

**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> Voodoo Lounge, Vincent's Walk			
<b>Proposed development:</b> Re-development of the site. Demolition of the existing building and erection of a part 8-storey, part 9-storey and part 11-storey building to provide a commercial unit and purpose built student accommodation (44 cluster flats, 97 studios - 283 total bed spaces) with associated facilities.			
<b>Application number</b>	15/01857/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Jenna Turner	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	24.12.2015	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Major application with objections	<b>Ward Councillors</b>	Cllr Tucker Cllr Noon Cllr Bogle

<b>Applicant:</b> Victoria Hall Management Ltd	<b>Agent:</b> Amanda Sutton – Neame Sutton
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, CLT3, CLT6, H1, H2, and H7 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS7, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council's current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

<b>Appendix attached</b>	
1. Habitats Regulation Assessment	2. Development Plan Policies
3. Design Review Panel Comments	

## 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 (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013);
  - ii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time higher education be permitted to occupy the development and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v).
  - iii. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved policy SDP12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013). Measures to mitigate the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
  - iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
  - vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
  - vii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013).
  - viii. Submission and implementation of a Travel Plan.
  - ix. Submission and implementation of a Waste Management Plan.
  - x. Provision of on-site CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy policies CS13 and CS25.
  - xi. Submission and implementation of a Student Intake Management Plan to regulate arrangements at the beginning and end of the academic year.
  - xii. The submission and implementation of a Construction Management Plan which includes the routing of construction traffic and timing of deliveries to avoid peak hours.

xiii. The submission, approval and implementation of Public Art in accordance with the Council's adopted Developer Contributions Supplementary Planning Document.

3. In the event that the legal agreement is not completed within 2 months of the panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

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

- 1.1 The application site currently comprises the retail unit Buyology and the now vacant Voodoo Lounge night-club. The site lies within the city centre, and adjoins the rear of 60-66 Above Bar Street and is directly adjacent to Houndwell Park which is a Grade II\* Registered Park of special historic interest. The existing buildings on site have a poor-quality appearance, are single-storey, stepping up to two and a half storeys in scale with brick and metal profile clad elevations. There is a change of levels between the site and the adjoining premises on Above Bar Street, with the land sloping from Above Bar Street down towards the park.
- 1.2 To the rear of the site is a service yard, accessed from Vincent's Walk and which serves adjoining commercial uses on Above Bar Street as well as the application site. Immediately adjacent to the site, Vincent's Walk also provides a bus hub and vehicular access is restricted to buses, taxis and cyclists. Notwithstanding that the site and its neighbours adjoin Vincent's Walk, adjacent to the parks, the immediate context appears as 'back of house', servicing for Above Bar Street.
- 1.3 Given the city-centre location of the site, the surrounding uses are predominantly commercial and varied in character. The adjoining Above Bar Street buildings are locally listed and to the west of the site, Portland Street contains a number of listed buildings.

## **2 Proposal**

- 2.1 The application seeks full planning permission to develop the site to provide purpose-built student accommodation which comprises 283 student bed spaces.
- 2.2 The accommodation is comprised of 44 cluster flats (groups of between 4 and 6 study bedrooms sharing a communal kitchen/dining area), 89 self-contained studio units and 16 self-contained 2-bedroom units. The student accommodation would be served by associated communal facilities on the basement and ground floor levels which includes common rooms, a fitness suite, cinema rooms and meeting rooms. The accommodation would be accessed via a ground floor reception area to the north side of the building. A hard and soft landscaped forecourt would be provided to the north side of the building which would incorporate a service layby. The layout also incorporates integral cycle and refuse storage served from the service access to the south of the building. The development would be 'car free' with no on-site car parking provision.

- 2.3 The application also provides 307sq.m of floor space to the ground floor which is proposed to be either a retail or food and drink use. The commercial use would be situated to the eastern edge of the building, fronting Houndwell Park.
- 2.4 In terms of appearance, the new building would be formed of five distinct sections of differing scale and also offset from one another, with contrasting material treatment. The new building steps up from 8-storeys, where it adjoins Above Bar Street to the west, to a 9-storey central section, with the tallest, 11-storey section adjacent to Houndwell Park. The western elevation steps down again to 8-storeys to the south. The building would have a flat roof appearance and the elevations would be finished with two different facing bricks.

### **3 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 The site is not identified for development within the adopted Development Plan but does lie within the defined city centre and within an area of High Accessibility to public transport. The City Centre Action Plan identifies the area in which the site is located as being the ‘Heart of the City’ quarter. 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 no recent planning applications relating to this site. In 1997 planning permission was granted for the change of use of the site to a food and drink use with associated night-club (application reference 971044/E). The planning conditions of this application were subsequently varied to enable opening until 02:00.

### **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 (09.10.15) and erecting a site notice (09.10.15). At the time of writing the report **5** representations have been received from 3 addresses outside of the city centre. The following is a summary of the points raised:
- 5.2 *The proposed building would be out-of-keeping and too tall in relation to the parks.*

### Response

This issue is discussed in more detail in section 6, below. In general, the Council's adopted policies are supportive of taller buildings on sites adjacent to the edges of the Central Parks.

- 5.3 *The proposal will result in an increase in traffic that would have a road safety impact.*

### Response

The location of the site, within the city centre, means it has excellent links to public transport, shops, services and the educational institutions that the development would serve. As such, the proposal does not incorporate any on-site car parking and is, therefore, not expected to have a significant impact on transport generation.

- 5.4 *The proposal would not relieve the pressure on existing HMO's elsewhere in the city.*

### Response

The application is accompanied by an assessment of the need for student housing within the city. Currently, just 34% of students in the city can be accommodated within purpose built accommodation with the rest relying on the private rental sector, HMO's or family accommodation. Policy CS16 of the Core Strategy confirms that the Council will manage student housing need by controlling the formation of new HMO's whilst supporting the development of new purpose built accommodation. The proposal would accord with this approach.

- 5.5 *Developing the site for student accommodation misses an opportunity to address other housing need.*

### Response:

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

## 5.6 **Consultation Responses**

- 5.6.1 **SCC Highways** – No objection subject to securing a refuse management plan and student intake management plan. The section 106 legal agreement will also require improvements to pedestrian and cycle routes to the university.

- 5.6.2 **SCC Heritage and Conservation** - The submitted Heritage Statement does not specifically conclude whether or not the proposal would result in significant harm to nearby heritage assets. There should be a stronger commitment to the mitigation of the impacts of the development on heritage assets to be funded and provided by the developer. Suggests conditions to secure archaeological investigations and work.

Note:- An updated Heritage Statement has been submitted to address the above comments.

- 5.6.3 **SCC Sustainability Team** – No objection. It is proposed that the development would achieve BREEAM 'Excellent' and conditions are suggested to secure this

and to secure the proposed green roof.

- 5.6.4 **SCC Environmental Health (Pollution & Safety)** – No objection subject to conditions to minimise disruption to residents during the construction process.
- 5.6.5 **SCC Environmental Health (Contaminated Land)** - No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.
- 5.6.6 **SCC Ecology** – No objection in principle. The site has a low biodiversity value. The site would not have an impact on the flight paths of birds from nearby Special Protection Areas however, the potential impact on flight paths of birds using the adjacent parks needs to be considered and collision risk minimised through design. The use of a green roof is supported.

Note:- Further information has been provided by the applicant's ecologist to address this point.

- 5.6.7 **SCC Employment and Skills** – An Employment and Skills Plan will be required and should be secured by the Section 106 Legal Agreement.
- 5.6.8 **Historic England** – The redevelopment of this site has the potential to impact on the grade II\* Registered Park and Garden, called Central Parks collectively, which lies immediately to the east of the site. This is an urban park and development on the perimeter is well established and part of its character and context.

This application has been supported by a comprehensive and very helpful Heritage Statement and I concur with the assessment of the impact on heritage assets. This building, as proposed, would be substantially taller than those in the immediate vicinity. However, provided that the building is of high architectural quality this, in itself, would not harm the significance of the park. Obviously there are views from within the park to the building and there are paths which cross the park which meet its edge on Vincent's Walk opposite the site. Thus there is a very clear relationship between the park and the proposal. A poor quality building here would detract from the setting of the park.

The massing of the proposal has been carefully handled to reduce its impact by breaking down the building into smaller blocks, presenting different planes to the street and the use of varying colours of brick. This is welcomed. The simple and regular articulation with a clear vertical emphasis also adds some elegance to the structure.

Provided that high quality materials and detailing are secured through the planning process I am of the view that this building would have no adverse impact on the park. I also acknowledge that the current building is very poor and degraded and its removal would be welcomed. The creation of active frontages opposite the park would be a benefit to the park's setting and would enhance and encourage enjoyment of this important public open space.

- 5.6.9 **Southern Water** – No objection. Suggest a condition be imposed to secure the necessary sewerage infrastructure to service the development and to secure details of surface water disposal.

- 5.6.10 **Natural England** – Holding Objection. Concerned that the impact of the development on the New Forest National Park has not been adequately assessed.

Note:- Please note, a detailed assessment has been submitted by the applicant and forms part of the HRA assessment in **Appendix 1** of this report.

- 5.6.11 **City of Southampton Society** – Object. The development is too tall and would dominate the adjacent parks and properties.

- 5.6.12 **Southampton Common and Parks Protection Society** – Object. The height and massing of the proposal would result in it appearing over-dominant from views within and across the parks and over-shadow the parks. The proposal does not incorporate significant on-site amenity space, meaning the development would put increased pressure on the use of the parks. The proposal is an over-development. There should be a comprehensive development brief for this part of the city and the improvements to the adjacent bus interchange be first planned and implemented before this site is considered.

## **6 Planning Consideration Key Issues**

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

- (i) The principle of this development;
- (ii) The suitability of the design and effect on nearby heritage assets;
- (iii) Quality of living conditions and impact on surrounding land uses;
- (iv) Highways and parking and;
- (v) The direct local impacts, including on protected habitats.

### 6.2 (i) Principle of Development

- 6.2.1 CS16 of the Core Strategy confirms that ‘in response to concern about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the provision of suitable, affordable accommodation for students to relieve the pressure on housing markets’. This policy confirms the Council’s dual approach of delivering purpose built student accommodation whilst simultaneously managing the conversion of existing family housing to HMOs to relieve the pressure on local markets. Since the application proposes purpose-built accommodation for students, it would be consistent with this approach. In addition to this, ‘saved’ Local Plan Policy H13 supports the delivery of student accommodation in locations accessible to the Universities and where there is an identified need. The location of the site, in the city centre, with excellent public transport links to Southampton University and, approximately 300 metres walking distance to the Solent University, is appropriate for a significant level of student accommodation.
- 6.2.2 The application is accompanied by a detailed Student Need Assessment. This sets out that, when taking into account existing purpose built accommodation, development within the pipeline and, the number of students within the city, there is a shortfall of 23,108 student bedspaces in the city. The residual students either live in their own/parental home or rely on private sector landlord markets in HMOs. The proposal would meet a demonstrable need for further student

accommodation and would make efficient use of this previously developed site to meet the need. The principle of development is, therefore, acceptable.

### 6.3 (ii) Suitability of the Design

6.3.1 The proposed design approach has evolved following thorough pre-application discussions and an assessment of the building's relationship with nearby heritage assets, which include the Grade II\* Registered Parks, the adjoining Locally Listed Buildings on Above Bar Street, Listed Buildings on Portland Street as well as the Bargate Scheduled Ancient Monument. In addition to this, the applicant has engaged with the Southampton Design Review Panel and the chosen design has been revised accordingly. The Design Review Panel comments are included in **Appendix 3** to this report.

6.3.2 In terms of the principle of a tall building in this location, the City Centre Action Plan policy AP17 defines tall buildings as being 5+ storeys in height and confirms that individually designed tall buildings are acceptable adjoining the Central Parks. The City Centre Action Plan also confirms that, in this location, tall buildings are generally appropriate on the park edges and suggests that on Above Bar Street itself, buildings should step back above 4-storeys to retain the 2-4 storey height frontage of the 1950s, locally listed parade. This policy goes on to confirm that tall buildings should make a positive contribution, mark gateways into and out of the city centre and highlight key spaces such as the Central Parks. The policy also requires applications for tall building to be supported by a visual impact assessment. The policies in the City Centre Action Plan were informed by the City Centre Masterplan, which indicated that this part of the city was appropriate for a landmark building. The Development Design Guide SPD confirms that building heights of 4-8 storeys is acceptable in this location and that occasional buildings of more than 8 storeys will be considered. As such, the principle of a tall building is considered to be appropriate in this location.

6.3.3 The scale of the building has been carefully considered in terms of its impact on the setting of the Registered Parks and nearby Listed and Locally Listed Buildings. As a whole, Southampton city centre is relatively low-rise in scale, however, surrounding the central parks are individual taller buildings, reflecting an established design practice in the city of encouraging taller buildings at the park edges. The site itself is prominent and located at the edge of a key route into the City Centre. As noted above, currently the site has a poor-quality appearance and indeed the adjoining buildings appear to back onto the parks with service entrances onto Vincent's Walk. The proposal, by contrast would introduce genuine active frontages to the street, aided by the incorporation of a ground floor commercial unit, support facilities for the student use and a landscaped forecourt to the building.

6.3.4 The proposed building is broken into distinct separate elements with a graduation of height towards the park. The articulation of the building is reinforced by the alternate application of red and buff bricks and physical steps in the building line. This ensures that the massing does not appear excessive and the elevations provide a slender and elegant edge to the Parks and surrounding streets. The application is accompanied by 1:50 scale detailed sections of the elevations which provides assurance that a high-quality building can be delivered. The brick elevations relate well to the surrounding context and also provide a robust finish



to the building. As such, overall it is considered that the proposal would have a positive impact on its surrounds and not adversely affect the setting of nearby heritage assets.

#### 6.4 (iii) Quality of Living Conditions and Impact on Surrounding Land Uses

- 6.4.1 The application is mainly surrounded by commercial uses and the proposal, therefore, would not have a significant impact on the living conditions of existing nearby residents. In terms of the effect on the use of the adjacent parks, shadow diagrams have been provided with the application which demonstrate that there would be some additional over-shadowing of the parks within the late afternoon. The nearby Sparks Park playground would be unaffected by overshadowing from the development. Furthermore, the majority of the park would be unaffected for the most part of the day, so as not to undermine its overall quality and utility.
- 6.4.2 The majority of the accommodation proposed would be served by windows facing the public realm. There would be, however, some west-facing accommodation facing onto the internal courtyard and the rear elevations of Above Bar Street. The application has been designed to elevate habitable accommodation above street level and, where possible, south-facing windows have been included to improve access to natural light. The application is accompanied by a sunlight and daylight assessment in accordance with BRE guidelines. This assessment concludes that the bedrooms would enjoy an acceptable level of daylight and sunlight. A noise assessment has also been carried out and concludes that subject to an appropriate specification of glazing with acoustically treated trickle vents, residents would not be unduly disturbed by external noise sources.
- 6.4.3 Whilst some rear-facing units would have constrained outlook, it is important to note that residents would have access to good-quality communal spaces within the development, meaning that overall the quality of accommodation would be acceptable. In addition to this, the location of the site offers other benefits to residents in terms of its excellent access to shops, facilities, central parks and the educational institutions. The development does provide a communal roof terrace which would overlook the parks and has a southerly aspect, providing a high-quality space for residents. As such, overall it is considered that a high-quality residential environment would be achieved.

#### 6.5 (v) Highways and Parking

- 6.5.1 Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The proposed development would be a 'car free' scheme without any on-site car parking provision. Having regard to the nature of the proposed use and the city centre location of the site, this approach is considered to be appropriate. The site lies a short walk, across the park, from the Solent University and is within walking distance to bus route connections to the University of Southampton. There are existing on-street car parking restrictions in the area and as such, the proposal would be unlikely to generate significant over-spill car parking on surrounding streets. The section 106 legal agreement would include a clause to secure an intake management plan to agree measures to manage, in particular, the arrivals of students at the start of a new academic year. A service layby would be

provided to the north of the building for use of servicing and delivery vehicles for the student use and commercial use.

6.5.2 Policy AP18 of the City Centre Action Plan identifies Vincents Walk for a 'super stop' or high-quality bus interchange. As such, subject to consultation with the highways authority and bus operators, it is likely that part of the site specific highway requirements will include contributions towards the Vincent's Walk bus interchange improvements.

6.5.3 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.

## 6.6 (vi) Protected Habitats Impact and other Direct Local Impacts

6.6.1 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 has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application will comply with the requirements of the SDMP (when the legal agreement is completed) and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

6.6.2 As set out in paragraph 5.23 above, Natural England have lodged a holding objection on the basis that the impact of the development on the New Forest National Park has not been adequately assessed. The New Forest National Park is also a Special Protection Area, Special Area of Conservation, Ramsar site and contains Sites of Special Scientific Interest. Accordingly, the Council have undertaken an Appropriate Assessment as required by the Habitats Regulations. This Assessment is included as **Appendix 1** to this report and concludes that the development is unlikely to have a significant effect on the designated habitats.

6.6.3 The application also needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Developer Contributions Supplementary Planning Document. Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application.

6.6.4 A development of this scale would normally trigger the need for 35% affordable housing in accordance with Core Strategy Policy CS15. However, as the proposal is for student accommodation no affordable housing requirement is

required. The S.106 legal agreement would include a restriction that occupiers of the flats would be in full time higher education in accordance with Local Plan Review Policy H13(v).

## **7 Summary**

7.1 Having regard to the city centre and highly accessible location of the site, it is considered to be appropriate to accommodate a significant body of student accommodation. The provision of a ground floor commercial use assists in providing an active frontage whilst retaining an employment use on the site. The proposal would meet an identified need for this type of housing in the city and submitted information demonstrates that a high-quality development would be achieved that has a positive relationship with the surrounding area.

## **8 Conclusion**

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

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

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

1. (a) (b) (c) (d) 2. (b) (c) (d) 3. (a) 4. (g) 6. (a) (c) (f) (i) 7. (a) 9. (a) (b)

**JT for 08/12/2015 PROW Panel**

### **PLANNING CONDITIONS**

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

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

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

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

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

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

#### **03.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.

#### **04. APPROVAL CONDITION – Refuse and Cycle Storage [Pre-Occupation Condition]**

The cycle and refuse storage shall be provided in accordance with the plans hereby approved, before the development first comes into occupation. The storage shall thereafter be retained and made available for that purpose.

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

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

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

- i. proposed finished ground levels or contours; means of enclosure; hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. 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

#### **06. 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 site clearance, demolition and 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 plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all

operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. 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

**07 .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.

**08. APPROVAL CONDITION – Archaeology [Pre-commencement Condition]**

No development shall take place until Written Scheme of Investigation and programme of archaeological work for the evaluation of the site has been submitted to and approved in writing by the local planning authority. The programme of archaeological works shall be implemented and subsequently completed in accordance with the agreed Written Scheme of Investigation.

If, as the result of the archaeological evaluation, it becomes clear that the development will result in the loss or destruction of archaeological remains, it will be necessary to commission a further stage of archaeological works. No further works comprising development shall take place on site before a Written Scheme of Investigation together with a programme of further archaeological work has been submitted to and agreed in writing by the Local Planning Authority and implemented by the developer. The programme for further archaeological works shall be implemented and completed in accordance with the Written Scheme of Investigation for the previously unidentified features.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results has been secured. This Condition will not be fully discharged until the archive generated by the archaeological works had been deposited and accepted by Southampton Museums Service.

Reason: To ensure that the necessary archaeological investigations are secured and completed.

**09. 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 – Active Ground Floor Frontage**

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

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

#### **11. 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 (January 2010).

#### **12. 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 (January 2010).

#### **13. APPROVAL CONDITION - Green roof specification**

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

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

#### **14. APPROVAL CONDITION - Energy (Pre-Occupation Condition)**

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in CO2 emissions of 15% over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason: To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**15. 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:

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.

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.

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.

**16. 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.

**17. 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.

**18. APPROVAL CONDITION - Hours of Use & Delivery Non-residential uses [Performance Condition]**

The non-residential use hereby permitted shall not operate outside the following hours:

Monday to Saturdays 06:30 to 00:00 hours

Sunday and recognised public holidays 07:00 to 23:00 hours

No deliveries shall be taken or despatched from the non-residential uses outside of the hours of 06:00 to 23:00 daily.

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

**19. APPROVAL CONDITION - Glazing Soundproofing from external traffic noise [Pre-Commencement Condition]**

Unless otherwise agreed in writing by the Local Planning Authority, the glazing for the residential accommodation shall be either:

Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

Any trickle vents must be acoustically rated. The above specified glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from traffic noise.

**20. APPROVAL CONDITION - Extract Ventilation [Pre-Occupation Condition]**

The ground floor commercial unit shall not be used for food and drink purposes (Use Class A3) until extraction and ventilation equipment has first been provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority in writing. The equipment shall thereafter be retained in accordance with the agreed details whilst a restaurant or café use is operating.

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



## Habitats Regulations Assessment (HRA)

Application reference:	15/01857/FUL
Application address:	Voodoo Lounge Vincents Walk, Southampton
Application description:	Re-development of the site. Demolition of the existing building and erection of a part 8-storey, part 9-storey and part 11-storey building to provide a commercial unit and purpose built student accommodation (44 cluster flats, 97 studios - 283 total bed spaces) with associated facilities
HRA completion date:	24/11/2015

HRA completed by:	
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk	Jenna Turner Planning Applications Group Leader Southampton City Council Jenna.Turner@southampton.gov.uk

Summary
<p>The project being assessed would lead to the provision of student halls of residence with a total of 283 bedspaces located approximately 1.2km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and approximately 5km from the New Forest SPA/Ramsar site.</p> <p>The site is currently a vacant nightclub and retail unit. 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>

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

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

## Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

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

The proposed development is located 1.2km to the west of a section of the Solent and Southampton Water SPA and Solent and Southampton Water Ramsar Site whilst the New Forest SPA and New Forest Ramsar site are approximately 5km to the south.

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

In their response to the consultation on this planning application, dated 27<sup>th</sup> October 2015, Natural England raised concerns about insufficient information being provided about potential impacts on the New Forest sites. The response also highlighted the potential for recreational impacts upon the New Forest SPA as a consequence of the operation of the proposed development.

The following mitigation measures, which are set out in the attached 'Natural England Consultation Response Note 25<sup>th</sup> November 2015', have been proposed as part of the development:

- No parking spaces will be provided within the proposed development.
- Information on public transport plus pedestrian and cycle route maps will be provided.
- Site specific improvements to the highways network will be provided to promote sustainable modes of travel.
- A travel plan is provided that promotes sustainable modes of travel.
- The development will incorporate 150 secure cycle parking spaces.

#### 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 283 bedspaces for students located approximately 670m from Solent and Southampton SPA/Ramsar site and 7km from the New Forest SPA/Ramsar site.

The site comprises a retail unit and a vacant night club. 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 actively discouraged from bringing cars to the site. As such, the development can be described as being 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;
- 150 secure cycle parking spaces;
- No available on-site car parking;
- The opportunity to purchase a bus season ticket as part of their accommodation package.

The Framework Travel Plan shows that the site benefits from its city centre location and is therefore highly accessible by public transport, bicycle and on foot. There are 20 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.

The high level of accessibility and parking restrictions in the city centre means that it is very unlikely that the residents have access to cars.

### **Recreation options for students**

As set out in the attached 'Natural England Consultation Response Note', students at both universities have extensive opportunities to access sports and recreational facilities and are positively encouraged to make use of these. Details of these facilities are set out in the attached document and using the following web link:

[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, the site sits adjacent to the Central Parks whilst Southampton Common, a 125 hectare natural green space in the heart of the city, is only 10 minutes cycling distance from the application site. Just to the north of the Common lie the Outdoor Sports Centre, Southampton City Golf Course, and the Alpine Snow Centre which provide opportunities for organised and informal recreation activities. Outside the city centre are the Greenways, a series wooded stream corridors which connect a number of open spaces. The four most significant of these, Lordswood, Lordsdale, Shoreburs and Weston, are within easy cycling distance of the development site and provide extended opportunities for walking and connections into the wider countryside.

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. 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. See the following link for the Southampton Cycle Map:

[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|utmctt=/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|utmctt=/roads-parking/travel/cycling.aspx&_utmv=-&_utmh=154057016)

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 7.1km whilst the closest section when travelling purely by road is approximately 11.1km. 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 visitor to the New Forest and that, as a visitor destination, the New Forest is most attractive to dog walkers and/or families that have access to a car.

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

## Solent and Southampton Water SPA/Ramsar site

In 2008 the Council adopted the Solent Disturbance Mitigation Project in collaboration with other Councils within the Partnership for Urban South Hampshire in order to mitigate the effects of new residential development on the Solent 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 to the characteristics of 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 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:

$$S/5 \quad x \quad 174/2$$

S = number of study bedrooms

$$283/5 \quad x \quad 174/2 = \quad 57x \quad 87 = 4959$$

It is considered that, subject to a level of mitigation, which has been calculated as £4959 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 car parking.
- The availability of open space, sport and recreation facilities at both universities reduces the likelihood that students would travel to the New Forest for recreational purposes.
- Evidence suggests that low car and dog ownership amongst students contributes to the relatively low proportion of students in the make-up of visitor numbers to the New Forest.
- Access to New Forest locations by students living at the proposed development would be complicated and costly especially when compared to the availability of alternative recreational activities.

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

- No parking spaces will be provided within the proposed development.



- Information public transport and pedestrian and cycle route maps will be provided.
- The development will incorporate 150 secure cycle parking spaces and a free cycle rental scheme within the accommodation.

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

## NATURAL ENGLAND CONSULTATION RESPONSE NOTE

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**Proposed 283 bed student accommodation  
Former Voodoo Lounge, Vincents Walk, Southampton**

*On behalf of:  
Victoria Halls Management Ltd*

*Prepared by:  
Amanda Sutton BA (Hons) DipTP MRTPI  
Director*

25 November 2015

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## 1.0 Background

- 1.1 In a letter dated 27<sup>th</sup> October 2015, Natural England objected to my Client's planning application and required further information regarding the potential impact of the proposal on the New Forest SPA, Special Area of Conservation (SAC) and Ramsar and SSSI site, to enable a Habitats Regulations Assessment to be carried out.
- 1.2 In response, SCC's Case Officer, Jenna Turner, kindly confirmed that the Council's Ecologist would undertake the Habitats Regulation Assessment and that this issue had arisen on a similar student proposal at Portswood Depot. In that case, additional information had been provided by the Applicant Orchard Homes and a HRA undertaken, and the Council were awaiting confirmation from Natural England that this was sufficient to remove their holding objection.
- 1.3 Under cover of an email dated 9<sup>th</sup> November 2015, the Council's Case Officer confirmed that Natural England had accepted the approach taken by the Council in relation to Portswood Depot, and they had therefore removed their objection.
- 1.4 In this respect my Client's application could move forward with confidence, and it was agreed that my Client should set out the similarities that exist between both proposals for student accommodation and why therefore there is no significant impact on the SPA.

## 2.0 Response to Natural England Holding Objection

- 2.1 As in the Portswood Depot case, Natural England helpfully suggest in their letter that the following information be obtained to help undertake a Habitats Regulations Assessment:

*"You may wish, in this assessment to draw on the information already provided as part of the application relating to car ownership restrictions, and explore the implications this may have for the residential ability to access and visit the New Forest sites. There may also be evidence available that can be drawn on relating to ease of access via public transport to the New Forest sites, and the visitation patterns of the student population relative to the permanent residential population of the city to the sites in questions".*

- 2.2 Whilst the evidence that was presented in relation to the Portswood Depot proposal is equally applicable to my Client's application, I set out below the information necessary for the Council to be able to undertake a HRA, as follows:

*(i) Car Ownership*

- 2.3 Students are not allowed to bring cars to site in accordance with the terms of their tenancy agreement.
- 2.4 As such, the application comprises a car free development, except for 1 no. potential accessible parking space.

2.5 The application site is located within the heart of the city centre, immediately adjacent to the City's super bus stop, and as such the students have the ability to undertake trips by sustainable modes of transport without the need for a private motor car.

*(ii) Alternative options for sport and recreational activities for students:*

2.6 Both Universities within the City offer exceptional sport and recreational facilities for their students as part of their University experience.

2.7 The University of Southampton has both a sports hall and sports centre at its main Highfield campus, which offers a 6 lane 25m swimming pool, 160 station gym, 8 court sports hall, squash courts, martial arts studio, climbing wall, dance studios and activity room.

2.8 In addition, Solent University has 2 sports centres in the city centre (St Marys and East Park Terrace) within close proximity to the application site.

2.9 Watersports are also catered for at the University's Southampton Water Activity Centre.

2.10 In addition, Southampton has a number of public sport facilities, including Southampton Sports Centre, The Quays Swimming and Diving Complex, Bitterne Leisure Centre, Chamberlain Leisure Centre and Southampton Municipal golf course.

2.11 The application site's location immediately adjacent to the City's "Super" bus stop provides the opportunity for sustainable modes of transport to the City's sport and recreation facilities on offer, including the Uni-Link bus which provides a direct link to the University campuses. In addition, the application proposals make provision for 150 cycle spaces to encourage cycling.

2.12 There are also a number of green spaces within easy walking distance of the proposed development comprising Southampton's central parks, which includes Houndwell Park, Hoglands Park, Palmerston Park, Andrews Park and Watts Park. Together these parks cover an area of some 21 hectares, and apart from their general amenity, offer a variety of facilities available to the general public, as follows:

- Houndwell Park (The Play and Picnic Park): Large children's play area;
- Hoglands Park (The Sports/Youth Park): Cricket pitch and pavilion, informal football and skate park;
- Palmerston Park (The Spring/Bandstand Park): Bandstand;
- Andrews Park (The Fountain and Pergoal Park): Grass tennis courts, all weather tennis courts and mini golf;
- Watts Park (The Arts Park): Cenotaph.

2.13 It is evident from the above that the availability of good quality and accessible open space and sports facilities within close proximity of the application site, combined with the fact that the proposed

development comprises a city centre car free development, reduces the likelihood that students would travel to the New forest for recreational purposes.

*(iii) Likely visits to the New Forest National Park by students living in Southampton:*

2.14 As part of the evidence in support of the Portswood Depot proposal, the Council was provided with statistics regarding visitor numbers within the New Forest National Park taken from the report "Changing patterns of visitor numbers within the New Forest National Park, 2008". These remain equally applicable to my Client's application and for ease are summarised below:

- 13.3 million visitor day/trips throughout the year;
- 85% of visitors to the new forest arrive by car;
- 25-35% of the visitor total are attracted from areas more than 5 miles from the National Park as day visitors;
- One of the main reasons given for trips to the Park is to walk the dog;
- 68% of visitors to UK National Parks are families.

2.15 The evidence above therefore suggests that students are not attributable to large numbers of visitors to the New Forest by virtue of the fact that a high proportion of the trips are undertaken by families, by car and with dogs.

2.16 Combined with the fact that students have access to a wide range of sport and recreational facilities within close proximity of the application site, leads to the conclusion that my Client's application proposal does not give rise to increased recreational pressure on the New Forest.

*(iv) Ease of access to New Forest sites by public transport:*

2.17 The application site is located 2.6km (as the crow flies) from the boundary with the New Forest National Park and on the basis that the proposed development is car free, students will be reliant upon public transport to visit the New Forest sites.

2.18 As a city centre site, immediately adjacent to a super bus stop, access to public transport is not an impediment to students making trips by either bus or rail.

2.19 However, the New Forest is dominated by large tracts of open heathland and as with many rural environments, public transport within the New Forest is limited to the urban centres of Lyndhurst, Brockenhurst, Burley, Beaulieu and Lymington. Although it is relevant to note that generally these urban centres fall outside of the European or other protected sites.

2.20 Train services from Southampton Central to the New Forest railway stations comprise:

Ashely

1 service per hour

10 mins duration

Beaulieu Road	6 services between 0900-1800	14 mins duration
Brockenhurst	4 services per hour	16 mins duration
Lymington	2 services per hour	20 mins duration

2.21 Bus services to the urban centres are limited to the Bluestar 6 service which runs hourly during the day from the city centre and takes between 30-40 minutes. Other services are available throughout the National Park from the urban centres.

2.22 Although access by train or bus is available to those urban centres within the National Park, these fall outside of the European protected sites, and therefore the potential for any harm only arises by the ability to travel by bus from these locations into the National Park. However, the ease of access to the New Forest by students is considered to be limited by the fact that they would need to make connections with the appropriate service which adds to the time and cost.

### **3.0 Solent and Southampton Water SPA**

3.1 The proposed development lies within 5.6km of the Solent and Southampton Water SPA, and on the basis that it will lead to a net increase in residential accommodation, the Council require a financial contribution to be made towards mitigating against any adverse impact.

3.2 Natural England has recently agreed that the Council can apply a reduction to this financial contribution for student proposals schemes, for the reasons given above, and on the basis that the occupancy rate of student accommodation is lower than family housing.

3.3 On this basis, Natural England raises no objection subject to the necessary financial contribution being made.

3.4 The Applicant has no objection in principle to this approach and has recently met with the Council to agree heads of terms, including the provision for a financial contribution towards the Solent and Southampton Water SPA.

### **4.0 Conclusion**

4.1 Having regard to the above it is considered that the proposal for student accommodation at Vincents Walk will not cause increased recreational disturbance on the New Forest SPA by virtue of the fact that:

- The proposed development is car free;
- The students are prevented from bringing cars to the site;
- The application site is located within the heart of the city centre and is therefore accessible to the wide range of sport and recreation facilities that the City and the Universities have to offer;
- Statistics of New Forest Visitors demonstrate that students do not make up large volume of visitors

- The ease access to New Forest locations by students is limited by the need to connect to a range of bus services, particularly when compared to the availability of alternative recreational activities.

4.2 Accordingly, it is concluded that the proposed development of 283 bedspaces will not lead to any likely significant effects, either alone or in combination, on the New Forest SPA.

**POLICY CONTEXT**

Core Strategy - (Amended 2015)

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

City of Southampton Local Plan Review – (Amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
HE3	Listed Buildings
HE4	Local List
HE5	Parks and Gardens of Special Historic Interest
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation

City Centre Action Plan March 2015

AP9	Housing Supply
AP16	Design
AP17	Tall Buildings

Supplementary Planning Guidance

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

Other Relevant Guidance

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



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*Sent on behalf of:*

**Julian Boswell - Chair of the Southampton Design Advisory Panel**

30<sup>th</sup> July, 2015

For the attention of Mike Skilton and Amanda Sutton

Dear Mike and Amanda,

**Voodoo Lounge, Vincent's Walk, Southampton**  
**Review of the presentation to the Design Advisory Panel 28<sup>th</sup> July, 2015.**

On behalf of the Southampton Design Advisory Panel and the city council I would like to thank you for your attendance at the June Panel. The Panel were impressed by the contextual appraisal work which had informed your design proposals which the Panel support.

The Panel offer the following observations:

The Panel supports the thorough design rationale which has generated the heights and proportions of the proposed building and provided that the views are ultimately verified in respect of the key heritage assets identified, believe the overall height of the development to be appropriate. The Panel also feel that the adjacent listed park is not detrimentally affected by the height proposed.

The Panel support the strong yet elegant rigour of the treatment of the facades and the use of deep reveals to create a sculptural quality to the building. However, this rigour seems unresolved with regard to the ground floor of the building which seems at odds with the upper floors and needs greater consideration. In what could be viewed by some as a quite austere building it may be worth considering where elements of 'playfulness' may be incorporated within the facades, perhaps in terms of limited colour used on the deep reveals. The Panel was unconvinced that the projecting bay was of the same architectural language to the rest of the building, although the importance of this corner when viewed from the junction of Hannover Buildings was acknowledged.

The main focus of the drawings presented was quite rightly on the front/park face of the building and given the northerly aspect of one part of the building careful consideration will need to be given to the brick used in order to avoid this elevation appearing very dark, particularly when viewed from the park approach. It will also be necessary to apply the same rigour to the rear elevations of the building. Again material/colour will be critical given the relatively tight upper courtyard amenity space to the student bed spaces. It was also stated at the presentation that as yet how to finish the top of the building had not yet been fully determined. It would seem to the Panel clear that a parapet to a flat roof is the only logical conclusion to respect the rigour of the architecture of the facades.

The Panel supports the aspiration to allow students access to roof terraces as amenity space, but does wonder whether this is necessary given the immediate adjacency of the parks. The Panel also welcomes the location of the entrances, common room and retail unit which should contribute to enriching the street scene. The panel would however urge you as part of this proposal to put forward

ideas for how the adjacent small space opposite the building/future bus super stops can be better integrated through an improved public realm in this heavily trafficked area.

Clearly the Panel fully supports the strong modern approach to the design of the building and the level of consideration being applied to the subtlety of articulation and detailing of facades.

However, this represents the fundamental criteria by which this scheme will ultimately be judged, as any reduction in the quality of materials and workmanship needed to execute the level of subtlety being expressed, would completely diminish the finished result, leading to an unsatisfactory building adjacent to the listed park.

Essentially this represents an 'all-or-nothing' approach where the costs required to deliver the project to the desired quality are likely to be higher than that usually found on student housing schemes and we welcome your client's commitment to the delivery of this high quality approach. It will however be necessary for 1:20 details to be submitted for key elements of the design, such as the deep reveals in order to ensure that this cannot be changed at a later date. Likewise the quality of bricks to be used is absolutely fundamental to the success of the scheme and the specific product needs to be specified as part of the planning application. We would naturally urge your client to ensure that the architects at this stage are engaged through to delivery as the best way of helping to ensure the quality of finished building is realised, which we believe would be a significant contribution to improving the quality of the building stock within the city centre.

I trust you find this note of the Panel's observations useful in developing further your proposals.

This note has been copied to the case officer, Jenna Turner. All pre-application advice remains confidential until receipt of a formal planning application, when the observations of the Panel are incorporated in the case officer's report and thereby are available for public scrutiny.

Please note that as the Panel's remit is to advise the city council on matters of design, no direct communication can be entered into with the Panel outside of the meeting. If you have any queries or require clarification regarding the contents of this note please do not hesitate to contact me.

Yours sincerely



**Darren Shorter**

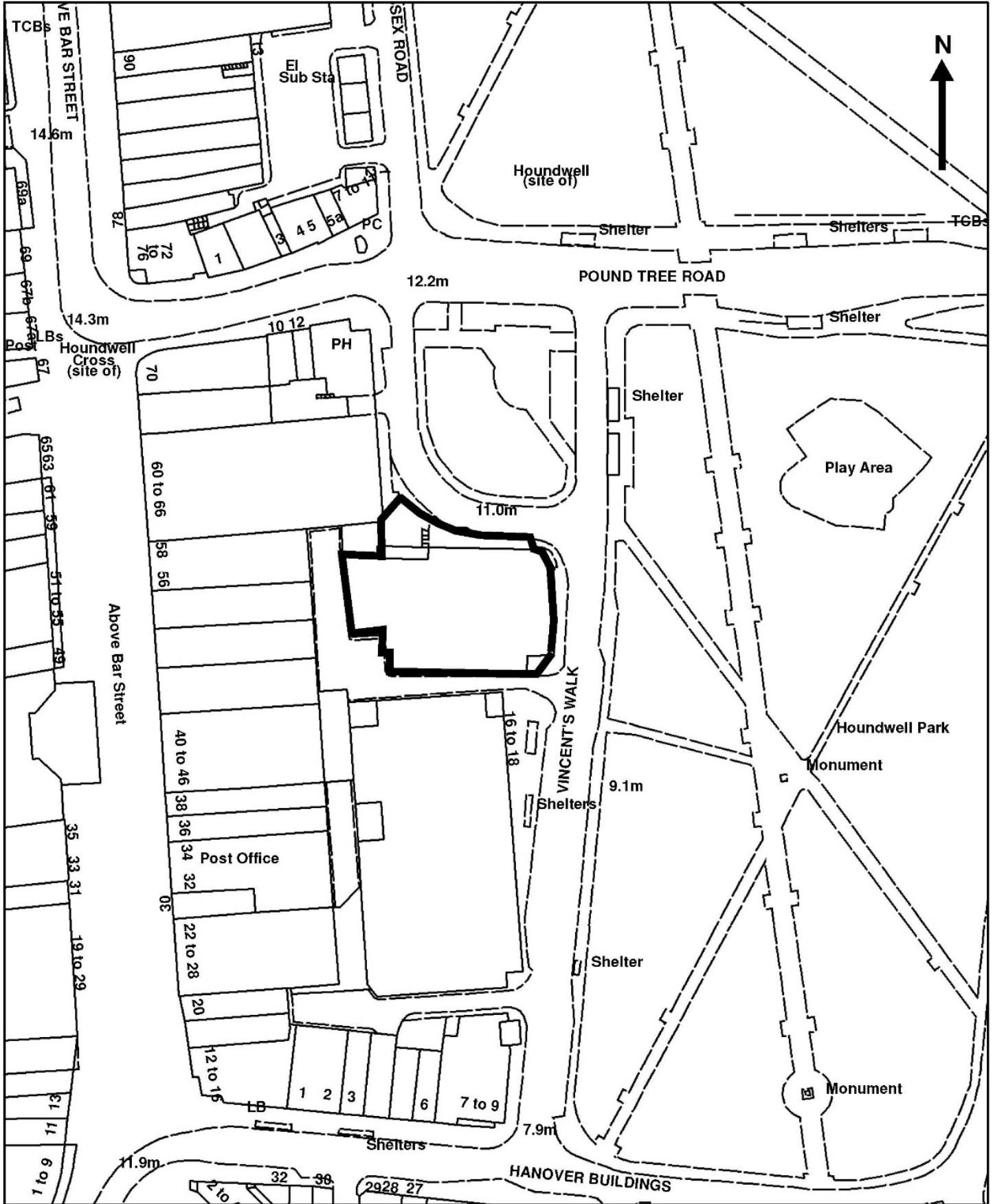
City Design Group Leader – Liaison Officer to the SDAP

Cc

*Jenna Turner*

*SCC – Planning Applications Group Leader*

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