

# Planning and Rights of Way Panel

Tuesday, 17th September,  
2019

at 6.00 pm

## **PLEASE NOTE TIME OF MEETING**

Conference Rooms 3 & 4 - Civic  
Centre

This meeting is open to the public

### **Members**

Councillor Savage (Chair)  
Councillor Mitchell (Vice-Chair)  
Councillor Coombs  
Councillor G Galton  
Councillor L Harris  
Councillor Vaughan  
Councillor Windle

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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.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

**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.

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**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 2019/2020**

<b>2019</b>	
4 June	17 September
25 June	15 October
16 July	12 November
6 August	10 December
31 August	

<b>2020</b>	
14 January	31 March
11 February	21 April
10 March	

## 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 of 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 - 4)

To approve and sign as a correct record the Minutes of the meetings held on 27 August 2019 and to deal with any matters arising.

## **CONSIDERATION OF PLANNING APPLICATIONS**

### **5 PLANNING APPLICATION - 19/00997/FUL - FORMER EAST POINT CENTRE** (Pages 9 - 48)

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

### **6 PLANNING APPLICATION - 19/00494/FUL - 21 EMSWORTH ROAD** (Pages 49 - 86)

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

Monday, 9 September 2019

Director of Legal and Governance

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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 27 AUGUST 2019

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Present: Councillors Savage (Chair), Mitchell (Vice-Chair), Coombs, G Galton, L Harris, Vaughan and Windle

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

**RESOLVED:** that the minutes for the Panel meeting on 6<sup>th</sup> August 2019 be approved and signed as a correct record.

24. **PLANNING APPLICATION - 18/01532/FUL - 73, THE AVENUE**

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.

Redevelopment of the site. Demolition of existing buildings and construction of Class A1 foodstore with associated parking, landscaping and access works.

Simon Reynier -City of Southampton Society, John Morgan, Brian Medham, Pat Usher, Stephen Evans and Susan Swallow -Outer Avenue Residents Association (local residents/ objecting), James Mitchell (agent), and Councillors Leggett and Shields (ward councillors) were present and with the consent of the Chair, addressed the meeting.

The Panel noted the amended list of conditions circulated by the presenting officer and posted online. A concern was raised by Members in regard to the access and egress to the site by car, especially by those wishing to turn right into Banister Road when exiting the site. Officers agreed to amend to recommendation, as set out below. Additional concern was raised with regard to the provision of safe cycling and pedestrian facilities on entering the site and it was noted that the Section 106 legal agreement would address these concerns with the development and approval of a Travel Plan. The Panel requested that conditions relating to the provision of charging points for electric cars and the hours of use and delivery be amended, as set out below. In addition the Panel requested that officers use the BREEAM standard conditions listed as conditions 23 and 24 to ensure that the feasibility of a range of environmental measures are fully investigated.

The Panel then considered the recommendation to delegate authority to the Service Lead: Infrastructure, Planning and Development to grant planning permission.

Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that the Panel:

- (i) Delegate authority to the Service Lead – Infrastructure, Planning and Development to grant planning permission subject to: agreeing further plans addressing access to and egress from the site; the amended planning conditions circulated prior to the start of the meeting and posted online; the

amended conditions set out below; and the completion of a S.106 Legal Agreement to secure:

- a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site including the provision of a right turn lane and improvements to sustainable travel links to 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. Submission, approval and implementation of a Travel Plan;
  - d. Submission, approval and implementation of a Servicing Management Plan including the routing of HGVs that service the store;
  - e. Submission, approval and implementation of a Construction Management Plan;
  - f. Submission, approval and implementation of a Site Waste Management Plan;
  - g. 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); and
  - h. 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).
- (ii) That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
- (iii) In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning and Development be delegated authorisation to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

### **Amended Conditions**

#### **25.Electric Vehicle Charging Points (Pre-Commencement Condition)**

Prior to commencement amended plans detailing the location of electric charging points (covering at least two parking spaces) within the proposed car parking shall be submitted to and be approved in writing by the Local Planning Authority unless agreed otherwise in writing. The approved scheme shall be implemented and maintained in perpetuity unless agreed otherwise in writing by the Local Planning Authority.

REASON: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20



### **37. Hours of Use & Delivery (Performance Condition)**

The food store hereby approved shall not operate outside of the hours hereby set out:

- 7am to 10pm (Monday to Saturday - including recognised Public Holidays) and
- 10am and 5pm (Sundays)

No deliveries shall be taken or despatched outside the hours hereby set out:

- 7am to 11pm (Monday-Saturday - including recognised Public Holidays);
- 9am to 8pm (Sundays)

REASON: In the interests of existing and proposed residential amenity.

**NOTE:** Councillor Windle declared that as a newly elected Freemantle Councillor she had not be previously been involved in this matter and did not withdraw from the meeting.

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## INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 17<sup>th</sup> September 2019 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	AG	DEL	15	19/00997/FUL Former East Point Centre
6	AL	DEL	5	19/00494/FUL 21 Emsworth Road

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

Case Officers:

AG – Andy Gregory

AL – Anna Lee

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

### **Report of Service Lead – Planning, Infrastructure & Development**

#### **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 3 2011-2031
  - (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 (revised 2016)
- (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) Cycling Strategy – Cycling Southampton 2017-2027
- (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) Department for Transport (DfT) and Highways England various technical notes
- (i) CIHT's Manual for Streets and Manual for Streets 2

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (February 2019)
- (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)

**Planning and Rights of Way Panel 17<sup>th</sup> September 2019**  
**Planning Application Report of the Service Lead – Infrastructure, Planning and Development.**

<b>Application address:</b> Former East Point Centre, Bursledon Road (south-west land parcel)			
<b>Proposed development:</b> The erection of a Class A1 foodstore (1,775 sqm gross internal) with associated access, car parking, and landscaping works (resubmission)			
<b>Application number</b>	19/00997/FUL	<b>Application type</b>	Major Retail
<b>Case officer</b>	Andrew Gregory	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	27.09.19 (ETA)	<b>Ward</b>	Bitterne
<b>Reason for Panel Referral:</b>	Departure from the development plan and 3 or more objections have been received.	<b>Ward Councillors</b>	Cllr Frances Murphy Cllr Elliot Prior Cllr Terry Streets

<b>Applicant:</b> ALDI Stores Limited	<b>Agent:</b> Planning Potential
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<b>Recommendation Summary</b>	Delegate to Service Lead – Infrastructure Planning & Development to grant planning permission subject to criteria listed in report
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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**Reason for granting Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The principle of some net loss of open space is supported having regard to the wider economic benefit of the scheme and the period of time the open space has not been available to the public. A minimum of 90% replacement open space will be secured on the adjoining site as part of the planning application for residential redevelopment (application ref 19/01284/FUL).

Other material considerations including, highway safety, residential amenity, landscaping and impact on the street scene 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 as set out in the report to the Planning & Rights of Way Panel on 17<sup>th</sup> September 2019. 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 39-42 and 46 of the National Planning Policy Framework (2019). Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, CLT3, and TI2 of the City of

Southampton Local Plan Review (Amended 2015) and CS3, CS6, CS13, CS18, CS19, CS20, CS21, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and National Planning Guidance contained within the National Planning Policy Framework.

<b>Appendix attached</b>			
1	Development Plan Policies	2	Previous Minutes
3	Decision notice 18/01373/FUL	4	Decision notice 18/00968/FUL

### **Recommendation in Full**

1. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report, the securing of a legal mechanism to deliver replacement open space on the adjoining site as part of planning application ref 19/01284/FUL 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. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- iii. Submission, approval and implementation of a Travel Plan.
- iv. 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).
- v. 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).
- vi. Submission, approval and implementation of a Servicing Management Plan to include a delivery activity noise management plan

2. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

3. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.



## **Background**

Outline planning permission was granted in 2017 for residential redevelopment on the Former Eastpoint Centre site comprising 114 flats and 36 family housing (ref 16/01888/OUT). The outline scheme was accessed from Burgoyne Road and the approved layout included a net increase in public open space across the site, including existing tree retention to the northern boundary.

Two separate planning applications were then submitted in 2018 for residential redevelopment comprising 128 dwellings in the northern part of the site (ref 18/01373/FUL) and an Aldi food store within the southern part of the site (ref 18/00968/FUL). The proposals represented a significant uplift in development across both sites and the proposed layout and access arrangements were considered to have adverse highway safety, amenity and landscaping impact and resulted in a poor relationship between the proposed commercial and residential uses. The applications were determined by the Planning and Rights of Way Panel on 11 December 2018 where the officer recommendation to refuse both planning applications was upheld by the Panel.

Revised applications have now been submitted for the residential development and the Aldi food store which have been amended to address the previous refusal reasons. The standalone Aldi application was submitted in advance of the residential application and has been brought to the Planning and Rights of Way Panel, in accordance with the officer scheme of delegation, because it represents a departure from the development plan (net loss of open space) and because 3 or more objections have been received. The revised residential application is pending but the consultation period has not yet expired and therefore that application has not been brought to Panel jointly with the Aldi application. Both applications are standalone and are not reliant on the other, providing a mechanism for delivering replacement open space can be agreed and therefore it is considered unreasonable to hold up consideration of the Aldi application until the public consultation period has expired on the residential scheme.

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

- 1.1** The Former Eastpoint Centre site is located between Burgoyne Road and Bursledon Road and comprises the, now vacant, two-storey offices/training facility and grassed open space area to the south (former school playing fields). The site was historically occupied by Hightown Secondary School which closed in the 1980's. The vehicle access to the site is from Burgoyne Road, to the north, with the access-way within the site itself not being adopted public highway. Immediately to the south of the site is Highpoint Centre, a community and conference centre with first floor offices. Beyond the north-east boundary of the site are two-storey residential properties and south of this, an area of woodland.
- 1.2** The existing buildings on site are two and three storeys in scale, flat-roof and institutional in design appearance. There is a slight change in levels across the site, with the land generally sloping downwards towards Bursledon Road. There is an attractive hedgerow to the southern boundary of the site with Bursledon Road and also along the northern boundary with Burgoyne Road. The surrounding area is mixed in character containing short terraces or semi-detached pairs of dwellings with a suburban character, interspersed by residential tower blocks.

1.3 The site has been split into two land parcels and this application relates to the south-western parcel which fronts Burseldon Road. The site has an area of 0.8 hectares and comprises access into the Highpoint Centre and grassed open space and landscaping which is safeguarded as open space. The north-eastern parcel has an area of 1.39 hectares and is subject to a separate pending planning application for residential redevelopment (Ref 19/01284/FUL).

## **2 Proposal**

2.1 The proposal seeks full planning permission for redevelopment of the site with the erection of an Aldi food store with associated access, car parking and landscaping.

2.2 The re-submission has removed the previously proposed drive thru-coffee shop and the layout has been amended to locate the food store to the rear of the site in order to accommodate revised access arrangements and additional landscaping/tree planting. The site would share the existing in-only access from Burseldon Road serving the Highpoint Centre and a new exit-only access point is proposed onto Burseldon Road, located 60m to the south-east from the existing access.

2.3 The site frontage would be occupied by car parking with a total of 134 car parking spaces (including 4 disabled bays) provided across the site. Provision has also been made for cycle storage for 10 bicycles to the front of the store. The proposed building (1775sqm gross floor area) has a mono-pitch roof design with the main access facing Burseldon Road. The servicing area / delivery dock for the food store is located adjacent to the side of the building and enclosed by a 2m height acoustic fence. The scheme seek to remove 76 existing trees with 30 replacement trees incorporated within the landscaping proposals across the site.

The following table sets out the key changes following the previous refusal:

<b>Matters</b>	<b>Key changes</b>
Access	A new exit-only access has been incorporated to address previous concerns in relation to conflict with existing right turn traffic and the nearby traffic lights.
Layout	Drive-thru coffee shop has been removed. Aldi food store is now positioned to the rear of the site. The proposed store has a gross internal area of 1775sqm and a retail area of 1315sqm (previously GIA 7725sqm with 1254sqm retail area)
Landscaping / Trees	Soft landscaping has been increased. The number of replacement trees has increased from 23 to 30.
Parking	The parking level is similar with the number of car parking spaces increased from 133 to 134 car parking spaces. Additional space is available for landscaping following removal of the coffee-drive thru.

## **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 1**.

3.2 The updated National Planning Policy Framework (NPPF) came into force on 24th July 2018 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 Open Space

The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. This Policy was strengthened by the examining Core Strategy Inspector and established an approach of 'no net loss' of open space within the city. The evidence base to the Core Strategy demonstrated a shortfall in provision of open space across the city. The Green Spaces Strategy has recently been reviewed and this situation has not improved. Furthermore, the nature of Southampton as a solely urban authority means there is little opportunity to create new open spaces to meet this need.

3.4 Paragraph 97 of the National Planning Policy Framework indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.

3.5 Retail Impact

The locally set threshold for retail impact assessment is a retail floor area greater than 750sqm gross as set out within policy CS3 of the Core Strategy (amended 2015). The proposal seeks retail use which is greater than 750sqm on this 'out of centre' site and therefore this planning application is supported by a Retail Impact Assessment and Sequential Test in accordance with the requirements of Section 07 of the National Planning Policy Framework (2018).

3.6 Vehicular Access

The A3024 Bursledon Road is a classified road and connects Southampton City Centre and Port with the M27 Junction 8 (in Hampshire). It is a key cross boundary multi-modal corridor that serves the wider Southampton Travel to Work area covering the residential areas of Southampton of Bitterne, Sholing and Thornhill and the housing and economic activities in Hedge End, Botley and Hamble.

3.7 Highways England are proposing a package of highway junction improvements aimed at boosting productivity and supporting delivery of housing and jobs by easing congestion and improving journey time for all modes along the A3024 Bursledon Road in Southampton.

3.8 Saved Policy TI2 of the Local Plan Review indicates that vehicular access to new development or redevelopment sites from classified roads will not be permitted unless the city council is satisfied that road safety would not be

adversely affected. Paragraph 10.11 of the supporting text to policy TI2 indicates:

*“To aid safety and avoid congestion by preventing the interruption of free flow of traffic through the proliferation of accesses on to the principal routes within the city, the Council will not usually allow access onto classified roads from new development or redevelopment proposals.....”*

3.9\* Policy CS6 promotes economic growth and the retail sector supports job growth as set out within the south Hampshire Strategy by PUSH.

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

4.1 Outline planning permission was granted in 2017 across both land parcels for residential redevelopment comprising up to 114 flats and 36 family houses, public open space, associated parking and vehicle access from Burgoyne Road (Outline application seeking approval for access at this stage) (our reference 16/01888/OUT). This proposal achieved a net gain of open space across the site with an increase from circa 5,500 sq.m to circa to 6269 sq.m. The proposed site access was from Burgoyne Road with emergency vehicle access only from Bursledon Road. Affordable housing was secured as part of the S106 Agreement in accordance with the requirements of policy CS15 (35% of the final units adjusted to reflect any vacant building credit).

4.2 The site has now been split into two and separate planning applications for commercial and residential development were previously refused by the Planning and Rights of Way Panel on 11.12.2018 – A copy of the minutes are attached as **Appendix 2:**

18/01373/FUL - Redevelopment of the site to create 128 residential dwellings comprising a mixture of 21 houses (20 x 3 and 1 x 4 bed) and 107 flats (29 x 1 and 78 x 2 bed) with associated car parking, bin, cycle storage and landscaping – Refused for the following reasons:

01. Layout and access arrangement
02. Loss of trees
03. Failure to secure policy compliant Affordable Housing
04. Failure to enter into S106 agreement

18/00968/FUL - The erection of a food store (Class A1) and a coffee drive thru (Class A1/A3) with associated access, car parking and landscaping – Refused for the following reasons:

01. Insufficient site access arrangement
02. Poor Layout
03. Loss of safeguarded open space
04. Insufficient Landscaping
05. Failure to enter into S106 agreement

4.3 A copy of the decision notices for applications 18/01373/FUL and 18/00968/FUL, which set out the refusal reasons in full are attached as **Appendix 3** and **Appendix 4**

4.4 The Highpoint Centre was originally approved in 2010 (our reference 09/00318/FUL). Further detailed aspects of this scheme were approved in 2011 (reference 10/01636/FUL). Whilst this application resulted in a loss of designated open space, the area lost was re-provided off-site and the re-provision secured by a section 106 legal agreement. This scheme was approved with a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road. Planning permission was subsequently granted to use the first floor as offices (our reference 15/00219/FUL).

4.5 In 2009 it was proposed for the existing Eastpoint Centre and its curtilage to be developed to provide a new campus for Itchen College. A resolution to grant planning permission was secured from the Planning and Rights of Way Panel, although the application was withdrawn before the section 106 was finalised. The layout for this scheme incorporated a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road.

## **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 (14.06.2019) and erecting site notices (14.06.2019). At the time of writing the report **77 representations** have been received (71 in support, 2 neutral and 4 against). The following is a summary of the points raised:

### **In Favour**

- 5.2
- ***The proposed retail offer and job creation is welcomed;***
  - ***Additional retail has been needed within Thornhill Estate for some time and the elderly and young families at this end of the estate will be able to walk there;***
  - ***Redevelopment of this derelict site is welcomed;***
  - ***In favour of this application as it will bring more food shopping choice to the area; and***
  - ***This amended scheme removes the previously proposed Starbucks coffee shop drive-thru which is welcomed in the interests of the existing community coffee shop (registered charity) within the Highpoint Centre.***

Officer Response – *The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The wider regeneration and employment benefits and increased food retail offer is considered to outweigh the net loss of some open space (A minimum of 90% re-provision to be secured on the adjacent residential site). Removal of the previously proposed coffee drive-thru addresses previous local concerns in relation to the adverse impact on the viability of the existing community coffee shop within the Highpoint centre.*

### **Against**

- 5.3 **Increased congestion - Aldi want to build a store adjacent to the A3024 (Burseldon Road) with an entrance and exit and no traffic lights, thereby adding to the already congested traffic along the A3024.**

Officer Response – No objection has been raised by the Council’s Highway Engineers. The revised access arrangements including separate in and out access points and submitted evidence regarding trip rates and modelling as set out within the submitted Transport Assessment demonstrates that the proposal would not prejudice highway safety and the residual cumulative impacts on the road network (congestion) would not be severe (NPPF Test)

- 5.4 **Overdevelopment of an area that has Tesco and Lidl stores within reasonable travelling distance and a food outlet in the garage complex opposite the proposed development.**

Officer Response - The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment – see considerations section below.

- 5.5 **If built, the Aldi will not only serve residents of Thornhill but also a wide area on the other side of the A3024. How are foot customers expected to cross the busy main road?**

Officer Response – Site specific highway contributions are proposed to be secured on this application and the adjoining residential scheme for improved pedestrian crossing facilities across Burseldon Road (A3024)

- 5.6 **Have comments been sought from Hampshire Police about the viability of how such a store will affect the already busy A3024?**

Officer Response – SCC Highways are the responsible authority in relation to this section of the A3024.

- 5.7 **The re-siting of the store to the rear of the site will have an unacceptable impact on the proposed houses and gardens within the adjacent residential proposal.**

Officer Response – It is agreed that the close proximity between the proposed food store and housing is a shortcoming of the scheme and is a consequence of the uplift in development across both sites (128 dwellings and an Aldi food store) with the new position of the food store arising from the need to introduce an exit only access. That said, the proposed housing is located 14.5m from the rear elevation of the proposed food store which exceeds the minimum design standard of 12.5m separation between habitable room windows and a blank elevation. The rear elevation of the Aldi food store has a height to eaves of 5.5m and would be set 3m from the rear boundary of the residential properties. The Council’s Environmental Health Officer has raised no objection in relation to noise impact to nearby existing and proposed residents subject to conditions as recommended. The proposed height of the food store and separation distance from neighbouring properties will not be adversely harmful to neighbouring occupiers having regard to BRE Daylight and Sunlight Standards, design standards within the Residential Design Guide SPD. The residential scheme proposes a boundary treatment of a wall topped with a close boarded fence to a height of 2.8m which will assist in partially screening views of the food store. Further landscaping is also proposed to assist in screening views of the food store from the proposed residential properties. On balance, the merits of the scheme are considered to outweigh the impact on the living environment of

future occupiers, who may choose not to live in the new housing because of this relationship. No existing residents are affected by this layout

- 5.8 **The right turn exiting traffic across the east boundary lane would give rise to considerable conflict between vehicles and worsening of even the previous scheme because the two junctions are relatively close together.**

Officer Response – The Council’s Highway Engineers have raised no objection and are satisfied with the submitted highway evidence and safety audit in relation to the proposed new exit-only access. Furthermore the submitted evidence demonstrates the additional traffic arising from this proposal will not have a severe impact on the highway network.

- 5.9 **No real attempt has been made to increase the planting and screening either within or around the site.**

Officer Response – The landscaping scheme has been further amended to add 7 additional trees (30 new trees proposed) with increased landscaping and trees now incorporated along the site entrance, adjacent to the Highpoint Centre. The boundary frontage to Bursledon Road now comprises trees planting, hedgerow and substantial shrub planting. A hedgerow is also proposed to the rear boundary. The residential redevelopment of the brownfield site to the north (Eastpoint Centre buildings) will provide opportunity for additional landscaping and tree planting.

- 5.10 **The sequential test is flawed because the designation of the site as allocated open space has been ignored as a constraint against development**

**The retail assessment provided by the applicants would appear to show that retail centres within reasonable journey distance of the application site (some 12 in total), to be generally viable and not lacking in food or other convenience facilities.**

Officer Response – See Planning Considerations Section below.

- 5.11 **The family housing on the adjacent side of Bursledon Road would be subject to unreasonable noise nuisance and vehicle pollution as well as light pollution from vehicle headlights.**

Officer Response – No objection has been raised by the Council’s Environmental Health Team. The application is supported by a lighting diagram to demonstrate that the proposed external lighting will not lead to harmful light spillage. The building is set back from the road frontage and a substantial landscaped boundary is proposed along the Bursledon Road frontage.

## **Consultation Responses**

- 5.12 **SCC Highways** – No objection subject to the following conditions:

- Servicing Management Plan - Details of servicing plan to be submitted and agreed upon in writing by the local planning authority. Plan to include restrictions to articulated lorries arriving and departing during peak traffic hours;
- Cycle Parking - Details to include secure and lockable for each individual cycle for staff; and Construction Management Plan

- 5.12.1 Access

The resubmitted scheme now provides a new access further East along Bursledon Road. This addresses the previous concerns additional turning

movements, especially the right turn movements on a busy road and within close proximity of the signalised junction with Coates Road.

5.12.2 The new access will be further away whereby the impact on Coates Road junction will be much less and any abnormal driver behaviour will be that much further away from the junction. Therefore, the principle of the new access location is considered acceptable.

5.12.3 Road Safety Audit has raised concerns with the locating opposite the Residential Access and therefore the exact location of the access may be subject to change to address this issue. However, any relocation will be minimal and will be roughly in the same area subject to creating further implications on other aspects such as utilities, trees etc. These issues can be addressed during the 'Scheme of Works' process which will likely be via a Section 278/171.

5.12.4 Trip Impact

Please note that the modelling output within the Transport Assessment (TA) seems to be missing as there is no appendix g. However, this recommendation will be based on a Technical Note (attached) which was sent to me directly by the applicant's transport consultant. Since there are no major changes in terms of access design and traffic data, the technical note has been considered as part of this assessment.

5.12.5 The technical submitted is considered acceptable and the modelling results indicate that both accesses (existing and new) will have no major significant impact. There will be some increase in trips and delay to Bursledon Road but is considered to be within an acceptable amount. The main delays would be the new site access for vehicles exiting the site. However, the queues and delays will be contained within the site which itself provides a large amount of queuing space before any tailbacks impact on the highway.

5.12.6 It is noted that the assessments do not include any trips related to High Point Centre. However there are existing Alligator teeth within the Highpoint centre to prevent vehicles from the Highpoint centre exiting directly onto Bursledon Road.

5.12.7 Servicing

The layout shows that a servicing vehicle is able to enter and leave the site in a forward gear. The manoeuvres for the articulated lorries will encroach onto both lanes of the carriageways. The submitted details indicate that there will be two large (likely articulated) lorries in a day plus general smaller deliveries. However, without restrictions, this could be subject to change. It would not be ideal or practical to limit the amount of servicing vehicles and therefore it is considered reasonable to have a servicing management plan to restrict articulated lorries arriving/departing during peak traffic hours

5.12.8 Cycle Parking

The TA mentions cycle parking is provided for both visitors and staff. The quantum proposed is in line with Parking SPD which is acceptable. The staff spaces are described as in store but the wording of a condition can expand on this.

5.12.9 Parking



The submission proposes 16 spaces over the Council's maximum parking standards (134 spaces proposed) presumably as a flexible margin. The previous decision raised no objection to the proposed level of parking above the maximum car parking standards

**5.13. Urban Design Manager**

The boundary hedge between the store and the future residential is insufficient to provide proper screen planting to this boundary, which means that the residential; outlook will largely be dominated by the store and its sloping roof. A minimum of 5m is required to create a viable screen planted boundary including the potential for native broadleaf trees. So either the store has to move to provide the boundary, or the future residential will require much deeper gardens, minimum 16m, 5m of screen planting 11m of garden in order to provide an adequate landscape buffer. Clearly it would be preferable that this happens on the Aldi site from an ongoing management point of view, as if it is in back gardens this can often be problematic with individual home owners  
The boundary to the car park to the Highpoint building is far too narrow and therefore unable to have any tree planting. Tree planting is important along this boundary as well as within the car park.

5.13.1 To the Bursledon Road frontage the preference would be for a seamless transition from a high/dense native hedge at the Woodland end to a lower hedge, perhaps clipped/maintained more formally at the junction end. The proposed mix of native and ornamental hedge separated by a bark mulch 'maintenance path' is considered very odd.

The alignment of the pedestrian link through between the two sites also raises concerns. The projecting Meeting Room is preventing a more direct and obvious landscaped route and should be relocated to allow a better route from the Aldi side of the street. This is after all an important entrance to the neighbouring residential and wider existing community north of the site and is likely to be heavily used once the two sites are complete, which is to be encouraged on sustainable transport grounds encouraging access to the store on foot or by cycle rather than just by private car.

5.13.2 *Officer Response – The landscaping scheme has been amended to address these points where possible. A condition is also recommended in order to secure appropriate landscaping, tree replacements and boundary treatment.*

**5.14. Tree Officer – Verbal update to be provided at the Panel meeting.**

5.14.1 *Officer Response – It is accepted that some tree loss can be supported to allow the site to be redeveloped providing appropriate open space re-provision and landscape mitigation can be achieved. The scheme has increased the number of tree replacements from 23 to 30 with the inclusion of some native tree species as previously requested. The 70 trees proposed to be removed are not safeguarded by a Tree Preservation Order.*

**5.15. Ecology Officer – Verbal update to be provided at the Panel meeting**

- 5.15.1 *Officer Response – The application is supported by an Ecology Assessment by Tyler Grange which sets out how the previous ecology concerns have been addressed through improved landscaping, lighting design and other mitigation measures such as bat boxes. Further landscaping and ecology enhancements can be incorporated into the proposal for residential redevelopment of the adjoining brownfield site to the north*
- 5.16 **Sport England** – No objection as the playing field has not been used for at least five years, the consultation with Sport England is not a statutory requirement. Having assessed the application for the redevelopment of the site to create 128 residential dwellings, Sport England is satisfied that the proposed development has negligible impact on the playing field and affects only land incapable of forming a playing pitch or part of a playing pitch, and therefore meets exception 3 of our playing fields policy.
- 5.17 **Environmental Health** – No objection subject to conditions to secure construction management, servicing and trading hours, lighting design and plant noise levels (as detailed in the Sharps Redmore Noise Report dated 29th May 2019).
- 5.18 **Archaeology** – No objection subject to conditions to secure an archaeological watching brief
- 5.19 **SCC Land Contamination** - No objection. Suggest a condition to secure a full land contamination assessment and any necessary remediation measures.
- 5.20 **SCC Flood – No objection** subject to a condition to secure sustainable drainage.
- 5.21 **SCC Sustainability Team** – No objection subject to conditions to secure at minimum Excellent against the BREEAM Standard.
- 5.22 **Southern Water:** No objection subject to a conditions to secure details of the measures which will be undertaken to protect the public sewers and water mains and details of the proposed means of foul and surface water sewerage disposal.
- 5.23 **Southampton Commons & Parks Protection Society (SCAPPS) - Objection**
- 5.23.1 SCAPPS objected to the previous application, 18/00968 & is disappointed to find this resubmission fails to remove a fundamental ground for SCAPPS previous objection, & a ground for refusal of permission.
- 5.23.2 This is not a brownfield site which has previously been built on. It is part of the grounds of a former school & is classified as 'open space'. The intention & purpose of Core Strategy policy CS21 is to maintain the quantity of green space in the City. The City needs more, not less, open space to keep pace with population increase. Per capita provision by area has fallen 2006-2016. There is already a shortfall against national standards & that shortfall is increasing.
- 5.23.3 This application includes only part of the former school site designated in the development plan as 'open space'. Either this application should itself provide replacement open space or it should be considered & determined as part of a

comprehensive proposal for the whole of the former school site which provides sufficient & appropriate new open space on or off-site.

5.23.4 In the particular circumstances of this former school site, where the land has been unused for a number of years, it may be reasonable to balance the need for open space with need for jobs. But it must be a carefully considered balance. The applicant's Planning Statement (paras 8.15-8.22) repeats the unreasonable & unacceptable proposition that because the application is CIL liable that removes any requirement to comply with Core Strategy policy CS21. SCAPPS asks that this wholly false proposition be firmly rejected & either provision of green open space included on this site or adequate replacement open space provided elsewhere.

5.23.5 *Officer Response* - *The principle of some net loss of some open space is supported, as part of the planning balance, in the interests of housing and employment delivery having regard to the period of time the open space has not been used. The open space was the playing fields of Hightown Secondary School which closed in the 1980's. Furthermore Sport England have raised no objection. The residential proposal on the adjacent site proposes to incorporate replacement of circa 90% of recreational open space and additional financial contributions towards off-site open space enhancements. Officers request delegation to ensure an appropriate legal mechanism is used to secure delivery of replacement open space through the adjoining planning application for residential redevelopment.*

#### 5.24 **City of Southampton Society: Objection**

- Traffic proposals unsafe, vehicles turning right into and out of the site, no traffic light control. Busy main road out of the City;
- Design not attractive;
- Store too near the existing and future residential accommodation;
- Site tight for vehicles, and mix of commercial and customer vehicles;
- Site entirely car based;
- Site much better suited to housing, for which planning permission has been granted in the past;
- Substantial need for housing in the City;
- Landscaping not very extensive; and
- No evidence of need or demand for the store

5.24.1 *Officer Response* – *The Council's Design Officer has raised no objection to the building design. This schemes brings employment benefits and increased retail offer to the community (as recognised within the 70 letters of support from local residents). The adjoining site still provides opportunity for delivery of 128 housing units. See considerations section below which respond to the other points of concern.*

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

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

- the principle of the development (open space and retail impacts); and
- whether the previous reasons for refusal have been addressed in relation to site access/highway impacts, site layout and landscaping proposals.

## **Principle of Development**

### 6.1 Open space

The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. Furthermore paragraph 97 of the National Planning Policy Framework 'the Framework' indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.

6.1.1 The Council's Ecologist and Open Spaces Manager previously expressed concern over the shortage of recreational open space across the city with 2.54 hectares per 1000 of the population available in 2016, which is short of the national standard of 3.45 hectares and down from the 2006 provision of 2.98 hectares. However the Council's Open Spaces Manager has not formally commented on this planning application. A net loss of open space is, however, proposed and significant weight has been afforded to policy CS21.

6.1.2 This area of safeguarded public open space (0.32hectares / 3,200sqm) has not been formally accessible for public use for over 5 years and therefore Sport England have raised no objection to loss of this former school playing field (Hightown Secondary School was closed in the 1980's). The 2016 outline planning permission for residential redevelopment (our reference 16/01888/OUT) achieved a net gain of open space across the site. The proposed residential redevelopment on the adjacent land parcel (19/01284/FUL) offers 2896sqm of functional/recreational open space which would represent circa 90% of the existing grassed open space provision in a usable format.

6.1.3 In light of the above circumstances it is considered that the proposed net loss of open space could be supported when weighed in the balance with the housing and employment benefits of both schemes, subject to 2896sqm of functional/recreation open space being secured as part of the adjoining planning application for residential redevelopment.

### 6.1.4 Retail Impact

All new retail development of a particular size, located out of a defined centre requires a retail impact assessment and sequential test before the principle can be supported (policy CS3 refers).

6.1.5 The approach taken by the applicant in identifying district and local centres in the eastern part of the city along with edge and out-of-centre foodstores is considered to be both reasonable and proportionate. It's noted that Hedge End District Centre has also been looked at in terms of the sequential approach taken for site selection and retail impact.

6.1.6 The key headlines in terms of retail impact are included in pages 41-42 and Tables 6-8 of the Planning and Retail Statement. It's observed that the main impact of the proposal would be upon Woolston District Centre. The applicant has provided three scenarios to demonstrate the retail impact of the proposal.

These show varying degrees of impact upon turnover depending on how the vacant foodstore at Centenary Quay is factored into this assessment.

- 6.1.7 The worst case scenario in terms of retail impact from approving the proposal, whereby a functioning foodstore at Centenary Quay considered separately from Woolston District Centre, would result in a 21.0% impact upon overall turnover in this District Centre. Discounting this vacant foodstore altogether at Centenary Quay would result in an 8.2% impact upon overall turnover in Woolston District Centre if the application is approved. The best case scenario in terms of retail impact, whereby a functioning foodstore at Centenary Quay is incorporated within the turnover calculations for Woolston District Centre, would result in a 5.3% impact upon overall turnover in this District Centre if the application is approved – therefore the lowest retail impact out of the 3 tested scenarios (see Table 8). Centenary Quay food store is not going to come forward and the space has recently secured planning permission for a leisure use and storage.
- 6.1.8 Taking into account the three scenarios, it's reasonable to conclude from the information provided by the applicant that the overall impact upon turnover in Woolston District Centre, would equate to the calculated 8.2%. This is because the site has not come forward for retail development to date with no evidence of this likely to come forward for its intended use. In addition, it's noted in the Planning and Retail Statement that the reasons for the foodstore remaining vacant are due its lack of commercial prominence and commercial constraints (as an aside, it's noted that the applicant states an impact of 21.0% wouldn't be significantly adverse although this is questionable).
- 6.1.9 Whilst 8.2% is not considered to be materially significant in terms of impact, it's not considered to be a low impact. However, this is partly offset by the comprehensive approach taken by the applicant to the sequential test which is considered both reasonable and proportionate. Taking these factors into consideration, it's recommended that any approval is conditioned so that the overall floorspace is no more than that proposed, with the convenience floorspace in the foodstore limited to no more than 80% of the proposed overall total. Consideration should also be given to whether developer contributions should be collected for improvements to the district and local centres in the eastern part of the city. Officers conclude that the principle of a foodstore in terms of retail impact and sequential approach is acceptable but this in itself is not enough to secure a favourable recommendation, as the previous reasons for refusal also need to be satisfied. Officers have considered the revised scheme against the Reasons for Refusal set out in the attached decision notices (Appendices 3 and 4 refers) and have reached the following conclusions:

### **Highways Impact**

- 6.2 The previous planning application failed to demonstrate adequate capacity for safe right turn movements out of the site without leading to severe obstruction to traffic flow on Bursledon Road. This re-submission has amended the access arrangement with the existing access to be in-only and a new exit-only located 60m to the south-east. The Council's Highway Engineers are satisfied that the position of the new exit-only access removes any harmful conflict with traffic flow at the signalised junction and has raised no objection. Therefore the previous highway concerns have now been addressed.

### 6.2.1 Layout

The footprint of the store has now moved through 90 degrees. Whilst the food store is now located closer to the rear boundary as a consequence of achieving the necessary servicing vehicle tracking arising from the revised access arrangements, the residential scheme has been amended to increase the separation distance from the boundary with Aldi. The proposals now achieve a circa 14.5 separation distance which, on balance is now considered acceptable, when having regard to the merits of the schemes in terms of job creation, retail offer and housing delivery. Therefore the previous refusal reason in relation to poor layout has now been addressed

### 6.2.2 Landscape Impact

The character of the existing site comprises grassed open space and 76 trees. The proposal seeks substantial site coverage with buildings and hard surfacing. The landscaping scheme has been improved by providing an improved planting mix of native tree species along the site frontage and the number of replacement trees has been increased from 9 (on the previous submission) to 30 now proposed. Increased landscaping and trees have now been incorporated along the site entrance, adjacent to the Highpoint Centre, as requested by the Council's Design Officer. The proposed landscaping scheme is considered acceptable having regard to the nature of the development and site context and significant landscape improvements are proposed as part of the residential redevelopment proposal to the north.

## 7 Summary

The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The principle of some net loss of some open space is supported having regard to the wider economic benefit of the scheme and the period of time the open space has not been available to the public. A minimum of 90% replacement open space will be secured on the adjoining site as part of the planning application for residential redevelopment (application ref 19/01284/FUL). The previous concerns in relation to site access, loss of open space, poor layout and landscaping have now been addressed.

## 8 Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions and the securing of a suitable legal mechanism to deliver replacement off-site open space.

### 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), 4 (f) (g), 6 (a) (c), 7 (a), 9 (a) (b)

**AG for 17/09/2019 PROW Panel**

## **PLANNING CONDITIONS**

### **1. 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).

### **2. Details of building materials to be used (Performance)**

The development shall be carried out and retained in accordance with the schedule of external materials as set out within Drawing No 1500-P2.

Reason: In the interests of the visual amenities of the area

### **3. Restriction of net sales area (Performance Condition)**

Notwithstanding the approved plans the development hereby approved shall only have a maximum net sales area of 1,315sq.m unless agreed otherwise in writing by the Local Planning Authority

Reason: To prevent effecting the vitality and viability of nearby designated retail centres.

### **4. Parking and access (Pre-Use Condition)**

The 134 car parking spaces and access shall be provided in accordance with the plans hereby approved before the development first comes into use and thereafter shall be retained as approved for use in connection with the food store hereby approved.

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

### **5. Management of Trolleys (Pre-Use Condition)**

Prior to use hereby approved first commencing, a scheme for the storage and management of supermarket trolleys shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to ensure that trolleys are returned to appropriate collection points and storage positions and not otherwise left or abandoned. The approved scheme shall operate from the first opening of the store and thereafter adhered to at all times. The effectiveness of the scheme shall be reviewed in accordance with a programme to be included in the scheme and such changes to the scheme as are necessary and approved by the Local Planning Authority shall be introduced in accordance with an agreed timescale.

Reason: To protect the character of the area and to avoid circulation problems which might otherwise be caused by abandoned trolleys.

### **6. Cycle storage and changing facilities (Pre-Use Condition)**

Before the development hereby approved first comes into use, secure and covered storage for bicycles for both employees and customers shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Customer cycle parking should be covered and secure and staff cycle parking should be positioned within a secure and weatherproof storage area. Lockers shall also be provided for staff. The approved scheme shall be thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

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

#### **07. Refuse & Recycling (Pre-Use Condition)**

Before the development hereby approved first comes into use, 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 first comes into use 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 nearby properties and in the interests of highway safety.

#### **08. Litter Bins (Pre-Use Condition)**

Before the use hereby approved commences, litter bins shall be provided in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be retained and managed during the lifetime of the development.

Reason: To ensure that adequate facilities are provided for the collection and disposal of litter likely to be generated by this development.

#### **09. Active frontages (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 food store (retail/A1) hereby approved shall retain clear glazing on the ground floor along the length of the shop frontages within the south and west elevation (without the installation of window vinyl, shutters or equivalent), unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of good design and the visual amenities of the area.

#### **10. Landscaping scheme (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 by the Local Planning Authority in writing, which includes:

- i. Planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- ii. Specification of the trees to be planted providing native trees where appropriate;
- iii. Details of all hardstanding;
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme including an automated irrigation scheme or similar to maintain the vegetation on site.

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.

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.



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

**11. Arboricultural Method Statement (Performance Condition)**

The development hereby approved shall be carried out and retained in accordance with the recommendations of the Arboricultural Impact Assessment & Tree Protection Plan by Bosky Trees dated 30.05.19.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

**12. No storage under tree canopy (Performance Condition)**

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.

**13. Ecological Mitigation Statement (Pre-Commencement Condition)**

The development shall be carried out and retained in accordance with the programme of habitat and species mitigation and enhancement measures as set out within the Ecology Assessment by Tyler Grange Dated 30.05.19.

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

**14. Lighting scheme (Performance Condition)**

The development shall be carried out and retained in accordance with the external lighting details as set out within Drawing No. B2340-MJA-P105-4746-G.

Reason: In the interests of neighbouring residential amenities and to safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

### **15. BREEAM Standards (Pre-Commencement Condition)**

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum Very Good, with a total minimum score of 63% against the BREEAM Standard, in the form of a design stage report, is 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).

### **16. 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 Very Good, with a total minimum score of 63% 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).

### **17. Zero or Low Carbon Energy Sources (Pre-Commencement Condition)**

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO2 emissions of at least 12.5% must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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).

### **18. Archaeological watching brief with provision for excavation investigation [Pre-Commencement Condition]**

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.

### **19. Archaeological watching brief with provision for excavation work programme [Performance Condition]**

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.

## **20. Control of noise (Performance Condition)**

The development shall be carried out and retained in accordance with the recommendations of the Sharps Redmore Noise Report dated 29th May 2019.

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

## **21. Noise - plant and machinery (Pre-Commencement)**

The use hereby approved shall not commence until details of measures to minimise noise from plant and machinery associated with the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 45 dBA between 0700 and 2300 hours and 35 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014. The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved.

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

## **22. 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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

## **23. 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.

## **24. Construction Management Plan (Pre-Commencement Condition)**

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- a) parking of vehicles of site personnel, operatives and visitors;
- b) loading and unloading of plant and materials;

- c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and,
- f) details of how noise emanating from the site during construction will be mitigated.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

#### **25. Sustainable Drainage Systems (Pre-Commencement Condition)**

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

#### **26. Surface / foul water drainage (Pre-commencement Condition)**

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

#### **27. Public Sewer protection (Performance Condition)**

Prior to the commencement of development, details of the measures to protect the public sewer from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason: In order to safeguard the public sewer.

#### **28. Hours of Use & Delivery (Performance Condition)**

The food store hereby approved shall not operate outside of the hours hereby set out:

- 8am - 10pm (Monday to Saturday) and
- 10am and 5pm Sundays and Bank Holidays

No deliveries shall be taken or despatched outside the hours hereby set out:

- 7am - 10pm (7 days per week)

Reason: In the interests of existing and proposed residential amenity

**29. 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 to 18:00 hours
Saturdays	09:00 to 13:00 hours

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.

**30. Electric Vehicle Charging Points (Pre-Commencement Condition)**

A feasibility study for electric vehicle charging points shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. If the study demonstrates the site has the capacity for electric vehicle charging points, a specification shall be agreed in writing with the Local Planning Authority. Electric vehicle charging points to the approved specification shall be installed and rendered fully operational prior to the first operation of the development hereby granted consent and retained and maintained thereafter.

Reason: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20

**31. Access control measures (Pre-Commencement Condition)**

Prior to first occupation of the food store hereby approved, details of control measures to ensure the existing vehicular access point remains in only and the new access is exit only, shall be submitted and agreed in writing with the Local Planning Authority.

The access control measures shall be installed and retained as agreed for the lifetime of the development.

Reason: In the interests of highway safety

**30. 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.

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**19/00997/FUL**

## **POLICY CONTEXT**

### Core Strategy - (as amended 2015)

- CS3 – Town, District and Local Centres
- CS6 – Economic Growth
- CS13 – Fundamentals of Design
- CS14 – Historic Environment
- CS15 – Affordable Housing
- CS16 – Housing Mix and Type
- CS18 – Transport
- CS19 – Car and Cycle Parking
- CS20 – Tackling and adapting to Climate Change
- CS21 – Protecting and Enhancing Open Space
- CS22 – Biodiversity and Protected Species
- CS25 – 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
- SDP8 – Urban Form and Public Space
- SDP9 – Scale, Massing and Appearance
- SDP10 – Safety and Security
- SDP11 – Accessibility and Movement
- SDP12 – Landscape and Biodiversity
- SDP13 – Resource Conservation
- SDP14 – Renewable Energy
- CLT3 – Protection of Open Space
- TI2 – Vehicular Access

### Supplementary Planning Guidance

- Planning Obligations (Adopted - September 2013)
- Parking Standards SPD (September 2011)

### Other Relevant Guidance

- The National Planning Policy Framework (2018)
- The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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### MINUTES

### APPENDIX 2

#### Planning Application - 18/00968/FUL (Retail) - Former East Point Centre

- [Meeting of Planning and Rights of Way Panel, Tuesday, 11th December, 2018 6.00 pm \(Item 44.\)](#)

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

#### Minutes:

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel refuse planning permission for the above address.

The erection of a food store (Class A1) and a coffee drive thru (Class A1/A3) with associated access, car parking and landscaping.

Graham Linecar (Southampton Common and Parks Protection Society, objecting) Simon Reynier (City of Southampton Society, objecting), Debbie King (Chief Executive Officer Plus You Ltd, objecting) Mike Allott (Plus You Ltd, objecting) Alan Williams and Rob Williams (agents), Lee McCandless (applicant) and Councillor Streets (Ward Councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that an updated highways management design had been received but, that officers had not been able to model the design before the meeting to ascertain whether this was an appropriate solution to traffic concerns. It was explained that as a result the recommendation had been amended to delegate to officers the reasons for refusal. In addition Panel members were informed that an objection to the application from the Council's Open Space Manager had been received.

The Panel then considered the recommendation to delegate authority to refuse planning permission. Upon being put to the vote the recommendation was carried unanimously.

#### RESOLVED

- (i) to delegate authority to the Service Lead Infrastructure, Planning and Development to refuse planning permission for the reasons set out below;
- (ii) to delegate authority to the Service Lead Infrastructure, Planning and Development to uphold, remove or amend Refusal Reason 01 (site access) following review of the applicant's late highway submission (revised signalised junction) by the Council's Highway Engineers; and
- (iii) to note that an extension of time agreement has been received from the developer until 9<sup>th</sup> January 2019 to provide additional time for the consideration of the late highway submission.

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## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

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

RDT Architects  
Mr Cheten Chauhan  
1 Harrier Court  
Woodside Road  
Woodside Road  
Lower Woodside LU1 4DQ

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:** **Redevelopment of the site to create 128 residential dwellings comprising a mixture of 21 houses (20 x 3 and 1 x 4 bed) and 107 flats (29 x 1 and 78 x 2 bed) with associated car parking, bin, cycle storage and landscaping.**
- Site Address:** **Former Eastpoint Centre Site , Burgoyne Road, Southampton SO19 6PB**
- Application No:** **18/01373/FUL**

For the following reason(s):

01. REFUSAL REASON - Layout and access arrangement would prejudice the future development of adjoining land

The proposed layout and access arrangement would prejudice the development of adjoining land to the south. The planning application by ALDI Stores Ltd (Ref 18/00968/FUL) failed to demonstrate adequate capacity for safe right turn movements out of the site without leading to severe obstruction to traffic flow on Bursledon Road, a main arterial route which has been identified by Highways England as requiring major improvements to improve traffic flow. As a consequence, the land to the south requires access onto Burgoyne Road. Therefore, unless access can be secured over third party land (Highpoint Centre), the proposed residential layout would prejudice the remainder of the wider site from being developed because there is no opportunity for vehicular access connection onto Burgoyne Road.

Furthermore, because the site as approved under planning permission ref 16/01888/OUT has been split into two land parcels and not master planned or considered comprehensively, the proximity of Block B containing noise sensitive residential accommodation with habitable room windows and balconies with a south facing aspect would also prejudice the development of adjoining land to the south. The close proximity of the proposed flatted block to the boundary with another potential development site (with habitable room windows looking across third party land), and the sub-division of the wider site into 2 discreet parts by the proposed means of enclosure would represent poor place making and would provide an unacceptable residential environment for the residents of the proposed flats in terms of a potentially poor outlook and loss of amenity. The development is thereby contrary to policies SDP1 (i) (iii), SDP16 of the City of Southampton Local Plan Review

(2015), CS4, CS6 and CS13 of the Local Development Framework Core Strategy (2015) and Section 11 of the National Planning Policy Framework (2018).

#### 02. REFUSAL REASON - Loss of trees

The proposed removal of existing healthy trees along the northern boundary and position of a prominent close boarded fence would be harmful to the character and appearance of the area and the Burgoyne Road street scene. The proposed replacement planting would not sufficiently mitigate against the loss of these existing trees. The development proposal is thereby contrary to policies SDP1 (i), SDP7 (i) (ii) and SDP12 of the City of Southampton Local Plan Review (2015) and CS13 of the Local Development Framework Core Strategy (2015) and Section 4.7 of the Residential Design Guide SPD (2006).

#### 03. REFUSAL REASON - Affordable Housing

The proposed 'rent to buy' affordable housing offer fails to meet identified affordable housing need in Southampton.

Furthermore the application has not been supported by an approved viability model to indicate that units for social rent would make the scheme unviable. The proposal is thereby contrary to policy CS15 of the City of Southampton Local Plan Review (2015) and Section 5 of the National Planning Policy Framework (2018).

#### 04. REFUSAL REASON - Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement, the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

- (i) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured in accordance with Policies CS18, CS19, and CS25 of the Southampton Core Strategy (2015) and the adopted Developer Contributions SPD (2013);
- (ii) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway, caused during the construction phase, to the detriment of the visual appearance and usability of the local highway network;
- (iii) In the absence of either a scheme of works or a contribution to support the development, the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.
- (iv) Submission of a tree replacement plan to secure 2:1 tree replacement and to secure a tree Replacement Off Site Contribution should any off-site replacements be required.
- (v) The provision of affordable housing in accordance with Policy CS15 of the Core Strategy;
- (vi) 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); and
- (vii) Employment and Skills Plan

#### Note to Applicant - Community Infrastructure Liability (Refusal)

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

infrastructure-levy/default.aspx or contact the Council's CIL Officer



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

9 January 2019

For any further enquiries please contact:  
**Andrew Gregory**

**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:

<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
0001	PL1	Location Plan		Refused
0100	PL1	Other Plans		Refused
0101	PL1	Site Plan		Refused
0200	PL1	Floor Plan		Refused
0200	PL1	Floor Plan		Refused
0200	PL1	Floor Plan		Refused
0200	PL1	Floor Plan		Refused
0600	PL1	Elevational Plan		Refused
0601	PL1	Elevational Plan		Refused
0601	PL1	Elevational Plan		Refused
0600	PL1	Elevational Plan		Refused
0200	PL1	Floor Plan		Refused
0250	PL1	Floor Plan		Refused
0300	PL1	Floor Plan		Refused
0350	PL1	Floor Plan		Refused
0400	PL1	Floor Plan		Refused
0500	PL1	Roof Plan		Refused
0200	PL1	Floor Plan		Refused
0250	PL1	Floor Plan		Refused
0300	PL1	Floor Plan		Refused
0350	PL1	Floor Plan		Refused
0400	PL1	Floor Plan		Refused

0450	PL1	Floor Plan	Refused
0500	PL1	Roof Plan	Refused
0102	PL1	Other Plans	Refused
0110	PL1	Other Plans	Refused
0120	PL1	Other Plans	Refused
0112	PL1	Other Plans	Refused
0114	PL1	Other Plans	Refused
0120	PL1	Sections	Refused
0120	PL2	Sections	Refused
0121	PL1	Sections	Refused
0121	PL2	Sections	Refused

## NOTES

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

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

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

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## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

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

Planning Potential  
Mr Alan Williams  
13-14 Orchard Street  
Bristol  
BS1 5EH

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:** The erection of a food store (Class A1) and a coffee drive thru (Class A1/A3) with associated access, car parking and landscaping.

**Site Address:** Former East Point Centre, Bursledon Road, Southampton

**Application No:** 18/00968/FUL

For the following reason(s):

##### 01. REFUSAL REASON - Site Access

The proposal has failed to demonstrate adequate capacity for safe right turn movements out of the site without leading to severe obstruction to traffic flow on Bursledon Road, a main arterial route which has been identified by Highways England as requiring major improvements to improve traffic flow. Therefore the proposal would have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would be severe. Furthermore the proposed layout fails to provide direct pedestrian access from the north, because the site is being developed in isolation, with access for cars given priority over pedestrians. The development proposal is thereby contrary to policies SDP1(i), SDP3, SDP4 and TI2 of the City of Southampton Local Plan Review (2015) and CS18 of the Local Development Framework Core Strategy (2015) and paragraph 109 of the National Planning Policy Framework (2018).

##### 02. REFUSAL REASON - Poor Layout

This application and the adjoining residential proposal (Ref 18/01373/FUL) have not been developed comprehensively or master planned and as a consequence, the failure to provide access from the southern land parcel onto Burgoyne Road without agreement from third party land would prejudice the future development of this site in the event the northern parcel is developed. The close proximity of the proposed service area to the boundary with another potential development site, and the sub-division of the wider site into 2 discreet parts by the proposed means of enclosure, and 3m height acoustic fence, would represent poor place making and would potentially provide an unacceptable residential environment for a residential scheme on the neighbouring site. Furthermore, the proposed layout provides a poor relationship between commercial and residential uses, with the servicing area for the Aldi food store located on the boundary with a potential housing site thereby prejudicing its full delivery. The development

proposal is thereby contrary to policies SDP1, SDP7, SDP9 of the City of Southampton Local Plan (2015) and CS4, CS6 and CS13 of the Local Development Framework Core Strategy (2015)

### 03. REFUSAL REASON - Loss of safeguarded open space

This application results in the net loss of safeguarded open space and fails to mitigate against this loss because replacement open space has not been secured on this site or elsewhere, and S106 contributions have not been secured towards off-site open space improvements to meet the needs of the community and to prevent habitat disturbance. The development is thereby contrary to policies SDP1(i) (ii), CLT3 of the Local Plan Review (2015) and CS21 of the Local Development Framework Core Strategy (2015) which seeks to ensure no net loss of public open space.

### 04. REFUSAL REASON - Insufficient Landscaping

Insufficient tree replacements and landscaping is provided to mitigate against the loss of existing landscaping, trees and biodiversity habitat and to improve the pedestrian environment. Additional landscaping and trees could be provided had the parking layout not exceeded the Council's maximum car parking standards. The proposed site coverage with buildings and hard surfacing and lack of soft landscaping is symptomatic of a site overdevelopment and out of keeping with the character and appearance of the area. Furthermore the development fails to provide net biodiversity gains. Amended landscaping plan 1294-01 Rev C is not considered to adequately address these issues. The development proposal is thereby contrary to saved policies SDP1 (i) (ii), SDP7(i), SDP12 of the City of Southampton Local Plan Review (2015) and policies CS13 and CS22 of the Local Development Framework Core Strategy (2015)

### 05. REFUSAL REASON - Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

- (i) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured in accordance with Policies CS18, CS19, and CS25 of the Southampton Core Strategy (2015) and the adopted Developer Contributions SPD (2013);
- (ii) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway, caused during the construction phase, to the detriment of the visual appearance and usability of the local highway network;
- (iii) In the absence of a mechanism to secure off-site open space improvements the proposal fails to mitigate against the net loss of open space contrary to CLT3 of the Local Plan Review (2015) and CS21 of the Local Development Framework Core Strategy (2015)
- (iv) Submission of a tree replacement plan to secure 2:1 tree replacement and to secure a tree Replacement Off Site Contribution should any off-site replacements be required.
- (v) Servicing Management Plan;
- (vi) 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); and
- (vii) Employment and Skills Plan.

#### Note to Applicant - Community Infrastructure Liability (Refusal)

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

infrastructure-levy/default.aspx or contact the Council's CIL Officer



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

9 January 2019

For any further enquiries please contact:  
**Andrew Gregory**

**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:

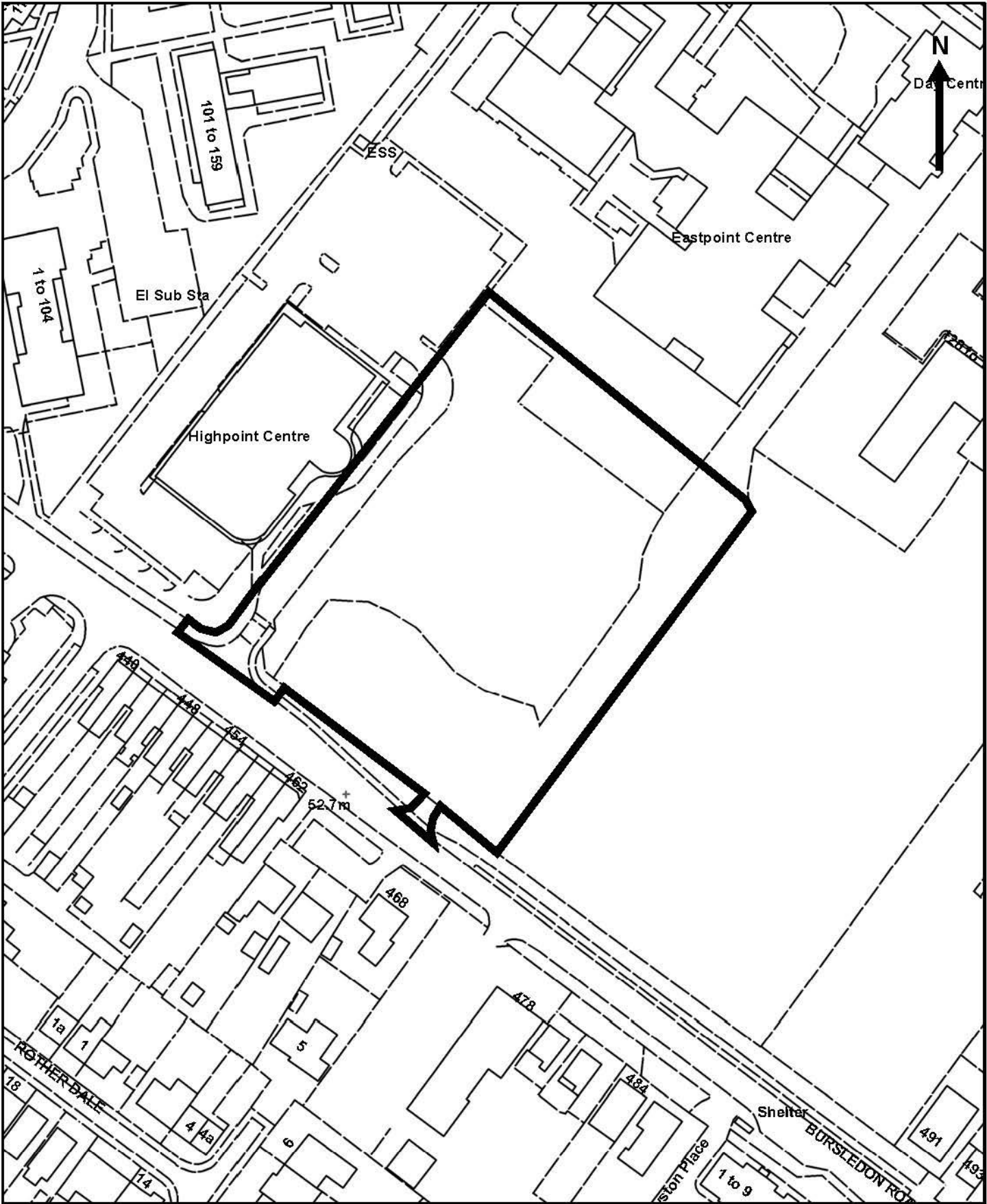
<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
P(0)01		Location Plan		Refused
P(1)03	H	Site Plan	31.10.2018	Refused
P(1)04		Elevational Plan		Refused
P(1)05		Elevational Plan		Refused
P(1)06		Floor Plan		Refused
P(1)07		Roof Plan		Refused
P(1)08		Sections		Refused
P(1)09		Floor Plan		Refused
1294-01	C	Landscaping Plan	31.10.2018	Refused

## NOTES

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

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

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



Scale: 1:1,250

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# Agenda Item 6

## Planning and Rights of Way Panel 17<sup>th</sup> September 2019 Planning Application Report of the Service Lead- Infrastructure, Planning and Development

<b>Application address:</b> 21 Emsworth Road, Southampton			
<b>Proposed development:</b> Erection of three 3-bed dwelling houses with associated car parking, bin and cycle storage following demolition of existing dwelling house. (Resubmission of planning ref: 18/02076/FUL)(amended since initial submission).			
<b>Application number</b>	19/00494/FUL	<b>Application type</b>	FULL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	24.09.2019 (Extension of time agreement)	<b>Ward</b>	Millbrook
<b>Reason for Panel Referral:</b>	More than five letters of objection have been received	<b>Ward Councillors</b>	Cllr G Galton Cllr S Galton Cllr Taggart
<b>Applicant:</b> Ms Susannah Jones		<b>Agent:</b> Anders Roberts & Associates	

<b>Recommendation Summary</b>	<b>Delegate to Service Lead – Infrastructure Planning &amp; Development 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 as set out in the report to Planning Panel on 17<sup>th</sup> September 2019, such as the impact on the character of the area, impact on neighbouring residential properties, amount of parking and the loss of vegetation and habitat 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, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, H1, H2 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS22 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

<b>Appendix attached</b>			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Applicant's Parking Note		



## Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead Infrastructure, Planning and Development authority to grant planning permission subject to the planning conditions recommended at the end of this report and securing a financial contribution towards Solent Disturbance Mitigation Project (SDMP) to mitigate against 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
3. That the Service Lead be given delegated authority to add, vary and /or delete relevant conditions as necessary. In the event the SDMP is not resolved the Service Lead Infrastructure, Planning and Development be granted authority to refuse permission on the ground of failure to satisfy the requirements of the Conservation of Habitats and Species Regulations 2010 as required by LDF Policy CS22.

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

- 1.1 The site contains a large detached dwelling which is currently vacant. It is one of the three remaining villas found within the street. It is an attractive building with characterful features such as quoining and fascia details. The building is not locally or nationally listed and, not being located within a Conservation Area, no protection is afforded to it from demolition. The rest of the street is characterised by terraced properties. On the north side of the street, properties tend to have some off-road car parking on their frontages whereas on the other side of the road the properties have small bounded front gardens with no car parking.
- 1.2 The property currently benefits from parking to the side and rear via an access way and the frontage is enclosed by a rendered wall and hedging. There are a number of outbuildings within the rear garden.
- 1.3 In terms of parking in the area, there is a single yellow line on the side of the road that the application site lies on. The site lies within a residential parking zone (zone 16) which allows parking for more than one hour without a permit outside the hours of 8 am to 6 pm. Due to the close proximity to Shirley High Street and terraced nature of dwellings in the area, high-levels of on-street parking are common.

### **2. Proposal**

- 2.1 Full planning permission is sought to redevelop the site, following the demolition of the existing building and outbuildings, to provide a terrace of three dwellings each containing three bedrooms. This scheme has been amended since submitted, as the initial scheme proposed the provision of five flats within a three storey building served by three car parking spaces. It was considered that the initial scheme would have resulted in an over development of the site.
- 2.2 The revised proposal has a hipped roof design with gable features and chimneys to mimic the existing terraced properties in the area. The proposal is to have rendered elevations with a porch canopy feature for the central unit and projecting



gables to frontage with side entrance for the two side units. Each unit will have kitchen/diner, living area and WC on the ground floor and at first floor three bedrooms (one with an en-suite) and a bathroom. Four parking spaces are provided to the front, laid out to retain the existing front boundary wall and hedging and incorporating replacement hedging and wall to the other side of the new vehicular access. The rear garden depths range from 18 metres deep to 28 metres deep.

- 2.3 The existing width of existing of the property is 12.5 metres and the width of the proposal is 16 metres wide with the development being located closer to number 19a by 3.6 metres. The existing depth of the property is between 9 and 13 metres due to the part single storey extension. The depth of the proposal is 12 metres deep.

### **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 National Planning Policy Framework (NPPF) was revised in February 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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 is no history with respect to the existing unit but an application for the redevelopment of the site to provide five flats under application 18/02076/FUL was withdrawn last year following officer’s advice.

### **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 (05.04.2019). A second publicity exercise was undertaken following receipt of amended plans. At the time of writing the report, **9 representations**, including a petition of 40 signatures, have been received from third parties including two ward Councillors.
- 5.2 **Cllr S Galton** - I wish to formally object to this application and request if officers are minded to approve it is decided at a public planning panel meeting.
- 5.2.1 Road Safety. The application has now reduced parking to just 3 spaces - after speaking to the Council who raised concerns with the previous 8 spaces. I had concerns with the previous 8 spaces proposed not being enough for a development this size! The potential for 10 double beds could see potentially 20+ vehicles for the development. The surrounding roads already experience issues

with lack of parking provision and issues related to over-crowded parking affecting highway safety and I feel this proposal could seriously add to these issues.

- 5.2.2 Design. The street scene is characterised by the 2 larger houses and whilst the design does appear somewhat sympathetic, it seems a shame to lose what is there, rather than to work with it. I wonder how the roof top balcony affects privacy of nearby properties and would like assurances over their privacy if this element is approved. The outside amenity space seems poor in relation to the number of units. This would limit the appeal of the properties to families, encouraging single working age tenants/owners. I also worry there is insufficient outdoor space for the size of the development. The size and layout of the flats seems very cramped and less than ideal. It appears to be bedrooms and then kitchen/diner/lounge all in one. This again would impact on the appeal, making the properties less appealing for families. Is the internal floor space meeting the minimum standards for each of the flats? Given the excess of HMO's currently, and the need for family housing in the area I would welcome a design more likely to appeal to families.
- 5.2.3 Out of character/principle. The intensity of five 2 bedroom flats in what is a traditional family home area, already far exceeding the Council's HMO threshold - will only dilute the character of the area further. Whilst the existing property is a stand out one in the street scene, the new development seems out of place compared to the layout and character of surrounding properties.
- 5.2.4 Loss of trees. The application states there are no trees on the site. This is because the developer removed them all prior to submitting an application. Whilst not under a TPO - the size and maturity of the trees would have seen them protected. My memory is that there were at least 2 trees (1 at front, 1 at side) and also a very large and mature tree at the rear.
- 5.3 **Cllr G Galton** - I wish to formally object to this application and request if officers are minded to approve it is decided at a public planning panel meeting. I feel the plans are very different to the original plans which were to put flats on the site to now put 3 houses on this site will generate more road safety issues in an already congested area which will then create problems in the surrounding roads of foundry lane, Leighton ave and St edmund's rd I feel the new builds will be totally out of keeping with the large family homes that are there

The following is a summary of the points raised by third parties:

5.4 **Out-of-keeping Response**

The proposal has changed since initially submitted to provide three three-bed dwelling houses. Objections have been received stating that the proposal is out of keeping but the revised scheme is more in line with the neighbouring properties due to its terraced design and two storey scale.

5.4 **Impact on neighbouring boundaries Response**

Details of replacement boundary treatment are secured through a planning condition. Between residential properties this would be no less than 1.8 metres in height.

5.5 **Concern that the provision of parking will lead to parking overspill Response**

The Council has adopted maximum car parking standards and the Parking Standards Supplementary Planning Document confirms that provision of less than the maximum parking standards is permissible subject to justification. The proposal provides four on-site parking spaces in line with maximum standards. Six would be the maximum required for three three-bed units. There are parking restrictions in the surrounding area which limit the possibility for over-spill car parking. A car parking note and parking justification (**Appendix 3**) has been submitted by the applicant and concludes that the proposal would not result in an unacceptable competition for unrestricted on-street car parking spaces in the vicinity of the site. Furthermore, the Council's Highway Engineer has raised no objection to the application. The location of the site, 60 metres away from the defined Shirley Town Centre means it benefits from good access to shops, services and facilities together with frequent bus links to the city centre and central train station. Parking restrictions are already in place and the Council applies restrictions on new parking permits.

5.6 ***The scheme has been amended significantly since submission***

**Response**

Officers raised concerns with the previous proposal in terms of the number and type of units, as family units would be more appropriate use for the site as it mimics the existing situation. As the revised proposal is a betterment, and a less intensive development than originally proposed, officers felt the scheme could be amended within the current application process. Re-notification then took place in line with current adopted practices.

5.7 ***Concern over noise***

**Response**

All residential properties have the potential to generate noise. However, the Council's Environmental Health team has not objected and there is no reason to suspect that occupants of the development would generate undue noise and disturbance. Planning conditions are recommended to minimise disturbance during the construction phase.

5.8 ***Loss of trees and hedging***

**Response**

The removal of the trees on site before the submission of the initial scheme was unfortunate, but the trees were not protected. The proposal seeks to retain as much of the hedging as possible along the frontage and proposes to replant where the existing access way is located. A landscaping condition is suggested to ensure the provision of replacement semi-mature trees.

5.9 ***The existing building should be should retained***

**Response**

Although the existing building is an attractive villa and is one of the three in the street it is not subject to statutory protection and, therefore, there are no policy requirements to retain the building.

5.10 ***Location of cycle and refuse storage***

**Response**

Conditions are imposed to provide further details of the location of the cycle and refuse storage including a collection point for refuse bins on collection day.

## Consultation Responses

- 5.11 **SCC Highways – No objection** subject to conditions. The proposed development is acceptable in principle. The parking spaces are sufficient in size and the aisle width allows for on-site turning. The parking layout should be secured via condition as well as the height of the boundary treatment in order to allow for sufficient sightlines. Conditions to secure parking, refuse and cycle storage are also required. A car parking note has been supplied which does not accord with our requirements, so no data on parking availability or potential overspill is provided but it demonstrates that the site is located in a sustainable location.
- 5.12 **SCC Tree Team - No objection** looking at the history of the site there appears to have been a prominent tree in the rear garden of the property in May 2018 and a smaller ornamental tree to the front at the same time. These trees, and any potential constraints they may have imposed on the site, have now been removed. The trees team would like to see these trees and the amenity value they added to the property and surrounding area, replaced as part of a landscape plan.
- 5.13 **SCC City Design – No objection** subject to a condition securing a wall and landscaping boundary to the frontage. It is disappointing that the front garden is being lost to parking as this is one of the few properties on this side of the street that still has a front garden. That said currently the property has a compromised rear garden because of parking and this proposal will provide full garden areas to the rear. The retention of what is left of the existing front wall and hedge after the parking has been formed is critical to reduce the impact of cars on the street scene.
- 5.14 **SCC Ecology – No objection** subject to conditions to secure an Ecological Mitigation and protection of nesting birds.
- 5.15 **SCC Sustainability Team – No objection** subject to conditions securing energy and water targets are to be secured.
- 5.16 **SCC Environmental Health (Pollution & Safety) – No objection** subject to a construction environment management plan condition.
- 5.17 **SCC Environmental Health (Contaminated Land): No objection**  
No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.
- 5.18 **Community Infrastructure Levy (CIL)-**  
The proposal is CIL liable as new residential properties would be created by the development. With an index of inflation applied the residential CIL rate is currently £100.63 per sq m, to be measured on the Gross Internal Area floorspace of the new building. This figure will next change in April 2020. If the floorspace of the existing building is to be used as deductible floor area the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.
- 5.19 **Southern Water** – No objection subject to the addition of an informative.

## **6 Planning Consideration Key Issues**

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

- Principle of development;
- Design, character and amenity;
- Parking, Access and Highway safety; and
- Development Mitigation

### **6.2 Principle of Development**

6.2.1 The LDF Core Strategy identifies the Council's current housing need and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable housing development, and the use of previously developed land. The proposal would make good use of this previously developed site to provide further housing in accordance with Local Plan Policy H2. The development of this site as proposed is acceptable in principle and accords with the policies within the development plan and central government's guidance (through the NPPF) which promote the sustainable and efficient use of land for housing development, providing the character of an area is not compromised.

6.2.2 The proposed density of 43 dwelling per hectare (dph) is below the range of 50 - 100 dph which policy CS5 of the Core Strategy sets out is appropriate for this location. Density alone is not a determinate in the consideration of planning applications and policy CS5 confirms that density should be assessed with regard to a number of criteria including in terms of the character and appearance of the existing neighbourhood and the quality and quantity of open space. This is discussed in more detail below.

### **6.3 Design, character and amenity**

6.3.1 Whilst the existing building is attractive, it is within a poor state of repair and, as set out, its retention is not required by policy. The key test in terms of design is whether the replacement building is appropriate for its context. The predominant character of the dwelling houses within the vicinity of the site is two-storey terraced houses with pitched tiled roofs and projecting bay windows. The design of the scheme respects the existing terrace units within the street scene. The scheme provides chimney stacks and double height gable features to respect the character of the area. The proposal is to be rendered like the existing unit. The building will read as a large villa, rather than a terrace, as 2 entrances are located to the side of the building. The scheme provides a design that would not detract from the existing neighbouring properties.

6.3.2 The existing terraced properties within the street are typically located within long, narrow plots which are on average about five metres wide with garden depths approximately between 9 and 10 metres deep. The proposed units are between 5.3 and 5.8 metres wide with garden depths of between 18 and 28 metres deep. Therefore, the proposal respects the spatial character of the area. The introduction of a parking area to the front would be minimised by the retention and further

introduction of landscaping. Furthermore, as noted above, parking within the frontages of dwellings is part of the character of the street.

- 6.3.3 In terms of the quality of the accommodation proposed, all habitable rooms have acceptable outlook and adequate light. Each dwelling would be served by private gardens in excess of the 50sq.m in area, which the Residential Design Guide Supplementary Planning Document recommends for dwellings of this nature.
- 6.3.3 A landscaping condition has been suggested to secure the retention of the landscaping to front and replacement trees to the rear. The provision of good landscaping to the front of the units is important to screen the frontage car parking and provide a good setting for the development and a condition is suggested to achieve this.
- 6.3.4 With respect to the impact on the neighbours, the separation distance between the proposed units and neighbouring property at 28a Marlborough Road is 22 metres. The neighbouring property at no 23 Emsworth Road has no windows on the side elevation and the depth proposed would not harm the rear outlook from this property. With regard to 19a Emsworth Road there is one habitable window on the side elevation facing the site which serves a bedroom. The proposed building would be closer to this window than the current situation, although the window currently has a limited outlook due to the presence of vegetation and the existing building. This issue needs to be considered, in the round, taking into account the benefit of making efficient use of a vacant and under-used site to provide genuine family housing; the general good design of the development in terms of its appropriate scale, massing and projection and the fact that a greater separation to this window, would effectively limit the potential to develop this site.
- 6.3.5 As such, the proposal is considered to be acceptable in terms of its design and its relationship with surrounding properties and accords with Local Plan Review Policy SDP1, LDF Policy CS13 and the standards set out in the Residential Design Guide Supplementary Planning Document.

#### 6.4 Parking, Access and Highway safety

- 6.4.1 The level of parking provision proposed is in accordance with the adopted Parking Standards SPD, which permits the provision of less parking than the maximum standard. The provision of two less spaces than the standards permit needs to be carefully considered in terms of the travel demands of the development, the accessibility of the site and character of the area. The 2011 Census suggested that for the Ward of Millbrook, 29% of households do not have access to a private car, 45% had access to one car and 26% had access to two cars. On this basis, the level of parking would meet the demands of the development. Furthermore, the site is located within an area of High Accessibility to public transport, benefitting from over 20 buses an hour, with good links to the city centre and central station. Shirley Town Centre itself also accommodates a number of shops, facilities and services to meet the day-to-day needs of residents.
- 6.4.2 There is a mixture of restricted and unrestricted on-street car parking within the area. There is a demand for the on-road parking available on the street, which is a concern that has been raised by local residents. Emsworth Road lies within an area with permit parking controls and the new units will not be eligible for parking

permits. Overall, it is considered that the level of parking provision is entirely appropriate for the development and location.

- 6.4.3 The Council's Highways Officer has raised no objection to the proposal with respect to parking or highway safety. Refuse storage and its collection is to be secured by condition to prevent issues of highway safety. The provision of the cycle storage shown is also secured via condition. Therefore on this basis the proposal is considered to be acceptable in this respect.

## 6.5 Development Mitigation

- 6.5.1 As with all new development, the application needs to address and mitigate the additional pressure on the environmental, social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). A section 106 legal agreement is normally triggered by schemes of 5 or more dwellings and is not, therefore, required for the size of the development proposed. The area of contribution for this development, in order to mitigate against its wider impact, is only towards the Solent Disturbance Mitigation Project. The application is delegated for approval subject to the payment of this contribution or an alternative mechanism for securing appropriate informal greenspace mitigation. The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

## 7 Summary

The proposed scheme provides an acceptable residential environment for future occupiers without significantly affecting neighbouring amenity or the character of the local area. The scheme represents efficient use of previously developed land to contribute to the family housing stock for the city, whilst having little impact on the amenities of neighbouring residents and providing a good quality environment and amenity space for future occupants of the property. Whilst the loss of the existing unit is unfortunate and further pressures on parking could be experienced, on balance this scheme is considered to be acceptable.

## 8 Conclusion

- 8.1 In conclusion, the proposal would have an acceptable impact in accordance with the Council's policies and guidance and permission is recommended.

### **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), (g), (vv), 6(a), (b), 7(a)

**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. 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. 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.

**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.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at [Waste.management@southampton.gov.uk](mailto:Waste.management@southampton.gov.uk) at least 8 weeks prior to occupation of the development to discuss requirements.

**04. Cycle parking (Performance Condition)**

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

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



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

The parking spaces and sightlines hereby approved shall be provided prior to the development first coming into occupation and the parking spaces shall be 2.4m wide by 5m width. In addition the access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

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

#### **06. Residential - Permitted Development Restriction (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 building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

#### **07. 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).

#### **08. 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).

**09. 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.

**10. Amenity Space Access (Pre-Occupation)**

Before the dwellings hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available for use in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

Reason: To ensure the provision of adequate amenity space in association with the approved dwellings.

**11. Landscaping & 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 by the Local Planning Authority in writing, which includes:

- i. Details of the replacement hedging and brick wall to the frontage;
- ii. Details of all boundaries;
- iii. planting plans including the provision of four semi-mature trees; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate - to be agreed; and;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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, with the exception of the boundary treatment which shall be retained for the lifetime of the development.

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.

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

**12. Ecological Mitigation Statement (Pre-Commencement Condition)**

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in

accordance with the agreed programme before any demolition work or site clearance takes place.

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

### **13. Hours of work for Demolition / Clearance / Construction (Performance)**

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 to 18:00 hours

Saturdays                   09:00 to 13:00 hours

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.

### **14. 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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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. 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. Construction Management Plan (Pre-Commencement Condition)**

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;

- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
  - (f) details of construction vehicles wheel cleaning; and,
  - (g) details of how noise emanating from the site during construction will be mitigated.
- The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

#### **17. Approved Plans (Performance)**

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.

#### **Notes to Applicant**

##### **Community Infrastructure Liability (Approval)**

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

##### **Southern Water - Public Sewerage**

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team ([www.southernwater.co.uk](http://www.southernwater.co.uk))

##### **Car Parking Permits**

Please note, the occupiers of the development hereby approved will not be eligible for parking permits for on-street car parking spaces.

## Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement

**PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.**

HRA completion date:	See Main Report
Application reference:	See Main Report
Application address:	See Main Report
Application description:	See Main Report
Lead Planning Officer:	See Main Report
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017.	

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. New Forest SAC, SPA and Ramsar site.
Is the planning application directly connected with or necessary to the management of the site (if	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.

<p>yes, Applicant should have provided details)?</p>	
<p>Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?</p>	<p>Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area.</p> <p>Concerns have been raised by Natural England that residential development within Southampton, in combination with other development in the Solent area, could lead to an increase in recreational disturbance within the New Forest. This has the potential to adversely impact site integrity of the New Forest SPA, SAC and Ramsar site.</p> <p>The <a href="https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/">https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/</a> sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.</p>

**Stage 2 - HRA screening assessment**

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

**Solent SPAs**

The proposed development is within 5.6km of the collectively known European designated areas Solent SPAs/Ramsar sites. In accordance with advice from Natural England and as detailed in the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

**The New Forest**

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).

Residential development has the potential to indirectly alter the structure and function of the habitats of the New Forest SAC, SPA and Ramsar site breeding populations of nightjar, woodlark and Dartford warbler through disturbance from increased human and/or dog activity. The precise scale of the potential impact is currently uncertain however, the impacts of recreational disturbance can be such that they affect the breeding success of the designated bird species and therefore act against the stated conservation objectives of the European sites.

### Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

#### Solent SPAs

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs and in accordance with the findings of the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

*Within Southampton the Council will promote biodiversity through:*

*1. Ensuring development does not adversely affect the integrity of international designations, and the necessary mitigation measures are provided; or the development otherwise meets the Habitats Directive;*

In line with Policy CS22, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

Southampton City Council formally adopted the Solent Recreation Mitigation Strategy (SRMP) in March 2018. The SRMP provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Solent SPAs arising from new residential development. This strategy represents a partnership approach to the issue which has been endorsed by Natural England.

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£346.00
2 Bedroom	£500.00
3 Bedroom	£653.00
4 Bedroom	£768.00
5 Bedroom	£902.00

As set out in the Solent Recreation Mitigation Strategy, an appropriate scale of mitigation for this scheme would be:

Therefore, in order to deliver the an adequate level of mitigation the proposed development will need to provide a financial contribution, in accordance with the table above, to mitigate the likely impacts.

A legal agreement, agreed prior to the granting of planning permission, will be necessary to secure the mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. Providing such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

#### New Forest

The project being assessed would result in a net increase in dwellings within easy travelling distance of the New Forest and a permanent significant effect on the New Forest SAC, SPA and Ramsar, due to an increase in recreational disturbance as a result of the new



development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

*Within Southampton the Council will promote biodiversity through:*

*1. Ensuring development does not adversely affect the integrity of international designations, and the necessary mitigation measures are provided; or the development otherwise meets the Habitats Directive;*

In line with Policy CS22, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

At present, there is no scheme of mitigation addressing impacts on the New Forest designated sites, although, work is underway to develop one. In the absence of an agreed scheme of mitigation, the City Council has undertaken to ring fence 5% of CIL contributions to fund footpath improvement works within suitable semi-natural sites within Southampton. These improved facilities will provide alternative dog walking areas for new residents.

The proposed development will generate a CIL contribution and the City Council will ring fence 5% of the overall sum, to fund improvements to footpaths within the greenways and other semi-natural greenspaces.

#### **Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England**

In conclusion, the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European and Internationally protected sites. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Solent Recreation Mitigation Strategy.

The authority's assessment is that the application coupled with the contribution towards the SRMS secured by way of legal agreement complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

In the absence of an agreed mitigation scheme for impacts on the New Forest designated sites Southampton City Council has adopted a precautionary approach and ring fenced 5% of CIL contributions to provide alternative recreation routes within the city.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2012.

Natural England Officer: Becky Aziz (email 20/08/2018)

Summary of Natural England's comments:

Where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity

of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

**Application** 19/00494/FUL

**APPENDIX 2**

### **POLICY CONTEXT**

#### Core Strategy - (January 2010 – Amended 2015)

CS4- Housing Delivery  
CS6- Housing Density  
CS13- Fundamentals of Design  
CS16- Housing Mix and Type  
CS18-Transport: Reduce-Manage-Invest  
CS19- Car & Cycle Parking  
CS20- Tackling and Adapting to Climate Change  
CS22- Promoting Biodiversity and Protecting Habitats

#### City of Southampton Local Plan Review – (March 2006 - Amended 2015)

SDP1- Quality of Development  
SDP4- Development Access  
SDP5- Parking  
SDP7- Urban Design Context  
SDP9- Scale, Massing & Appearance  
SDP10- Safety & Security  
SDP11- Accessibility & Movement  
SDP12- Landscape & Biodiversity  
SDP13- Resource Conservation  
SDP14- Renewable Energy  
SDP15- Air Quality  
SDP16- Noise  
SDP17- Lighting  
SDP22- Contaminated Land  
H1- Housing Supply  
H2- Previously Developed Land  
H7- The Residential Environment

#### 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)

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<b>Project Name:</b>	21 Emsworth Road, Southampton
<b>Document Reference:</b>	139.0002/PN/3
<b>Document Name:</b>	Parking Note
<b>Prepared By:</b>	Jessica Lloyd (August 2019)
<b>Checked By:</b>	Jon Huggett (August 2019)
<b>Approved By:</b>	Jon Huggett (August 2019)

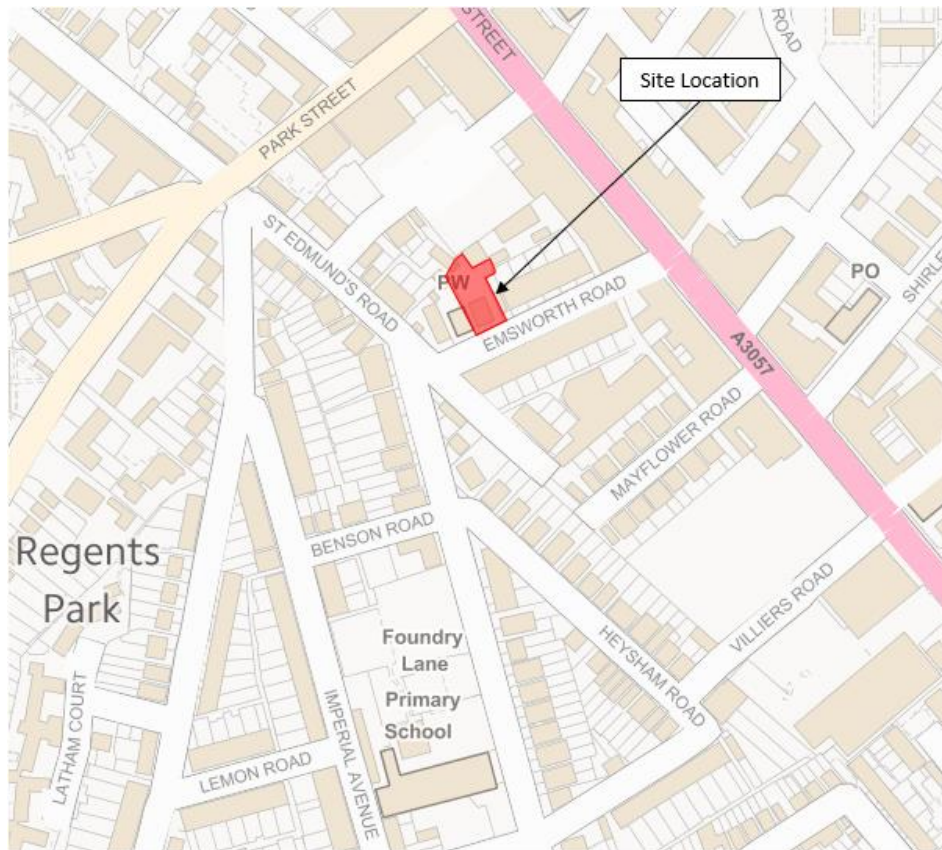
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## 1. INTRODUCTION

- 1.1 This Parking Note (PN) has been prepared by Paul Basham Associates on behalf of Anders Roberts Cheer Architects to support a full residential planning application for the redevelopment of the existing dwelling into 3 x 3-bedroom houses at 21 Emsworth Road, Southampton, with 4 unallocated parking spaces. The site location is shown below in **Figure 1**, whilst the site layout is attached as **Appendix A**.



**Figure 1: Site Location**

- 1.2 A planning application was submitted in November 2018 (ref: 18/02076/FUL) for a 5 unit scheme with 8 car parking bays, however, concerns were raised by Southampton City Council (SCC) regarding the number of parking spaces given the sustainable location of the site and noise impact on neighbouring properties.
- 1.3 Due to the issues raised by SCC in regard to over provision of parking, the scheme was revised to lower the number of parking spaces on site from 8 to 3, a reduction of 5 spaces. The 3 spaces were to be allocated to the first 3 occupied units, with the remaining 2 units operating as car free. This scheme was subsequently withdrawn which has led to the proposals subject of this Parking Note for 3 x 3-bedroom houses with 4 parking spaces.
- 1.4 An application for *'the erection of three 3-bed dwelling houses with associated car parking, bin and cycle storage following demolition of existing house'* was validated in March 2019 under planning application reference: 19/00494/FUL.
- 1.5 The aim of the remainder of this report is to demonstrate that the parking proposals for 3 x 3-bedroom houses are sufficient at this location due to the highly accessible nature of the surrounding area which means that 4 spaces would be suitable for the proposed development.

## 2. EXISTING CONDITIONS AND ACCESSIBILITY

2.1 The site is located within Shirley, Southampton, approximately 100m west of Shirley High Street. Emsworth Road is predominantly residential, with dwellings located adjacent to the site in all directions. The site currently comprises of a single dwelling with vehicular access taken from Emsworth Road in the form of a vehicle crossover. Existing conditions are demonstrated in **Figure 2**.



**Figure 2:** Existing Site Conditions (Source: Google Maps)

2.2 The site is well located in terms of local services and amenities being within immediate proximity of Shirley High Street and its host of facilities. **Table 1** demonstrates proximity to a variety of local services, all within less than a 5 minute walk or 3 minute cycle from the site.



Service	Distance from Site	Walking Time (minutes)	Cycling Time (minutes)
Convenience Store	120m	2	1
Food Superstore	300m	4	2
Post Office	190m	2.5	2
Primary School	250m	3	2
Leisure Centre	230m	3	2
Restaurant	120m	2	1
Doctor's Surgery	250m	3	2
Pharmacy	120m	2	1
Bank	190m	2.5	2

**Table 1:** Distance to Local Amenities

2.3 The Chartered Institution of Highways and Transportation (CIHT) outlines guidance for ‘Providing for Journeys on Foot’ (2000), which identifies desirable, acceptable and preferred maximum walking distances for local amenities. **Table 1** demonstrates the local amenities surrounding the site and their distance, whilst **Table 2** outlines the guidance proposed by CIHT.

	Local Centre (m)	Commuting/School/Sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred Maximum	800	2000	1200

**Table 2:** CIHT Guidance for Providing for Journeys on Foot

2.4 This indicates that there are numerous facilities within close proximity of the site which are within the preferred maximum distance the CIHT suggest. In fact, the majority of the local facilities fall within the desirable and acceptable distances, including the primary school, doctor’s surgery, bank and convenience stores.

2.5 CIHT’s ‘Planning for Walking’ (April 2015) also states that ‘Walking neighbourhoods are typically characterised as having a range of facilities within 10 minutes’ walking distance (around 800 metres)’ which this development also falls within. The document further reports that for bus stops, residents are likely to walk up to 400m which, again, the development caters for.



### Local Pedestrian Network

- 2.6 Emsworth Road is lined with footways on both sides of the carriageway measuring approximately 1.5m in width to allow for pedestrian movements from the site. The area is gentle in topography, creating a pleasant walking environment.
- 2.7 Approximately 100m east of the site, Shirley High Street is lined with footways of approximately 5m in width, as well as multiple signalised crossings, supported by tactile paving. Pedestrian conditions on Emsworth Road and Shirley High Street are demonstrated in **Photographs 1 - 4**.



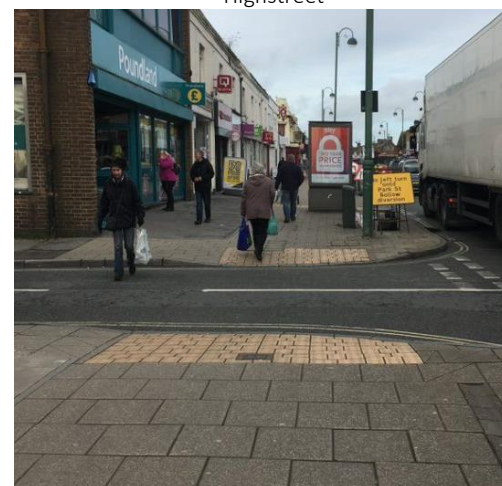
**Photograph 1:** Pedestrian Conditions on Emsworth Road



**Photograph 2:** Pedestrian Conditions on Shirley Highstreet



**Photograph 3:** Pedestrian Crossings along Shirley High Street



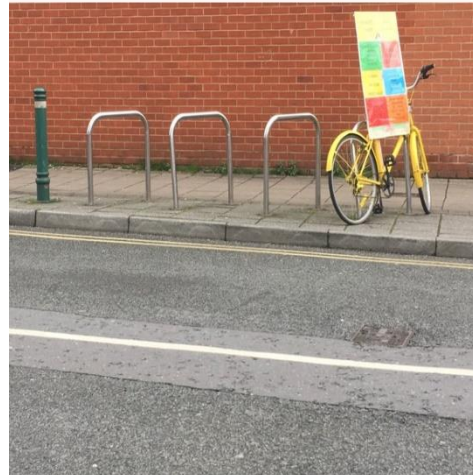
**Photograph 4:** Pedestrian Crossings along Shirley High Street

### Local Cycle Network

2.8 The local area is well equipped to allow for cycling as a sustainable means of transport, with Emsworth Road itself measuring approximately 6m to allow for the movement of both vehicles and cyclists concurrently. On Shirley High Street, cycling is encouraged by a number of cycle parking points, advisory cycle lanes and advanced stop lines at junctions, as demonstrated in **Photographs 5 - 6**.

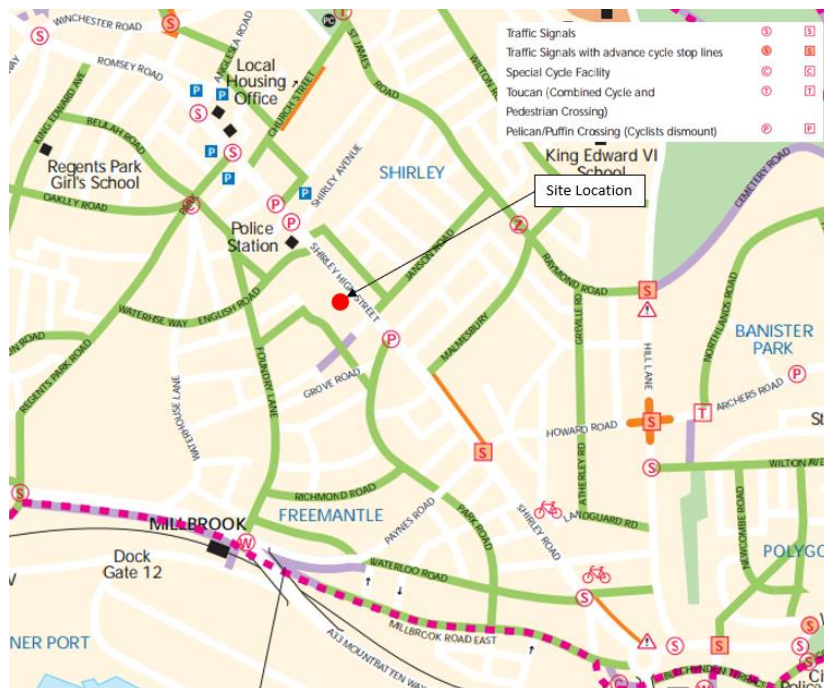


**Photograph 5:** Advanced Stop Lines on Shirley Highstreet



**Photograph 6:** Cycle Parking on Shirley Highstreet

2.9 There are also a number of cycle routes both on and off road within vicinity of the site, as demonstrated in **Figure 3**.



**Figure 3:** Southampton Cycling Map (Source: City Bike Guide)

### Local Bus Network

- 2.10 There are a number of bus routes which travel within close vicinity of the site on a regular basis during weekdays, weekends and public holidays. The nearest bus stop is located approximately 120m east of the site on Shirley High Street, marked by a pole, timetable, layby and shelter with seating, as demonstrated in **Photograph 7**.



**Photograph 7:** Bus Stop on Shirley High Street

- 2.11 Shirley High Street also accommodates a further approximate 11 bus stops on both sides of the carriageway at various points. Details of the local bus services and routes from stops along Shirley High Street are detailed in **Table 2**.

Service	Provider	Route	Timetable		
			Monday - Friday	Saturday	Sundays & Public Holidays
613 (School Service)	Bluestar	Redbridge – Shirley – Barton Peveril College	0730	N/A	N/A
X11	Zelabus	Lordshill North – Lordshill – Lordshill – General Hospital – Upper Shirley – Hill Lane – Central Station – Southampton City Centre	0701 – 0751 – 0851 and then hourly until 1351 – 1451 – 1541 – 1631 – 1721	0851 and then each hour until 1351	N/A
City Red 2	First	Southampton City Centre – Shirley – Millbrook via Central Station – Shirley Precinct – Redbridge Hill	0525 and then 4 – 8 times an hour until 2012 and then 2 – 4 times an hour until 2342	0636 – 0706 and then every 10 minutes 1912 and then every 20 minutes until 2342	0744 and then 2 – 3 times an hour until 2045 – 2115 – 2215 0 2315
The THREE	First	Lords Hill – Shirley – City Centre – Woolston – Thornhill via General Hospital – Central Station – Sholing – Kathleen Road	3 times an hour from 0438 - 2318	1 – 2 times an hour from 0500 2318	0704 and then 1 -4 times an hour until 2320
Bluestar 7	BlueStar	Sholing - City Centre – Shirley – Millbrook – General Hospital - Lordshill	0617 – 0647 – 0715 – 0745 – 0815 – 0850 and then every 30 minutes until 1350 – 1420 and then every 30 minutes until 172 - 1750 - 1850	0650 – 0753 – 0853 – 0920 and then every 30 minutes until 1720 – 1750 - 1850	0828 and then hourly until 1728
Bluestar 18	Bluestar	Millbrook – Shirley – City Centre – Bitterne - Thornehill	0443 – 0513 – 0533 – 0608 – 0623 – 0634 – 0646 – 0653 and then every 7-9 minutes until 1753 – 1808 – 1823 – 1838 – 1907 – 1937 – 2007 - 2037	0520 and then 2 -4 times an hour until 0830 and then every 7-9 minutes until 1753 – 1808 – 1823 - 1838	2 times an hour from 0629 until 0959 and the every 15 minutes until 1659 – 1714 - 1742
Bluestar 4	Bluestar	Southampton – Lordshill – North Baddesley - Romsey	0554 – 0644 – 0720 and then every 2 minutes until 1010 and then every 30 minutes until 1410 and then 1 – 3 times an hour until 2320	0715 and then 2 times an hour until 1920 – 2020 – 2150 - 2320	Once an hour from 0920 10 1820
Bluestar 17	Bluestar	Weston – City Centre – Shirley – Lordshill -Adanac Park	0450 – and then 2 times an hour until 0015	0450 and then 1 – 3 times an hour until 0015	0600 and then – 4 times an hour until 0015

**Table 2:** Local Bus Service Details

### Local Rail Network

2.12 There are two railway stations within the vicinity of the site, including Millbrook and Southampton Central. Millbrook Station is located 1.1km south of the site, accessible in a 14 minute walk, 5 minute cycle or the Bluestar 11, Bluestar 6, Bluestar 8, City Red 2 and the THREE bus services, taking approximately 22 minutes. Millbrook is a minor station, containing customer help points and CCTV. Destinations from this station include Romsey and Salisbury, both on an hourly basis during daytime hours.



- 2.13 Southampton Central Station is a major station located circa 2km south east of the site, accessible in a 25 minute walk, a 9 minute cycle or the Bluestar 17, Bluestar 18 Bluestar 4, City Red 2 or The THREE bus services (taking approximately 13 minutes).
- 2.14 Southampton Central Station incorporates a wealth of facilities including over 350 cycle parking spaces under full CCTV coverage, a ticket office, ticket machines, customer help points, toilets, shops, waiting rooms, ramp for train access and step free access. This station provides access to a wide range of destinations, details of which are outlined in **Table 3**.

Destination	Frequency (Daytime Hours Monday – Friday)	Stops On Route
Portsmouth Harbour	Hourly	Fareham – Cosham – Fratton – Portsmouth & Southsea
Brighton	1 - 2 times an hour	Swanwick – Fareham – Cosham – Havant – Emsworth – Chichester – Worthing – Southwick – Hove
Poole	1 – 3 times an hour	Totton – Brockenhurst – New Milton – Christchurch – Bournemouth
London Waterloo	3 – 4 times an hour	Southampton Airport Parkway – Winchester - Woking
London Victoria	1 – 2 times an hour	Swanwick – Fareham - Portchester – Cosham – Havant – Emsworth – Southbourne – Chichester – Barnham – Horsham – Crawley – Gatwick Airport – East Croydon – Clapham Junction
Weymouth	2 times an hour	Brockenhurst – New Milton – Christchurch – Bournemouth – Poole – Holton Heath – Wareham – Dorchester - Upwey
Cardiff Central	Hourly	Romsey - Salisbury - Warminster - Westbury – Trowbridge – Bradford – Bath Spa – Bristol temple Meads – Filton Abbey Wood - Newport

**Table 3:** Rail Services from Southampton Central

**Summary of accessibility**

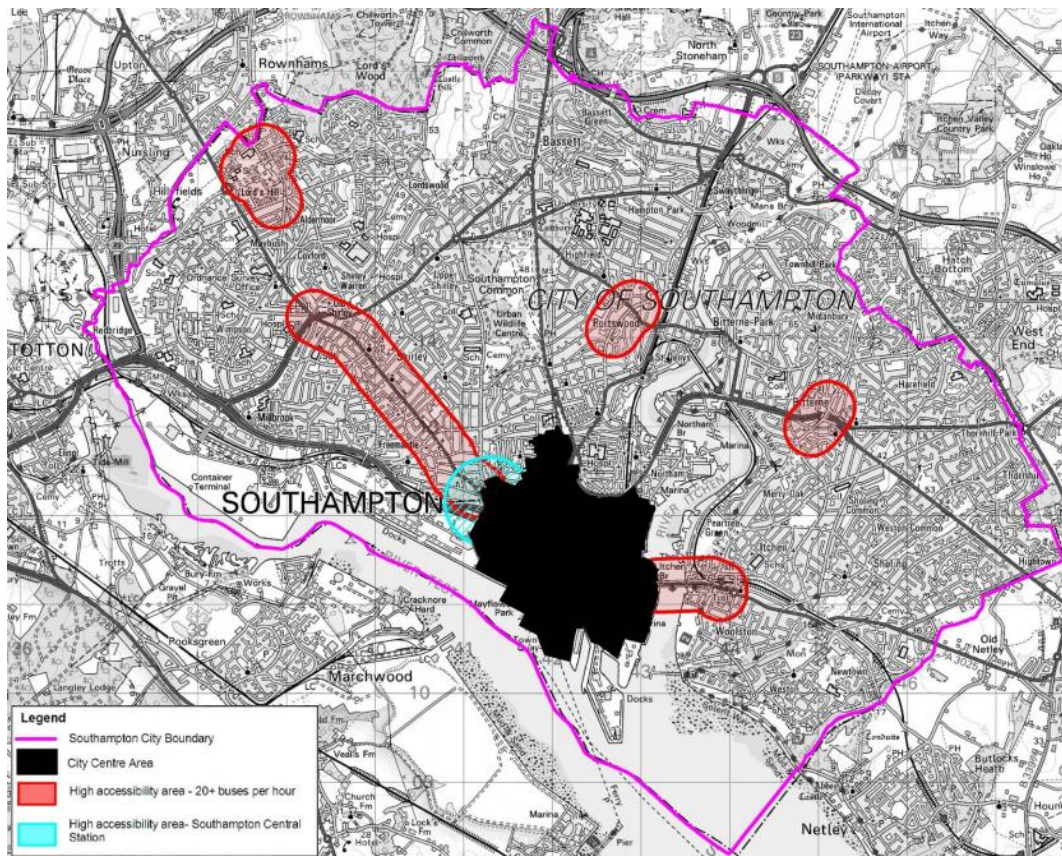
- 2.15 The site is situated to the west of Shirley High Street which offers a large variety of facilities and amenities including convenience stores, eateries, Doctor’s surgery, banks and pharmacy all of which are within a short walking distance of the site and supported by pedestrian infrastructure. The site is also within immediate proximity of an excellent public transport corridor along Shirley High Street with 8 regular bus services. Millbrook and Southampton Railway Station are also within CIHT’s recommended walking distances furthering the opportunity for residents to travel and commute via sustainable means.



### 3. PARKING PROPOSAL

3.1 The revised site plan proposes a total of 4 parking spaces for the development located to the rear of the site. These spaces would be unallocated for the 3 houses. This is considered an acceptable arrangement due to the highly accessible nature of the local area and the availability of on street parking within the vicinity of the site.

3.2 Within the SCC Parking Standards Supplementary Planning Document (SPD) (2011) it is stated that areas deemed as having ‘high accessibility’ will be within a 4 minute walk (300m) of a bus route served by 20 or more buses per hour per direction in the weekdays within daylight hours. The site is located within a 2 minute walk of the nearest bus stop on the Shirley High Street high accessibility corridor and as such this site should be considered highly accessible. A map detailing the defined city centre and high accessibility area is demonstrated in **Figure 4**.



**Figure 4:** Southampton Defined City Centre Map (Source: SCC SPD 2011)

- 3.3 As evident in **Figure 4**, the site is located within the High Accessibility Area detailed in the SCC’s parking standards, meaning reduced parking provision should be considered acceptable.
- 3.4 The number of parking spaces required to serve the development has been informed by SCC’s parking standards SPD, which given the development’s location are outlined in **Table 4**.

Unit Size	Accommodation Schedule	Maximum Provision (High Accessibility Area)	Maximum Provision
1 Bedroom	0	1	0
2 Bedrooms	0	1	0
3 Bedrooms	3	2	6
4+ Bedrooms	0	2	0
TOTAL	3	N/A	6

**Table 4:** SCC Parking Standards

- 3.5 SCC SPD (2011) states *“Maximum standards are considerably reduced in high accessibility areas, in line with policy, to encourage more efficient land use”* and *“Reduced levels of on-street parking (through more relaxed parking standards) would make delivery of cycle and bus priority infrastructure more easily achievable”*.
- 3.6 As evident in **Table 4**, in accordance with the parking standards a maximum of 6 spaces should be provided for the development. Given the highly accessible location with excellent opportunities to travel via sustainable modes the provision of 4 spaces for 3 units is considered sufficient to ensure demand is met whilst not overproviding, nor resulting in significant overspill parking.
- 3.7 On-street parking is also available along Emsworth Road subject to a Permit (Resident Zone 16) with streets further afield not having any restrictions. Should there be any overspill parking this could be accommodated within the local road network, although this is considered unlikely given the accessible location and that the flats would be marketed within limited parking opportunities. Moreover the parking provision on site has been reduced to respond to SCC comments.

**Cycle Parking**

- 3.8 The site proposes a total of 6 cycle parking spaces in the form of sheds in rear gardens with two spaces per dwelling.



#### 4. SUMMARY AND CONCLUSIONS

- 4.1 This PN has been prepared by Paul Basham Associates of behalf of Anders Roberts Cheer Architects to support the development of 3 x 3-bedroom houses, with 4 parking spaces at 21 Emsworth Road, Southampton.
- 4.2 The site is situated within a highly accessible location, 100m west of Shirley High Street, which incorporates a wide range of services including shops, banks, Doctor's surgery, pharmacy, convenience stores, pharmacy and eateries. The nearest bus stop is also located on Shirley High Street which provides access to 8 regular bus services from Monday – Sunday including bank holidays. Destinations via bus include Southampton City Centre, Millbrook, Romsey, Lordshill and Southampton General Hospital.
- 4.3 Southampton Central Railway Station and Millbrook Railway Station are also located within walking distance of the site as well as being served by buses. Both stations incorporate a wide range of facilities including CCTV and customer help point. Destinations from Millbrook include Romsey and Salisbury whilst destinations from Southampton Central include Portsmouth Harbour, London Waterloo, Brighton, London Victoria, Weymouth and Cardiff Central.
- 4.4 The two previous applications have been withdrawn partly due to issues relating to parking and amenity for neighbours, therefore, the scheme has been revised to provide 3 x 3-bedroom houses and reduce the number of parking spaces on site to 4. These 4 spaces would be unallocated. Given that the site is located within a highly accessible location as confirmed within SCC's standards a reduced provision and the arrangement of parking is considered acceptable.
- 4.5 This PN has demonstrated that the site is highly accessible and therefore the reduced scale of parking is deemed acceptable from a highways perspective.



## Appendix A





PROPOSED SITE PLAN  
SCALE 1:200  
BASED ON TOPOGRAPHICAL SURVEY INFORMATION



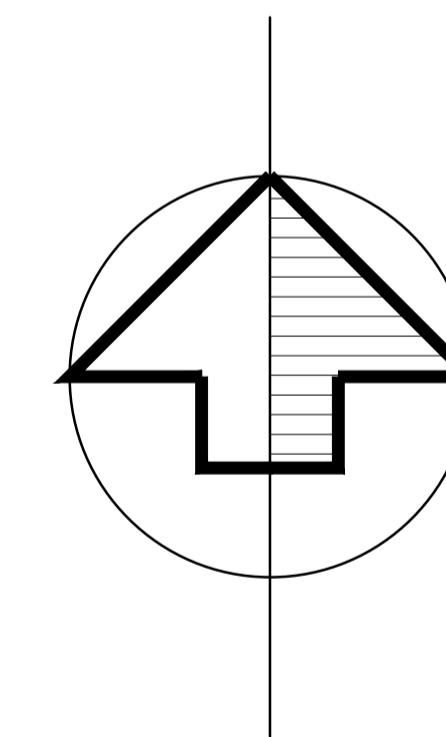
PROPOSED STREET SCENE  
FOR INDICATIVE PURPOSES ONLY  
SCALE 1:100



EXISTING BLOCK PLAN  
SCALE 1:500  
BASED ON ORDNANCE SURVEY EXTRACT  
(OS LICENCE NUMBER: 100007080)



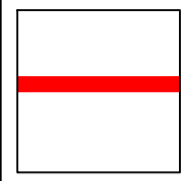

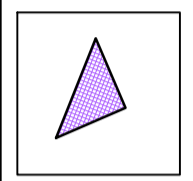
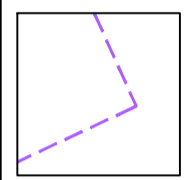
EXISTING LOCATION PLAN  
SCALE 1:1250  
BASED ON ORDNANCE SURVEY EXTRACT  
(OS LICENCE NUMBER: 100007080)



NOTES

- 1 The contents of this drawing are copyright.
- 2 Scaled drawings for planning purposes only.
- 3 Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
- 4 All flat roofs to be fitted with a man safe system.
- 5 Please note a domestic sprinkler system may be required.
- 6 Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations)

LEGEND

-  SITE BOUNDARY
-  ADDITIONAL LAND IN APPLICANTS OWNERSHIP
-  2M X 2M VISIBILITY SPLAY
-  OUTLINE OF EXISTING BUILDING TO BE DEMOLISHED

SITE AREA: 0.07 HECTARES / 0.19 ACRES
4 X PARKING SPACES
SCHEDULE OF ACCOMMODATION
UNIT 1 = 3 BED HOUSE @ 95.8 SQM / 1030 SQFT
UNIT 2 = 3 BED HOUSE @ 106.4 SQM / 1144 SQFT
UNIT 3 = 3 BED HOUSE @ 95.8 SQM / 1030 SQFT
TOTAL PROPOSED GIA = 312 SQM
TOTAL EXISTING GIA TO BE DEMOLISHED = 228.7 SQM

10m @ 1:100



E.	Chimneys added	02-08-19	KU
D.	Planners comments	14-07-19	KU
C.	Planners comments	09-07-19	KU
B.	Revised scheme	05-07-19	KU
A.	Planners comments	20-05-19	KU

No.	Revision.	date	by

PROPOSED DEVELOPMENT,  
21 EMSWORTH ROAD,  
SOUTHAMPTON,  
HAMPSHIRE,  
SO15 3LY.

SITE, BLOCK AND LOCATION PLAN

scale AS SHOWN @ A1	checked
date FEBRUARY 2019	drawn KU
9077/200	A. B. D. E.

ARC Architecture Ltd.

Chapel Studios, 14 Purewell,  
Christchurch, Dorset, BH23 1EP

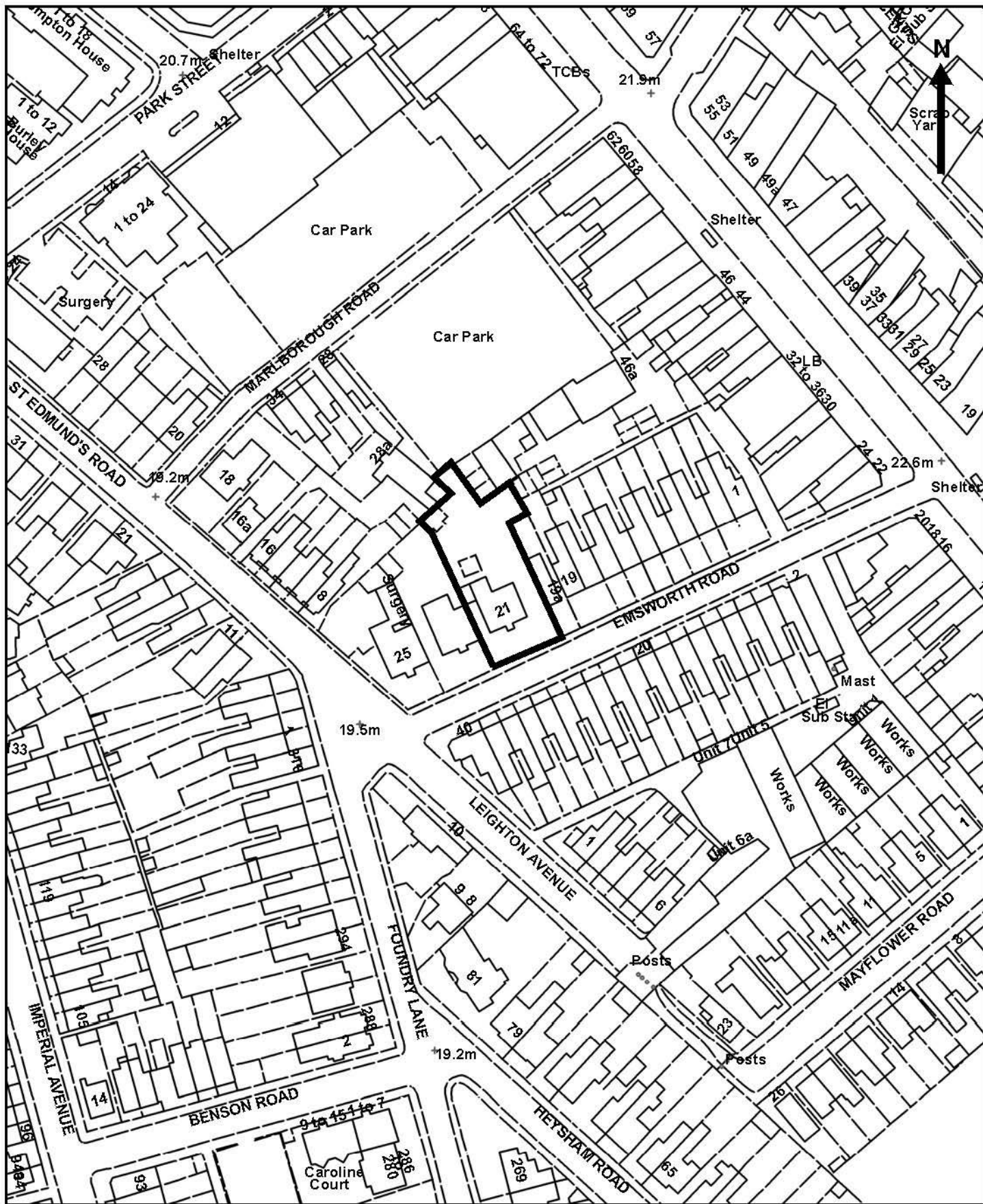
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# Agenda Item 6 19/00494/FUL

Appendix 4



Scale: 1:1,250

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