures.**

#### Response

The proposal meets our maximum parking standards of 2 spaces for a 7 bedroom HMO within a high accessibility area such as this, close to Portswood

District Centre. The existing front driveway provides at least 2 parking spaces, with the potential for a third parking space along the boundary wall, in front of the garage, if necessary. There is also an existing garage on site, which, although it is below our current parking standards, can provide secure, covered cycle storage for each of the residents, in order to promote more sustainable modes of transport.

#### 5.1.4 **Overdevelopment of the site**

##### Response

There is no increase in the built form on site, only an increase of 1 occupant. Although this does result in some increase in traffic in and out of the property, this is not considered to represent overdevelopment.

5.1.5 **North Southampton Community Forum** – This application is based on the findings of the Lawful Development Certificate, which is subject to challenge; Similar applications previously refused; Enforcement proceedings; Threshold exceeded; Material harm to character and amenity. The application is contrary to Section 17 (Empowering Local People), Section 50 (Sustainable Development) and Section 58 (Design) of the NPPF.

5.1.6 **Portswood Central Residents Association** – This application is based on the findings of the Lawful Development Certificate, which is subject to challenge; Insufficient parking exacerbating existing parking issues; Over-intensification of site; Previous application refused.

#### **Consultation Responses**

5.2 **SCC Highways** – Westridge Road has unrestricted on street parking, and many properties benefit from off street parking. It is acknowledged that during the evening parking can be under great demand, but parking in itself does not create a highway safety issue. The addition of an additional room in this location does not create any highway safety concerns, although it could increase demand for kerbside parking.

5.3 **Environmental Health** – Environmental Health has no objection in principle, but recommend conditions S025, S030 and the applicant should be aware of the need to comply with the Council's requirements for HMOs and ensure that space standards and Lacors Fire Safety requirements are met.

#### **6. Planning Consideration Key Issues**

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

- Principle of Development;
- Impact on the Character and Amenities;
- Impact on Parking and Highway Safety and;
- Standard of Living Conditions.

##### 6.2 Principle of Development

6.2.1 The property has been established as having a lawful use as a small HMO (class C4) for up to 6 occupants, via the granting of an LDC in June this year. Although the granting of this LDC was called into question, it was reviewed in light of the new evidence received and the decision to grant the LDC was found to be sound.

6.2.2 The 10% HMO threshold applicable across the City is, therefore, not applicable in this case, as the property is already established as a small HMO and there will be no increase to the concentration of HMO dwellings within the local area. The

provision of one additional bedroom would meet a need for this type of accommodation set out in Policy CS16 of the Core Strategy. Furthermore, the proposal would make efficient use of the property to provide additional accommodation that would reduce the pressure for the creation of new HMOs. The principle of development is, therefore, acceptable as a small HMO use (with up to 6 residents permitted) has already been established. This is subject to whether the intensification of use by 1 person would cause any material harm with respect to the key planning issues below.

6.2.3 Policy CS16 of the Core Strategy confirms that a family home is a dwelling of three or more bedrooms with direct access to sufficient private garden space. Planning Appeal decisions have confirmed that sui generis HMOs can be defined as dwellings. The proposed sui generis HMO does not involve any alterations to the existing property and retains a large element of communal living area (shared kitchen, dining, and bathroom facilities) and a communal garden of over 188sq.m in area. As such, it is considered that the property would continue to meet the adopted policy definition of a family dwelling and would not, therefore, result in a net loss of a family dwelling. Furthermore, the previous planning applications on this site were not refused on this basis.

### 6.3 Impact on the Character and Amenities

6.3.1 The proposal is considered to meet the policy objective of the HMO SPD by limiting the spread and concentration of new HMOs within the area. There would be no resulting change to the mix and balance of dwellings within the local community as a result of this application. The records held by the Council's licensing team indicate that, whilst there is a mix of HMO and single-family dwellings within the vicinity of the site, and whilst the 10% threshold has been exceeded, the locality is not over-saturated by HMO uses. Within the 40m radius of the front door of this property, there are 20 residential properties, 10 of which are listed as having an HMO licence, or an application for a HMO licence, resulting in a 50% concentration of HMO uses in the immediate area. As such, it is not considered that the proposed 1 additional occupant would have a significant or harmful effect on the intensity of HMO occupation within the local area.

6.3.2 The property itself is considered comfortably large enough to accommodate 7 persons and benefits from a private garden of over 188 sq.m, which exceeds the Council's amenity space standards for semi-detached properties (70 sq.m). The site is also large enough to comfortably accommodate the storage and parking needs of the use. As such, the addition of 1 occupant is not considered to result in an over-intensive use of the site and the comings and goings of 1 additional person would not adversely harm the amenities of the neighbouring occupiers.

### 6.4 Impact on Parking and Highway Safety

6.4.1 The Highways Officer has not raised any concerns with regards to the impact on highway safety in terms of access and parking. The Council's parking policies expect a maximum of 2 off street parking spaces in this high accessibility location in order to reduce car ownership levels and encourage the use of more sustainable transport. The current provision of 2 car parking spaces on the driveway is, therefore, acceptable in policy terms. This property is located in a highly sustainable location for access to public transport, as well as being within walking distance to local amenities and to the university for student occupiers, which reduces the need to own a car. This would therefore minimise any further pressure to street parking.



6.4.2 There would be a requirement to provide secure and covered cycle parking storage (1 space per resident) at the property, the details of which can be secured by condition. As such, the increase in occupancy by 1 person is considered to be acceptable in terms of potential on-street car parking generation.

## **7. Summary**

7.1 In summary, the impact from the intensification of the HMO by 1 addition person would not cause harm to the character and amenity of the area with respect to the balance and mix of households, parking pressure, and highway safety of the local area. It should be noted that the Council's HMO licensing regime is intended to help address the negative amenity impacts associated with HMOs. The improvement of the existing HMO stock also contributes towards meeting an identified housing need in the city for low income and transient households.

## **8. Conclusion**

8.1 In conclusion, the proposed development is considered to accord with the Council's guidance and policies and, therefore, is recommended for approval subject to the conditions in the report.

**Local Government (Access to Information) Act 1985**  
**Documents used in the preparation of this report Background Papers**

1(a), (b), (c), (d), 2(d), 3(a), 4(f), (qq), 6(a), (b)

**AC for 05/12/16 PROW Panel**

**PLANNING CONDITIONS**

**01. Full Permission Timing Condition**

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

**02. Number of occupiers**

The property shall be occupied by no more than 7 people without the grant of further specific permission from the Local Planning Authority.

Reason:

In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt.

**03. Refuse storage and collection**

Prior to the commencement of the use as a 7 bed Sui Generis HMO, the existing storage for refuse and recycling containers shall be made available for use. The storage shall be thereafter retained as approved.

Reason:

In the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

**04. Cycle storage**

Within 3 months of this decision, details of secure and covered storage for 7 bicycles, shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

**05. Retention of communal spaces**

The open plan kitchen/lounge/dining room, the ground and first floor bathrooms and storage cupboards, and the ground floor garage and store shown on the approved plans shall remain as communal space for the occupiers of the dwelling throughout the occupation of the building as a Sui Generis HMO and shall at no time be used as bedrooms unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

To maintain sufficient residential environment for occupiers and to ensure that there is no intensification of use of the site as a whole.

**06. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
H4	Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (September 2006)

Parking Standards SPD (September 2011)

Houses in Multiple Occupation SPD (Revised May 2016)

Other Relevant Guidance

The National Planning Policy Framework (2012)

Decision Notice – 11/01858/FUL – Single Storey Rear Extension



11/01858/FUL/10377

**DETERMINATION OF APPLICATION**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**Town and Country Planning**  
**(Development Management Procedure) (England) Order 2010**

Sanders Design Services Ltd - FAO Mr Neil Sanders  
95 Cedar Road  
Hythe  
Southampton  
SO45 3PX

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

**FULL APPLICATION - CONDITIONAL APPROVAL**

**Proposal:**                **Erection of a single storey rear extension**  
**Site Address:**        **8 Westridge Road Southampton SO17 2HQ**  
**Application No:**      **11/01858/FUL**

Subject to the following conditions.

**01.APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

**Reason:**  
To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

**02.APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

**Reason:**  
To protect the amenities of the adjoining residential properties.

**03.APPROVAL CONDITION - Materials to match [Performance Condition]**

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

**Reason:**

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

**04.APPROVAL CONDITION - Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:**

For the avoidance of doubt and in the interests of proper planning.

  
**Chris Lyons**  
**Planning & Development Manager**

6 February 2012

If you have any further enquiries please contact:

**Jagdeep Birk**

**Reason for granting Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

**IMPORTANT NOTE TO APPLICANT**

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings.

<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
RAI SHT 2		Proposed Plans	24.11.2011	Approved



**DETERMINATION OF APPLICATION  
TOWN AND COUNTRY PLANNING ACT 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

Sanders Design Services Ltd  
Mr Neil Sanders  
95 Cedar Road  
Hythe  
Southampton  
SO45 3PX

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:** Change of use from a 3-bed house to a 7-bed house in multiple occupation (HMO, sui generis)

**Site Address:** 8 Westridge Road Southampton SO17 2HQ

**Application No:** 12/00189/FUL

For the following reason:

**01. REASON FOR REFUSAL - Cumulative effect of Houses in Occupation**

The Local Planning Authority considers that the cumulative impact of a sui generis House in Multiple Occupation (HMO's) would result in an unacceptable concentration of HMO's in the immediate vicinity of the site (40m of the front door). This intensification of activity would harm the character of the area and undermine the Council's approach of promoting mixed and balanced communities to the detriment of the amenities of the area. As such the proposal is contrary to Policies SDP1 (i), H4 (i) and (ii) of the saved City of Southampton Local Plan Review (March 2006) and Policy CS16 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010) as supported by the adopted Houses in Multiple Occupation Supplementary Planning Document (March 2012).

**Chris Lyons**  
**Planning & Development Manager**

29 June 2012

**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:
RAI SHT 1	X	General Plan	08.02.2012	Refused
RAI SHT 2	X	General Plan	08.02.2012	Refused
RAI SHT 3	X	General Plan	08.02.2012	Refused



**DETERMINATION OF APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

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

Sanders Design Services Ltd  
Mr Neil Sanders  
95 Cedar Road  
Hythe  
Southampton  
SO45 3PX

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:** Change of use from a dwelling house to a 7-bed house in multiple occupation (HMO, sui generis) (retrospective)

**Site Address:** 8 Westridge Road, Southampton SO17 2HQ

**Application No:** 16/00121/FUL

For the following reason(s):

**01.REASON FOR REFUSAL - Cumulative effect of Houses in Multiple Occupation**

The Local Planning Authority considers that the cumulative impact of an additional Sui Generis 7 bed House in Multiple Occupation (HMO) results in an unacceptable concentration of HMO's in the immediate vicinity of the application site (40m of the front door). This intensification of activity is considered to harm the character of the area and undermine the Council's approach of promoting mixed and balanced communities to the detriment of the amenities of local residents. As such, the proposal is contrary to saved policies SDP1 and H4 of the City of Southampton Local Plan Review (as amended 2015) and Policy CS16 of the adopted Local Development Framework Core Strategy Development Plan Document (as amended 2015), as supported by the adopted Houses in Multiple Occupation Supplementary Planning Document (March 2012).

**Samuel Fox**  
**Planning & Development Manager**

22 March 2016





**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015: article 39**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

Mr Rai  
C/O Mr Steve Lawrence  
Achieve Town Planning and Urban Design Ltd  
323 Havant Road  
Farlington  
Portsmouth  
PO6 1DD

The Southampton City Council HEREBY CERTIFY that on 9<sup>th</sup> May 2016 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule and identified on the plan attached to this certificate, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended) ("the Act") for the following reason(s):

Based on the documents submitted, there is sufficient evidence that the property has been used a small House in Multiple Occupation (HMO) (C4) Use Therefore, it is immune from enforcement action.

A handwritten signature in black ink, appearing to be "Richard Ivory", written over a faint circular stamp or seal.

Signed

**SERVICE DIRECTOR: LEGAL & GOVERNANCE**  
**RICHARD IVORY, Solicitor**  
On behalf of **Southampton and Fareham Legal Services Partnership**

Dated 22<sup>nd</sup> July 2016

**Application No: 16/00772/ELDC**

**FIRST SCHEDULE**

Existing Use of the property as a C4 HMO (House in Multiple Occupation)

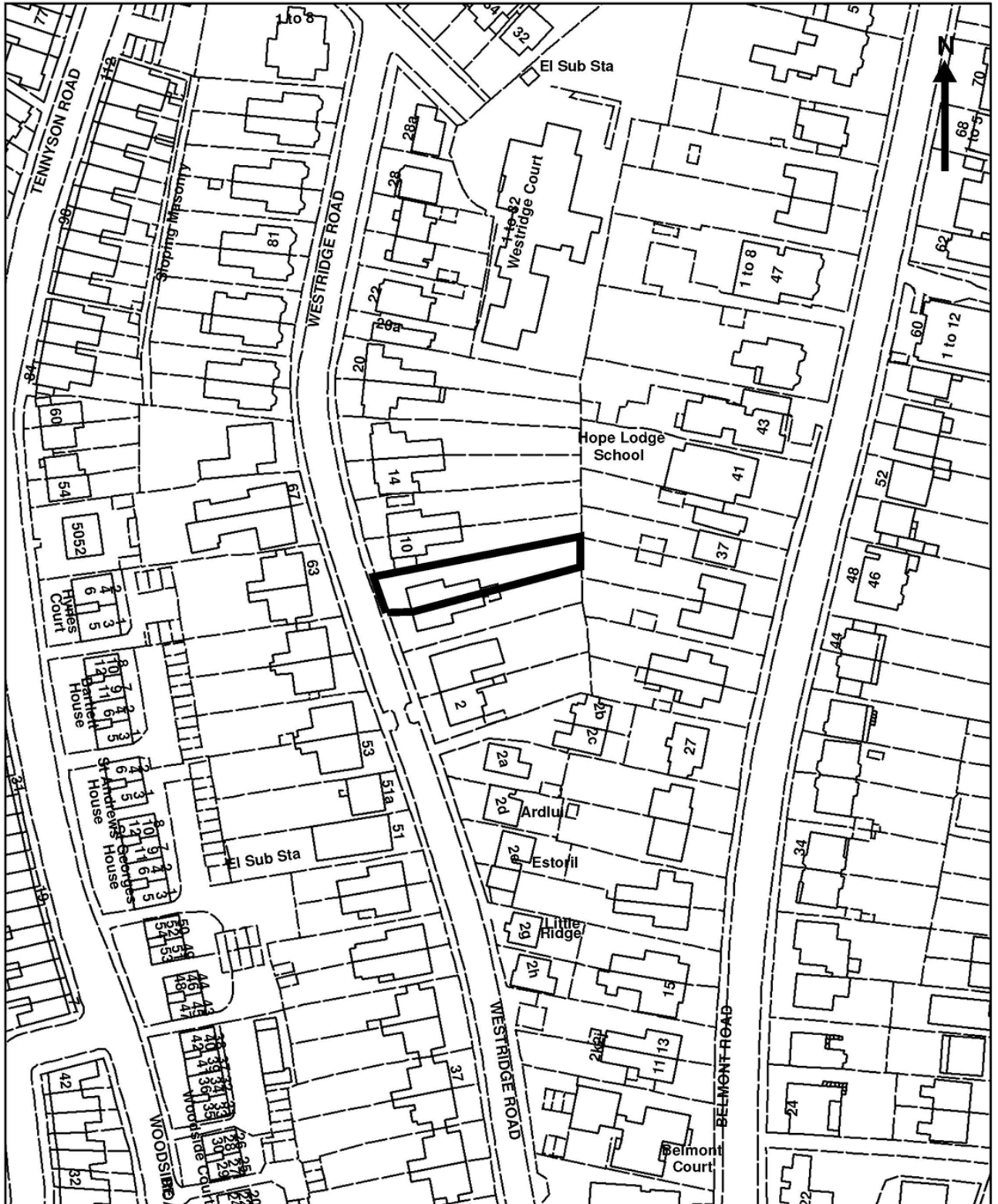
**SECOND SCHEDULE**

8 Westridge Road, Southampton, SO17 2HQ

## Timeline of events for 8 Westridge Road

- 23/11/2011 – Applicant submits an application for an extension: 11/01858/FUL “Erection of a single storey rear extension”. Certificate of Ownership A is signed on the application form, indicating Mr Rai has taken ownership at this point.
- 28/11/2011 – 7x HMO tenants sign agreement for 12mth period 01/07/2012 – 30/06/2013
- 01/12/2011 – Data published for 2012 Electoral Register, showing single family occupation, but this data is collected much earlier in the year, prior to November 2011, during summer/autumn months.
- 30/01/2012 – Site visit for 11/01858/FUL – Photos show works for the rear extension clearly underway (site cleared and footings dug out).
- 06/02/2012 – 11/01858/FUL “Erection of a single storey rear extension” is conditionally approved.
- 08/02/2012 – Applicant submits an application 12/00189/FUL for “change of use from a 3-bed house to a to 7-bed HMO (sui generis)”. Application form states property is vacant.
- \*\*\* 23/03/2012 – HMO Article 4 Direction comes into effect \*\*\***
- 24/04/2016 – Site visit for 12/00189/FUL – Photos show works clearly underway and Mr Rai in possession.
- 29/06/2012 – 12/00189/FUL application for change of use refused.
- 01/07/2012 – 7 tenants move in.
- Aug 2012 – First evidence of HMO status on Council Tax records.
- 03/12/2012 – Enforcement investigation opened into unlawful change of use to an HMO (ongoing).
- 04/01/2016 – Enforcement Team write to applicant to advise them of their intention to serve an Enforcement Notice.
- 26/01/2016 – Applicant submits another application for retrospective change of use to 7-bed HMO 16/00121/FUL.
- 22/03/2016 – 16/00121/FUL application for change of use refused.
- 08/05/2016 – Applicant submits Lawful Development Certificate application 16/00772/ELDC for existing use as a C4 small HMO (3-6 persons).
- 09/08/2016 – 16/00772/ELDC Lawful Development Certificate application for existing use as a C4 small HMO is granted.
- 06/09/2016 – 16/01509/FUL application submitted for change of use from a C4 small HMO to 7 bed Sui Generis HMO.
- Sept/Oct 2016 – Lawful Development Certificate challenged by local residents and new evidence is submitted.
- Oct/Nov 2016 – Decision to grant LDC is reviewed in light of new evidence, but the decision is found to be sound.

# 16/01509/FUL



Scale: 1:1,250

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# Agenda Item 7

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 6<sup>th</sup> December 2016**  
**Planning Application Report of the Service Lead, Planning, Infrastructure and Development**

<b>Application address:</b> 238 Bursledon Road, Southampton			
<b>Proposed development:</b> Change of use from dwelling (Class C3) to a house in multiple occupation (HMO, Class C4) (retrospective)			
<b>Application number</b>	16/01122/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	John Fanning	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	06.12.2016	<b>Ward</b>	Sholing
<b>Reason for Panel Referral:</b>	Five letters of objection have been received	<b>Ward Councillors</b>	Cllr Wilkinson Cllr Bailie Cllr Hecks

<b>Applicant:</b> Mr A Joseph	<b>Agent:</b> N/A
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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## Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. Policies - SDP1 and H4 of the City of Southampton Local Plan Review (March 2006) and CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

## Recommendation in Full

**Conditionally approve**

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

- 1.1 The site forms part of a semi-detached pair of two storey residential dwellings. The area is predominately residential in character with Sholing Common opposite. The site lies on the busy Bursledon Road, which forms a major arterial route through the City.

## **2. Proposal**

- 2.1 The application does not propose any external alterations to the physical form of the dwelling. The property comprises 6 bedrooms together with communal living areas (living room, kitchen and bathrooms). There is space for parking one vehicle to the front of the property. Refuse and recycling containers are stored to the side of the dwelling. To the rear of the site is a private garden of approximately 70sq.m in area.
- 2.2 The proposal is for the change of use from a Class C3 residential dwelling to a mixed use of either Class C4 House in Multiple Occupation (HMO) or Class C3. As per the Southampton HMO Supplementary Planning Document (HMO SPD), a condition can be applied to allow changing between these two uses for a period of 10 years without planning permission, with the use at the end of this period being the lawful use from that point.

## **3. Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (2015) and the City of Southampton Core Strategy (2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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.
- 3.3 Core Strategy CS16 and Saved Local Plan policy H4 are relevant to the determination of planning applications for the change of use to HMOs. Policy CS16 of the Core Strategy states that the contribution that the HMOs makes to meeting housing need should be balanced against the impact on character and amenity of the area. Saved policy H4 of the Local Plan requires new HMOs to respect the amenities of neighbouring properties and the character of the area and to provide adequate private and useable amenity space.
- 3.4 The Houses in Multiple Occupation SPD (HMO SPD), revised in May 2016, provides supplementary planning guidance for policy H4 and policy CS16 in terms of assessing the impact of HMOs on the character and amenity and mix and balance of households of the local area. The SPD sets a maximum threshold of 10% for the total number of HMOs across the city, which is measured from the application site within a 40m radius or the 10 nearest residential properties (section 6.5 of the HMO SPD refers).

## **4. Relevant Planning History**

- 4.1 There is no relevant planning history associated with the site.

## **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 and erecting a site notice (15.07.2016). At the time of writing the report **5** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***Proposal would exacerbate existing parking problems in the surrounding area***

### **5.3 Comment**

The provision of one car parking space to serve the property is in accordance with the maximum parking standard for 3 spaces outlined in the HMO SPD. The applicants have submitted a parking survey to support the proposal. This issue is discussed in more detail in section 6 below.

5.4 ***Application site has insufficient amenities to provide for 6 residents/noise associated with additional occupants***

### **5.5 Comment**

A Class C4 HMO can be occupied by 3-6 individuals (with this property having a proposed 6 bedrooms). This is not out of line with expected occupation levels of a Class C3 residential dwelling. It is accepted that the style of occupation and nature of associated impacts is different however, it is not considered that the occupation of a Class C4 HMO is intrinsically harmful. The rooms retain good outlook with good quality communal space available for occupants. This issue is discussed in more detail in section 6.

5.6 ***Approving this application would set a precedent for similar development of properties into HMOs. The character of the existing area is predominately formed of family dwellings and the proposal would have a harmful impact on this character***

### **5.7 Comment**

The development does not breach the 10% threshold outlined in the HMO SPD. Should this application be approved, this threshold approach would prevent an over dominance of HMOs resulting a change in the character of the area. It is not considered that a single Use Class C4 HMO would represent a significantly harmful impact to the character of the surrounding area particularly when balanced against the contribution the proposal would make to addressing housing need.

5.8 **Consultation Responses**

5.9 **Environmental Health** - No objection.

5.10 **Highways** – Following amended plans to alter the parking layout, no objection subject to suitable conditions to control refuse and cycle stores and parking layout.

## **6. Planning Consideration Key Issues**

6.1 The determining issues for this application relate to whether the proposed change of use from a C3 family dwelling to a C4 HMO is acceptable in principle; the impact of the proposal on parking in the local area; its impact upon the character of the property and local area; and its impact upon the residential amenities of surrounding neighbours and the occupants of the host dwelling.

- 6.2 Within a 40m radius of the front door of the property there are 16 properties (including the application site). The existing concentration of HMOs surrounding the application site is **0%** (0/16). Were this application to be approved, the concentration would be **6%** (1/16). The development therefore does not breach the 10% threshold for HMOs outlined in the HMO SPD.
- 6.3 The proposal would, therefore, ensure a mixed and balanced character is retained within the locality of the site. Furthermore, the threshold approach would sufficiently protect the area from a potentially harmful future change to the character of the area by managing the growth of HMOs. It is considered that the presence of a single HMO in the immediate area would not represent significant harm to the character of the area, sufficient to justify refusal of the application.
- 6.4 In terms of parking, the maximum allowable provision on site for an HMO of this size would be 3 parking spaces. The application originally proposed a number of parking spaces to the front of the property however, concern was raised by the Council's Highway team that, with particular reference to the busy nature of Bursledon Road, the manoeuvring required to fit multiple vehicles onto the site would be hazardous to highway safety. On this basis, an amended parking scheme has been submitted with a single parking space on site
- 6.5 The applicant has submitted a parking survey of the surrounding area. There is no legal parking on the Bursledon Road frontage (while some unauthorised parking does appear to occur this falls within the remit of the Highway Authority to control if necessary). The parking survey identified sufficient availability in the surrounding area to accommodate the shortfall in on-site parking. On this basis, it is considered that the proposal will have an acceptable impact in terms of associated highways issues.
- 6.6 An HMO has potentially different impacts on amenity of neighbouring properties when compared to a Class C3 residential dwelling. The nature of different living patterns and lifestyles can result in an increase in noise and disturbance, noticeable to the occupiers of neighbouring properties. Being situated on the busy Bursledon Road, the frontage is not considered to be particularly secluded or quiet residential environment. It is noted that, to date, no noise complaints have been made regarding the property. With reference to the fact that any statutory noise complaints can be addressed under Environmental Health legislation, it is not considered that the proposed change of use would result in such significant harm as to justify a reason for refusal on this ground.
- 6.7 The property is considered to benefit from sufficient amenity and communal space to satisfy the needs of the occupiers of the host dwelling. Outlook from habitable rooms is good and the size and the overall quality of spaces within the property is acceptable. A number of conditions are recommended to secure suitable refuse and cycle storage facilities given the nature of the new occupation. All habitable rooms are considered to be served by windows with sufficient access to outlook and natural light.

## **7. Summary**

- 7.1 The proposal does not breach the threshold criteria and it is not considered that the creation of a singular HMO will have a significantly detrimental impact on the character of the area. It is considered that the features of the site and its surrounds would be sufficient to mitigate any potential impacts of the development which cannot be controlled through the use of conditions.



## **8. Conclusion**

- 8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

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

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

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(qq), 6(c), 7(a), 9(a), 9(b).

### **JF for 06/12/16 PROW Panel**

#### **PLANNING CONDITIONS**

##### **01. Full Permission Timing Condition (Performance)**

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

##### **02. Permitted change between Class C3 and Class C4 (time limited)**

The application hereby permitted shall allow the change between a residential dwelling (Class C3) and a House in Multiple Occupation (Class C4) for a period of up to 10 years from the date on which this decision is issued unless otherwise agreed in writing by the Local Planning Authority. After this period the occupied use on that date will become the lawful use of the property.

Reason:

To provide flexible use and comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

##### **03. Refuse & Recycling (Pre-Commencement)**

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

##### **04. Cycle storage facilities (Pre-Commencement Condition)**

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason: To encourage cycling as an alternative form of transport.

##### **05. Parking (Pre-Occupation)**

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Prior to the occupation of the development the hereby approved a 2m vision splay shall be provided adjacent to the access to the site within which no boundary treatment shall exceed 0.6m in height, with the remaining boundary treatment to the front of the property having a maximum height of 0.8m. The development shall be maintained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

#### 06. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS16          Housing Mix and Type  
CS19          Parking

City of Southampton Local Plan Review – (March 2006)

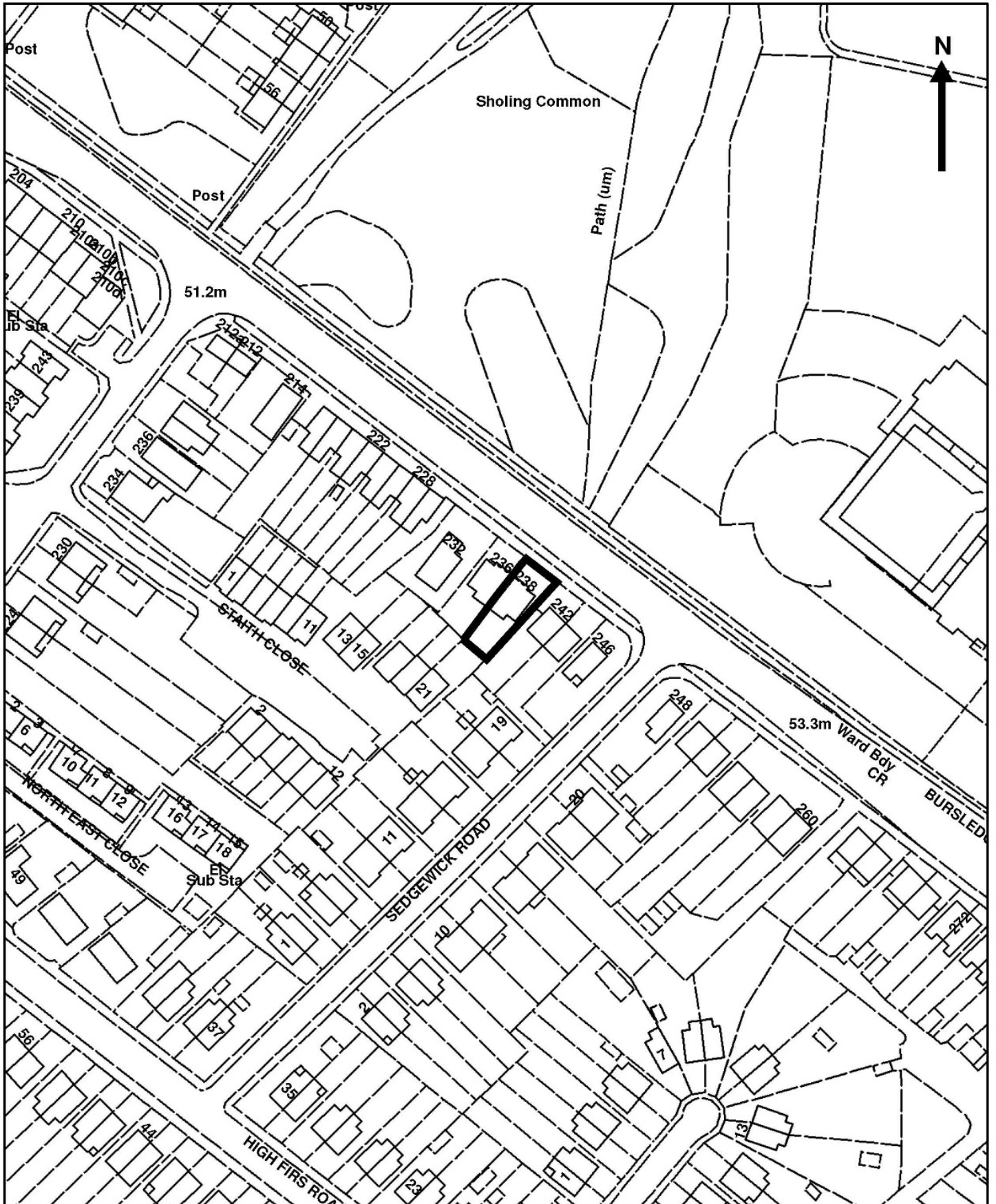
SDP1          Quality of Development  
SDP5          Parking  
H4              Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Houses in Multiple Occupation (amended 2016)

Other Relevant Guidance

The National Planning Policy Framework (March 2012)



Scale: 1:1,250

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# Agenda Item 8

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 6<sup>th</sup> December 2016**  
**Planning Application Report of the Service Lead - Planning, Infrastructure and Development**

<b>Application address:</b> 106-113 St Mary Street, Southampton			
<b>Proposed development:</b> Erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities.			
<b>Application number</b>	15/01250/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	N/A	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Request to vary Affordable Housing obligation within the Section 106 by way of a Deed of Variation	<b>Ward Councillors</b>	Cllr Bogle Cllr Noon Cllr Paffey
<b>Referred by:</b>	N/A	<b>Reason:</b>	Viability Issues

<b>Applicant:</b> Mr Moses Meisels	<b>Agent:</b> CGMS Ltd
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<b>Recommendation Summary</b>	<b>Delegate to the Service Lead - Infrastructure, Planning and Development to agree a deed of variation to the Section 106 Agreement dated the 10<sup>th</sup> December 2015</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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<b>Appendix attached</b>	
1	Planning & Rights of Way Panel Report (6 <sup>th</sup> October 2015)
2	DVS Viability Appraisal Report

## 1.0 Recommendation in Full

To delegate to the Service Lead – Infrastructure, Planning and Development to make a Deed of Variation to vary the Section 106 Agreement dated the 10<sup>th</sup> December 2015 to waive the Affordable Housing provision, on viability grounds, imposing the Council’s standard viability review mechanism clause.

## **2.0 Proposal & Background**

2.1 This application was approved by the Planning & Rights of Way Panel in October 2015, subject to the completion of a Section 106 Agreement. A copy of the officer's report is appended at Appendix 1

2.2 The site has remain undeveloped from its current position for a number of years, with the current consented scheme having been demonstrated to be unviable and therefore unlikely to come forward with the current level of planning obligation being sought through the Section 106 Agreement dated the 10<sup>th</sup> December 2015.

2.3 The applicant has submitted a viability assessment which has been appraised by the Council's independent expert (DVS) and it has been found to be unviable, based on the current market conditions and established viability guidelines. A copy of the DVS Viability Appraisal Report can be found at Appendix 2 of this report.

2.4 A Deed of Variation is therefore sought to waive the Affordable Housing provision based on the inclusion of the council's standard viability review and completion clauses, to ensure that if the development does not come forward for development in the short term, the council has the ability to review the viability position at a fixed point in the future.

## **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton currently allows viability to be taken into account as set out within the "saved" policies of the City of Southampton Local Plan Review (as amended 2015), the City of Southampton Core Strategy (as amended 2015) at Policy CS15 – Affordable Housing.

## **4.0 Relevant Planning History**

4.1 The most recent planning approval for this site was in December 2015 (15/01250/FUL) for the erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities. This scheme was approved by the Planning Panel in December 2015 and has not yet been implemented.

## **5.0 Planning Consideration Key Issues**

5.1 The key issue for consideration is whether the Planning & Rights of Way Panel are willing to vary the terms of the original Section 106 Agreement by way of waiving the provision of the Affordable Housing obligation, on viability grounds, with the aim of encouraging the development proposal to be built out in the short term. If the proposal is rejected it is unlikely that the consented development will come forward and a revised planning proposal will be required.

## **6.0 Conclusion**

6.1 As such, the proposal is recommended for approval subject to securing the matters set out in the recommendations section of this report.

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 6<sup>th</sup> October 2015**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 106-113 St Mary Street, Southampton			
<b>Proposed development:</b> Erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities.			
<b>Application number</b>	15/01250/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	23.11.2015 (Extended Target)	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Bogle Cllr Noon Cllr Tucker
<b>Referred by:</b>	Cllr Bogle	<b>Reason:</b>	Impact on character and amenity

<b>Applicant:</b> Mr Moses Meisels	<b>Agent:</b> CGMS Ltd
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered including the impact on the street scene at St Mary Street and Golden Grove, the impact on adjoining and adjacent properties and highway safety are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should be granted. 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). Accordingly the proposal complies with policies CS4, CS5, CS6, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP13, SDP14, SDP16, SDP17, HE6, H1, H2, REI4, REI6 and MSA12 of the Local Plan (2015), Policies AP 5, AP 8, AP 16, AP 17 and AP 36 of the City Centre Action Plan (adopted January 2015), Supplementary

Planning Document 'Residential Design Guide' (2006), 'Developer Contributions' (2013) and 'Parking Standards' (2011) and the National Planning Policy Framework (2012).

<b>Appendix attached</b>			
1	Development Plan Policies		

### **Recommendation in Full**

1. Delegate to the Planning and Development Manager to grant planning permission subject to the conditions in this report and the completion of a S.106 Legal Agreement to secure:
  - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
  - iii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
  - iv. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No occupiers, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.
  - v. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
  - vi. 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.
  - vii. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
2. In the event that the legal agreement is not completed by 23<sup>rd</sup> November 2015 the Planning and Development Manager be authorised to refuse permission on the grounds of failure to secure the provisions of the Section 106 Legal Agreement.
3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer



viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

## **1.0 The site and its context**

- 1.1 The site comprises a two-storey building with a wide plot frontage on the eastern side of St Mary Street. The building contains 4 no. retail units at ground floor level and is vacant at first-floor level (formerly occupied as a nightclub). The retail units can be serviced to the rear with access via Golden Grove.
- 1.2 St Mary Street is a mixed use local centre with buildings generally 2-3 storeys in scale. However there are infill flatted blocks and office development up to 4-storeys in scale within the street scene including a residential building fronting Ascupart Street with a four floor in the gabled roof. St Marys Church is the nearest landmark building located to the south and a residential tower is located to the east within Golden Grove. To the rear Golden Grove flats are four storey with a 4/5 storey building (Gladstone House) on the corner with Clifford Street and Golden Grove. The area is highly accessible and located in close proximity to city centre parks and other amenities.

## **2.0 Proposal**

- 2.1 The proposal seeks to maintain commercial units at ground floor and extend the building to add four floors (following the removal of the existing first floor) to provide residential units on the additional floors. This application would then result in a 5 storey building (with the top floor recessed to reduce its bulk). The layout of the three occupied commercial units will remain and the vacant unit will be converted into reception/lobby areas for access to the residential units with access from both St Mary Street and Golden Grove.
- 2.2 The four additional floors seek to provide 74 flats (21 studios, 34 one-bed, 17 two-bed and 2 three-bed units). The resultant building would frame a central courtyard that is open to its southern side. The scheme would have nil parking for residents.

## **3.0 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), the City of Southampton Core Strategy (as amended 2015) and the site lies within the City Centre so the policies of the City Centre Action Plan are relevant. 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. As the proposal provides more than 15 units the Council will seek provision of 35% of the units for affordable housing as set out in policy CS15.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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.

#### **4.0 Relevant Planning History**

4.1 The most relevant and recent planning approval for this site was in 2005 (05/00938/FUL) for the part demolition of existing buildings to retain ground floor level and construction of a further four floors at the front of the site and a further five floors at the rear to provide a total of 66 flats (8 x one-bed and 58 x two-bed). This scheme was approved by the Planning Panel in 2005 and although this project is some 10 years old and was never implemented it does represent a material consideration in the planning process. The presentation to Panel will set out the similarities and differences between the two schemes, as does section 6 of this report.

4.2 A list of the other relevant applications can be found at **Appendix 2** of this report.

#### **5.0 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 (03.07.2015) and erecting a site notice (03.07.2015). At the time of writing the report **5** representations have been received; including two ward Councillors and objections from the local residents association (St Marys Tenants and Residents Association), City of Southampton Society and a local resident. The following is a summary of the points raised:

##### **5.2 Impact on the street scene due to the height of the proposed development** **Response**

The adjacent property Gladstone house is a five storey building and this proposal would be similar in height. It is judged to be an acceptable height for this part of the city as agreed by the Council's City Design Officer. The buildings within the vicinity range in height from two storey on site, three storey adjacent and on the corner with Clifford Street full five stories.

##### **5.3 The proposal results in insufficient car parking to serve the development and highway safety issues** **Response**

The proposal provides zero car parking spaces and the site lies within an area of traffic regulation orders with a resident's parking permit zone. It is the Council's policy that development constructed after 2001 will not be eligible for parking permits so future occupiers will be unable to park within the vicinity. Highway officers have not objected to this scheme, and as the site has good links to local transport and services offered by the City Centre it is anticipated that residents could live in the development without the need for a car.

##### **5.4 Concerned about overlooking, overshadowing and loss of light** **Response**

All new development will have an impact on neighbouring properties but whether the harm is sufficiently detrimental to warrant a reason for refusal has to be assessed. See section 6 of this report for further consideration.

5.5 **Impact on archaeology on the site**

Response

The site does lie within an area of archaeological importance and conditions are recommended to prevent harm to any potential remains.

5.6 **Impact on the commercial units during the construction**

Response

Three of the commercial units are to be retained (including during the construction process). A construction management condition is suggested so that deliveries and construction can be controlled to prevent a detrimental impact on the commercial units and highway safety in terms of storage. There will undoubtedly, however, be an impact on existing retail looking for continuous trading during the construction phase but not one that warrants a reason for refusal.

5.7 **Lack of facilities in terms of doctors surgery**

Response

The scheme is liable to pay a contribution to the Community Infrastructure Levy (CIL), which provides funds for education, health and other essential infrastructure across the city.

5.8 **Should be a comprehensive scheme**

Response

Although officers agree, the proposal needs to be assessed as submitted. The Council has no control over the size of the site put forward to be redeveloped but has a duty to assess the merits of the scheme.

5.9 **No play area or community centre proposed**

Response

The size of the development does not trigger the need for an area of play space for children as less than 100 units are proposed (Policy CLT5 refers). In addition, the proposal does not result in the loss of a community facility so there is no requirement for the provision of one. As discussed, the development is CIL liable and contributions towards open space can form part of this new levy.

**Consultation Responses**

5.10 **SCC Highways – No objection**

Subject to conditions securing details of refuse storage provision including a management plan of how it is to be collected or removed from site and details of cycle parking facilities. In addition, a condition stating that no doors shall open and encroach onto the public highway. Finally, due to the 100% site coverage, a condition requiring construction management details especially relating to where the storage of materials, contractors compound and vehicles are going to be housed is required.

5.11 **SCC Housing – No objection**

Housing Delivery and Renewal team strongly support the principle of redeveloping these underused and semi-dilapidated premises by means of a suitably compliant scheme which improves the overall sustainability of the local area. Affordable housing is applicable.

- 5.12 **SCC Planning Policy** – No objection  
The site lies outside the secondary shopping frontage and therefore the loss of one retail unit is acceptable. The retention of the commercial units and provision of housing to provide a mixed-use development is supported.
- 5.13 **SCC Ecologist** – No objection  
The existing building has negligible biodiversity value.
- 5.14 **SCC Sustainability Team** – No objection  
Subject to the imposition of a conditions securing a green roof and energy and water restriction conditions.
- 5.15 **SCC City Design** – No objection  
The City Centre Action Plan Policy AP 36 restricts height to 4 storey along St Mary Street, however, it is realistic that denser development will logically arrange itself within a district centre there appears to be no design policy justification for restricting the height of this street frontage.

With regard to the proposed new building there is no objection to the overall architectural aesthetic, other than to request that recessed balconies should be provided to the St Mary Street frontage to better reflect the urban characteristic of this street. Given the depth to the living and bedroom spaces this should not unduly compromise the use of these rooms. A limited number of projecting modern upper floor box bays could then be used to reflect the tradition of upper floor bays represented elsewhere along the street.

*Officer comment*

*Officers feel that the insertion of projecting balconies adds to the articulation and the overall design of the building without the need for further change. It is noted that fewer balconies would result in a development that picks up design themes from features within the street scene but in this case the proposal is acceptable as there is no uniform character to St Mary Street.*

- 5.16 **SCC Archaeology**– No objection  
The application site lies within the Middle-Saxon town of Hamwic. Numerous archaeological interventions have revealed evidence of nationally important archaeological remains, including structural evidence and inhumations. There is no heritage statement to support the application, and the Southampton HER has not been consulted. The proposals include the retention of the ground floor structure fronting St Mary Street, however it is clear that the construction of a four-storey structure will entail significant demolition and groundworks. The extent of the demolition is unclear, and there are no foundation designs supporting the application. Should planning permission be granted conditions are recommended.

## **6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- Background and comparison with previous scheme
  - Principle of development;
  - Design of the proposed development;
  - Impact on Residential Amenity;

- Highway Safety and Parking; and
- Development Mitigation.

## 6.2 Background and comparison with previous scheme

The 2005 permission for 64 units sought to provide a complete redevelopment that was five storeys (four additional storeys) fronting St Mary Street and six storeys (five additional storeys) fronting Golden Grove. The scheme was an amendment to a similar scheme approved in 2004 (03/01333/FUL) to provide four additional storeys. The approved 2005 scheme is similar to the scheme proposed. At ground floor the scheme also retained three of the four existing retail units but provided a reduced fourth unit so there was no net loss of commercial units. Refuse and cycle storage was provided at ground floor within the area that was previously the fourth retail unit as currently proposed. A front and rear access to the residential units was also proposed but with smaller entrance areas than currently sought.

6.2.1 However, the proposed layout of the residential floors differed greatly. A central amenity area was proposed in a similar location but it was smaller in scale and two blocks of residential units surrounded it instead of the 'U' shaped building proposed now. The central gap between both blocks was 5.8m (in comparison to gap varying between 18m and 16m currently sought) but the gap between the blocks reduced dramatically adjacent to the boundary with 3-5 Ascupart Street. The elevation along this shared boundary was longer as the gap was smaller and it was higher in height due to the step up to the rear. In addition, there was a large number of windows fronting Ascupart Street albeit landing, bathroom and secondary bedroom windows on each floor when only obscured glazed landing windows are currently proposed within this scheme. In terms of fronting Gladstone House landing and secondary bedroom windows were proposed on this elevation and only landing windows are proposed currently.

6.2.2 The external appearance was also vertical in its emphasis but many additional windows were provided. A similar number of windows were proposed in the elevation fronting Golden Grove but an additional storey was added and it was not recessed. Overall, although the schemes were similar this current scheme is lower in height and less dominant on the shared boundary with Ascupart Street and St Mary Street and provides an increased level of amenity space for occupiers. Within the wider street scene, due to the recessed appearance of the fifth level, it would form a part of a stepped approach to Gladstone House on the corner. Although the permission for the 2005 has lapsed its approval is still a material planning consideration when determining this application. Officers consider that the current scheme improves on what was originally consented and results in a better scheme for the reasons outlined below:

## 6.3 Principle of Development

The principle of development is acceptable as it provides residential accommodation in line with the provisions of policy CS16 of the Core Strategy with a suitable mix of units to meet the Council's housing need. The application also assists the Council in meeting its current housing need of 16,300 homes by 2026. The application site is allocated within the Council's City Centre Action Plan. This Plan supports redevelopment up to four stories in height providing it respects the character of the area. The site is located within the city centre and therefore a development of high density - over 100 dwellings per hectare (dph) - is acceptable in principle. The proposal provides housing units with a residential density of

389dph which, although high, complies with the density set out in policy CS5 for the city centre and is comparable with other city centre development. Density is a final check and if the development is acceptable in form and massing then higher density can be supported.

6.3.1 The NPPF introduces a presumption in favour of sustainable housing development. Retaining the existing commercial units and redeveloping the first floor upwards is welcomed, and the principle of the proposal is supported. The development would create additional housing stock for Southampton as well as retaining a mixed-use development.

#### 6.4 Design of the proposed development

The majority of existing properties within the vicinity of the application site are two storey in height, and the proposal seeks to provide a five storey development, albeit with the top floor recessed. The proposed development at four storey height is a similar height to the development at 3-5 Ascupart Street and at fifth storey it is slightly lower than the development on the corner of Clifford Street. Therefore, a building with a recessed fifth floor would not appear at odds within the street scene and is supported.

6.4.1 The existing building does not provide an attractive street frontage at first floor fronting St Mary Street or to the rear at ground floor fronting Golden Grove and therefore partial redevelopment is welcomed. The design of the proposal, which provides balconies, adds articulation and depth and would enhance the street scene. The proposal has been designed with a vertical emphasis which seeks to respond to the Victorian terrace by providing a similar rhythm. The materials proposed are a mix of red brickwork with vertical and floor level separation, including balconies detailed in anthracite grey metal and polished concrete pillars at ground floor separating the commercial units. The fifth recessed level would be designed using a lightweight glazed structure. The rear elevation is designed in the same manner. The design complements the street and is considered to meet policy CS13 of the LDF Core Strategy.

#### 6.5 Impact on Residential Amenity

The amenity space for this proposal is 92sq.m in total, which equates to 1.2sq.m per unit. There is an area of amenity on the fifth floor but it is not confirmed as to how this terraced area will be used. In terms of the impact on future occupiers as the site lies within the city centre, amenity space lower than the standards is not a sufficient reason for refusal as there are many parks for occupiers to use within a five minute walk.

6.5.1 All units look into a central amenity area and therefore inter-looking between units could occur as the privacy distances vary between 18.5m to 16m nearer Ascupart Street within the u-shaped part. However, the window layout at the corner has been redesigned to reduce the inter-looking between corner units by providing moveable and fixed screens setting back the units to provide additional privacy. Moveable screens are provided for the other units. In the case of city centre dwellings due to site constraints, there will inevitably be mutual overlooking, this impact is usual and occupiers will be aware of this relationship when purchasing the units. The resulting impact of the proposed development has been minimised by the introduction of moveable shutters and therefore overlooking within the site is mitigated.

- 6.5.2 With respect to the impact of the proposed development on existing neighbouring properties. 3-5 Ascupart Street to the side and 114 St Mary Street would be the properties most affected by the proposal. The development at Ascupart Street was built with habitable windows fronting onto the site with a distance of 3.3m from its rear elevation to the site boundary. The privacy distance between the proposed units within the central u-shaped area and the units facing Ascupart Street is 16m. However, due to the siting of these units within the centre of the site their view is only onto the end part of 3-5 Ascupart Street development where the number of windows is reduced. On this part of the neighbouring property, at first and second floor, two flats per floor would be affected (four in total). A lounge window from one unit and a living room window from another, on each floor, could have views into proposed flats and vice versa. However, the separation distance is 16m which, although it does not comply with guidance (21m), would still be acceptable given the city centre location and the window-to-window relationship involved. In addition, no habitable windows are provided on the side elevation fronting Ascupart Street only windows serving the stairs core thereby reducing this impact.
- 6.5.3 The application includes a daylight assessment carried out by Elcock Associates who are building surveyors. Not only did the report assess the daylight received to the proposed flats, the report also undertook an assessment as to whether daylight received by adjoining properties would be detrimentally affected. In terms of the loss of daylight at 3-5 Ascupart Street, four windows which serve dining areas in the centre of the rear elevation would have the daylight reduced. Although, this development would reduce the daylight received by existing neighbours, these units currently gain borrowed light from the site. In effect, if existing daylight levels are to be protected then these affected windows prejudice any development taking place on the site. The daylight assessment report does not take into account the window size of neighbouring property and applies standard formulae. In this case as the windows on this elevation affected are large/full height (as they are both window/door units) the impact will be lessened. The report does not conclude that development would be harmful and that it shouldn't proceed. In light of these conclusions officers consider that as a separation gap is retained, and these windows will still receive daylight, the harm is suitably mitigated to enable the site's redevelopment to continue as proposed.
- 6.5.4 With respect to 114 St Mary Street there will also be a change to the outlook and daylight received to this building. The daylight report submitted states that the bedroom window on the rear elevation would receive an acceptable reduction in daylight. The lounge/diner and kitchen are not affected in terms of daylight according to the report. The blank elevation of the existing building is already sited adjacent to 114 St Mary Street and therefore in terms of outlook from 114 St Mary Street no view can currently be gained across the neighbouring site so the outlook will not dramatically alter. With respect to the development opposite at 81-88 St Mary Street the daylight assessment does show that the development would reduce the daylight received to these properties. The daylight lost would mainly be to 88 St Mary Street and the windows affected are at ground and first floor and are two bedrooms, lounge/kitchen diner and stairway on each floor. Although this reduction is below recommended levels only the lounge windows are a concern; but they lie on the corner of building and therefore gain light from separations within the street scene. Furthermore, as the development site lies due east of the properties on St Mary Street the harm would be not detrimental.

- 6.5.5 With respect to the daylight received to the proposed units four windows would receive daylight less than the recommended levels. As these rooms are bedrooms, and are not afforded the same level of protection as other rooms, the report states that the courtyard of the proposed development around the courtyard is adequately lit. The report concludes that the initial assessment carried out for previous revisions of this development required the scheme to be amended to provide sufficient daylight to the courtyard and to reduce the impact on neighbouring properties. The conclusion of the report relating to the development submitted states that *'the proposed building is now more sympathetic in its effect on the daylight provided to its neighbours'*. With respect to the neighbouring properties it is clear that on balance the proposed development would be acceptable in terms of the resulting daylight received to the adjacent/adjoining units.
- 6.6 Highway issues  
The proposal is for a development free from parking. This is acceptable for a city centre location. The ground floor is retained for active commercial use and this is not uncommon for this form of development. The site lies within an area of a controlled car parking zone, and future occupiers are unlikely to be given parking permits. It is unlikely that any overspill from visitors will detrimentally alter the character of the area as the parking in the area is restricted via varying parking restrictions. Residents are less likely to bring a car to the city if they know they will have difficulty parking it, and when they find a space it is remote from their flat and potentially less secure than would otherwise be the case.
- 6.6.1 With respect to cycle storage there are three areas to house bikes, one is within the centre part of ground floor and the other two open onto Golden Grove. Refuse storage has also been provided within the ground floor fronting Golden Grove. These facilities are to be secured by suggested conditions. No Highways objection has been raised to the proposal on parking or highway safety grounds. A S106 legal agreement is proposed to deal with any site specific issues.
- 6.7 Development Mitigation  
As with all major development the application 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 Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The main areas of contribution for this development, in order to mitigate against its wider impact, are highway and affordable housing contributions. In terms of highway contributions, contributions towards a traffic regulation order to prevent overspill parking pressure in the vicinity, improvements to the pedestrian environment in the near vicinity focussing on safe crossing points and cycle route connections in the near vicinity of the site to provide quality links to the strategic cycle network are required. With respect to the affordable housing policy requirement the contribution from this site is 26 units. Southampton city Council will work with a Registered Social Landlord (RSL) to find applicable tenants/occupiers. In the event that the viability of the scheme is affected by this level of provision the whole scheme would be reassessed and reported back to the Planning and Rights of Way panel for further consideration.
- 6.7.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura



2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 (application submitted before July 2015 when the figure was increased to £174) per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. When the legal agreement is signed and actioned this application will have complied with the requirements of the SDMP and met the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

## **7.0 Summary**

7.1 Overall the part redevelopment of the site into 74 residential units and retention of the commercial units is acceptable as the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers, highway safety issues or to the character and appearance of the area. Therefore the proposals are consistent with adopted local planning policies.

## **8.0 Conclusion**

8.1 As such, the application is recommended for approval subject to securing the matters set out in the recommendations section of this report and the conditions set out below

### **Local Government (Access to Information) Act 1985** **Documents used in the preparation of this report Background Papers**

1(a)(b)(c)(d), 2(b)(d), 4(f) & (qq), 6(c)

### **ARL for 06/10/15 PROW Panel**

### **PLANNING CONDITIONS**

#### **1. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

#### **2. APPROVAL CONDITION - Details of building materials to be used**

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

### **3. APPROVAL CONDITION - Archaeological damage-assessment**

No development shall take place within the site until the type and dimensions of all proposed groundworks have been submitted to and agreed by the Local Planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

Reason:

To inform and update the assessment of the threat to the archaeological deposits.

### **4. APPROVAL CONDITION - Archaeological evaluation**

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

### **5. APPROVAL CONDITION - Archaeological evaluation work programme**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

### **6. APPROVAL CONDITION - Archaeological investigation (further works)**

The Developer will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the additional archaeological investigation is initiated at an appropriate point in development procedure.

### **7. APPROVAL CONDITION - Archaeological work programme (further works)**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

#### **8. APPROVAL CONDITION - Green roof specification [Pre-Commencement Condition]**

A specification for the green roof must be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. The green roof to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

Reason:

To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 and CS23, combat the effects of climate change through mitigating the heat island effect and enhancing energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22, contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13, improve air quality in accordance with saved Local Plan policy SDP13, and to ensure the development increases its Green Space Factor in accordance with Policy AP 12 of City Centre Action Plan Adopted Version (March 2015)

#### **9. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]**

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

#### **10. APPROVAL CONDITION - Energy & Water [performance condition]**

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

#### **11. APPROVAL CONDITION - Storage / Removal of Refuse Material**

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises including a refuse management plan together with the provision of suitable bins accessible with a level approach shall be submitted to and

approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential / commercial purposes.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

**12. APPROVAL CONDITION - Cycle storage facilities [Pre-Commencement Condition]**

Adequate cycle storage facilities to conform to the Local Planning Authorities standards shall be provided within the site before the development hereby permitted commences and such parking and storage shall be permanently maintained for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

**13. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]**

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels; means of enclosure, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate; and
- iii. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

**14. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

**15. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

**16. APPROVAL CONDITION - Demolition Statement [Pre-Commencement Condition]**

Precise details of the method and programming of the demolition of the existing property shall be submitted to and approved by in writing by the Local Planning Authority prior to the implementation of the scheme. The agreed scheme shall be carried out to the details as specified in the demolition programme unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the amenity of adjacent residential properties.

**17. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday            08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays                    09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

**18. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]**

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

Reason:

To ensure the provision of adequate amenity space in association with the approved flats.

**19. APPROVAL CONDITION – Privacy screens [Pre-Occupation Condition]**

The fixed and moveable privacy screens shown on the approved plans shall be installed as detailed prior to the first occupation of the development hereby permitted, and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure an adequate level of privacy for the proposed occupiers.

**20. APPROVAL CONDITION - Glazing panel specification [Pre-Occupation Condition]**

The windows to be inserted into the side elevations of the building hereby approved shall be obscure glazed and only have a top light opening. The windows shall at all times unless otherwise agreed in writing by the Local Planning Authority be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

**21. APPROVAL CONDITION – No doors opening onto the highway [Performance Condition]**

Notwithstanding the approved plans no doors to be inserted at ground shall open outwards onto the highway unless agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.

**22. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)**

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

**23. APPROVAL CONDITION - Contractors Compound (Pre-Commencement Condition)**

No commencement of work pertaining to this permission shall be carried out on the site unless and until there is available within the site, provision for all temporary contractors buildings, plant and storage of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site; and the provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the phased works and other operations on the site throughout the period of work required to implement the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To avoid undue congestion on the site and consequent obstruction to the access in the interests of road safety.

#### **24. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]**

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

#### **25. APPROVAL CONDITION - Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning

#### **Note to Applicant - Public sewerage system**

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

#### **Note to Applicant - Pre-Commencement Conditions**

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

#### **Note to Applicant - Performance Conditions**

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP17	Lighting
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
REI4	Secondary Retail Frontages
REI6	Local Centres
MSA12	St. Mary's Area

City Centre Action Plan - March 2015

AP 5	Supporting existing retail areas
AP 8	The Night time economy
AP 16	Design
AP 17	Tall buildings
AP 36	St Mary Street and Northam Road

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - September 2013)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)  
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)



**Relevant Planning History**

Site history

950778/E\_ Conditionally Approved 22.09.1995  
Relief from conditions 3 and 4 of permission 5685/1625/m18 - use of 1st floor as private members sports social and recreational club and change permitted hours to 11am-11.20pm mon-sat and 12.30-3.20pm and 7pm-10.30pm Sunday

951384/E Conditionally Approved 21.02.1996  
Variation of condition 3 of planning permission 950778/5685/e to extend hours of opening from Thursday to Saturday to 12.00 midnight and Sunday from 12 noon to 10.50pm

961084/E Conditionally Approved 21.02.1997  
Change of use of the first floor from nightclub to student residential accommodation for 28 persons.

980410/E Conditionally Approved 30.07.2001  
Construction of a second floor to provide 12 no. 1-bed flats and 6 no. 2-bed flats and change of use of part of first floor to provide 2 no. 1-bed flats.

03/01333/FUL\_ Conditionally Approved 27.09.2004  
Part demolition of existing building to leave ground floor level. Construction of a further four floors to provide 63 units of residential accommodation.

05/00938/FUL Conditionally Approved 22.09.2005  
Part demolition of existing buildings to retain ground floor level. Construction of a further four floors at the front of the site and a further five floors at the rear to provide a total of 66 flats (8 x one-bed and 58 x two-bed).

87-88 St Mary Street

980624/E Conditionally Approved 04.09.2000  
Demolition/refurbishment existing buildings. Mixed use redevelopment; 60 2 bed flats, 31 3 bed houses, 7 shops, surgery, street market, public toilets, car parks, private amenity space, landscaping, access, crossing over Kingsway.

3-5 Ascupart Street

01/00489/FUL Conditionally Approved 18.09.2001  
Construction of 22 one bedroom flats and 2 two bedroom maisonettes.

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**DVS** Property Specialists  
for the Public Sector

Simon Mackie  
Planning Agreements Officer  
Planning & Sustainability  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY

Southampton Valuation Office  
2<sup>nd</sup> Floor Overline House  
Blechynden Terrace  
Southampton  
Hampshire. SO15 1GW

Our Reference: GAT/1603120  
Your Reference: 15/01250/FUL

Please ask for : Gavin Tremeer  
Tel : 03000 504331  
Mobile : 07786 734080  
E Mail : gavin.a.tremeer@voa.gsi.gov.uk

Date : 14<sup>th</sup> September 2016

Dear Simon,

**DESK TOP REVIEW OF DEVELOPMENT VIABILITY ASSESSMENT  
PROPOSED SCHEME: 106-113 St Mary Street, Southampton. SO14 1PF**

I refer to our fee quote dated 6<sup>th</sup> June 2016 and your email dated 27 July 2016 confirming your formal instructions to carry out a desk top viability assessment in respect of the above proposed development.

In accordance with the requirements of the RICS standards, the VOA has checked that no conflict of interest arises before accepting this instruction.

We have been forwarded the developers assessment to review. We have now undertaken our own research and assessment and would report as follows:

**Background:**

The current application for this site is as follows:

*"15/01250/FUL | Erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities."*

The contention of the developer that, at the policy level of section 106 contributions and 35% affordable housing, the scheme is not viable.

The proposed scheme comprises the construction of 74 new-build apartments over 5 floors on top of, and to the side of the existing commercial premises at 106-113 St Mary Street. A large part of the ground floor and whole first floor of the existing building will be demolished.

The developer is stating that following their assessment the scheme with CIL and S.106 contributions totalling £206,927 but no affordable housing contribution shows an overall loss and therefore no affordable units can be provided.

## The Scheme:

We have been provided with the assessment undertaken on behalf of the developer.

For the purpose of this desk top assessment we assume the areas provided by the developer's agent are correct and have assumed that 26 units as affordable would be policy compliant.

The scheme as proposed by the developer is as follows:

Type	Number of Units	Unit Size Sq m	Total Net Sq m
<b>Private Residential</b>			
Studio apartment	21	40.75	855.75
One bedroom apartment	34	42.02	1,428.68
Two bedroom apartment	17	63.96	1,087.32
Three bedroom apartment	2	75.91	151.82
<b>Total</b>	<b>74</b>		<b>3,523.57</b>

## Viability Assessment:

This report deals with each major input into the viability assessment of the scheme. This desk top assessment has been undertaken following our own research into both current sales values and current costs. We have used figures put forward by the applicant if we believe them to be reasonable.

We have used a copy of the applicant's submitted HCA EAT appraisal toolkit to assess the scheme which is attached as Appendix 1.

We would summarise our assessment of the Scheme as follows:

### 1) Development Value -

#### a) Private Residential / Commercial:

The developer has adopted the following values compared to ours:

Type	Developer (Average Value)	DVS (Average Value)
Studio apartment – 40.75m <sup>2</sup>	£100,000	£110,000
1 bed apartment – 42.02m <sup>2</sup>	£110,000	£120,000
2 bed apartment – 63.96m <sup>2</sup>	£155,000	£155,000
3 bed apartment – 75.91m <sup>2</sup>	£170,000	£170,000

Limited comparable sales evidence has been provided to us to substantiate the figures put forward but from our own research we agree with the values for the 2 bed and 3 bed units. However, the values for the studio and 1 bedroom apartment's look slightly low compared with the sales evidence we hold.

Flat 2 at 88 St Mary Street which sits directly opposite the subject site is a 1 bedroom flat sold in June 2016 for £122,000. It is slightly larger than the subject flats but a used property. A newly refurbished 1 bedroom flat of

40m2 at Golden Grove is currently being marketed for offers in excess of £110,000. This is part of a purpose built 1970's block which is quite unattractive.

Therefore, having regard to a new build premium which is generally achievable, we have adopted £110,000 and £120,000 as average values for the proposed studio flats and 1 bedroom flats respectively.

**b) Ground rents:**

For a development of this type we would expect the residential units to be sold on a long leasehold basis with both a ground rent and service charge payable. The ground rents would have a value.

The developer has used £150 per unit per annum capitalised using a 6% yield. We consider this to be slightly low and have instead calculated ground rents on the basis of £150 per annum for the Studio and 1 bed units, £200 per annum for the 2 beds and £250 per annum for the 3 beds. We have also used a capitalisation rate of 5.5% which is in line with other assessment we have seen in the current market.

**c) Gross Development Value (GDV):**

On the basis of the proposed scheme, with no affordable housing, we assess the gross development value to be in the region of **£9,584,940** whilst the developers have adopted **£8,999,986**, - some £584,954 lower. This is mainly due to the difference in the values adopted for the studio and 1 bedroom units.

**2) Development Costs -**

**a) Build Cost:**

The Developer has not provided a cost estimate or breakdown of costs for the proposed scheme but has instead used the BCIS guide and assessed the overall base build costs at £7,050,170 on the basis of 1,376 per m2.

In addition, external works costs for the decked garden area and balcony structures, plus utilities connection costs of £2,000 per unit have been included and are considered reasonable.

However, taking account of current BCIS rates for building these types of properties adjusting for location, we consider the base build costs to be too high. The current BCIS Median rate for a new build 3-5 storey block is £1,302/m2 and Lower Quartile rate if £1,142/m2. Considering the low value nature of this location we would usually consider the Lower Quartile rate to be more appropriate for a new-build block.

However, this construction is more complex as there will be an element of ground floor retail space retained and built on top of, and to the side of. Without undertaking a site specific assessment of costs, it is very difficult to gauge the true cost of the scheme.

It is also worth noting that due to design restraints, significant areas of the proposed building are given over to circulation, storage and access areas which amount to 1,600m2 total. This equates to a net-gross ratio of approximately 45% which is significantly higher than usual (more typically 15% - 20%). It is possible that the quality and cost of finish and specification for these areas will be lower than for the individual flats.

Overall, taking all of the above points into account, and with no cost estimate or breakdown provided, we have adopted a mid-way rate between new-build BCIS Lower Quartile and Median figures of £1,222m2.

Our total base construction cost including external works and abnormal costs (detailed below) is **£6,691,710** compared with the developer's submitted costs of **£7,480,751**.

**b) Build Contingency** – The developer has included a contingency of 5% which is reasonable and in line with other similar schemes we have previously assessed.

**c) Professional Fees** – The developer has included 8% for professional fees which we consider to be reasonable for this scheme.

**d) Abnormal costs** – The developer has included the following abnormal costs:

- Demolition costs - £70,835
- Temporary roof structure (for retained retail) - £50,000

These costs are considered to be reasonable and we have therefore included the same in our appraisal.

**e) Section 106/CIL Costs** – The developer has included £110,180 for CIL contributions and £96,747 for S.106 contributions but we are informed by you that the required contributions will actually be £380,531 for CIL and £68,500 for S.106 and we have instead used these figures in our appraisal. The total we have adopted is **£449,031** compared with the developer's total figure of **£206,927**. If this differs then it will affect our assessment.

**f) Sales and Marketing Fees** – The developer has adopted 1.5% of the gross development value for sales and marketing fees which is in line with other schemes we have assessed. In addition we have used £700 per unit for legal fees in line with the developer.

**g) Finance costs** - The developer has adopted a finance rate of 6% plus arrangement fees of £86,902 which is in line with similar schemes that we have previously assessed.

**h) Developers Profit** – The developer has included a profit level of 17.5% of gross development value which is what we would expect to see for residential schemes of this type and have therefore used the same.

**i) Development Programme** – The developer has indicated the following timescales:

- Build Period of 16 months
- Sale period of 8 months beginning directly after the build period of 16 months.

A pre-construction period of just 1 month has been included by the developer which is slightly shorter than we would expect to see but for the purposes of our appraisal we have used the same development programme.

**j) Land Value** – Following various appeal cases it is well established that viability assessments are carried out in order to calculate the residual land

value that the scheme can afford which is then compared to the existing use value, or alternative use value of the site.

The developers have included a NIL land value in their appraisal for the purposes of viability testing. This is due to their residual value for the proposed scheme being negative.

The site is currently owned by the developer and comprises three ground floor shop units and associated premises to the rear and on the first floor. The existing ground floor retail units are currently occupied by Tesco Express, Coral betting shop and St Mary's Carpets and will be retained. The proposed scheme of 74 flats will be constructed around and on top of these units.

The existing first floor (to be demolished) comprises a former club and premises (believed to be used as a snooker club some time ago) and is understood to be in a poor state of repair, although the extent of dilapidation is unknown.

It is conceivable that if the site came to the market as a development opportunity that some monetary value may be achieved, but this will depend on the planning consent likely to be granted. Other costs to consider are relocation of the current retail tenants which have not been accounted for in the developer's appraisal.

Assuming that the first floor accommodation is essentially economically obsolete then it is quite likely that the site as a development opportunity would not achieve any interest. Therefore, for the purpose of viability testing we have also adopted a NIL site value in line with the developer.

#### **Overall assessment:**

Following our desktop assessment we are of the opinion that the proposed scheme, with no affordable housing but with the full level of CIL contributions and a developer profit of 17.5% is not viable and no surplus will be available for an off-site affordable housing contribution.

Based on the inputs as detailed in this report, our appraisal shows that the scheme will achieve a profit level of approximately 8.1% of gross development value which is below the level generally required for the purposes of debt finance and brings into question the deliverability of the scheme.

Despite this there are some differences between ours and the submitted figures, highlighted in bold above as follows:

- Gross Development Value (studio and 1 bed flats, plus ground rents)
- Construction costs (base build rate only)
- CIL and S.106 contributions

It should be noted that the required CIL and S.106 contributions are significantly higher than those included by the developer.

It should also be noted that there will be additional relocation costs for the existing ground floor tenants which have not been included in the submitted assessment.

I trust this report deals with the issues as required but please do not hesitate to contact me if you have any queries and I would welcome the opportunity of discussing this with you in greater detail.

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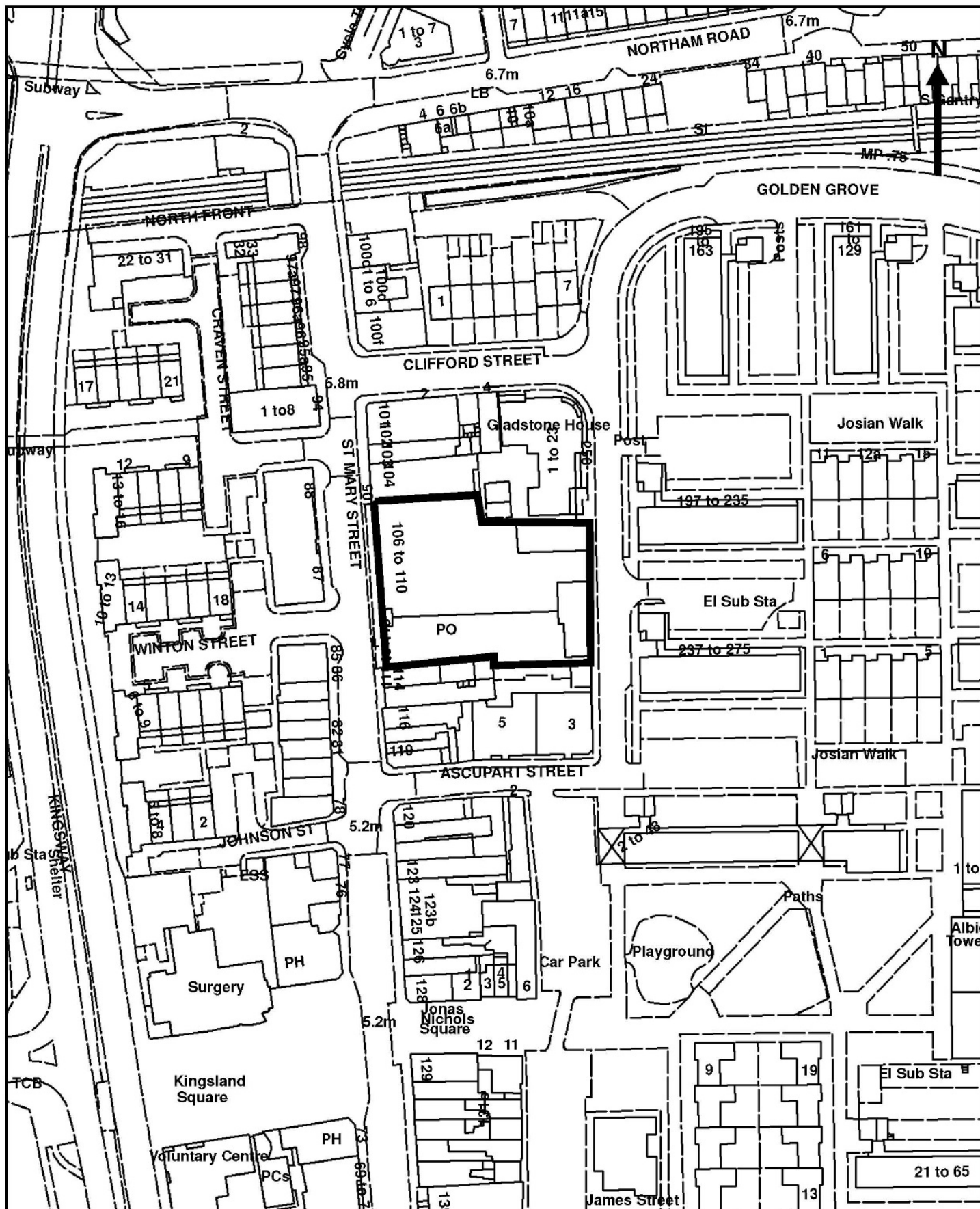
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Gavin Tremeer BSc MRICS  
RICS Registered Valuer  
Development Consultant  
DVS South East

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# Agenda Item 8 15/01250/FUL



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