

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel (EAST) - 8 December 2015**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 68-76 and 80-84 Portswood Road, Southampton			
<b>Proposed development:</b> Redevelopment of the site to provide 71 student flats (10 x one bedroom, 45 x two bedroom and 16 x three bedroom) in 3, 4 and 5 -storey buildings with associated facilities and an office/commercial unit with parking and storage			
<b>Application number</b>	14/02045/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	13.03.2015 (MAJOR) Extended 25.01.2016	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	Referral by Ward Member or five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Claisse Cllr Norris Cllr O'Neill
<b>Referred by:</b>	Cllr Claisse	<b>Reason:</b>	Density, Congestion and lack of parking

<b>Applicant:</b> Glendale Estates	<b>Agent:</b> Studio Four Architects
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations as detailed in the report to the Planning & Rights of Way Panel on 8 December 2015 have been considered including the impact on neighbouring properties, character of the area and parking provision. Any impacts on local Special Protection Areas have been adequately screened and mitigated where necessary. The impacts of the scheme are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Accordingly the proposal complies with policies CS4, CS6, CS6, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22 and CS25 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP22, HE6, CLT1, H1, H2, H7, H13, H14 and TI2 of the adopted City of Southampton Local Plan

Review (Amended 2015), Supplementary Planning Document 'Residential Design Guide' (2006), 'Developer Contributions' (2013) and 'Parking Standards' (2011) and the National Planning Policy Framework (2012).

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

### **Recommendation in Full**

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
  - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - ii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time higher education be permitted to occupy the development and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v).
  - iii. Provision of on-site CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy policies CS13 and CS25.
  - iv. Submission and implementation of a Waste Management Plan.
  - v. Submission and implementation of a Travel Plan.
  - vi. 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).
  - vii. 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.
  - viii. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
  - ix. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No occupiers, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.

- x. Submission and implementation of a Student Intake Management Plan to regulate arrangements at the beginning and end of the academic year.
- xi. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved policy SDP12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).

In the event that the legal agreement is not completed by 25.01.2016 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.

- 3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

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

- 1.1 The application site comprises a series of two and three storey terraced buildings which front Portswood Road, the site is 'u' shaped in layout. The properties are a mixture of commercial uses, predominantly offices. There is a large tarmac frontage which is used for car parking. To the rear of the site are single-storey warehouse units which are vacant. There is a change in levels between the front and the rear of the site, with the land sloping down from the front of the site towards the rear boundary. There is an existing vehicular access to the side of 68 Portswood Road. Beyond the rear site boundary is an overgrown access way. The access way is unmade, however, properties along Portswood Road and Shakespeare Avenue have historically had access rights to use this route. The site is in relatively poor condition, particularly at the rear of the site where the warehouse buildings have a dilapidated appearance.
- 1.2 The site is neighboured to the south by two-storey residential properties and beyond the rear site boundary are the two-storey residential terraced properties of Shakespeare Avenue. To the north of the site is a mosque building which contains residential accommodation on the upper floors. The surrounding area is mixed in character. The site lies broadly opposite the recently built four storey flatted development at 81-97 Portswood Road (formerly Wickes now known as Fullerton Place). This scheme has a residential density of 142 dwellings per hectare (dph). The site is a short walk northwards to the defined Portswood District Centre and its associated services and public transport links, and is accessible to the University of Southampton by all modes of travel.

## **2.0 Proposal**

- 2.1 The application seeks full planning permission to redevelop the site to provide purpose-built student accommodation, with the exception of the existing residential building at 78 Portswood Road (which is not in the applicant's ownership). This application follows previous applications for redevelopment,

which is material to the decision making process. Following concerns raised by officers regarding the scale, mass and design of the current buildings, the scheme has been amended since originally submitted. In particular, the height of the scheme fronting Shakespeare Avenue has been reduced and the footprint of the buildings has been broken up provide three distinct elements. A re-notification of these amendments has taken place.

- 2.2 The accommodation comprises three blocks of accommodation arranged around a central shared courtyard area. A mix of student accommodation is provided comprising 10 no.1-bedroom flats 45no.2 and 16no.3-bedroom flats (100 study bedrooms). The residential density proposed is 169dph for this 0.42 hectare site.
- 2.3 **Block A (WEST)** fronts Portswood Road and provides a corner feature to a height of five storeys with the lesser fifth level recessed. This block is the main entrance for the development and is where the communal facilities are found. Within the lower ground to this level there are 7 car parking spaces (two of which are for disabled drivers) and refuse and cycle storage. These parking spaces are not for the student occupants. At street level there is the main entrance to the residential accommodation, an A2 (Financial and professional services) office unit, common room and laundry with three residential units to the rear. To the rear within the ramp to the lower ground parking spaces are a further five surface spaces to be used only for student arrival and departure, these will be controlled by drop down bollards. On the rest of the levels there are a mix of one-bed, two-bed and three-bed units. There are 10 no. 1-bed units, 8 no. 2-bed units and 7 no. 3-bed units proposed in this block. Recessed balconies and terraced areas are provided to the front elevation on all floors and at roof level to the rear.
- 2.4 **Block A (EAST)** is a part three storey (second floor in the roof) and four storey building solely with residential accommodation comprising of two and three bed units. This block is to the rear of the site and faces into the private courtyard and onto the rear of property fronting Shakespeare Avenue and has been kept to a two and half storey building. However, adjacent to Kingdom Hall the building rises to four storey. There are 29 no. 2-bed units and 9 no. 3-bed units proposed in this block. Once again recessed balconies are proposed on the front elevation and to the rear.
- 2.5 **Block B** fronts Portswood Road and is separated by block A (West) by 78 Portswood Road, which is not part of the application site. It is a four and half storey building and the lower ground floor is built into the ground due to the level changes on site. It lies adjacent to a site that was given approval in 2013 for a four storey mixed use development at 88-94 Portswood Road. 8 no. 2-bed units are proposed in this block together with cycle and refuse storage at the upper ground floor level.
- 2.6 The shared courtyard area can be accessed by all the units and directly from the ground floor units of each of the three blocks. The car parking is accessed via Portswood Road down an access way to the side of 66 Portswood Road. The access way is a shared for both pedestrians and vehicles and allows pedestrian access to the block A (East) and the communal landscaped areas. The parking spaces proposed and access to them would be controlled and used for the commercial unit at lower ground floor level and the surface level spaces would be managed to control their use.

- 2.7 Trees are proposed along the frontage of the site to soften the appearance of the development. In addition, there are two main areas of communal landscaping. The central courtyard area which provides access and seating areas for the students to use. To the rear fronting Shakespeare Avenue is another landscaped area which provides seating and screening in the form of a line trees between the site and the access way to the rear which seeks to demark the boundary.
- 2.8 The materials proposed for this development would provide a mixed palette with white render with coloured render recesses, buff facing brick and grey cladding panels to add interest and articulation to the elevations. Grey aluminium windows and doors are proposed to continue the colour scheme.

### **3 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 The site is identified for some 47 dwellings in the Strategic Housing Land Availability Assessment (SHLAA), which is a document that considers sites with the potential to deliver residential development during the plan period. The document looks for potential sites but does not allocate specific sites for housing. It is however a material consideration in the determination of this application as the site is earmarked for potential redevelopment. Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4 Relevant Planning History**

- 4.1 There have been a number of previous applications for the separate units on the site, the most relevant of which was recommended to Panel for approval in June 2011. This scheme was for the demolition of the existing buildings and erection of three x 4-storey buildings to provide 43 flats (18 x 1-bed, 22 x 2-bed and 3x 3-bed) and 9 x 3-storey houses (2 x 2-bed, 3 x 3-bed and 4 x 4-bed) and a commercial unit (Class A2) with associated access, parking and landscaping (LPA ref: 11/00393/FUL). Although the favourable recommendation was supported by the Panel the decision was never issued due to the failure to complete the Section 106 legal agreement, and the application was subsequently withdrawn by the Council. A comparison of the two schemes is set out in the Planning Considerations of this report and will form part of the officer’s presentation to Panel. This decision, although never issued, should be afforded material weight in the decision making process.
- 4.2 An application on the neighbouring site at 88-94 Portswood Road was also supported by the same Panel (LPA ref:11/00313/FUL). This permission relates to

the redevelop the site to provide 7 flats (1x3-bed, 1x4-bed and 5 x 5 bed), with 2 ground floor lettings agents (Use Class A2) and 2x5-bed houses in three and four storey buildings following demolition of the existing buildings. Part of the development has been completed and the two dwelling units to the rear are now in situ. The rest of the development, which comprises a flatted development would be four storey on the frontage of Portswood Road, would be a continuation of the streetscene.

## **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 (19.12.2014) and erecting a site notice (07.08.2015 and 19.12.2014 following amendments). At the time of writing the report **27 objections** have been received from surrounding residents and interested parties which includes representations from Ward Councillor Claisse, the Highfield Residents Association, Outer Avenue Residents Association and Portswood Central Residents Association. The following is a summary of the points raised:

5.2 *The proposal is designed with insufficient car parking. The development would therefore lead to overspill car parking on the surrounding streets exacerbating existing parking pressures experienced by residents.*

### **Response**

The proposed car parking spaces at the lower ground floor are not for the students to use but for staff of the A2 office unit. The 5 surface spaces would only be used during arrival and departure at the beginning and end of the academic year. Portswood Road is protected by double yellow lines along one side but there are unrestricted streets in the locality. The nearest controlled parking zone affects Brookvale Road to the north. Whilst it is acknowledged that some students will bring their cars to University this number is likely to be small and if restrictions from parking on site are imposed it becomes a less attractive option. As part of the section 106 agreement, future occupants of the development would be restricted from obtaining parking permits in nearby (and future) controlled roads. As such, the development is unlikely to result in significant overspill car parking on the surrounding streets. Similarly the recent approval for 43 flats was served by 13 parking spaces, which also met our adopted parking standards and acknowledges the site's sustainable location close to a defined district centre.

5.3 *The height of the proposed houses would result in a loss of privacy to the occupants in Shakespeare Avenue.*

### **Response**

As stated in section 2 of this report the scheme has been reduced to two and half storeys to reduce the impact on the properties on Shakespeare Avenue. The third level of accommodation is fully contained within the roof space, meaning that the properties would have a two-storey height. A condition is suggested to ensure that the rear-facing roof lights have a cill height of no less than 1.7 metres from the internal floor level which will prevent overlooking from these elevated windows. The proposed building heights are comparable with the recently approved scheme.

5.4 *Portswood already has an excessive student population which has an impact on existing residents in terms of noise and disturbance as well as the mix and*

*balance of the character of the area. The proposal will exacerbate these impacts significantly. New student accommodation should be dispersed more widely throughout the city and not concentrated within the Portswood and Highfield Areas.*

**Response**

The evidence submitted with this application does not support the contention that there is now over-provision of student accommodation across the city. Any strategic review of the location for student accommodation across the city will have to await the review of the Local Plan. There has been a significant increase in the amount of purpose built private sector student accommodation proposed in the last few years, much of which has not yet been completed. It is therefore too early to properly assess what impact this might have on the existing HMO stock. Research carried out as part of other proposals show that the two universities together have an overall capacity of some 32,000 full-time students whereas the purpose built accommodation is only approximately 8,000 student rooms. Although there is a significant amount of development in the pipeline, the research indicates there remains demand for well-located purpose built student accommodation within the city and student numbers are also likely to rise further: this proposal will contribute to meeting that need.

A list of other student schemes approved along Portswood Road is set out in the Planning Considerations of this report. Saved policy H13 of the Local Plan Review guides the location of student accommodation to locations that are easily accessible to the educational establishments by foot, cycle or public transport. It states that development by private sector providers will only be permitted where suitably located and where an assessment of need has been adequately presented. Currently, it is recognised that since the site is 20 minutes walking distance of both the University of Southampton and Solent University and accessible to the Uni Link Bus stops, the proposal would fulfil this aim. As the site lies within five a minute walk from the District Centre, with its shops and facilities and public transport links to the city centre, occupiers can avoid quieter residential streets on their return from a night out. The site will have on-site management for the student population, which should assist in any direct local impacts.

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

**Response**

The application is supported by a Student Intake Management Plan which sets out how the arrivals and departures of students will be managed. On site parking is proposed to deal with this event. The implementation of this management plan is proposed to be secured through the section 106 legal agreement (see recommendation 2x above).

- 5.6 *The amount of accommodation proposed is excessive both in terms of the cramped nature and the height of the proposed building.*

**Response**

Core Strategy Policy CS5 supports high density development in the most accessible locations of the City, which includes District Centre locations. Furthermore, saved Local Plan Policy SDP9 supports the location of taller buildings in and adjacent to District Centres. As noted above, the site has excellent sustainable transport links to the University and City Centre, as well as direct access to the facilities within the District Centre. The development of the

site to provide a significant amount of student accommodation is, therefore, considered to be appropriate. The height of the building is similar in height to the development opposite at 81-97 Portswood Road, albeit there is a recessed fifth level that would not be visible from the street scene.

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

**Response**

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

5.8 *Concern with the impact of the proposal on local drainage.*

**Response**

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

5.9 *The building out-of-character with the area.*

**Response**

The existing buildings on-site do not add to the streetscene and there is no uniform character to the area. It is noted there are attractive dwellings within the vicinity but the design, albeit modern, would not detract and would be a betterment to what is currently on site. The materials suggested indicate that a high-quality finish to the building would be achieved and, as such, the scheme is considered to be appropriate. Following the receipt of amended plans the Council's Design Officer is supportive of the proposals on this basis.

**Consultation Responses**

5.10 **SCC Highways – No objection**

Subject to securing a refuse management plan and student intake management plan. Conditions securing refuse storage and the setting out of parking areas are suggested. The proposed development is acceptable in highways terms. It provides for student arrival and departure times with 5 parking spaces which can otherwise be blocked off with bollards. There is parking below the building also, for the office use, two parking spaces are designated for disabled use, and the remainder for general use. The proposal is acceptable for student occupation, whilst it would be difficult to accept such a proposal if it were for normal residential use, due to the lack of on-site parking.

Vehicular access into the site has been provided at the southern end of the site, adjacent to the boundary with 66 Portswood Road. Forward visibility sight lines at this point are adequate for both pedestrians and vehicles/cycles on the carriageway. Pedestrians are guided to this entrance for the majority of the development with the exception of Block B and Block A West, these blocks are accessed from Portswood Road directly.

The refuse vehicle has been designed into the scheme, whereby refuse will be collected from the bin store adjacent to the car parking spaces. Although glass bins are shown within the bin store, the preference may be for a glass pod to be provided on a hard landscaped area within the site, and adjacent to a standing point for a vehicle to make the collection. Cycle storage has been shown as 50% provision, which is acceptable, some visitor cycle provision is shown just forward



of the building Block A West, adjacent to the site access.

A student intake management plan has been submitted and will be secured via the S106 legal agreement as it is required to set out how the site can accommodate the arrival of the students over the short intake period, and how time slots will be given to future residents of the scheme to ensure that there is adequate space for all students to be adequately moved in to their accommodation. Within the documentation sent to the future occupiers they must be advised of the lack of parking at the site, and that it would be inappropriate for them to bring a car with them whilst living at this accommodation.

A refuse management plan has been provided and will be secured via the section 106 legal agreement. This sets out how refuse will be managed within the site including setting out areas for large goods.

**5.11 SCC Heritage and Conservation - No objection**

Subject to conditions. There is a potential for archaeology to survive on the site. A phased programme of archaeological works should be undertaken prior to development commencing.

The site lies immediately adjacent to Local Area of Archaeological Importance 6B (Portwood Park), an area defined as having high archaeological importance. The archaeology of this area includes Romano-British burials and settlement activity of the same date, including the fording point across the Itchen to the Romano-British town in the area around Bitterne Manor. There is also medieval ribbon development in the area. Recent work immediately across the road from the site (on the site of the former Wickes building) has uncovered archaeology dating to a number of periods, including evidence of significant Romano-British activity. This suggests that the known Romano-British activity to the south and east of the development site continues into the development area. In addition, there is the potential for 20th century industrial archaeology to exist, as there was a bakery on the site which first appears on the 1946 Ordnance Survey map.

As there is the possibility for archaeology from a number of periods to survive, a phased programme of archaeological works should be undertaken in advance of the development. They further recommended that, in the first instance, this take the form of an archaeological desk-based assessment to fully assess the potential of the site in light of the development proposals and that this should include a full historic buildings assessment of all the existing buildings on the site, to assess their form, function, importance and architectural history.

**5.12 SCC Sustainability Team – No objection**

Subject to conditions to secure energy and water efficiency measures.

**5.13 SCC Environmental Health (Pollution & Safety) – No objection**

Subject to conditions to minimise disruption to residents during the construction process in terms of restriction on hours of work and a demolition statement.

**5.14 SCC Environmental Health (Contaminated Land) - No objection**

Subject to conditions to secure a contaminated land assessment and any required remediation measures.

5.15 **SCC Ecology – No objection**

The site has negligible biodiversity value and no objection is raised to the proposed development. Suggest a condition seeking the inclusion of green roofs, particularly biodiverse roofs aimed at attracting pollinator species, as per the earlier plans. This would provide a significant biodiversity enhancement in an area with little existing habitat.

5.16 **SCC City Design** – Initially raised concern about the height of the rear block but this has been reduced. However, the corner block backing onto the properties of Shakespeare Avenue should be a maximum of 3 storey rather than 4, as the majority of the street frontage to Portswood Road (the principal street) is 4 storey, and the ‘infill’ development behind should be subservient to it. The City Design Officer previously sought further details to secure the following:

- The landscape boundary treatment to the rear of properties off Shakespeare Avenue will need to be of high quality, with tree planting to help further mitigate over time the proximity of the new development; and
- The communal space between the buildings will need to be secured by either a solid wall, or wall and railing scheme, not a timber fence and a suitable landscape scheme submitted. Beyond the turning head for refuse vehicles, block or slab paving should be used rather than tarmac to ensure a more domestic, shared and less engineered character.

*Officer Response*

*Amended plans have been submitted to secure these details but it is noted that the fourth floor would be similar to heights found on Portswood Road. Officers feel overall as the fourth floor is in the corner part of the building only and does not cause privacy harm the height is acceptable in this location. In addition, the previous scheme was four storey in this part.*

5.17 **Southern Water – No objection.**

Suggests a condition to secure measures to protect the public sewer during development and to secure details of the means of foul and surface water disposal.

5.18 **BAA Aerodrome Safeguarding – No objection**

No objection to the proposals in terms of the height.

**6 Planning Consideration Key Issues**

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

- Background and comparison with previous scheme;
- Principle of development;
- Design of the proposal;
- Residential amenity;
- Highway Safety and Parking;
- Landscaping and tree provision;
- Development Mitigation

6.2 Background and comparison with previous scheme

The previously approved scheme for the development of the site was set out in three distinct blocks similar to the current scheme. The previous proposal sought 50 units (over the two schemes) instead of the 71 currently proposed. The

revised scheme does not provide dwelling houses whereas the previous scheme provided 9 houses. There is no requirement for student schemes to provide accommodation suited to families. The approved heights were very similar, as the blocks fronting Portswood Road were four storeys high with the corner building adjacent to 66 Portswood Road being five storeys in design. The flatted block to the rear adjacent to 66 Portswood Road was four storey and the houses were two and half storeys as is currently the case.

6.2.1 Thirteen parking spaces were proposed for the houses in the 2011 scheme and vehicles were able to enter the site using the same access point as currently proposed. Amenity space and landscaping were provided to the rear of the housing units (as in the current scheme) but were enclosed and, in addition, some external amenity was provided to the rear of the flatted units fronting Portswood Road. The footprint of the previous scheme was different as not only were the houses separate but the depth of the blocks was not as deep as the flatted block proposed in that location now. However, in summary the scheme is very similar in mass and scale terms but the density of the scheme has increased from the 123 dwellings per hectare (dph) approved to 169dph proposed.

### 6.3 Principle of Development

The City has a housing need. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. CS16 of the Core Strategy confirms that ‘in response to concern about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the provision of suitable, affordable accommodation for students to relieve the pressure on housing markets’. This policy confirms the Council’s dual approach of delivering purpose built student accommodation whilst simultaneously managing the conversion of existing family housing to HMOs to relieve the pressure on local markets. Since the application proposes purpose-built accommodation for students, it would be consistent with this approach. In addition to this, ‘saved’ Local Plan Policy H13 supports the delivery of student accommodation in locations accessible to the Universities and where there is an identified need. The location of the site, at the edge of the District Centre, with excellent public transport links to the city centre and, approximately 20 minutes walking distance to the University of Southampton and the Solent University is appropriate for a significant level of student accommodation.

6.3.1 Other student schemes around Portswood Road with planning approval include:  
15/01510/FUL – 435 study bedrooms at the former bus depot  
14/02108/FUL – 525 study bedrooms at the former B&Q  
09/01377/OUT – 50 study bedrooms at the former Belgravia Car Sales

6.3.2 The application site is an allocated site within the Council's SHLAA as a site for potential development and it is located within an area with other residential and non-residential premises. This is a high density scheme (169dph dwellings per hectare), Core Strategy Policy CS5 recommends high densities (over 100dph) should be limited to the most accessible areas, namely the city centre, areas close to and within Shirley Town Centre and the district centres. The application site adjoins Portswood District Centre and the public transport corridor of Portswood Road. A higher density development is considered to be acceptable in this location as it would result in making efficient and effective use of previously developed land in a sustainable location as recommended in NPPF and local

planning policies. There are other high density housing developments in the area, for example, the recently completed development on the opposite side of Portswood Road (the former Wickes site) which has a density of approximately 142dph. The NPPF introduces a presumption in favour of sustainable housing development and the principle of the proposal is generally supported.

#### 6.4 Design of the proposal

The scheme is similar in scale and design to the approved scheme as the proposal has been amended from that originally submitted to provide separate residential blocks elements similar to the 2011 scheme. As submitted, the scheme comprises a single linked block, which added to the scheme's excessive bulk and massing. In addition, the height of the development to the rear has been reduced and the pedestrian and vehicle access way and the landscaped areas have been vastly improved. In terms of the scale and massing of the proposed development, the predominantly four-storey frontage to Portswood Road would reflect the scale of the nearby development at 81-97 Portswood Road and the height of the adjacent mosque. The flat roof design of the building reduces its overall height and as the site is located at the edge of District Centre location, the proposed storey heights are considered acceptable. They also relate to the development on the former Wickes site which has a frontage height of 4 storeys also. The proposed elevations are articulated by a staggered building line and the larger of the flatted blocks fronting Portswood Road successfully turns the corner created by the access road marking the entrance to the development at the rear of the site. The use of contemporary materials and design aesthetics add interest to the elevations and provides continuity between the design of the individual blocks, as well as also breaking up the massing of the development. The coloured panels in particular add vibrancy to the elevations without appearing overly complicated.

- 6.4.1 To the rear of the site, the proposed buildings would have a lesser scale and massing than those fronting Portswood Road to better reflect the traditional residential accommodation that can be found beyond the southern site boundary. Oriel features similar to bay windows are proposed as well as a pitched roof on the two-half storey block. The development at the rear would create a significant improvement on the current condition of the site where the site is overgrown and dilapidated. As such, officers support the design changes and feel the scheme now meets the Council's high design and amenity requirements as set out in the current development plan – LDF Policy CS13 refers as supported by the adopted Residential Design Guide SPD (2006).

#### 6.5 Residential amenity

The key issues with respect to residential amenity are the relationship of the proposal with No. 66 Portswood Road and the terraced properties to the rear of the site fronting Shakespeare Avenue. The four storey part of the Block A (East) is designed to take its outlook to avoid overlooking of the neighbouring property at 66 Portswood Road. There is a separation gap of between five and six metres between this block and the boundary with the neighbouring at 66 Portswood Road; this would ensure that the development would not have a harmful impact on the amenities of these occupiers. It is important to note that due to the change in levels, this building would also be at a lower level than the neighbouring property. Furthermore, as the building is positioned to the north of 66 Portswood Road, the development would not create overshadowing of the neighbouring property.

6.5.1 The proposed two and half storey flatted block to the rear of the site would have between 19 and 21 metres separation to the rear of the properties on Shakespeare Avenue. Whilst the 19 metres separation is less than the distance suggested by the Residential Design Guide, this is significantly greater than what is typical in the surrounding area and is identical to what was approved in 2011. The change in levels assists with this assessment. In addition to this, it is important to note that the existing dilapidated warehouse structures on the site are positioned up to the rear site boundary so there will be betterment to these affected residents in terms of outlook and reduced shadow.

6.5.2 To the rear of the site, the third level of accommodation is served by roof lights and a condition is suggested that the cill of these windows is no less than 1.7 metres from the internal floor level. This would prevent overlooking of the neighbouring properties from these windows. As such, and particularly having regard to the significant visual improvement that the development of the rear of the site offers, the proposal is considered to be acceptable in this respect. As the scale, bulk and site coverage have been reduced officers feel the proposed scheme now addresses previous concerns in terms of the impacts on neighbouring properties.

6.5.3 In terms of the proposed occupiers the entrances to the blocks are easily demarked and cycle and refuse storage is located securely within the building. The separation distances within the site are also 19m but due to the use of oriel windows and the orientation of the buildings no interlooking will occur. With regard to the accommodation provided; all rooms have a decent outlook and adequate light and all units have access to the shared communal areas. The development would have access to over 600sqm of external communal amenity space. Furthermore, some of the flats also have access to private balconies. The amenity space provided would be sufficiently private and enjoy a good level of daylight and sunlight. In addition to this, the amenity space is provided in comprehensive and central areas to ensure that it could be used flexibly by future residents.

6.5.4 In terms of access to the units there are a number of entrances to each block and the provision of both stairwells and lifts improves the usability of the site for all. The laundry room and common room would provide useful facilities for students as well as an area to meet. The retention of a commercial unit is acceptable as it provides a mixed used scheme which would not lead to conflict between either of the proposed uses for the site.

## 6.6 Highway Safety and Parking

Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The car parking on site would essentially serve the moving in and out of students, meaning effectively, the application would be a car-free scheme for the students. However, the commercial unit would have use of seven spaces in the lower ground floor. As set out above, the section 106 agreement will secure additional on-street car parking controls, subject to community consultation, and car parking permits would not be generally available to residents of this development. The accessible nature of the site coupled with the limited car parking will meet the aim

for sustainable patterns of development, as required by the Council's adopted policies. Furthermore, the controls on local parking, secured by the section 106 agreement will prevent significant over-spill parking on surrounding streets that would be harmful to residential amenity.

#### 6.7 Landscaping and tree provision

Currently there are limited trees on the site and the proposal seeks to provide a number of areas of landscaping within which trees will be planted. Along Portswood Road within the site frontage six trees are proposed to soften and enhance the frontage. Within the central courtyard area a number of trees are proposed around seating areas to also soften the scale of the development. Shrubs and grassed areas are proposed for the use of all the occupiers. To the rear a further landscaped area is proposed which acts as a boundary to the shared access way this will consist of shrubs and trees. Field maple, silver birch, hornbeam, crab apple and rowan are the tree species proposed for the development. A 900mm brick wall and railings are proposed as boundary treatment to secure the site. A landscaping and boundary condition are suggested to secure the communal areas to prevent insufficient landscaping and boundary treatment from being provided prior to occupation. The scheme will bring betterment and improvements to Portswood Road and will remove what is currently an over-parked frontage laid to tarmac.

#### 6.8 Development Mitigation

As with all major development the application needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The main area of contribution for this development, in order to mitigate against its wider impact, is for highway works. In terms of highway contributions, contributions towards the bus priority corridor in Portswood Road and to improve cycle facilities in the near vicinity of the site to include a demarked route at the end of Spring Crescent and Alma Road.

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

the Conservation of Habitats and Species Regulations 2010 (as amended). Similarly the effects on the New Forest SPA require consideration

6.8.2 Members' attention is drawn to **Appendix 1** of this report and the Habitats Regulation Assessment provided, which is necessary as part of this determination process 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 (Solent Waters and New Forest). Members are recommended to endorse this conclusion to allow the planning application to be decided. Providing the legal agreement is secured (as discussed above) this application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

## **7. Summary**

7.1 The proposed development would make good use of this previously developed site to provide residential accommodation in this accessible location. The proposed design approach would make a positive contribution to the street scene and would create a marked visual improvement at the rear of the site.

## **8. Conclusion**

Subject to the imposition of the suggested conditions and the completion of the S.106 legal agreement as detailed in this report, the proposal would be acceptable. The application is therefore recommended for approval.

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

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

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

#### **ARL for 08/12/2015 PROW Panel**

### **PLANNING CONDITIONS**

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

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

Reason:

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

#### **2. APPROVAL CONDITION - 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.

### **3. 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.

### **4. APPROVAL CONDITION – Position of roof lights [performance condition]**

The bottom sill of the roof lights in the east facing roof slopes of the dwellings hereby approved shall be no less than 1.7 metres from the internal finished floor level. The windows shall be thereafter retained in this manner.

Reason:

In the interests of the privacy of the neighbouring occupiers.

### **5. 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.

### **6. APPROVAL CONDITION - Archaeological evaluation [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.

### **7. 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.



**8. 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.

**9. APPROVAL CONDITION - Archaeological damage-assessment [Pre-Commencement Condition]**

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

Reason:

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

**10. APPROVAL CONDITION - Archaeological structure-recording [Pre-Commencement Condition]**

No development shall take place within the site until the implementation of a programme of recording 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 recording of a significant structure is initiated at an appropriate point in development procedure.

**11. APPROVAL CONDITION – Cycle Storage [Pre-Occupation Condition]**

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

Reason:

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

**12. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]**

Before the development is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises including a refuse management plan together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential / commercial purposes.

Reason:

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

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

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

- i. proposed finished ground levels; car parking layouts; pedestrian access and hard surfacing materials, structures and ancillary objects (refuse bins, benches, 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. details of any proposed boundary treatment including.
- iv. a landscape management scheme.

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

Reason:

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

### **14. APPROVAL CONDITION – Internal/External Amenity Space Access**

The communal landscaped areas and internal spaces shown on the approved plans, and pedestrian accesses to them, shall be made available as intended for use by residents of the scheme prior to the first occupation of the units to which the amenity space relates and shall be retained thereafter with access to it at all times for the use of all occupiers of the development.

Reason:

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

### **15. APPROVAL CONDITION- Green roof feasibility study [Pre-Commencement]**

A detailed feasibility study for a green roof must be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. If the study demonstrates the site has the capacity for the green roof, a specification shall be agreed in writing with the Local Planning Authority. The green roof to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

Reason:

To reduce flood risk and manage surface water run off in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat

the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13.

**16. APPROVAL CONDITION - BREEAM Standards [Pre-Commencement Condition]**

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

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (March 2015).

**17. APPROVAL CONDITION - BREEAM Standards [performance condition]**

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

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (March 2015).

**18. APPROVAL CONDITION - Stopping up existing access [Pre-Commencement Condition]**

Any redundant access to the site or dropped kerbs shall be stopped up and abandoned and the footway, and verge crossings and kerbs shall be reinstated before the development is brought into use.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

**19. APPROVAL CONDITION – Parking and Access [pre-occupation condition]**

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development shall be provided in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any other commercial activity. The parking spaces shall not be used by residents of the scheme or their visitors except as required by the intake management plan for the start and end of the academic term. Those spaces identified as having drop down bollards shall be finished as such and these bollards shall be in place to prevent parking from taking place during the academic term as required by the intake management plan.

Reason:

To ensure a satisfactory form of development and in the interests of securing appropriate parking to serve the development

## **20. APPROVAL CONDITION - Roads/Footways [pre-commencement condition]**

The roads and footways shall be laid out and made up, less the carriageway and footway surfacing, in accordance with the specification, programme and details, as agreed by the Local Planning Authority, before any building is erected on the land. The final carriageway, including the footway surfacing, shall be completed before the penultimate (or numbered) dwelling is occupied.

Reason:

To ensure that the roads are constructed properly and to avoid excess soil being deposited on existing adjoining roads.

## **21. APPROVAL CONDITION - Construction Method Statement [Pre-Commencement Condition]**

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

Reason:

To protect the amenities of neighbours and the wider environment

## **22. APPROVAL CONDITION - Demolition Methodology Report [Pre-Commencement Condition]**

No demolition works or site preparation works shall take place on the site unless and until plans, cross-sections and technical information has been provided to and approved by the Local Planning Authority to show that for full or partial demolition (superstructure removal) an engineering demonstration has been carried out to show that any remaining construction (retaining walls, basement substructure) would be stable either in its own right or with suitable temporary propping mitigation measures (props, shores, thrust blocks, buttresses, etc.). This information should also address any safety and site security issues (such as the treatment of unprotected edges, clear drops, confined spaces, below ground level (or part ground level) areas, etc.) related to and resulting from such full or partial demolition works.

Reason:

To ensure the proper consideration of on-site and potential off-site land stability and associated safety issues related to demolition works.

## **23. APPROVAL CONDITION - Noise & Vibration (external noise sources) [Pre-Commencement Condition]**

Construction work shall not begin until an acoustic report and written scheme to protect the proposed development in terms of habitable rooms, balconies, roof terraces and gardens from external noise sources (noise includes vibration) including transportation noise, has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed and be available for use before any part of the development is occupied.

Reason:

To protect the occupiers of the development from excessive external noise.

**24. 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.

**25. 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.

**26. 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.

**27. APPROVAL CONDITION - Sustainable Drainage Systems [Pre-Commencement Condition]**

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

Reason:

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

**28. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)**

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

Reason:

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

**29. APPROVAL CONDITION - Piling [Pre-Commencement Condition]**

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

Reason:

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

**30. 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.

**31. 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.

**32. APPROVAL CONDITION – Site Levels**

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include AOD for the proposed finished ground levels across the site, building finished floor levels and building finished eave and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason:

As the site has been largely cleared and re-profiled it is unclear exactly where the buildings will sit in relation to one another and the approved infrastructure.

**33. APPROVAL CONDITION - Safety and security (Pre-Commencement Condition)**

No development shall take place within such part of the site to which a phase relates until a scheme of safety and security measures including on-site management, security of the car parking areas, a lighting plan, a plan showing location and type of CCTV cameras and access to the residential buildings has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first occupation of the phase to which the works relate and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of safety and security.

**Note to Applicant - Public sewerage system**

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

**Note to Applicant - Works to the public highway**

All works to the public highway shall be carried out in conjunction with legal agreements allowing works to the public highway, and secured by a bond. Redundant dropped kerbs need to be reinstated with full height kerbs, and the footway construction adjusted to suit.

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

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

**Note to Applicant - Performance Conditions**

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



## Habitats Regulations Assessment (HRA)

Application reference:	14/02045/FUL
Application address:	68-76 and 80-84 Portswood Road, SO17 2FW
Application description:	Redevelopment of the site to provide 71 student flats (10 x one bedroom, 45 x two bedroom and 16 x three bedroom) in 3, 4 and 5 -storey buildings with associated facilities and an office/commercial unit with parking and storage.
HRA completion date:	23/11/2015

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk

Summary
<p>The project being assessed would lead to the provision of student halls of residence with a total of 148 bedspaces located approximately 670m from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and approximately 7km from the New Forest SPA/Ramsar site.</p> <p>The southerly frontage has two and three storey older properties which had been converted to commercial outlets on the ground floor. The rear of the site has derelict sheds, the former Lowmans Bakery, which was vacated many years ago and is now burnt out. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.</p> <p>The findings of the initial assessment concluded that a significant effect was possible. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that <b>the significant effects which are likely in association with the proposed development can be overcome.</b></p>

<b>Section 1 - details of the plan or project</b>	
<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at</p>	<ul style="list-style-type: none"> <li>▪ New Forest SPA</li> <li>▪ New Forest Ramsar site</li> <li>▪ Solent and Southampton Water (SPA)</li> <li>▪ Solent and Southampton Water Ramsar Site</li> </ul>
Is the project or plan directly connected	No – the development consists of new student

with or necessary to the management of the site (provide details)?	accommodation which is 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 plan being assessed could affect the site (provide details)?	<ul style="list-style-type: none"> <li>▪ Southampton Core Strategy (amended 2015) (<a href="http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf">http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf</a>)</li> <li>▪ City Centre Action Plan (<a href="http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx">http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx</a>)</li> <li>▪ South Hampshire Strategy (<a href="http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm">http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm</a> )</li> </ul> <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m<sup>2</sup> of office development and 550,000m<sup>2</sup> of manufacturing or distribution floorspace across the South Hampshire area between 2011 and 2026.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p>

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

## Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

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

The proposed development is located 670m to the north-west of a section of the Solent and Southampton Water SPA and Solent and Southampton Water Ramsar Site whilst the New Forest SPA and New Forest Ramsar site are approximately 7km to the south.

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

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

- Apart from for disabled students, no parking spaces for students will be provided within the proposed development.
- Information on public transport plus pedestrian and cycle route maps will be provided.

- The development will incorporate 74 secure cycle parking spaces.
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.
- A contribution of £2575 towards the Solent Recreation Mitigation Partnership

#### Conclusions regarding the likelihood of a significant effect

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

The project being assessed would lead to the provision of a total of 148 bedspaces for students located approximately 670m from Solent and Southampton SPA/Ramsar site and 7km from the New Forest SPA/Ramsar site.

The southerly frontage has two and three storey older properties which had been converted to commercial outlets on the ground floor. The rear of the site has derelict sheds, the former Lowmans Bakery, which was vacated many years ago and is now burnt out. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.

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

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

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

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

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

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

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

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

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

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

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

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

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

The application site is located 7km from the nearest part of the New Forest SPA and Ramsar site in terms of linear distance and as such, students resident in the proposed development would fall into the category of non-local day visitors.

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

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

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

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

### **Occurrence of students**

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

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

Bill Breaker).

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

### **Car ownership and accessibility**

Data gathered as part of the visitor survey undertaken by Footprint Ecology in 2008 clearly indicated that the majority of visitors travel to the New Forest by car. The proposed development will not have any private car parking spaces available for students and it is a condition of their tenancy agreement that students are not allowed to bring their own cars. This would be enforced as set out in para 6.1 of the Student Intake Management Plan submitted with the planning application). Facilities at the proposed development will be limited to just 7 car parking spaces, consisting of 2 disabled spaces and 5 staff spaces for the commercial unit. On this basis the development can reasonably be described as car free.

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

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

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

Section 7 of the Student Intake Management Plan shows that the site benefits from its close proximity to the central location of Portswood Centre and is therefore highly accessible by public transport, bicycle and on foot. There are 8 bus services passing within 250 metres of the site including Uni-link buses serving UoS campuses and enabling travel to SSU. The site is therefore highly accessible to residing students whilst the nearby Portswood Road is both pedestrian and cycle friendly.

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

### **Recreation options for students**

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

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

In addition, Southampton benefits from an extensive network of common land, green corridors, city and district parks and local green spaces, which provide opportunities for quiet recreation of the

type available to visitors to the New Forest. In particular, Southampton Common, a 125 hectare natural green space in the heart of the city, is only 15 minutes walking distance from the application site. Just to the north of the Common lie the Outdoor Sports Centre, Southampton City Golf Course, and the Alpine Snow Centre which provide opportunities for organised and informal recreation activities. Outside the city centre are the Greenways, a series of wooded stream corridors which connect a number of open spaces. The four most significant of these, Lordswood, Lordsdale, Shoreburs and Weston, are within easy cycling distance of the development site and provide extended opportunities for walking and connections into the wider countryside.

Southampton Common lies within a 15 minute walking distance to the west of the site and offers a wide range of opportunities for recreation and a healthy lifestyle. The waterfront of the River Itchen is a 10 minute walk to the east of the site and allows access to the Itchen Riverside Boardwalk which runs along the western river bank. The general accessibility of the site to a wide range of services gives residents the opportunity to walk on a regular basis.

The road network around the application site also encourages cycling. The Southampton Cycle Map demonstrates that carriageways close to the site are quiet routes appropriate for cycling. See link below;

[http://www.myjourneysouthampton.com/sites/default/files/Southampton%20Cycle%20Map%202012-13.pdf?\\_utma=1.38623545.1433143105.1448293860.1448387529.7&\\_utmb=1.2.10.1448387529&\\_utmc=1&\\_utmz=1.1448293860.6.5.utmcsr=southampton.gov.uk|utmccn=\(referral\)|utmcmd=referral|utmct=/roads-parking/travel/cycling.aspx&\\_utmv=-&\\_utmh=154057016](http://www.myjourneysouthampton.com/sites/default/files/Southampton%20Cycle%20Map%202012-13.pdf?_utma=1.38623545.1433143105.1448293860.1448387529.7&_utmb=1.2.10.1448387529&_utmc=1&_utmz=1.1448293860.6.5.utmcsr=southampton.gov.uk|utmccn=(referral)|utmcmd=referral|utmct=/roads-parking/travel/cycling.aspx&_utmv=-&_utmh=154057016)

These cycle routes link the development site with Southampton Common (10 min) and National Cycle Route 23 which passes through Southampton. It is reasonable to expect that students will make use of the many leisure activities and commercial centres of Southampton.

Just outside the city boundary, to the north-east, are the Itchen Navigation (4.5km) and Itchen Valley Country Park (5.5km). These sites provide opportunities for informal recreation in a 'countryside' type environment and can be readily accessed on foot. The Itchen Valley Country Park can also be accessed by bicycle.

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

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

The linear distance to New Forest SPA/Ramsar site is approximately 7km however, by road the distance is somewhat longer. The shortest route, using the Hythe Ferry, is 9.4km whilst the closest section when travelling purely by road is approximately 11.5km. It is unlikely, therefore, that visits made on foot or by bicycle will be a frequent occurrence.

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



Travelling onward from Southampton city centre, the destinations for train and bus services are the urban centres which, aside from Beaulieu Road, lie outside the New Forest SPA/Ramsar site. Once at these locations further travel is required to reach the designated site. Table 1 below provides details of the train services available from Southampton Central Railway Station.

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

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

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

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

**Conclusions**

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

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

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

In 2008 the Council adopted the Solent Disturbance Mitigation Project in collaboration with other Councils within the Partnership for Urban South Hampshire in order to mitigate the effects of new residential development on the Solent and Southampton Water SPA. This enables financial contributions to be made by developers to fund appropriate mitigation measures.

The proposed student accommodation will result in a net increase in the population of the city and thus lead to significant impacts on the Solent and Southampton Water SPA. However, due the characteristics to this type of residential development, specifically the absence of car parking and the inability of those living in purpose built student accommodation to have pets, the level of disturbance created, and thus the increase in bird mortality, will be less than C3 housing. The SDMP research showed that 47% of activity which resulted in major flight events was specifically caused by dogs off of a lead<sup>1</sup>. As such, it is considered that the level of impact from purpose built

student accommodation would be half that of C3 housing and thus the scale of the mitigation package should also be half that of C3 housing.

Assuming a typical 3 bedroomed house can accommodate 5 students, for the purposes of providing SPA mitigation, five study bedrooms will therefore be considered a unit of residential accommodation.

The calculation to establish the level of the mitigation package required is as follows:

$$\frac{S}{5} \times \frac{174}{2}$$

S = number of study bedrooms

$$\frac{148}{5} \times \frac{174}{2} = 29.6 \times 87 = \text{£}2575.2$$

It is considered that, subject to a level of mitigation, which has been calculated as £2575.20, being secured through a legal agreement, appropriate and effective mitigation measures will have been secured to ensure that effects associated with disturbance can be satisfactorily removed. The applicant has agreed to enter into a legal agreement to this effect.

<sup>1</sup> See paragraph 3.15 of the Solent Disturbance and Mitigation Project Phase II bird disturbance fieldwork

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

## Conclusions

The following conclusions can be drawn from the evidence provided:

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

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

- No parking spaces, apart from 2 for disabled students, will be provided within the proposed development.
- Information public transport and pedestrian and cycle route maps will be provided.
- The development will incorporate 74 secure cycle parking spaces.
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.
- A contribution of £2575.2 towards the Solent Recreation Mitigation Project



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

## European Site Qualifying Features

### 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.

### 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*.

**Application 14/02045/FUL**

**APPENDIX 2**

### **POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS6	Economic Growth
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type

CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
SDP22	Contaminated Land
HE6	Archaeological Remains
CLT1	Location of Development
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation
H14	Retention of Student Accommodation
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

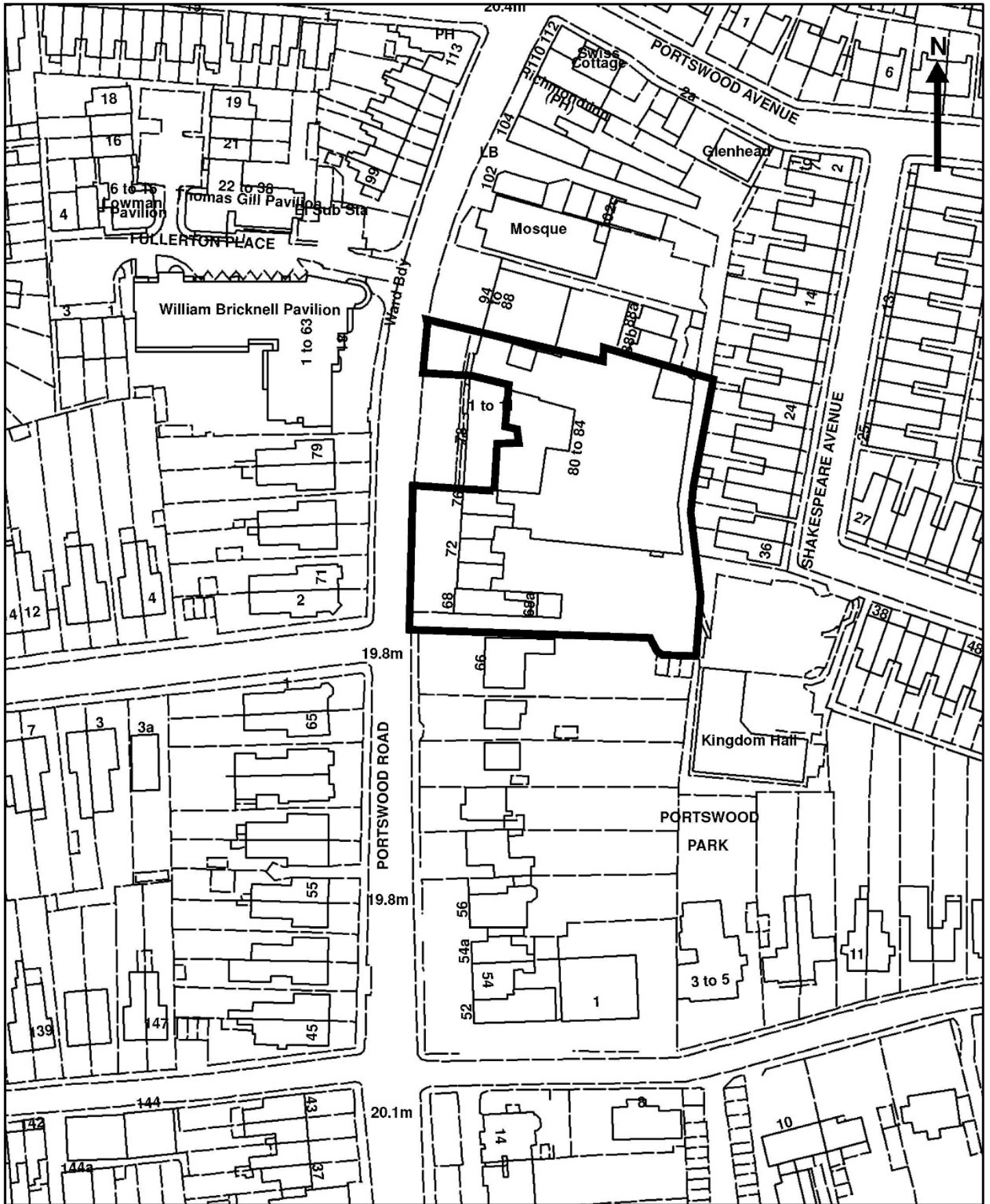
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

# 14/02045/FUL



Scale: 1:1,250

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