

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (East) 23 June 2015
Planning Application Report of the Planning and Development Manager

Application address: Former Meridian Broadcasting Site, Radcliffe Road			
Proposed development: Redevelopment of the site to provide 351 dwellings (145 x one bedroom, 174 x two bedroom, 32 x three bedroom) within buildings ranging in height from two-storeys to 13-storeys with retail use (Class A1 - 390 sq.m. floorspace), offices (Class B1 - 108 sq.m. floorspace); 363 car parking spaces; improved access from Radcliffe Road and Summers Street; landscaping and an extension of the local park to the waterfront; a new waterfront walkway associated with flood defence measures (Outline application seeking approval for access, layout, scale and landscaping).			
Application number	14/01747/OUT	Application type	OUT
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	N/A (Planning Performance Agreement)	Ward	Bevois
Reason for Panel Referral:	Departure from the Development Plan	Ward Councillors	Cllr Barnes-Andrews Cllr Burke Cllr Rayment
Referred by:	N/A	Reason:	N/A

Applicant: Inland Homes Plc	Agent: Luken Beck
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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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. In taking the decision the Council is prepared to allow a predominantly residential development of this site, notwithstanding the requirement for a significant employment use in view of the long period the site has been vacant and the viability issues associated with redevelopment of the site. The viability assessment has been independently examined and the Council is satisfied that affordable housing cannot be provided. The development is found to be acceptable in terms of housing density, design, flood risk and transportation issues. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is

therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP15, SDP16, SDP22, NE4, NE5, HE6, CLT5, CLT6, CLT7, H1, H2, H7 and MSA16 of the City of Southampton Local Plan Review (as amended 2015) and Policies CS4, CS5, CS6, CS7, CS12, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

National Planning Policy Framework (2012).

Appendix attached			
1	Development Plan Policies	2	Habitats Regulation Assessment

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 2 of this report.
2. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Provision of affordable housing in accordance with Policies CS15, CS16 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - iii. Provision of on-site public open space and commuted sum for maintenance.
 - iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - v. 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).
 - vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vii. Provision of public art in accordance with the Council's Public Art Strategy.

- viii Provision of an improved riverside walkway with permanent rights of public access.
 - ix Submission and implementation of an Air Quality Mitigation Plan.
 - x. Financial contributions or other measures towards the Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved Policy SDP 12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).
 - xi. Phasing of the development.
3. In the event that the legal agreement is not completed within two months of the Panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
 4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1. The site and its context

- 1.1 The application site is approximately 2.8 hectares in area and is situated on the eastern side of Radcliffe Road and is bounded by the River Itchen to the north; Northam Road to the east; Summers Street to the south; and Radcliffe Road to the west. The site is vacant and cleared of buildings having last been used as the broadcasting studios for Meridian TV. There are trees on the boundary of the site including a group of Lime trees in the south-western part of the site fronting Summers Street. These trees are subject of The Southampton (former Meridian Television Centre) Tree Preservation Order 2008.
- 1.2 The surroundings of the site are mixed residential and commercial in character with two-storey houses to the south in Leyton Road and Union Road with an area of public open space; industrial uses at Mount Pleasant Industrial Park and the Northam Traincare Maintenance Facility to the west; and the mixed commercial uses at Drivers Wharf with a residential frontage to Northam Road to the east. The majority of the site is within a Flood Risk Zone (Zones 2 and 3), the exception to this is the land in the south-western corner of the site which is in Flood Risk Zone 1 (a low risk of flooding).

2. Proposal

- 2.1 The application is in outline form with all matters for consideration at this stage with the exception of external appearance of the buildings. The application indicates a development which would be carried out in four phases to provide a total of 351 dwellings (145 x one bedroom flats, 174 x two bedroom flats, 8 x three bedroom flats, 12 x 3 bedroom 'duplex' units and 12 x 3 bedroom houses). The proposed building heights range from two-storeys on the Summers Street frontage to 13-storeys in the north-east part of the site. The density of the development would be approximately 125 dwellings per hectare.
- 2.2 The development incorporates some commercial floorspace, a retail unit (Class A1) of 390 square metres floorspace fronting Radcliffe Road and a small office unit (Class B1) of 108 square metres floorspace. Vehicular access to the site would be

from Radcliffe Road and Summers Street. The applicant has indicated that the roads within the development would remain private rather than becoming adopted public highway. A total of 383 car parking spaces would be provided, either just off the access roads or within an undercroft/covered car parking area in the northern half of the site.

- 2.3 The application incorporates land raising of the northern part of the site to deal with flood risk issues. The blocks of flats within Phases 3 and 4 of the development would be raised to a level of 4.2 metres AOD. The lower land would be used for car parking purposes within an undercroft.
- 2.4 The development incorporates an extensive area of open space of approximately 3,000 square metres in area along the eastern part of the site linking Summers Street to the river frontage. The existing riverside walkway will be upgraded to a minimum of 4 metres wide.
- 2.5 It has been indicated that the development would be carried out in four phases with the first phase comprising 54 dwellings and the commercial unit in the south western part of the site. Later phases would be constructed in an anti-clockwise direction finishing in the north western part of the site adjoining Radcliffe Road. This would mean that the raised flood protection measures would be built as part of Phases 3 and 4.
- 2.6 The application has been amended since it was submitted in response to comments made at the consultation stage. The main changes are: an increase in the width of the riverside walkway; the addition of seating areas along the walkway; alterations to the flood protection slope fronting the walkway; the provision of visitor parking spaces in both Summers Street and Radcliffe Road (a total of 20 spaces); changes within the site to improve access and parking arrangements; and various design alterations to the building.

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**. The application site is allocated for development under Policy MSA 16 of the Local Plan. This allocation is for the Drivers Wharf Development Area and covers the application site, Drivers Wharf and the European Metals Recycling Yard which adjoins to the east on the opposite side of Northam Road. The allocated area is identified for an employment-led mixed-use scheme including offices, light industry and residential uses. Ancillary retail and leisure uses will also be permitted. The policy states that:

'Any proposal for the partial development of the Drivers Wharf Development Area must:

- (i) include provision to secure improvements in the infrastructure;*
- (ii) ensure the development would not preclude or prejudice the comprehensive development of the area; and*
- (iii) provide the inclusion of a significant element of employment generating uses in each part or phase of the development.'*

- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy

SDP13.

- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 The application site was formerly in industrial use and became a Television Studio in the mid 1960's. Various alterations and extensions were subsequently made to the studio use none of which are relevant to the current application. The television studio use ceased in 2004 and the buildings were demolished in 2008.
- 4.2 In 2003, a planning application was submitted for partial redevelopment of the site to provide 112 residential units in a 6-storey building and a 12-storey building (reference 03/00851/FUL). The application was submitted on the basis that the TV studio use would remain on site with the residential buildings at either end. The planning application was withdrawn once it became known that the studios were leaving the site.
- 4.3 In 2008 and again in 2011, one year temporary planning permissions were granted for use of the site for open storage purposes (references: 07/02053/FUL and 11/00925/FUL). Neither of these permissions were implemented and have now expired.
- 4.4 In August 2013, a Screening Opinion was issued confirming that redevelopment of the site to provide approximately 250 dwellings, approximately 400 square metres of ancillary commercial and leisure floorspace with associated car parking was not Environmental Impact Assessment development (reference: 13/01013/SCR).

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 (14.11.2014) and erecting a site notice (11.11.2014). At the time of writing the report 1 representation has been received from surrounding residents as well as the comments from local groups set out later in this report. The following is a summary of the points raised:
- 5.2 **At present there is a substantial screen of trees along Summers Street which provide a visual screen. The application should be amended to landscape and retain the trees along Summers Street.**

Response

The loss of these trees, which are covered by a TPO, is regrettable as they provide welcome greenery in what is otherwise quite a 'hard environment'. However, it is also important that the new development provides a conventional building frontage to the street which means that these trees cannot practically be retained. The proposed development includes a new area of public open space and the opportunity for considerably more tree planting than is on the site at present.

- 5.3 **The size and impact of the development is also a concern with excessive traffic through Summer Street resulting in a serious loss of privacy and road safety.**

Response

Summer Street is currently a short cul-de-sac. It will remain as such with no vehicular connection to Northam Road. It is inevitable that there will be an increase in activity compared with the currently vacant site. The Council's Highways Team are satisfied that road safety will not be compromised by these proposals.

Consultation Responses

- 5.4 **SCC Highways** - The development site is located on a strategic transport corridor into the city centre, the A3024. For long sections this road is dual carriageway, although currently there are restrictions due to railway bridges and the introduction of a bus lane to the south of the site, entering the city. This site takes access from Radcliffe Road and Summers Street, feeding into the A3024 at a traffic signal controlled junction via Union Road. To the west of the site, on Mount Pleasant Road, access is available to areas avoiding the city centre, although there is a busy railway level crossing where delays at peak times can reach between 20 and 25 minutes in the hour. The site is located well for public transport as the A3024 carries numerous bus routes to and from the city centre including via some dedicated bus lanes. Until reaching Secondary school age, it is likely that children from the proposed development will attend the local schools in Mount Pleasant Road, which involve crossing the railway level crossing, using existing footways. Secondary school pupils would need to travel further, and via different routes. There is a dedicated cycleway footpath which runs along the river edge along the site frontage, linking from Horseshoe Bridge, with Portswood beyond, and the inbound side of the A3024. At grade pedestrian crossing facilities exist to cross the A3024 via a traffic signal Toucan crossing, although no other arms of the junction have such facilities there are some island refuges.
- 5.5 The development of 350 homes is on the site of a former employment site. The nature of the vehicular trips generated by a residential scheme is different to an employment area, peak movements do tend to be around the same time, coinciding with the peak flows on the network, although tending to be in opposite directions. Pedestrian and cycle trips differ too, due to children and older people likely to be living within a residential scheme, and the times and trends of their trips differ significantly. It is clear from the Transport Assessment information that the Union Road/A3024 junction will run close to capacity at peak hours. Local transport modelling identifies that there will be impact on the A3024 and traffic flows at the Union Road junction. These impacts are not sufficiently great to trigger a major junction and capacity upgrade, but some changes are required to benefit the capacity issues of the junction.
- 5.6 Highway officers have been working with the applicants to identify how traffic can be handled for this development without compromising existing traffic or highway safety. Currently, when exiting Union Road through the traffic signals with the A3024 it is not possible to turn right. This permits the pedestrian controlled crossing to have a green time coinciding with the Union Road green time. It was suggested that traffic exiting Union Road should benefit from a right turn, but this would put undue delay on the through traffic on the A3024, as there would be additional red time for this

traffic, due to the pedestrian crossing having to run independently of all other phases of the traffic signalling. The outcome of this decision is that all traffic from the development wishing to head towards the city centre will need to cross the A3024, and travel along Princes Street, and this adds risk to additional traffic levels likely to 'rat run' through the Northam Estate, exiting back out onto the A3024 via Kent Street. Traffic exiting the site wishing to cross over the Mount Pleasant level crossing will add to the queuing here, but there is no way of mitigating against this.

5.7 The development offers residential parking on a 1:1 basis, and the retail element has its own dedicated parking spaces and loading bay. Due to the highly accessible location of this development, which is within walking and cycling distance of the city centre, this level is considered acceptable. It is considered however that parking provision in Summers Street should be amended to permit higher levels of parking on the south side of the road to compensate for the lost parking on the north side where properties have accesses to on plot parking. This will assist in accommodating any overspill parking from the development for visitors, without compromising the amenity of existing residents in Leyton Road, albeit this parking will be time restricted as it currently is. Highway officers accept that the application site will generate traffic regardless of the use for employment, or residential. With appropriate measures put in place to mitigate against the concerns raised above, and appropriate conditions it is considered that the development is acceptable. Also, the design and layout of the development does not compromise any future plans to improve the A3024 junction with further developments which may be proposed in years to come.

5.8 **SCC Housing** – As the scheme comprises 351 dwellings in total the affordable housing requirement from the proposed development is 35% (CS15- sites of 15+ units = 35%). The affordable housing requirement is therefore 123 dwellings. Policy CS 15 of the adopted Core Strategy sets a hierarchy for the provision of affordable housing as:

1. On-site as part of the development and dispersed amongst the private element of the scheme.
2. On an alternative site, where provision would result in more enhanced affordable units, through effective use of available resources, or meeting a more identified housing need such as better social mix and wider choice
3. Commuted financial payment to be utilised in providing affordable housing on an alternative site

In this case provision would be sought on site with the mix, tenure and location of dwellings to be agreed. We would like to see some fully compliant wheelchair units amongst the affordable housing provision. Planning conditions and or obligations will be used to ensure that the affordable housing will remain at an affordable price for future eligible households, or for the subsidy to be recycled to alternative housing provision.

5.9 **SCC Sustainability Team** – The applicant has provided an Energy Strategy and a Sustainability Statement, which includes a Code for Sustainable Homes pre-assessment estimator. Although the development includes a commercial element, this is less than 500 square metres. As such, there is no requirement for the development to meet a specific BREEAM level or carbon reduction target. Nonetheless, the energy statement still considers this element of the scheme and recommends ways for energy use to be reduced. This involves an efficient thermal envelope and use of air source heat pumps for heating and cooling. I would completely agree with the suggested approach. On the whole, the applicant, with the aid of their sustainability consultant, has approached the issues of energy and

sustainable design in a holistic and entirely appropriate way. They have considered and followed the energy hierarchy and a very sensible approach has been put forward. The submitted pre-assessment estimator shows that Code for Sustainable Homes level 4 should be achievable for the scheme, which is in compliance with Policy CS20. Together with sensible orientation and good use of PV, this has resulted in a 20.6% decrease in carbon emissions compared to a Building Regulations baseline. The use of permeable paving and attenuation is a perfectly suitable means of Sustainable Urban Drainage for this site. Overall, the applicant should be commended for approaching the issue of sustainable design and energy provision in such a holistic and comprehensive way.

- 5.10 **SCC Environmental Health (Pollution & Safety)** - No objections on noise or air quality grounds. Additional information will be needed on which windows will require acoustic treatment. This can be covered by a condition. The air quality report confirms that due to the buildings being set back from Northam Road by 30 metres NO₂ levels are satisfactory for the new dwellings. Air quality mitigation measures, including providing plug-in points for electric vehicles can be secured through the Section 106 agreement and conditions.
- 5.11 **SCC Flood Risk Officer** – In principle I am comfortable with the overall proposals as they are consistent with the detail provided in early discussions on the flood risk related works to the site. The levels to be achieved with the land raising are as stated in the Southampton Coastal Flood & Erosion Risk Management Strategy. Any provision of formal flood defences would only be required to this standard (based on the latest sea level rise figures) and since the raised land section will form part of the strategic flood defence for the west bank of the River Itchen I'm comfortable with the 4.25mAOD level on this site.
- 5.12 **SCC Environmental Health (Contaminated Land)** - This department considers the proposed land use as being sensitive to the effects of land contamination. Records indicate that the subject site is located on/adjacent to the following existing and historical land uses;
- Reclaimed Land - on site
 - Timber Pond - on site
 - Railroad - on site
- These land uses are associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore the site should be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. This can be covered by planning conditions.
- 5.13 **SCC Ecology** – The application site comprises an extensive area of hard standing, formerly car parking and the footprint of a building, a mound of rubble, two small buildings, small areas of improved grassland, scattered trees and scrub. The site lies approximately 100m to the south west of an area of inter-tidal mudflat which forms part of the nationally designated Lee-on-the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). This habitat is also part of the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site which are European and internationally designated sites respectively. In addition, the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) lie approximately 2.4km to the north east. Immediately adjacent to the site lies the non-statutory River Itchen Mudland Site of Importance for Nature Conservation (SINC). The majority of the site is of negligible biodiversity value

however, the vegetation does have some ecological value at a local level. In particular, this habitat has the potential to support breeding birds, foraging bats and slow worms. Provided appropriate mitigation measures are put in place, adverse impacts on these species can be avoided.

- 5.14 Although there is a negligible risk of direct impacts on statutorily designated sites, the proposed development does have potential to result in indirect adverse impacts. The majority of these have been identified within the 'Meridian Gardens Report to Inform a Habitats Regulations Assessment' although the effect of vibration impacts on Atlantic salmon has been missed. All of the identified impacts can be adequately mitigated however, some aspects of the scheme's design may need to be amended. In particular, the proposal for high levels of lighting along the river's edge may need to be altered to avoid adverse impacts on salmon and potentially feeding wildfowl. Surveys undertaken in support of the development at Centenary Quay recorded significant night time use of the inter-tidal area by dunlin, *Calidris alpina*. The principal means of delivering of the mitigation is the Construction Environmental Management Plan. At present, this document contains a number of measures designed to reduce the adverse impacts on features of interest of European sites however, I do not feel that they are sufficiently detailed. In addition, measures to protect Atlantic salmon will need to be added. I also feel that it would be helpful for the CEMP to contain a specific objective to protect the ecological interests of the designated sites which would serve to underpin the importance of the mitigation measures.
- 5.15 Mitigation measures involving the provision of information or payments towards the Solent Recreation Management Project will need to be secured through planning conditions or legal agreements. In terms of local biodiversity value, it is disappointing that, on a scheme of this size, the biodiversity mitigation and enhancement measures proposed are so limited. The scheme seeks to exploit the natural attraction of a riverside location but provides little in the way of appropriate landscaping to strengthen the wildlife corridor that runs along the Itchen. In addition, some aspects of the scheme, such as the proposed high level of riverside lighting, have the potential to sever the corridor. Inclusion of native species within the planting scheme, particularly the riverside grassland, would provide useful habitat for local wildlife and make it a more attractive environment for the residents.
- 5.16 **SCC Design** - I agree and support the observations of the November Design Advisory Panel which are set out below:
- The Panel noted the changes from the original scheme and welcomed the proposals for the landscaping of the linear park and riverside walkway
 - The previous scheme included a 'square' which gave some hierarchy to the internal streets which has now disappeared to the detriment of the streetscape and should be re-introduced
 - The internal street layout appears to be largely dominated by car parking rather than a genuine home-zone
 - Although the landmark tower has been designed as part of a 'family' buildings given that this has been identified as a city gateway site the Panel asks whether a more dramatic city landmark building had been considered during the design process
 - We note the link created from the internal street to the waterfront but as this is 2.8m above street level over the podium car park it is unclear how, or if the public will have access to this route?

The only additional comments are:

- The CGI image for the proposed 13 storey tower is not particularly exciting or inspiring considering the aspiration for a city gateway building at this point, and I would prefer a building that 'stood out' more from the architecture of the rest of the proposal to create a positive focal point for those crossing Northam Bridge.
- The south facing elevation which is the least glazed on the CGI would provide fantastic views at higher level down the Itchen to Southampton Water and the New Forest Beyond, and pick up key city centre landmarks, such as the clock-tower and St Michael's and St Mary's church spires. I feel it is a missed opportunity not to have greater height in this location. Perhaps the units lost to form the 'square' referred to by the SDAP could be transferred to increase the height of a redesigned tower.
- The Linear Park shows a footpath to the waterfront with steps up over the strategic flood defence, which will also need a sensitively designed ramp to allow for disabled and cycle access to the riverside.

Response

These comments are addressed later in this report.

- 5.17 **SCC Heritage** - The site lies within Area 16 (Rest of Southampton) of the Local Areas of Archaeological Potential. Development here may damage remains associated with the prehistoric, Roman and Medieval occupation of the city, although much of the site will have been severely damaged by later timber ponds, and the construction of the new Northam Bridge and associated road. A phased programme of archaeological work should be commissioned by the developer. The work should concentrate on the southernmost part of the site immediately to the north of Summers Street. An archaeological evaluation should be commissioned to establish the presence or otherwise of archaeological deposits, followed by such further work as is required. This can be covered by conditions.
- 5.18 **SCC Trees** - The site consists of mainly hard standing with debris and spoil piled throughout. The lack of maintenance has resulted in a large number of self-seeded trees within the boundary and interior of the site, most of these are of little significance and importance. However the site does house both larger tree specimens and group features which are an important landscape feature to an already congested urban and industrial area. The Tree Schedule from Aspect Arboriculture (drawing number 8901 TPP 01) shows the removal of a large number of these landscape, high amenity trees. The removal of the trees to the Northern and eastern edge of the site is acceptable given the compensatory planting that is demonstrated in ACD Ecology's Master Plan (drawing number INL1947-10) These will be integrated with trees to be retained. The trees to be planted will be of a minimum of 25cm stem diameter and a minimum of 4.5m in height, resulting in almost instant landscape trees to replace any removals.
- 5.19 The Tree Schedule and Tree Protection Plan provided also shows the removal of G7 group category B12 consisting of nine Common Limes. These trees are covered by The Southampton (former Meridian Television Centre) Tree Preservation Order (No 493) 2008. This makes them a material consideration in the planning process. These trees currently offer a green belt between the industrial area behind and current housing, in the future these will also screen the proposed development. The

proposed plans show the removal of these trees to be replaced with hard standing car parking. This would result in a large decrease of green cover in a built up urban area. The proposed planting density across the site is good, but I feel there is a lack of green cover planned between the new development and current housing. I am therefore not supportive of the current layout given the need to remove a large belt of protected trees that currently offer high visual amenity to the local area and no plans to suggest adequate tree planting to the South of the site.

5.20 **Environment Agency** - The Environment Agency has no objection to the proposed development. Our response to this planning application is on the understanding that Southampton City Council is satisfied that the Sequential Test has been adequately demonstrated to the requirements set out in the National Planning Policy Framework (NPPF). This means that before proceeding to a determination, Southampton City Council must apply the Sequential Test; that is, it must consider whether the applicant has demonstrated and sufficiently justified that no alternative sites are available in a lower flood risk zone. With regard to surface water, the proposals show that there will be a reduction in the overall surface water runoff from the development through the implementation of various SuDS techniques.

5.21 Flood Risk

We are happy with the Flood Risk Assessment (FRA) in general but would like to make the following points/recommendations. In terms of the proposed defences, whilst the FRA details the proposals clearly for flood mitigation in terms of land raising and defences, it is not clear from the drawings submitted what these will look like and how they will be constructed. We recommend that Southampton City Council are content that what is being proposed is appropriate for the site and fits with the wider strategy for future flood defences for the city.

5.22 Predicted flood levels

We note that the FRA uses climate change figures from the Southampton Coastal Flood and Erosion Risk Management Strategy (CFERMS) when determining the level of the proposed defences and finished floor levels of the development. Table 4 of the Technical Guidance to the National Planning Policy Framework sets out the "Recommended contingency allowances for net sea level rises". Using these figures, the predicted future flood level for the year 2115 for Southampton is assumed to be 4.2m AOD. The proposed minimum level of development according the FRA is 4.25m AOD including a 300mm freeboard – using the figures from Southampton's CFERMS. Southampton City Council will need to confirm they are happy with this approach at this site when coming to a decision on any planning application submitted.

5.23 Dry access and egress

Whilst the proposed development itself should remain dry over its development life, it is assumed that the proposed extensions will allow for an increased number of occupants to the building. The building itself remains at risk of flooding and therefore, the LPA may wish to consider how this increase in occupancy may affect how the risks will be managed during a flood event. If the design flood event were to occur safe access and egress may be restricted.

Response

These comments are addressed later in this report

5.24 **BAA** - No objections on aerodrome safeguarding grounds providing conditions are imposed on any permission granted.

5.25 **Natural England** – No objection – they comment as follows:

Internationally and nationally designated sites

The application site is within or in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) which is a European site. The site is also listed as Solent and Southampton Water Ramsar site¹ and also notified at a national level as Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). The application site is also in close proximity to the New Forest SPA/Ramsar/SAC/SSSI sites and the River Itchen SAC/SSSI sites. In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have

5.26 **Solent and Southampton Water Ramsar/SPA and Lee-on-the-Solent to Itchen Estuary SSSI**

This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Southampton City Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

5.27 **New Forest SPA/Ramsar/SAC/SSSI**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts, as detailed in the Aspect Ecology report. On the basis of information provided, Natural England concurs with this view.

5.28 **River Itchen SAC/SSSI - No objection**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential

impacts, as detailed in the Aspect Ecology report. On the basis of information provided, Natural England concurs with this view.

- 5.29 **Network Rail** – The proposed development is located in close proximity to Mount Pleasant level crossing. The safety of the operational railway and of those crossing it is of the highest importance to Network Rail and railway crossings are of a particular interest in relation to safety. I can confirm that Network Rail does not object to the proposed development.
- 5.30 **Southern Water** – Following initial investigations, there is currently inadequate capacity in the local network to provide foul and surface water sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and existing properties and land may be subject to a greater risk of flooding as a result. Southern Water have no objections subject to conditions and informatives.

Response

Further discussions have taken place since these original comments were made. It is understood that a capacity assessment of the local sewerage system revealed the need for some off-site reinforcement works. It is understood that following these necessary upgrade works, the proposals will not negatively impact on the local sewerage network.

- 5.31 **City of Southampton Society** - This is an important site beside the river Itchen and along a primary route into the city. The quality of design and choice of building materials will be paramount. The design shown in these plans is not of sufficient standard. The proposed wide park is wrongly positioned - it should be along the river frontage. This will serve as an attractive setting for the development and for the important path/cycle path from Horseshoe Bridge to Northam Road. The flood defences should be attractive as well as effective. We recommend an additional 20 car parking spaces to allow for visitors to the complex.

Response

The application has been amended in response to some of these comments. 20 visitors car parking spaces have been provided as well as improvements to the riverside walkway. However, there is no change to the location of the public open space. This issue is addressed in further detail in paragraph 6.9 of this report.

- 5.32 **Southampton Commons and Parks Protection Society (SCAPPS)** - objects to the proposed development which fails to make sufficient and satisfactory provision for public enjoyment of the riverfront. Successive planning policies have emphasised the importance of improving public access to, and securing quality development on, Southampton's waterfront and riverfront. The proposed 'public park' has only a short frontage to the river with no specific provision to enhance public enjoyment of its river-bank location. The 'waterfront walkway' is, throughout its length, constrained in width and so, though sufficient for a paved path, inadequate to provide attractive opportunities for people to relax and enjoy the riverside.
- 5.33 Comments on the amended submission with additional details submitted by the applicant:

SCAPPS appreciates the careful consideration the applicants have given to the society's representations on the application as submitted. SCAPPS welcomes

the amendments to the design/layout of the riverside walkway and flood defence bank, and assurances about public recreational use of the grassed embankment. The Society appreciates the applicants' care in explaining, and seeking to justify, the location within the application site of the major 'public park' space. However, SCAPPS remains of the view that the proposed linear park is poorly located and would be a relatively unattractive space compared with more generous provision of public green space on the river frontage. The details confirm that it will be narrow and hemmed in by the rising embankment of the approach to Northam Bridge on one side, buildings of substantial massing and height on the other and shut off from views out to the river by the flood defence bank. SCAPPS supports the concept of a green pedestrian link (i.e. a path flanked by grass and trees) from Northam Road/Union Street, through the existing Summers Street public open space and the development site to the river front path. SCAPPS sustains its objection that the major public green space proposed in the application is in the wrong place and that it should be on the river frontage outside the flood defence embankment.

- 5.34 The applicant's response to SCAPPS' concern that the application should include provision of a children's play area is to suggest a S106 contribution to replacing/upgrading play equipment in the Summers Street public open space. The Summers Street public open space is an inadequate, unattractive green space which is at present under-used (and probably misused). It requires a great deal more improvement than just new play equipment. The development should include provision for renovation of this neglected green space. The application should include provision for completion of the high-quality riverside path linking, at one end of the site, under Northam Bridge to the main pedestrian and cycle approach from the Northam Road spur and, at the other end of the site, to the existing boardwalk alongside the railway.

Response

These issues are addressed later in this report.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of this form of development involving a predominantly residential development
 - Design issues and the amount of development proposed
 - Transportation issues
 - Flood risk, ecology and other environmental issues
 - Section 106 and viability issues

6.2 Principle of Development

The site is identified under Policy MSA 16 in the Amended Local Plan (2015). This identifies the area for an employment-led mixed-use scheme. This proposal would not fully comply with the employment-led objectives of this policy. It is worth noting that policy allocation MSA 16 covers several sites in different ownerships on either side of Northam Road up to and including the substantial European Metals Recycling site. The policy recognises that the allocated site may be re-developed in phases, in which case a significant employment element should be included in each phase. This mixed use allocation has proved to be difficult to achieve and several redevelopment schemes have failed to come forward on this site. The site has been vacant for over 10 years and cleared of buildings for 7 years. The existing cleared and dilapidated appearance of the site is an eyesore at an important gateway to the City centre.

- 6.3 Guidance in the NPPF is also relevant to consideration of this application. The NPPF promotes the presumption in favour of sustainable development by, inter alia, encouraging the effective use of land by reusing land that has been previously developed. On the specific issue of land allocated for employment purposes, paragraph 22 of the NPPF states:

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

In these circumstances redevelopment of the site for a predominantly residential development is considered to be acceptable in principle. The proposal would make good use of a previously developed site and could prove to be a catalyst in contributing towards the wider regeneration objectives of Drivers Wharf and Itchen Riverside. The proposal does include a small element of commercial uses, a retail store to serve local needs and a small office building. The scheme will assist the Council in meeting its significant housing need to 2026 (LDF Policy CS4 refers)

6.4 Design issues and the amount of development proposed

The 2012 Strategic Housing Land Availability Assessment (SHLAA) identified the potential for this site to accommodate up to 300 dwellings in the 2017-2022 period. The proposal for 351 dwellings would result in a residential density of approximately 125 dwellings per hectare. The site has a PTAL value of 3 and 4 meaning it is an area of medium public transport accessibility, whereby Policy CS5 of the Core Strategy indicates that net densities should generally accord with 50-100 dwellings per hectare (medium density) in these areas. This overall density guidance should not be applied slavishly to all sites across the city. This is a large site with an extensive river frontage; the site lends itself to taller buildings of the type proposed here. Rather than the amount of development in itself, it is necessary to consider design, layout and amenity issues in order to ensure a high quality development is provided on this key regeneration site.

- 6.5 Core Strategy Policy CS 16 Housing Mix and Type notes that the Council will provide a mix of housing types and more sustainable and balanced communities

through the provision of a target of 30% of total dwellings (gross) as family homes on sites of ten or more dwellings. It is further stated that the appropriate percentage of family housing for each site will depend on the established character and density of the neighbourhood and the viability of the scheme. This proposal would result in the provision of 32 family homes (3+ bedrooms) which would constitute only 9% of the total number of units to be provided. This provision is therefore significantly below the policy requirement of 30%. This has to be balanced against the other benefits and characteristics of the scheme which provides a logical split of family housing to the south and flatted development to the north where the buildings sit above the flood defences. In the particular circumstances of this case, including the viability issues addressed below, it is considered that the development provides a reasonable mix of one, two and three bedroom dwellings. In terms of amenity space provision, the family houses in the southern part of the site have gardens which comply with the guidance. The flatted blocks have two large communal spaces between the blocks of some 1200 square metres and 1600 square metres. In addition the flats will probably incorporate balconies although details of balconies are not provided at this outline stage. This level of amenity space provision together with the new public open space and improved riverside walkway would provide a satisfactory environment for future residents.

- 6.6 The layout of the proposed development takes the form of logical perimeter blocks which allows buildings to front Summers Street and Radcliffe Road in a conventional way. The creation of traditional streets within the scheme will help to integrate the development with the established residential streets to the south. The new road running north/south would effectively be an extension of Leyton Road into the new development. It is unfortunate that this route cannot extend right through to the waterfront but this is a result of the need for the land raising to prevent flooding of the site.
- 6.7 The proposed open space on the eastern side of the site would be faced by main building frontages rather than the rear building face. On the river frontage, which is north facing, rather than a continuous elevation which would block sunlight to the riverside and walkway, three blocks of flats are proposed essentially 'end-on' to the river frontage. This allows not only for sunlight penetration but also for views upstream and downstream for the future occupiers of the flats. The window to window distances between the blocks of flats is some 34 metres which will safeguard privacy and allow for useable communal gardens for the flats which are raised above the level of the public walkway thereby maintaining privacy for the flat occupiers.
- 6.8 Proposed building heights range from 2-storeys fronting Summers Street to a 13-storey block of flats in the north-east corner of the site. The two other blocks of flats facing the river are seven-storey buildings. The lower level buildings would be of a similar domestic scale to the existing houses to the south. Previous pre-application proposals for this site, which did not come to fruition, involved taller buildings on the river frontage. An argument could be made that the site is suitable for a taller landmark building as a gateway in to the city centre. However, the applicant has chosen not to adopt this approach for viability and design reasons. The application has to be considered on its own merits: the form and scale of buildings is considered to be acceptable in the context of the surroundings. Some of the consultees have raised concerns about the architectural quality of the development but external appearance is a reserved matter and the detailed design issues will be considered at a later stage.

6.9 The open space and riverside walkway

The application includes a new area of publicly accessible open space at the eastern end of the development alongside Northam Road. It would vary in width from 26 metres to 30 metres and would extend from Summers Street to the waterfront. The representations to this application from SCAPPS and the City of Southampton Society consider that this area of open space is in the wrong part of the site: they consider it should be directly adjoining the waterfront. This issue has been considered and discussed with the applicant at the pre-application stage and during consideration of the planning application. The benefit of the current location for the open space is that it should draw the public into the site and provide an improved approach to the waterfront than is currently the case; the existing approach to the riverside walkway in this location is from the opposite side of Northam Bridge underneath an archway. The applicant has drawn attention to other open spaces in the City, such as The Avenue where there are tree lined approaches along major routes. It would be true to say that open space in this part of the site would be affected by traffic noise and the raised approach to the bridge. On the other hand it would get more sunlight than a north facing open space adjoining the waterfront. The layout of buildings on the site would allow for good surveillance of this space which should be beneficial in terms of safety and security. Although the open space would not be a formal play space, the detailed design of the open space could incorporate the potential for informal play areas. The detailed layout and design of the open space could be covered by a condition. The arguments for and against the location of the open space are finely balanced but it is considered that the area on the east side of the site is appropriate in these circumstances.

6.10 There is an existing public walkway on the river frontage but it is quite narrow and not particularly attractive. The proposals will widen and enhance the quality of the walkway making it appropriate for both pedestrians and cyclists. The width of the walkway varies but at its minimum it would be four metres. The amendments made to the application incorporate seats and a sloping embankment at an angle of about 25 degrees which mean the area could be used for seating and recreation purposes. The overall distance from the river edge to the defensible private area of the development would vary between 10 and 15 metres. This is considered to be appropriate and acceptable.

6.11 Transportation issues

Members attention is drawn to the detailed comments of the Highways Team in paragraphs 5.4 to 5.7 of this report. Traffic conditions in the area are already difficult, partly because of the issues associated with the Mount Pleasant Rail Crossing. The applicants Transport Assessment concludes that there are existing issues at the level crossing in peak hours and in the worst case queues would increase by a maximum of seven vehicles. However, these additional queues would not impede any further junctions on the local highway network. A detailed capacity analysis of the key road junction of Northam Road/Union Road/Princes Street has been undertaken. To accommodate the proposed development it is proposed to optimise the signal timing at this junction to allow for the additional demand. These junction improvements can be secured through the Section 106 agreement. Government guidance within the NPPF states that decisions should take account of the opportunities for sustainable modes of transport to be taken up, that safe and suitable access to the site can be achieved for all people and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF concludes that development should only be

prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Based on the Transport Assessment and the Highways team's analysis that could not be concluded in this case. The traffic impact of this development has to be considered against the background of the previous commercial use of the site or an equivalent replacement employment use as required by Policy MSA 16.

- 6.12 The level of car parking is based on one to one provision with 12 additional spaces for the commercial uses and 20 spaces for visitors. This is considered to be satisfactory for this location. The layout of the site has something of a 'homezone feel' to the design which is similar to that further to the south in Radcliffe Road. The parking arrangements are a mixture of on plot parking for the proposed houses, courtyard parking between the blocks with the majority of the parking spaces being within an undercroft beneath Phases 3 and 4. These arrangements mean that most of the parking would not dominate the appearance of the development thereby allowing for more green space and landscaping.

6.13 Environmental issues including flood risk, trees and ecology

Flood Risk

Officers are satisfied that this proposal meets the sequential/exception tests as required by national policy in the NPPF. A strategic approach to flooding in this part of the city is currently under consideration through the River Itchen Flood Alleviation Scheme. The proposal for this site is coming forward in advance of this strategic approach being implemented. The northern part of the site is at risk of flooding. The proposals for the development are to raise the site levels along the western perimeter of the site to 3.75 metres (AOD) which is the forecast flood level for 2060. The proposed flood protection works along the northern edge of the development would be up to the 2110 flood protection event year and would raise the land to a level of 4.25 metres (AOD). These levels are those stated in the Southampton Coastal Flood and Erosion Risk Management Strategy and are based on the latest sea level rise figures. The raised land section will not only protect the site but will form part of the strategic flood defence for the west bank of the River Itchen. The Council's Flood Risk Adviser is satisfied with this approach and the wider public benefit of the land raising is welcomed.

6.14 Trees and landscaping

The loss of the existing trees, which are subject of a Tree Preservation Order is regrettable. These trees currently provide a valuable tree screen in an otherwise rather barren landscape. However, the proposal must be considered in its entirety. The development once completed will add significant greenery to the area with a large increase in the number of trees and a new area of public open space. This will enhance the character and appearance of this area. A 2:1 replacement is recommended.

6.15 Ecology issues

Members attention is drawn to the comments of the Council's Planning Ecologist in paragraphs 5.13 to 5.15 of this report. In particular Appendix 2 of this report is the Habitats Regulation Assessment necessary as part of this development. This assessment is required before the Council as the 'competent authority' under the Conservation of Habitats and Species Regulations 2010 (as amended) can give

approval to the project. The Habitats Regulation Assessment concludes that there will be no adverse effects on the European sites. Members are recommended to endorse this conclusion to allow the planning application to be decided.

- 6.16 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application will comply with the requirements of the SDMP through the Section 106 agreement and therefore meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

6.17 Viability and Section 106 issues

Development of this long vacant site raises particular issues relating to economic viability. A financial appraisal of the viability of the proposed development has been independently assessed. In summary, the overall report demonstrates and confirms that the current development proposal has serious viability issues, which negates the provision of the Affordable Housing obligation and also has implications for the other financial related planning obligations within the current Section 106 Agreement, to such an extent that leads the report to question the financial rationale behind the development proposal, given the current deficit on the scheme. In response to these concerns, the applicants are confident that they can still deliver the scheme on a phased basis in view of their track record of regeneration schemes of this nature. On the basis of this appraisal the scheme will not be able to support any affordable housing. LDF Policy CS15 confirms that affordable housing requirements will take into account the viability of the scheme and on this basis the scheme accords with the development plan. This is regrettable but this has to be considered against the overall benefits of regenerating this long vacant site. Furthermore, this is a large scale development which will be undertaken in phases over several years. It has been accepted practice in recent years for the viability to be reviewed if the development does not come forward within an agreed timescale. This mechanism can be used for the application to allow the position to be reviewed should market conditions improve or if some phases of the development are delayed.

7. Summary

- 7.1 This large and prominent site has been vacant and derelict for over 10 years; various redevelopment proposals have come forward but have not proved to be viable or deliverable. It is part of the wider Drivers Wharf regeneration area where employment use is promoted by policy. It was originally hoped that all sites in the Drivers Wharf area could provide a significant amount of employment development

if redevelopment took place on a phased basis. However, this has not proved to be possible and it would not be reasonable to hold out for such a scheme given the long period of vacancy. Policy MSA 16 also requires infrastructure improvements as part of any phased redevelopment. This proposal includes strategic flood defence improvements, new public open space and an enhanced riverside walkway together with highways improvements. The Transport Assessment in support of the application demonstrates to the satisfaction of the Council's Highways Team that larger scale road improvements are not justified by this development and that approval of this scheme would not prejudice future road improvements which may be required to support large scale developments in the area. The proposed development is quite a high density scheme but, subject to the later approval of appearance as a reserved matter, it is considered that this development will enhance the character and appearance of the area.

8. Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions once the Panel have endorsed the Habitats Regulation Assessment in Appendix 2 to this report.

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

1(a), 1(b), 1(c), 1(d), 2(b), 2(c), 2(d), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(b), 7(a), 8(a), 8(j), 9(a) and 9(b),

RP2 for 23/06/2015 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site and the buildings, the scale, massing and bulk of the structure, and the landscaping (both hard, soft and including enclosure details) of the site is approved subject to the following:

- (i) Written approval of the details of the following awaited reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site:
 - the appearance and architectural design specifying the external materials to be used.
- (ii) An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission
- (iv) The development hereby permitted shall be begun [either before the expiration of five years from the date of this Outline permission, or] before the expiration of two years from the date of approval of the last application of the reserved matters to be approved [whichever is the latter].

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

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

Reason:

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

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

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

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

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

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

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to

the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

04. APPROVAL CONDITION - Archaeological evaluation [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.

05. APPROVAL CONDITION - Archaeological evaluation 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.

06. APPROVAL CONDITION - Archaeological investigation (further works) [Performance Condition]

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

Reason:

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

07. APPROVAL CONDITION - Archaeological work programme (further works) [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.

08. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination

- results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
 3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

09. APPROVAL CONDITION - Reuse of uncontaminated soils [Performance Condition]

No soils, sub-soil or other spoil material generated from the construction must be re-used on the near-surface soils unless it can be validated as being fit for use (i.e. evidently undisturbed, natural soils or, if otherwise, tested to ensure it is free of contamination).

Reason:

The property is in an area where there land has been unfilled or reclaimed. It would be prudent to ensure any potential fill material excavated during construction is not reused in sensitive areas unless it is evident that it is unlikely to present a land contamination risk.

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

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

Reason:

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

11. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

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

the Local Planning Authority.

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

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

Reason:

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

12. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

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

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

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

And at no time on Sundays and recognised public holidays.

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

Reason:

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

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

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

Reason:

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

14. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

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

Reason:

In the interests of highway safety.

15. APPROVAL CONDITION - No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

16. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

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

Reason:

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

17. APPROVAL CONDITION - Energy & Water [performance condition]

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

Reason:

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

18. APPROVAL CONDITION - Road Construction [Pre-Commencement Condition]

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

- A specification of the type of construction proposed for the roads, cycleways and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water.
- A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

Reason:

To ensure that the roads [cycleways] and footpaths are constructed in accordance with standards required by the Highway Authority.

19. APPROVAL CONDITION - Car parking, cycle parking, refuse storage [Pre-Occupation Condition]

The buildings hereby approved shall not be first occupied until the car parking, cycle parking and refuse storage areas, to which that building relates have been provided and made

available for use. The refuse shall include accommodation and the provision of separate bins for the separation of waste to enable recycling and a level access to the storage areas. The approved car parking, cycle parking and refuse and recycling storage shall thereafter be retained whilst the building are used for residential / commercial purposes. The residential parking shall be allocated on a 1 space per dwelling basis unless otherwise agreed in writing with the Local Planning Authority

Reason:

To ensure appropriate provision of car parking, cycle parking and refuse provision and in the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

20. APPROVAL CONDITION - 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, [as set out in the submitted Ecology report with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before construction works commence.

Reason:

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

21. APPROVAL CONDITION - 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 extensions),

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

22. APPROVAL CONDITION - Electric Car Charging Points (Pre-Occupation Condition)

No phase of the development shall be occupied until electric car charging points have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of sustainability and air quality given the proximity to an Air Quality Management Area.

23. APPROVAL CONDITION - Window glazing details (Pre-Occupation Condition)

No building shall be first occupied until details of windows to be acoustically treated as specified in the Acoustic Report submitted with the application have been provided, details of which have been first submitted to and approved in writing by the Local Planning

Authority.

Reason:

To protect the amenities of future occupiers from traffic noise.

24. APPROVAL CONDITION - Sustainable Urban Drainage Systems (Pre-Occupation Condition)

Sustainable drainage systems to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

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

25. APPROVAL CONDITION - Drainage details (Pre-Commencement Condition)

The development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with Southern Water.

Reason:

To ensure the provision of adequate drainage arrangements and to minimise flood risk.

26. APPROVAL CONDITION - Approved Plans

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

Reason:

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

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS12	Accessible and Attractive Waterfront
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing and Appearance
SDP10	Safety and Security
SDP11	Accessibility and Movement
SDP12	Landscape and Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
SDP22	Contaminated Land
NE4	Protected Species
NE5	Intertidal Mudflat Habitats
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
CLT7	Provision of New Public Open Space
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
MSA16	Drivers Wharf

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)

Habitats Regulations Assessment (HRA)

Application reference:	14/01747/OUT
Application address:	Former Meridian TV Studios Radcliffe Road Southampton
Application description:	Redevelopment of the site to provide 351 dwellings (145 x one bedroom, 174 x two bedroom, 32 x three bedroom) within buildings ranging in height from 2-storeys to 13-storeys with retail use (Class A1 - 390 sq.m. floorspace), offices (Class B1 - 108 sq.m. floorspace); 363 car parking spaces; improved access from Radcliffe Road and Summers Street; landscaping and an extension of the local park to the waterfront; a new waterfront walkway associated with flood defence measures (Outline application seeking approval for access, layout, scale and landscaping)
HRA completion date:	09/06/2015

HRA completed by:	
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk	Richard Plume Major Projects Coordinator Southampton City Council Richard.plume@southampton.gov.uk

European sites potentially impacted by plan or project: European Site descriptions are available in Appendix II of the Portsmouth Plan's Habitats Regulations Assessment, which is on the city council's website at portsmouth.gov.uk/living/7923.html .	<ul style="list-style-type: none"> ▪ Solent and Southampton Water Special Protection Area (SPA) ▪ Solent and Southampton Water Ramsar Site ▪ River Itchen Special Area of Conservation (SAC). ▪ Solent Maritime SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No - the development consists of an increase in residential dwellings with employment floorspace which are neither connected to, nor necessary for, the management of any European site.
Are there any other projects or plans that together with the project or	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-in-c-CSPR-%20Final-13-03-2015.pdf)

<p>plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m² of office development and 550,000m² of manufacturing or distribution floorspace across the South Hampshire area between 2011 and 2026.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of the former Meridian Television Studios site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>
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Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the City Council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

<p>Test 1: the likelihood of a significant effect</p> <p>This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.</p> <p>The proposed development is located 100m to the south of a unit of the Solent and Southampton Water SPA and 2.3km south of the River Itchen SAC. The New Forest SAC, SPA and Ramsar site are within a reasonable travel distance of the site.</p> <p>A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be both temporary, arising from construction activity, or permanent arising from the on-going impact of the development when built.</p> <p>Section 3.2.1 of the Report to Inform a Habitat Regulations Assessment (October 2014) identified the following effects within the immediate vicinity of the proposed development:</p> <ul style="list-style-type: none"> ▪ Habitat loss or degradation (of the designated site itself or associated habitats such as foraging or roosting areas used by interest species) ▪ Flood risk/coastal squeeze; ▪ Effects on connectivity/collision risk; ▪ Pollutants (mobilisation of contaminants, siltation) ; ▪ Disturbance (light, noise, vibration, visual disturbance). <p>Plus the following wider scale impacts:</p>

- Atmospheric pollution (traffic);
- Recreational disturbance;
- Water demand;
- Effluent discharge.

A number of avoidance and mitigation measures are set out in section 9 of the Report to Inform a Habitat Regulations Assessment (October 2014), Aspect Ecology which are summarised as follows:

Construction phase

- Construction methodology to ensure no pollution of the River Itchen from mobilisation of contaminants, spillage of fuel, oil or other chemicals or release of silt laden water;
- Use of quiet construction methods e.g. replacement piling rather than displacement piling, where feasible;
- Where practical 'Noisy' machinery will be sited away from the shoreline;
- Provision of acoustic screens or enclosures;
- Maximum noise levels at site boundaries to be 70 dBL Aeq, 1hr;
- Seasonal restrictions on works;
- Suspension of piling when temperatures are at or below freezing;
- Lighting along the riverside to be directed away from the shoreline through the use of reflectors, hoods or screening;
- Provision of a Construction Environmental Management Plan containing detailed methodologies for the avoidance measures.

Operational

- Avoidance of large areas of glass and use of design measures including non-reflective frosting of glass, interior artwork, non-reflective one way glass, balconies, vegetated facades and angled windows (40 degrees);
- Provision of a lighting scheme including systems to turn off or dim exterior lighting, careful selection and positioning of luminaries and use of louvres, shields or hoods to control light spill;
- The creation of 0.65ha of public open space including a new linear park which connects to an improved riverside walk/cycleway;
- Contribution of £60,372 (£172 x 351) to the Solent Recreation Mitigation Project;
- Provision of cycling and walking measures on site including secure cycle parking and pedestrian and cycle links through the site linking to the river bank and the National Cycle Network route NCN23;
- Production of an interactive online map providing information on destinations, including parks and open spaces, which can be reached by walking, cycling or bus;
- Provision of a welcome pack to new residents including walking and cycling maps illustrating local routes.

Conclusions regarding the likelihood of a significant effect

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

The project being assessed would lead to up to 351 additional dwellings and new retail and office floorspace in close proximity to a section of the Solent and Southampton SPA/Ramsar site and within reasonable travel distance of the New Forest SAC/SPA/Ramsar site.

The site is currently vacant and although the former use as a television studio would have generated some noise and light disturbance impacts, these are likely to have been at a lower level than those anticipated to arise from the proposed development. The proposed development is also likely to lead to new permanent impacts as a result of an increase in recreational pressure plus temporary

impacts arising from the construction activities and as such the precautionary principle applies.

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

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

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

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

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

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

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

TEMPORARY, CONSTRUCTION BASED EFFECTS

Habitat loss or degradation

Solent and Southampton Water SPA/Ramsar site

The application site is separated from the Solent and Southampton Water SPA/Ramsar by the main channel of the River Itchen and a narrow strip of bankside habitat lying between the site and the river. This physical separation combined with the avoidance of encroachment into the river channel mean that the proposals will not result in the direct loss of habitat from within the SPA/Ramsar site. In addition, a wintering bird survey, undertaken in support of the planning application, found no evidence of foraging or roosting activity by interest species on the application site and established that the nearest high tide roost is located to the south of Northam Bridge. As a result, it can be concluded that direct loss of supporting habitat is also unlikely.

River Itchen SAC

As with the Solent and Southampton Water SPA the River Itchen SAC is physically separated from the application site so no direct loss or degradation of SAC habitats is likely. However, the tidal reaches of the Itchen are known to be used by migrating Atlantic Salmon and otter which are features of interest for which the SAC is designated. There is therefore some potential for

disturbance or degradation of supporting habitats which is considered in following sections.

Other sites

The Solent Maritime SAC and the New Forest SAC, SPA and Ramsar site are all well separated from the site so no direct loss of habitat would occur.

As there will be no direct habitat loss, there will be no implications for the identified European sites from this impact pathway. Indirect habitat loss is addressed through various sections below.

Disturbance

This includes physical disturbance, visual disturbance, noise and vibration arising from construction activities. This has the potential to lead to a significant effect upon the Solent and Southampton Water SPA and Ramsar site and species for which the River Itchen SAC is designated. The other European sites are too distant to be impacted by construction activity.

Solent and Southampton Water SPA/Ramsar site

The application site is located within an existing industrial area adjacent to a major road. Whilst there is likely to be a high level of background noise this will be more constant than the sharp sudden noise of piling or pneumatic drills for example. Such noise has the potential to cause birds on the inter-tidal area to cease feeding or even fly away. This in turn leads to a reduction in the birds' energy intake and/or expenditure of energy which can affect their survival.

The wintering bird survey, undertaken in support of the planning application, has indicated that only low numbers of birds are likely to be affected by disturbance however, mitigation measures are still required.

The Construction Environmental Management Plan accompanying the planning application proposes a number of measures which are likely to reduce noise impacts to a negligible level. These include utilising quiet construction techniques, for example vibro or continuous flight auger piling, acoustic screening, timing of work to avoid ecologically sensitive periods, suspension of piling where temperatures are at or below freezing, a maximum noise level at site boundaries of 70 dBL Aeq, 1hr and, where practical the positioning of 'noisy' machinery away from the shoreline.

The distance between the application site and the inter-tidal area means that visual disturbance is unlikely to be a major factor however, the proposal to install a 2.4m hoarding around the site will reduce this risk to a negligible level. The hoarding will also help to reduce the impact of light disturbance. The CEMP proposes to limit the use of artificial lighting close to the river edge and, in locations where it is necessary, to employ hoods to direct the light away from the water.

River Itchen SAC

Atlantic salmon, one of the species for which the SAC is designated, pass through the tidal reaches of the Itchen on their way to and from their breeding grounds upstream. Vibration generated by activities such as piling can result in adverse impacts ranging in severity from delaying the migration of fish to physical injury of fish.

The majority of the measures proposed to minimise the noise impacts on over-wintering birds will also benefit Atlantic salmon however, care is required in respect of the use of timing with the optimum period for salmon occurring during a sensitive period for over-wintering birds.

Should percussive piling be required, timings favouring salmon should be adopted due to the more

serious nature of the impacts however, where this coincides with temperatures at or below freezing piling should be suspended.

Other designated sites

The Solent Maritime SAC and the New Forest SAC, SPA and Ramsar site are all sufficiently distant from the site to be affected by construction phase disturbance.

It is considered that the avoidance and mitigation measures are appropriate and will be effective. Subject to a CEMP being agreed, this will ensure that there will be no implications for the identified European sites from this impact pathway.

In order to be effective, the agreement of the CEMP will need to be required as a pre-commencement condition, attached to any granting of outline consent.

Pollutants (mobilisation of contaminants, siltation)

Solent and Southampton Water SPA/Ramsar site and River Itchen SAC

The proposed development could potentially result in pollution of the river channel as a result of the mobilisation of historic contaminants, pollution events during construction work or the release of contaminated surface water runoff. Construction activities could also result in an increase in silt levels which could affect water quality.

The CEMP contains a number of measures including dust suppression, designated areas for refuelling, no discharges into surface water drainage or the river and the use of spill kits which will reduce the potential for release of pollutants to a negligible level.

Other designated sites

The Solent Maritime SAC and the New Forest SAC, SPA and Ramsar site are all sufficiently distant from the site to be affected by construction phase disturbance.

It is considered that the avoidance and mitigation measures are appropriate and will be effective. Subject to a CEMP being agreed and the necessary pollution control measures being secured through condition, there will be no implications for the identified European sites from this impact pathway.

Permanent, operational phase impacts

Habitat Creation and habitat degradation

The proposed development will not result in any direct habitat loss and as such there will be no implications for any of the identified European sites from this impact pathway. Indirect habitat loss is addressed through various sections below.

Pollution

Solent and Southampton Water SPA/Ramsar site

The bird species for which the SPA is designated are not directly sensitive to air pollution, although increased atmospheric pollution could adversely affect supporting habitats, including those noted on the Ramsar citation. In this context, atmospheric pollution (particularly nitrogen deposition) is highlighted as a potential issue under the HRAs for SCC's Core Strategy and City Centre Action Plan (CCAP), and these plans set out a number of strategic measures to reduce traffic levels and

associated atmospheric pollution.

A traffic assessment has been undertaken of the proposed development, which indicates increases in traffic along roads immediately adjacent to the site of between 181 and 293 AADT (annual average daily traffic). The highest increase (293 AADT) is anticipated at Northam Bridge, although contribution from the proposed development comprises only 0.83% of total predicted traffic levels (based on a 2019 assessment year). Beyond this, traffic will disperse onto the surrounding highway network. As such, any increases in atmospheric pollution resulting from the proposed development are expected to be highly localised, with traffic increases along roads outside of the immediate vicinity of the site likely to be of negligible significance in the context of existing traffic levels.

On this basis, particular consideration is given to the areas of SPA within near proximity of roads adjacent to the site, namely the section either side of Northam Bridge. A preliminary review of air quality information on the APIS website indicates that nitrogen deposition on coastal saltmarsh habitat at this location (15.68 kg N/ha/year) is currently below the critical load for this habitat (20-30 kg N/ha/year), and accordingly, small increases in traffic can likely be accommodated without adverse effects on habitats associated with the SPA/Ramsar.

Other sites

The increase in traffic will be local to the development site and measures contained within the CCAP and Core Strategy will be sufficient to deal with atmospheric pollution arising from traffic using the wider road network.

As the assessment indicates that atmospheric pollution will remain within acceptable limits there will be no implications for the identified European sites from this impact pathway.

Effects on connectivity/collision risk

Solent and Southampton Water SPA/Ramsar site

Research has indicated that tall buildings pose a collision risk to birds. In addition to height, lighting, which can draw birds towards buildings especially in bad weather, and reflective surfaces pose particular risks.

The Southampton Wetland Bird Flight Path Study 2009, which was undertaken to support the development of the Core Strategy, established that the majority of wetland bird flight activity around Southampton occurred over water. The majority of this activity occurred over the lower reaches of the Rivers Test and Itchen, to the south of the development site. In addition, none of the species for which the SPA is designated, as opposed to forming part of the assemblage, were observed flying close to the site. The tall buildings on the site therefore pose a minimal risk to birds using the adjacent inter-tidal areas. Despite this, the development has been design to reduce risk further by incorporating varied building heights and avoiding large areas of glass.

River itchen SAC

The application site lies downstream of the River Itchen SAC and as such activities such as lighting could act as a barrier for Atlantic salmon and otter which move along the river channel. A number of mitigation measures aimed at removing adverse impacts from lighting, noise and vibration have been incorporated into the design of the development and as a consequence there is a negligible risk of adverse impacts on connectivity.

Other sites

The other European sites are too distant from the application site to experience adverse impacts on connectivity for habitats or species.

The proposed mitigation measures are considered to be effective. As a result, it is concluded that there is no likelihood of any implications to the European sites from this impact pathway.

Disturbance (visual disturbance, noise and lighting)

Solent and Southampton Water SPA/Ramsar site

The development includes a waterside path and open space, streets and new homes which will lead to higher levels of human activity, noise and lighting. However, the designated habitats are located 100m to the north east of the application site adjacent to an existing industrial area and riverside walk whilst the application site itself is fronted by a well-used public footpath. It is therefore reasonable to assume that birds using the inter-tidal area are habituated to relatively high levels of noise, lighting and human activity.

To ensure that disturbance remains within acceptable levels the retail and office areas have been located away from the shoreline and a detailed lighting scheme including systems to turn off or dim exterior lighting, careful selection and positioning of luminaries and use of louvres, shields or hoods to control light spill will be provided.

River Itchen SAC

The application site lies downstream of River Itchen SAC and as such activities such as lighting could act as a barrier for Atlantic salmon and otter which move along the river channel. A number of mitigation measures aimed at removing adverse impacts from lighting, noise and vibration have been incorporated into the design of the development and as a consequence there is a negligible risk of disturbance.

Other sites

The other European sites are too distant from the application site to experience adverse impacts on habitats or species from visual, noise and light disturbance.

The proposed mitigation measures are considered to be effective. As a result, it is concluded that there is no likelihood of any implications to the European sites from this impact pathway.

Recreational disturbance

The proposed development will result in an increase in population which is likely to lead to an increase in recreational activity at SPA locations, both in the immediate vicinity of the development but also further afield as well. Increases in recreational activity at SPA locations have the potential to result in mortality in the SPA bird populations due to increased disturbance. For a review of the in-depth analysis which has taken place on this issue at the Solent, please see the Solent Disturbance and Mitigation Project (SDMP)

(http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/). A key outcome of the research was that residential development within 5.6km of a Solent SPA could lead to a likely significant effect as a consequence of disturbance from recreation.

Solent and Southampton Water SPA/Ramsar site

The development includes the creation of an area of public open space, although it is not designed to

avoid a recreational impact on the SPAs. The closest sections of the SPA are not accessible for recreation being adjacent to an industrial estate and boatyards. The nearest section with public access is Chessel Bay, approximately 900m to the east, however, this access is limited with no through footpath and mud that is generally too soft to allow access below the mean high water mark. In their response dated 26th November 2014 Natural England did not raise any concerns regarding recreational impacts at Chessel Bay. There remains however, an effect when considered in combination with other development in the area.

The SDMP identified a number of costed mitigation measures to reduce recreational disturbance arising from increased levels of recreational activity. A figure of £172 per residential unit was agreed by planning authorities across south Hampshire, and adopted by Southampton City Council, to enable delivery of the mitigation measures. The applicants intend to make a payment of £60,372 (351x172) to the Solent Recreation Mitigation Project (successor to the SDMP), secured through an appropriate legal agreement, which will ensure that potential adverse effects arising from recreational development can be avoided.

Providing the proposed mitigation can be secured there are no implications from increased recreation on the SPA designations, even accounting for other plans and projects.

River Itchen SAC

The habitats and species listed under the SAC citation are not considered to be sensitive to recreational disturbance, and as such, the proposed development is unlikely to result in any significant effect on the SAC as a result of recreational disturbance, either alone or in combination.

Solent Maritime SAC

The habitats and species listed under the SAC citation are generally associated with coastal or intertidal areas that are unlikely to be directly accessed by visitors to these areas. As such, potential for adverse effects as a result of recreational activity arising from the proposed development is considered to be negligible. In addition, it is proposed that a contribution is made to strategic avoidance/mitigation measures in respect of Solent and Southampton Water SPA/Ramsar site, which would offset potential for effects on Solent Maritime SAC also.

New Forest SAC/SPA/Ramsar site

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

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

The application site is located 6.2km from the nearest part of the New Forest SAC, SPA and Ramsar site in terms of linear distance and as such, residents of the proposed development are likely to be non-local day visitors. The Footprint Ecology research indicates that visitors within this group make

an average of 45 visits per year to the New Forest. It is likely therefore that the recreational pressure arising from the development on its own is unlikely to be significant. However, bearing in mind the high level of new housing planned across South Hampshire there is potential for it to be significant in-combination with other residential developments.

Whilst it is not possible or desirable to eliminate day visits to the New Forest there is scope to encourage new residents to make use of the existing public open space within Southampton which is both varied and within relatively close proximity to the development. The applicants have proposed to reduce reliance on car usage, and hence the likelihood to travelling to the New Forest, by increasing connectivity to local public open space through physical improvements to walking and cycling infrastructure and provision of information on routes and points of interest.

Following implementation of the measures set out above, it is concluded that any potential effects on European designations as a result of the proposed development will be avoided.

Water demand and effluent discharge

All European sites

Water demand and effluent discharge are largely addressed at a strategic level, and based on the policies set out in SCC's Core Strategy, the accompanying HRA indicates that no likely significant effect as a result of these issues has been identified.

Policy CS20 (Tackling and Adapting to Climate Change) in particular sets out standards in regard to water efficiency. As such, the proposed development will ensure that water efficiency is maximised through installation of high performance internal fittings, as well as rainwater harvesting and greywater recycling systems where viable. Further detail is provided in the Sustainability Statement which accompanies the planning application.

Following implementation of these measures, the proposed development is unlikely to result in any significant effect on the European sites as a result of these issues.

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

The findings of the initial assessment concluded that there a significant effect was likely through a number of impact pathways. As such, a detailed appropriate assessment has been conducted on the proposed development, incorporating a number of avoidance and mitigation measures which have been designed to remove any likelihood of a significant effect on the identified European sites.

This report has assessed the available evidence regarding the potential impact pathways on the identified European sites. It has also considered the effectiveness of the proposed avoidance and mitigation measures. It has been shown that, provided that the proposed mitigation measures are implemented, **the significant effects which are likely in association with the proposed development can be overcome**. A detailed mitigation package is set out in section 9 of Meridian Gardens: Report to Inform a Habitats Regulations Assessment, October 2014, Aspect Ecology. These measures, which are summarised below, should be secured through a legal agreement or planning conditions:

- A Construction Environment Management Plan covering:
 - Piling methodologies
 - Timing of works

- Noise levels
- Control use of fuel, oil and other chemicals
- Control of surface water runoff
- Dust suppression
- A financial contribution to the SRMP
- Improvements to walking and cycling infrastructure in the vicinity of the development.
- Provision of information on local parks and routes to them
- A detailed lighting plan
- Building design aimed at reducing collision risk

As a result, there should not be any implications as a result of this development in relation to either the conservation objective of the SPAs to "avoid the deterioration habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring that the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive" or to the conservation objective of the SACs to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

European Site Qualifying Features

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas Penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*

- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

River Itchen SAC

The River Itchen SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitat:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

River Itchen SAC also qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- European Bullhead *Cottus gobio* (primary reason for selection)
- White-clawed Crayfish *Austropotamobius pallipes*
- European Brook Lamprey *Lampetra planeri*
- European River Lamprey *Lampetra fluviatilis*
- Atlantic Salmon *Salmo salar*
- European Otter *Lutra lutra*

Solent Maritime SAC

The Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Estuaries (primary reason for selection)
- *Spartina* swards (*Spartinion maritimae*) (primary reason for selection)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) (primary reason for selection)
- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by seawater at low tide
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- *Salicornia* and other annuals colonising mud and sand

- Shifting dunes along the shoreline with *Ammophila arenaria* (“white dunes”)

Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Desmoulin's whorl snail *Vertigo moulinsiana*

The New Forest SAC

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) (primary reason for selection)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea* (primary reason for selection)
- Northern Atlantic wet heaths with *Erica tetralix* (primary reason for selection)
- European dry heaths (primary reason for selection)
- *Molinia* meadows on calcareous, peaty or clayey-silt laden soils (*Molinion caeruleae*) (primary reason for selection)
- Depressions on peat substrates of the *Rhynchosporion* (primary reason for selection)
- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*) (primary reason for selection)
- *Asperulo-Fagetum* beech forests (primary reason for selection)
- Old acidophilous oak woods with *Quercus robur* on sandy plains (primary reason for selection)
- Bog woodland (primary reason for selection)
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (primary reason for selection)
- Transition mires and quaking bogs
- Alkaline fens

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- Stag Beetle *Lucanus cervus* (primary reason for selection)
- Great Crested Newt *Triturus cristatus*

The New Forest SPA

The New Forest SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Dartford Warbler *Sylvia undata*
- Honey Buzzard *Pernis apivorus*
- Nightjar *Caprimulgus europaeus*
- Woodlark *Lullula arborea*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Hen Harrier *Circus cyaneus*

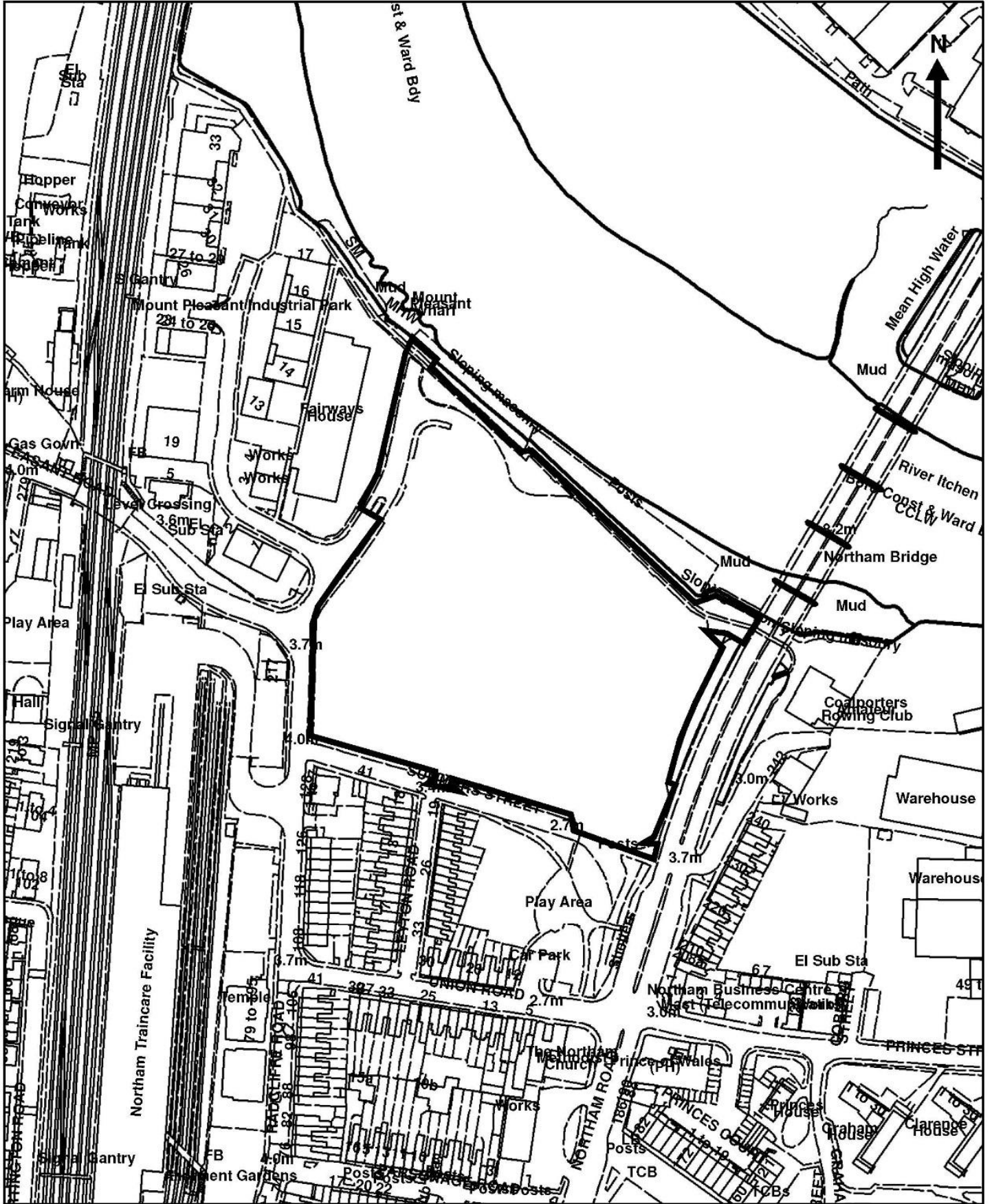
New Forest Ramsar Site

The New Forest Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.
- Ramsar criterion 2: The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on

the site, as are at least 65 British Red Data Book species of invertebrate.

- Ramsar criterion 3: The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.



Scale: 1:2,500

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