

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel (West) 3rd May 2016
 Planning Application Report of the Planning and Development Manager**

Application address: Land At Meggeson Avenue, Townhill Park, Southampton			
Proposed development: Enhancement and part-redevelopment of the Townhill Park Estate with 665 new dwellings following demolition, associated parking and replacement public open space. Hybrid planning application with a fully detailed phase 1 comprising the erection of 276 dwellings in buildings of up to 7 storeys, and subsequent phases in outline comprising the erection of 389 dwellings with Access, Layout and Scale submitted for approval with External Appearance and Landscaping reserved, and the erection of a retail store (up to 500sq.m) with all matters reserved. Application seeks to extinguish/stop up existing Rights of Way and enhance the existing highway network - Description amended following a reduction in height (and the loss of 2 flats) to Plot 5 and the removal of Plot 14 (8 houses) from the scheme.			
Application number	15/01856/OUT	Application type	OUT
Case officer	Stephen Harrison	Public speaking time	15 minutes
Last date for determination:	30.12.2015 (MAJOR) Extended	Ward	Bitterne Park
Reason for Panel Referral:	Major planning application subject to five or more letters of objection	Ward Councillors	Cllr Fuller Cllr Inglis Cllr White
Referred by:	N/A	Reason:	N/A

Applicant: Southampton City Council	Agent: Capita Property & Infrastructure
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Recommendation Summary	<ul style="list-style-type: none"> i) Approve the Habitats Regulations Assessment; ii) Delegate to the Planning & Development Manager to conditionally approve this outline planning application; iii) Confirmation of proposed changes to existing Right of Way
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The impact of the proposed development, in terms of visual and neighbour amenity, highway safety and parking are considered to be acceptable for the reasons detailed in the report to the Council's Planning and Rights of Way Panel on 3rd May 2016. Particular account has also been taken of the third party response to the scheme, including the existing parking problems experienced around the Estate, the quality of the proposed redevelopment proposals, the associated regeneration benefits and improvements to local housing (including a high percentage of affordable and family housing), current market conditions and the overall viability of the scheme. The scheme

proposes a loss of open space but delivers improvements to the quality and accessibility to the retained spaces. An assessment under the current Habitat Regulations has been undertaken and confirms that the development can mitigate against its impacts upon the affected Special Protection Areas in the local area. The scheme has been assessed against the following policies and is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. 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).

City of Southampton Local Plan Review (amended 2015) policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, NE4, HE6, CLT3, CLT5, CLT6, CLT7, H1, H2, H3 and H7 and City of Southampton Core Strategy (amended) policies CS4, CS6, CS11, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 as supported by the relevant national planning guidance and the Council's current supplementary planning guidance listed in the Panel report.

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	SO18 Big Local Consultation Response		

Recommendation in Full

1. Panel confirm the Habitats Regulation Assessment at **Appendix 1**, and then:
2. Delegate to the Planning & Development Manager to resolve the Woodmill Bridge impacts and associated mitigation package ahead of issuing conditional approval of the Council's outline planning application; and,
3. Delegate to the Planning & Development Manager to add, vary and /or delete the planning conditions listed below (as may be necessary following the Panel meeting).; and,
4. Approve the proposed stopping up and diversion of existing Right of Ways necessary to support the development.

Procedural Context & Background

This type of application is known as a 'Regulation 3' application and relates to proposals made by the Local Authority for development that it wishes to undertake as part of its remit as a public sector service provider. It is general practice that, following the proper assessment of the planning merits of the proposal, Regulation 3 applications should be either approved, if considered acceptable, or the application should either be deferred or withdrawn if not considered acceptable for justifiable planning reasons that would normally result in a refusal/appeal.

Furthermore, as the Council is unable to enter into a S.106 legal agreement with itself, as would be the case with other applicants, the mitigation package and affordable housing required to make this development acceptable will be secured as part of the contract of sale if the land is sold to a developer or prior to the commencement of development in the event that the Council takes the scheme forward itself. The National Planning Policy Guidance (NPPG) confirms that a planning condition can take the place of the S.106 legal agreement

in such cases to ensure that the agreement is secured prior to the commencement of development and does not fetter the release of the planning permission – assuming that this recommendation is supported by the Planning Panel.

This application is known as a ‘hybrid’ in that the quantum of development is set but it has multiple phases. The level of detail for the first phase is akin to a fully detailed planning application, whereas the subsequent phases would require a further ‘Reserved Matters’ (RM) application to the Planning Department as the full extent of the works (in this case the external appearance of the later phases and its associated landscaping are indicative only) are currently unknown. Further neighbour notification would take place at the RM stage.

The application received a holding objection from Natural England (NE). At that time NE were of the opinion that the scheme had not properly explained how it would mitigate the impact of residents from the development using the New Forest Special Protection Area for recreational purposes. The attached Habitats Regulations Assessment (**Appendix 1**) has addressed this issue and needs approval by Panel prior to the determination of the planning application. NE no longer object to the planning application.

1.0 The site and its context

- 1.1 This application relates to the redevelopment of the Council owned blocks of Townhill Park Estate, which is primarily accessed from Meggeson Avenue. The application site has a gross area of 10.7 hectares and is formed by a number of separate plots/phases that are pepper-potted throughout the Estate. The wider estate has an area of some 30 hectares. In total 14 separate plots were initially identified for (re)development and this report will set out the context for each plot, the proposed development and the associated impacts.
- 1.2 The character of the area is predominantly residential with 5 storey flatted blocks set within open space and terraced housing fronting the street. The existing estate is characterised by sloping land, significant changes in level and mature trees throughout, many of which would have been planted when the estate was first developed. As the site is owned by the Council it treats these trees as if “they were subject to tree preservation orders” although no formal TPOs apply to the site. A TPO may be applied to these trees prior to any subsequent land sale. The application site includes Frog’s Copse and Hidden Pond, the former being protected open space and a Site of Importance for Nature Conservation (SINC), and whilst development is not proposed for these important spaces the development looks to enhance them for residents through an associated package of mitigation, improvements and financial contributions.
- 1.3 The site is within Flood zone 1 with a low probability of a flood event occurring. The site has ‘low’ accessibility to local services and public transport links (PTAL Band 2) with the submitted Transport Statement suggesting that there are typically 19 buses per hour (12/hour after 7pm and 10/hour on Sundays).
- 1.4 It is evident from a site visit and the responses to the planning application that there is an existing parking problem on the estate. The existing layout wasn’t designed for current car ownership levels and this results in cars parking upon existing verges and, in part, on the open space that serves the wider estate. The current planning application has looked at how it can assist in resolving this current issue.

2.0 Proposal

- 2.1 Outline planning permission is sought for the redevelopment of Council owned flatted blocks across the estate with 665 new dwellings, associated parking and replacement public open space. The existing terraced housing, many of which are in private ownership, do not form part of the redevelopment proposals. A total of 426 existing flats will be demolished to make way for the development. An increase of 239 (56% increase) dwellings is proposed. Applying 35% to this net additional results in a minimum affordable housing requirement of 84 units, with the applicants indicating that 50 of these units will be delivered within the first phase of the development.
- 2.2 This is a comprehensive scheme looking at existing flatted blocks within Council ownership across the street. Further estate regeneration programmes are likely to follow across the City. Existing residents have been notified of the proposals to redevelop Townhill Park, and those living within the first phase of development have been decanted into accommodation elsewhere within the City. Demolition works for those buildings located within plots 1 and 2 are set to commence shortly.
- 2.3 As is normal for a development of this type the application proposes a phased approach to delivery and further RM applications will follow as the scheme develops following the grant of outline planning permission. Phase 1 of the development comprises two plots at the eastern end of Meggeson Avenue. Details of the quantum of development, the proposed 'Layout' and 'Scale', the proposed 'External Appearance', 'Access' and 'Landscaping' are provided meaning that the first phase is, effectively, fully detailed with no reserved matters. Should planning permission be granted this would allow the applicants to implement the build programme without requiring further planning applications for the initial phase.
- 2.4 The remaining plots for development provide certainty in respect of the quantum of development, the proposed 'Layout', 'Scale' and 'Access', but only indicative information concerning the 'External Appearance' and 'Landscaping' with these details reserved for a later date.
- 2.5 All plots have a contemporary design aesthetic, with brick and coloured panels. The flatted blocks make use of the roof space to provide a mix of brown/ecology spaces and private terraces for residents to supplement the extensive use of private balconies. Parking has been designed largely on the basis of 1 parking space per flat and 2 spaces per house with supplementary parking for the benefit of the whole estate provided along a redesigned Meggeson Avenue following the introduction of traffic calming, a reduced 20mph speed limit and a width reduction from 8/10m to 6m. In total 778 on plot parking spaces can be accommodated with a further 109 uncontrolled parking spaces shown along Meggeson Avenue, Wakefield Road, Cutbush Lane and Ozier Road.
- 2.6 Each plot requires the removal of some existing tree cover in order to facilitate development and, where landscaping is reserved for future phases, a commitment has been given to a 2 for 1 tree replacement across the estate.
- 2.7 The application proposals can be summaries as follows:
- 2.8 *Plot 1 – Fully detailed*
This plot is triangular in shape and fronts Townhill Way to the eastern end of the estate. It backs onto the rear gardens of the bungalows of Onibury Road and

Roundhill Close with two storey housing forming the site's western boundary. The site is currently formed by 3 five storey finger blocks comprising 43 flats and mature tree planting screens the existing development from Townhill Way. This site slopes northwards towards the junction with Meggeson Avenue

2.9 It is proposed to demolish the existing and replace with a terrace of 3 storey townhouses on the southern boundary with Onibury Road. A single flatted block replaces the 3 existing blocks and is formed by a building of between 4 and 7 storeys with the bulk located towards Meggeson Avenue. Access is formed from a new link road fronting the existing terraced housing, which will offer existing residents the opportunity for private car parking to the front of their property (should they wish and subject to planning control).

2.10 This plot is fully detailed with all matters for consideration and proposes the following residential mix:

	1 bed	2 bed	3 bed	Total
Flats	20	29	7	56 (89%)
Houses	-	-	7	7 (11%)
Total	20 (32%)	29 (46%)	14 (22%)	63 (107dph)

2.11 *Plot 2 – Fully detailed*

Plot 2 is also fully detailed and together with Plot 1 forms the first phase of the regeneration project. The existing site is characterised by a significant change in levels from the eastern junction of Meggeson Avenue with Townhill Way up to the highest point where Meggeson Avenue meets Paulet Close. Cutbush Lane forms the plots northern boundary and is characterised by a mature tree screen beyond which is the City boundary with Eastleigh Borough Council (EBC). EBC have been consulted on these proposals and no comments have been received.

2.12 Five existing blocks of 5 storeys, formed by 93 flats, are identified for demolition and replacement with 5 larger blocks arranged as a perimeter block with a central car parking court. The replacement buildings range in height from 3 to 6 storeys. Access is taken from Meggeson Avenue (to the eastern parking courtyard) and Paulet Close (to the western parking courtyard).

2.13 Plot 2 proposes 207 parking spaces to serve 213 flats (ie. 6 flats will not have a dedicated car parking space) following design changes and the requirement to retain an existing substation within the proposed courtyard.

	1 bed	2 bed	3 bed	Total
Flats	124	52	37	213 (100%)
Houses	0	0	0	0
Total	124 (58%)	52 (25%)	37 (17%)	213 (146 dph)

2.14 *Plot 3 – Deleted prior to application being lodged*

Plot 3 has been removed from the scheme as it has evolved. It was formed by the existing garage block to the western end of Roundhill Close.

2.15 *Plot 4 – Deleted prior to application being lodged*

Plot 4 has also been removed from the scheme and is an area of wild grassland between Roundhill Close and Middleton Close.

- 2.16 *Plot 5 – Indicative only*
Plot 5 is a roughly rectangular plot located between Meggeson Avenue and Cutbush Lane with Benhams Road forming the western boundary, and a terrace of 6 two storey dwellings located along the eastern boundary. These houses are located on higher ground than the site. The site itself is formed by 3 five storey finger blocks formed by 65 flats.
- 2.17 An indicative plot redesign has been submitted with the layout and access fixed. This shows 4 blocks akin to that shown on Plot 2 with a central parking courtyard separating the buildings. Access is to be taken from Meggeson Avenue (to the eastern parking courtyard) and from Benhams Close (to the western parking courtyard). A formal public playpark divides the two.
- 2.18 Plot 5 is formed by buildings of between 3 to 6 storeys and comprises 169 flats at a density of 141 dph with further details to be provided at the reserved Matters stage. Plot 5 proposes 173 car parking spaces (ie. 4 more than the 1:1 ratio applied across the development).
- 2.19 *Plot 6 – Indicative only*
Plot 6 is also rectangular in shape and sits on the opposite side of Meggeson Avenue to Plot 5. The existing site is formed by a three storey block with residential flats above commercial floorspace at ground floor. There is an existing convenience store within this block, a former Housing Office (now closed to the public and used as a base for the local neighbourhood wardens) and the former Ark public house, a two storey building approved in 1964, sits to the west with rear parking and servicing behind. Two storey terraced housing sits on higher land to the south. Plot 6 currently provides accommodation for 11 flats.
- 2.20 The indicative scheme for this phase shows two rows of terraced town houses that make use of the existing access. The block fronting Meggeson is 3 storeys in height with the rear block formed by a mews of 2 storeys that takes advantage of the change in levels with its existing neighbours. The convenience store is removed – and a small retail offer is reprovided within Plot 8. A total of 14 houses are to be provided on this plot at a density of 44 dph.
- 2.21 *Plot 7 – Indicative only*
Plot 7 is located to the south of Kingsdown Way and is formed by 4 blocks, each of 5 storeys. They currently provide 44 flats. A mature tree belt and a change in levels separate this plot from the existing residential neighbours fronting Cornwall Road. A terrace of two storey housing – accessed only via the existing footpath – is located on the opposite side of Kingsdown Way adjacent to a large expanse of open space and formal playspace.
- 2.22 The proposal includes a mix of 2-3 storey terraced townhouses accessed from a new link road between Kingsdown Way and Wakefield Road, thereby providing the opportunity for frontage parking to the existing terrace. A part 5/6/7 storey block of flats is located to the west of the terrace fronting the retained open space with a parking courtyard separating this block from a terrace of 4 retained two storey dwellings. Care has been taken to retain a clear pedestrian link along the desire line between Cornwall Road and Townhill Park Infant and Junior schools. A total of 10 houses and 40 flats are proposed for this plot at a density of 75dph
- 2.23 *Plot 8 – Indicative only*
Plot 8 has been identified as the site of the replacement convenience store. The

site currently provides for 3 blocks of 5 storeys comprising 33 flats set within a large area of public open space. No housing is proposed for this plot, following the demolition of these buildings, and it is anticipated that this site will form a 'village green' at the centre of the new estate works. The proposed convenience store is proposed as a single storey building with a footprint of no more than 500sq.m.

2.24 *Plot 9 – Indicative only*

Plot 9 is to the west of plots 7 and 8 and slopes up to higher ground towards Longmead Road. The site currently comprises 3 flatted blocks running north to south, each with 5 storeys of residential accommodation. Two of the blocks provide an additional ground floor level of garaged parking making use of the change in levels across the site. A total of 66 flats currently exist.

2.25 The proposed development for this phase places a part 3/4 storey block closer to the village green fronting Ozier Road. This block forms duplex living where two storey housing is stacked. Access is taken from Kingsdown Way. To the west of this block the existing flatted blocks are replaced with part 2/3 storey terraced townhouses in three rows. In total Plot 9 is earmarked for 48 dwellings at a density of 68dph.

2.26 *Plot 10 – Indicative only*

Plot 10 is located on the junction of Copse Road and Longfield Road with Frog's Copse forming the western boundary. The site is relatively flat with a parking courtyard located to the front of a 5 storey flatted block of 16 flats.

2.27 It is proposed to replace this block with two rows of terraced housing, similar to the layout shown for Plot 9. In total 20 houses are proposed at a density of 57dph. A looped link road is provided to provide refuse vehicle access whilst providing improved surveillance to Frog's Copse from the second terrace.

2.28 *Plot 11 – Indicative only*

Plot 11 is currently undeveloped. It forms a piece of sloping open space to the front of terraced housing along Copse Road, with Meggeson Avenue forming its northern boundary. The site is approximately 0.16 hectares in area and offers an open outlook for its neighbours. The application proposes to make use of the slope of this land by inserting a two storey mews of 4 houses, whereby the front elevation onto Meggeson Avenue will read as a two storey terrace but from the rear only the first floor will be visible. A rear garden is then accessed from the upper storey. The residential density would be 25dph.

2.29 *Plot 12 – Indicative only*

Plot 12 sits on the opposite side of Meggeson Avenue from Plot 11. It is a long thin plot comprising three blocks of five storeys and a sudden drop in level to the north down to Hidden Pond. The site is characterised by the significant trees associated with Hidden Pond and currently provides accommodation for 33 flats.

2.30 The indicative plans for Plot 12 show a flatted block of part 4/5/6 storeys running parallel with Meggeson Avenue with a basement car park accessed adjacent to the recently completed Montague Place housing development. A total of 53 flats and 3 houses are proposed at a density of 179dph. A total of 52 undercroft parking spaces are proposed for the 53 flats (ie. a shortfall of 1 parking space) with the 3 houses each supported by 2 parking spaces.

2.31 *Plot 13 – Indicative only*

Plot 13 is bordered by Meggeson Avenue and Frog's Copse and sits on higher ground (in part) than both. The site currently provides for 22 flats within a pair of 5 storey blocks. The indicative proposals seek to replace the flats with 3 rows of terraced housing (similar to plots 9 and 10). A total of 28 houses are proposed at a density of 38dph. A perimeter block approach is taken with a new link road proposed providing vehicular access to a central parking courtyard, whilst opening up access for existing residents.

2.32 *Plot 14 – Deleted following the validation of the planning application*

Plot 14 is an existing undeveloped piece of open space to the western end of the estate, which also provides turning for buses. The application originally proposed development with 8 houses, but following local opposition, recognition of the land's importance to the visual character of the area and the need to limit the net loss of open space across the development this plot has now been removed from the proposals.

2.33 *General Points*

The scheme as a whole proposes a minimum of 35% affordable housing, which is compliant with Policy CS15, and 44 of the dwellings within Phase 1 (16%) meet the definition of family dwellings providing at least 3 bedrooms and a private garden that is 'fit for purpose'. The policy CS16 requirement for family housing is 30% and across the wider estate 211 units (3+ beds) are currently proposed – albeit on an indicative basis at this stage – which equates to 32%. All dwellings have access to private amenity space, in the form of balconies, gardens, and/or communal open space that is supplemented by the provision of on-site public open space, a children's play area and improved linkages to both Frog's Copse and Hidden Pond. The development has been designed to a 'Lifetime Homes' standard making adaptability in the future possible. Furthermore, 5% of the affordable units will be fully wheelchair compliant.

2.34 The proposed development will result in the loss of 1.3 hectares of open space and 4.06 hectares of public amenity space (the green space around the existing blocks and highway verges). However, some of this space will be reprovided through the introduction of a village green, the communal roof terraces and private balconies proposed and smaller areas of formal playspace. An assessment of the quality and usability of this space has been submitted to support the application, with improved linkages to existing areas of open space proposed where necessary. Some 19 hectares of open space (principally Frog's Copse) will be retained to support the development with a programme of betterment proposed. A net loss of 1.69ha of open space is, however, proposed across the estate.

2.35 The proposals include the removal of 126 existing trees (37 of which have been given a Category B rating - worthy of retention). This tree loss has been assessed in consultation with the Council's Tree Team and has focused upon those poorer specimens, those with limited life expectancy, and those in locations central to plot development. A full tree replacement on a 2:1 basis is proposed and it is likely that the sites will be TPO'd in the event that they are released to a private developer.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) 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 LDF Core Strategy sets out a vision for the City and states that ‘the Council’s Estates Regeneration Programme will... provide additional homes in safe, attractive neighbourhoods, by redesigning parts of some Council-owned housing estates’. Paragraph 4.5.18 adds that ‘towards the middle and end of the plan period additional homes will be delivered as part of the Council’s Estate Regeneration Programme. This project will upgrade council-owned estates promoting mixed tenure communities and replacing lower quality council homes with new affordable rented housing’.
- 3.3 The redevelopment of previously developed sites for housing is a key driver of the planning system but where open space is lost at the local level the Council’s Development Plan seeks further justification and mitigation with the aim being to protect existing open space as a valuable resource to support existing and prospective residents (LDF Core Strategy Policy CS21 refers). Paragraph 5.4.14 of the Core Strategy provides guidance on this specific issue in relation to the Council’s Estate Regeneration Programme. It states that ‘the Council’s Estate Regeneration Programme is reviewing the function, location and management of open spaces within some council-owned housing areas as part of an initiative to deliver new, mixed tenure homes within attractive, safe neighbourhoods. This programme will identify opportunities to improve the provision of high quality, accessible amenity open space within these housing areas. This may involve reconfiguring fragmented areas of open space to improve both its quality for recreational purposes and its landscape value. Selected amenity open spaces with little recreational, landscape or nature conservation value may be converted to other uses as part of this wider programme’. The current scheme accords with this overarching strategy for the delivery of housing across the Council’s existing estates.
- 3.4 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. The scheme originally proposed a Code for Sustainable Accreditation but as this format for scoring new development no longer exists the scheme will now be conditioned to achieve improvements in energy and water efficiency only.
- 3.5 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.6 **SCC Planning Policy** – No objection - The amended plans are welcomed from a Planning Policy perspective.
- 3.7 The scheme would result in the net loss of 1.69 ha (approximately 8%) of designated open space classified as amenity greenspace (i.e. all that identified for the purposes of Policy CS21 ‘Protecting and Enhancing Open Space’) which is considered to offer little in the way of public value. This would be a departure from the objectives of Core Strategy Policy CS21 in terms of retaining the quantity of open space which would not normally be considered as acceptable. However, the proposed net loss can be justified in this instance due to the betterment strategy proposed in relation to the operational mitigation measures that would improve the

quality and usage of existing parks and open space in the area. The measures proposed for improving the quality and usage of Frogs Copse are particularly welcomed with this open space scoring as low quality in the Council's most recent open space assessment undertaken in 2015. Further improvements to the quality, accessibility and links between other open spaces including the proposed Village Green and proposed improvements at Hidden Pond will also help towards meeting the intentions of Core Strategy Policy CS21.

3.8 The proposed mitigation measures will also help to meet the criteria set out in Core Strategy Policy CS22 'Promoting Biodiversity and Protecting Habitats' as they would help to eliminate previously identified adverse impacts from the development upon the designated sites in the New Forest and along the Solent coastline. The mitigation would also help to enhance local biodiversity in accordance with the policy.

3.9 The scheme is also in accordance with the Government's Estate Regeneration Programme which aims to provide new homes with improved design standards, urgently needed homes across all tenures and vibrant neighbourhoods. This can also be argued to be an overriding consideration now that the scheme would incorporate the mitigation measures as referred to above.

4.0 Relevant Planning History

4.1 Various historic applications relating to the estate itself but none of direct relevance to the current plot development. The layout of the housing estate appears to date back to applications received in 1960.

4.2 15/00862/DPA – No objection 04.06.15
Application for prior approval for the proposed demolition of existing residential blocks (to slab level) forming phase 1 of the Townhill Park Regeneration project

4.3 11/01340/FUL – 222-252 Meggeson Avenue - Approved 03.08.12
Demolition of the existing block of flats and re-development to provide 10 x 3 bedroom houses and 23 flats (4 x 1 bedroom, 19 x 2 bedroom) in two, three and four-storey buildings with associated parking and other works including stopping up of highway/diversion of an existing public right of way (Montague Place)

4.4 09/00568/R3CFL - Townhill Park Community Centre – Approved 27.07.09
Redevelopment of site. Demolition of existing buildings and erection of part 2-storey part single storey building for use as community centre (use class D1)

5.0 Consultation Responses and Notification Representations

5.1 The City Council (as applicant) have engaged with the local community regarding the scheme and held a public consultation event in September 2014 (173 visitors), June 2015 (153 visitors). Prior to this residents have been consulted as early as 2012 on indicative plans to redevelop the estate and the release of land for housing.

5.2 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners (8th October 2015), placing a press advertisement (16th October 2015) and erecting site notices across the estate (Advertising a Departure – 13th October 2015). At the time of writing the report **17 representations** have

been received from surrounding residents, including a petition with 66 signatures in opposition to Plot 14, and a submission from a committee member of the Townhill Park Residents Association. A redacted copy of the full response from SO18 Big Local, and its associated Youth Forum, are attached to this report at **Appendix 3**. Whilst generally supportive of the regeneration benefits proposed the response highlights issues around the following:

5.3 • Affordable Housing

Response

A planning obligation will be secured through the process to ensure that the application delivers on its promise of at least 35% of the units (net additional) being 'affordable'. The certainty of the type of affordable housing cannot be given at this time and will depend upon funding and proposed changes to the definitions of 'affordable housing' as currently proposed. The rehousing of people from the estate into the new units is an aspiration of the project, and fosters positive community cohesion, but cannot be a restriction on the release of planning permission and is, instead, a matter for the Council as landowner.

5.4 • Construction Traffic

Response

A planning condition will be used to secure further details of the construction phase and it would be legitimate for a vehicle routing strategy to be agreed whereby traffic associated with Phase 1 enters the estate from Townhill Way.

5.5 • Roof Gardens

Response

The scheme is reliant upon roof gardens to enable a higher density development and the provision of a significant increase in car parking. These roof terraces will need to remain open and be successful for the scheme as a whole to work. Planning conditions are recommended to secure their delivery and ongoing management.

5.6 • Energy Efficiency

Response

During the pre-application stage when the scheme was designed to achieve Code for Sustainable Homes Level 4 the Code was scrapped and no such target is applicable. Planning conditions are recommended to ensure that high levels of energy efficiency and water reduction measures (equivalent to Code Level 4) are achieved, and this should still see a high quality, energy efficient scheme that benefits residents.

5.7 • Sound Insulation

Response

This point is well made. The flatted blocks have, wherever possible, been carefully designed so that similar rooms are 'stacked', but in any event the issue of sound insulation between flats is a matter for the Building Regulations phase with details to follow the grant of outline and reserved matters planning stages.

5.8 • Management of Green Spaces

Response

A planning condition securing the delivery of improved green space (and access) outlined in the Green Infrastructure Plan (Version 2) is recommended as requested. A phasing strategy for the delivery of these improvements will form part of this approval process with the need for early delivery to compensate for the proposed

open space losses noted.

5.9 • Playspace for Teenagers

Response

The need for suitable playspace to meet the needs of all residents is picked up through the Green Infrastructure Plan – including the creation of the Village Green - and, in addition, it should be noted that the development is liable for the Community Infrastructure Levy (CIL), whereby a further contribution (£70/sq.m) will be made to the Council based upon the net additional floorspace. CIL is used to fund city-wide infrastructure projects with a minimum of 15% of the monies collected within a specific ward ring-fenced to support that ward. CIL can be used to fund new open space projects.

5.10 • Echelon Parking in Meggeson Avenue

Response

The redesign of Meggeson Avenue has involved the Council's Highways Team and results in a more efficient use of the land (with more parking spaces than would otherwise be the case) without compromising safety. There are no highway objections to the proposed traffic calming and parking strategy for Meggeson Avenue – see Highway Officer's comments below.

5.11 • Plot 1 – Shared Surface

Response

The discrepancy identified between the planning drawings is noted. The plan showing the existing and proposed site plan overlays shows the new link road to the west of the flatted block having no direct vehicular link onto Meggeson Avenue. The proposal is, however, to create a new opening onto Meggeson Avenue to facilitate easy access and a continuous loop for refuse collection as confirmed by the updated Transport Assessment (Technical Note – 7 March 2016). This has been negotiated with SCC Highways.

5.12 • Bus Stop Siting

Response

The locations of bus stops will be properly considered and resolved as the scheme progresses with dialogue between the Council (as landowner), the Council (as Highways Authority) and the bus operators themselves. The proposed Landscape Masterplan shows preferred locations.

5.13 • Meggeson Avenue Traffic Calming

Response

As noted there will be further negotiation with cycling groups ahead of changes to the associated road network. The proposed changes are set to benefit all road users.

5.14 • Access to Townhill Park

Response

The lack of assessment to the impacts of the development on the Woodmill Bridge have been corrected with the updated Transport Assessment (Technical Note – 7 March 2016). It confirms that with the uplift of 239 dwellings, and the way the proposed units are geographically split, there will be an additional 105 vehicle trips on the network during the morning and evening peaks. These journeys are split across the network and with Woodmill located some 2km from the development the TA concludes that the associated impacts on this part of the network will not be significant. Further details have, nevertheless, been requested by the Council's

Highways Officer and further dialogue will be necessary to inform the level of contribution (if any) required to Woodmill Bridge improvements (see Highway comments below).

5.15 • School Places

Response

The planning application submission has not assessed the impacts of the proposed development on existing schools in the context of a rising school roll and existing capacity issues. It does, however, provide population forecasts for the development and concludes that the Estate can expect an increase of 239 dwellings. Applying an average occupancy rate for Southampton of 2.35 persons/dwelling it suggests a population increase in the region of 560 people can be expected. The applicants have been asked to provide further details regarding school places and an update will be given at the Panel meeting should this information be forthcoming.

5.16 Other planning related issues raised by affected residents:

- 5.17 • The proposed changes to Meggeson Avenue are unnecessary and will only serve to clutter and restrict existing access through the estate. The road should be kept free of artificial traffic hazards and there is no evidence that traffic calming is required. Furthermore, there are concerns that the local roads will deteriorate further during the significant construction phase.

5.18 Response

The proposed traffic calming measures associated with Meggeson Avenue have been designed following input from the Council's Highways Team and an assessment of the recent accident data. The works are deemed necessary on highway safety, and aesthetic, grounds and will assist in creating additional shared parking for the benefit of the whole estate. Some of the objectors also suggest that additional pedestrian refuge is needed where school children cross and this can be designed into the highway scheme as it progresses, although it should be noted that the current Landscape Masterplan shows a raised platform in this location to assist with this issue.

- 5.19 The ongoing construction phases will have an impact upon existing roads and there will be a vehicle routing plan and highway condition survey secured through this recommendation – where affected roads will be surveyed prior-to and following the completion of the relevant phase in advance of any necessary repairs being undertaken.

- 5.20 • The redevelopment of **Plot 7** will result in a loss of residential amenity (particularly the loss of privacy and additional shadowing) to residents in Cornwall Road, and the loss of trees on this boundary will allow further overlooking. 7 storey buildings will cause a wind tunnel. Even with the existing block there is constant noise. The introduction of a roof terrace to this block will add to the problem. There are also ground stability and drainage issues affecting this plot

5.21 Response

Plot 7 replaces four blocks of 5 storeys but there are no detailed designs at this stage and the location of windows, roof terraces and any privacy screens have yet to be determined with only an indicative design provided to satisfy the Council that the level of development proposed could, in theory, be provided. The main objection to this phase concerns the replacement flatted block, rather than the terrace of townhouses. The flatted block is part 5/part 6/part 7 storey with a sedum

roof towards its nearest neighbours to the west, and the existing block sits closer to this neighbour, and then steps up to 7 storeys in the centre where the staircore extends up to the roof level thereby providing access to part of the roof for residents. This roof space is located 36 metres from the rear elevation of the properties fronting Cornwall Road. The majority of the existing tree screen is to be retained in this location, with 2 trees removed and replaced within a revised parking layout. The separation distances, the change in levels up towards Cornwall Road and the residents to the west, and the existing tree screen are sufficient to mitigate any significant impact. The applicants have not been asked to undertake any micro-climate (wind) assessments for this development as such work is normally reserved for taller building projects. In practice the existing screening and topography of this plot will mean that any significant issues are localised to the development of the site rather than its neighbours. The site is already characterised by 5 storey blocks and the proposed increase in height is, therefore, acceptable in this context. The site is relatively flat and the relevant consultees have not reported problems with existing drainage. A planning condition is, however, proposed to secure appropriate sustainable drainage measures for the estate.

- 5.22 Following the objections to this plot the applicant has undertaken a detailed 'Transient Overshadowing Analysis' (23 March 2016). This document concludes that *'the proposed development of Plot 7 would not materially increase the overshadowing to the neighbouring gardens when compared to the existing conditions assessed on March 21st. Indeed, some gardens would experience greater levels of direct sunlight when compared to the existing scenario. Whilst the Development would result in a small part of the public playground being overshadowed for part of the day, the vast majority would have access to direct sunlight and during the summer months the entire playground would be in full sun throughout the day. When assessed in accordance with the guidelines given in the City of Southampton's adopted Local Development Plan and with the guidelines set-out in the BRE Report, our analysis demonstrates that the development would cause a negligible change in the amount of overshadowing and we consider the affect to be acceptable'*. Officers agree with these findings for the reasons given above.
- 5.23
- The development of the open space forming **Plot 11** will result in the loss of open space for children, a reduction to house prices, a reduction in natural daylight during the morning, the loss of 6 trees, the design creates an alleyway to the front of the existing neighbours and there would be increased pressure for parking.
- 5.24 Response
The development of Plot 11 involves the direct loss of open space, but the proposals only show Layout, Scale and Access at this stage with further detail to be secured through the Reserved Matters stage. This space slopes down to Meggeson Avenue and there is a significant change in level across the site making the site less useable for balls games. It does, however, provide some amenity for outdoor play and offers a visual amenity to the estate and those residents that front onto it.
- 5.25 The proposed scheme seeks to retain roughly half of this space and use the slope to build into the site thereby limiting the impact of the two storeys. Site sections have been provided to demonstrate how the 4 dwellings will relate to the neighbours on higher ground and the results show a less harmful relationship - in terms of the issues raised - than would otherwise be the case. The loss of open

space is an issue for the development as a whole and in the context of a wider regeneration project the scheme's viability relies on every site coming forward in order to then provide qualitative improvements for the estate as a whole in the form of a village green with improved linkages and facilities at both Hidden Pond and Frog's Copse. On this basis the loss of half of Plot 11's open space to 4 dwellings, with supplementary planting on the land that remains, is deemed to be acceptable, whilst understanding the concerns raised by those residents directly affected.

- 5.26
- The development of **Plot 12** will result in additional overlooking – especially towards 324 Meggeson Avenue from the three storey townhouses. These townhouses do not have sufficient car parking. The site supports badgers and deer.

5.27 Response

Plot 12 includes 3 townhouses towards the western boundary with 324 Meggeson Avenue. The separation distance proposed from the side of the new terrace and the front of this affected property is between 18 and 22m, which exceeds the guidance of 15m from the Council's adopted Residential Design Guide SPD for such a relationship. However, the existing 5 storey block (to be demolished on Plot 12) is some 30m away and it is true to say that the proposed terrace will, therefore, affect outlook from this neighbour and will impact upon access to sunlight in the morning, but not to levels that could be considered as harmful given the separation distances involved. Any overlooking can be designed out at the Reserved Matters stage when neighbours will again be consulted. The site's attractiveness for badgers and deer are noted and the planning application is supported by survey work and a package of mitigation that focuses upon Hidden Pond and Frog's Copse. The Council's Ecologist is satisfied that the presence of badgers within, and close to, the estate does not prejudice the delivery of this project and the applicant is aware of the implications of developing close to protected species and has put the necessary team in place to advise. Further licenses from Natural England may be required in due course.

- 5.28
- In terms of parking the houses have 2 spaces each and all but 1 of the flats will have its own designated parking space within a secure undercroft car park. This level of parking is policy compliant but in addition the scheme proposes to use Meggeson Avenue and neighbouring roads for additional shared parking to the serve the estate. These additional 109 spaces will assist should any overspill parking occur.

- 5.29
- The new road required for **Plot 13** will pose a hazard to children and pensioners. The road will encourage parking overspill, especially given the loss of parking along Meggeson Avenue proposed to create the new housing fronting Meggeson Avenue. This plot results in the significant loss of open space and mature trees.

5.30 Response

All new roads pose a threat but providing it is built to adoptable standards (as is the case) given the limited number of houses requiring direct use (8 in total) the number of vehicle movements is unlikely to be significant and the risk is reduced. The road itself is needed to provide access to a central parking courtyard, which enables a perimeter block layout to be designed given surveillance to Frog's Copse whilst reducing the impact of additional parking on the wider streetscene. The houses each have 2 parking spaces, with those fronting the copse parking within the rear courtyard. This is an acceptable solution and also allows for the existing dwellings to open up their frontage in the future for additional parking (subject to planning). Again, the open space associated with the existing flats for plot 13 will

be lost, although this space is poorly designed and is neither truly public nor directly used by the residents of the existing blocks. This public space will be replaced, in part, with useable private gardens serving the dwellings, but the delivery of the housing enables improvements to be made across the estate for the benefit of the wider population. On this basis the scheme can be supported. A condition requiring site levels to be resolved for this scheme will be critical to a successful scheme.

- 5.31
- The proposed development of **Plot 14** will necessitate the relocation of the existing bus stop and the new location is not acceptable. Furthermore, the petition in relation to this plot suggests that existing residential amenity and quality of life will be affected by adding housing on this existing open space – *reference is made to the loss of view and property devaluation, which are not planning related matters for the Panel to consider.*

5.32 Response

The development of the open space forming Plot 14 with 8 houses has been withdrawn from this application. No further action is required.

- 5.33
- The plans should include further parking – land at the junction of Hillgrove and Wilmington Close has been overlooked and could be used instead of adding further parking to Meggeson Avenue

5.34 Response

The land at the Wilmington Close and Hill Grove Road junction (running east) has been assessed previously as having high ecological value thereby constraining its development. Nevertheless the application has been made as shown on the submitted drawings and the applicant can expect a decision to be made on their proposals in the first instance regardless of alternative solutions that may or may not be available. The proposed parking levels are policy compliant and have been designed to address the existing parking overspill problems across the estate.

- 5.35
- The existing community centre still lacks parking (4 spaces)

Response

This application was assessed at the planning application stage as acceptable. The proposed works to Meggeson Avenue focus upon providing the estate with additional parking to satisfy the demand, and the community centre may benefit from this extra capacity.

- 5.36
- Design – flat roof flatted blocks with roof gardens is not a sensible idea. Without proper management there will be antisocial activity and these spaces will close leaving residents with very little. Furthermore, the design of the three storey townhouses are out of character.

5.37 Response

The existing 1960's blocks have a flat roof design and this approach is acceptable from a design perspective. The use of this roof space is also to be encouraged, whether this be with photovoltaics, biodiverse roofing or for additional amenity space. This project potentially incorporates all three and makes good use of this otherwise underused resource. The issue of roof terrace management is a good one to raise and is also a concern of officers; by placing significant emphasis upon the roof terraces to satisfy the amenity space demands of the residents the overall scheme would suffer should they fail. With this in mind a management plan can be secured with a planning condition and the Council (as landowner) then has a duty to ensure that these roof terraces are a success.

- 5.38
- Loss of open space is a concern, as is adding children's play equipment into

Frog's Copse which supports local wildlife and the two are not compatible.

5.39 Response

The proposals result in a net loss of 1.69 hectares of open space across the estate. However, compensation is made through designated private space serving the separate blocks and houses (currently the existing 1960's flats lack dedicated private amenity space) with improved linkages to a central village green (Plot 8) and the existing Frog's Copse and Hidden Pond. A qualitative improvement to these areas will then follow as identified in the Green Infrastructure Strategy (Version 2). This loss of open space represents a departure to the Development Plan, which seeks to retain both the quantity of open space available whilst improving the quality. The Panel are being asked, therefore, to endorse the loss of open space in the context of improved quality and significant housing delivery as part of a wider estate regeneration project.

5.40 Frog's Copse itself will be managed as informal open space, making the most of the biodiverse qualities and partial designation as a SINC, rather than being designed to accommodate a formal play area. That said, the Panel will note that Southampton Common successfully balances play with nature conservation.

5.41 • The development will place a strain on existing infrastructure, including schools and doctors.

5.42 Response

This is a valid point to make in the context of a proposed population increase across the estate in the region of 560 people. The Council (as applicant) has been asked to provide further details of the education programme, in particular, linked to the delivery of the estate regeneration project and any information received will be reported verbally to the Panel. That said, this project has a lengthy programme for delivery and it will be a number of years before there will be a net increase in dwellings and/or population. Furthermore, since the Council adopted its Community Infrastructure Levy (CIL) in 2013, to which all new residential accommodation makes a contribution, a development's infrastructure requirements are now met through this process and any new school/health related development required can apply to be funded from CIL receipts; where city-wide infrastructure projects will bid against one another to secure CIL funding.

5.43 **Consultation Responses**

5.44 SCC Highways – No objection

The proposed redevelopment of various sites on the Townhill Park estate will result in a net increase of 239 new homes. Meggeson Avenue is the spine road which runs through the centre of the estate, and meets with Townhill Way to the south east, and Woodmill Lane to the north west, after it has changed its name to Forest Hills Drive. Meggeson Avenue is currently subject to a 30mph speed limit, and is an unclassified public highway. The surrounding area is residential in nature, and there are a number of local schools within or in close proximity to the estate. There is an old highway, Cutbush Lane which runs to the east of the estate which offers pedestrian and cycling routes away from Meggeson Avenue, with linkages along its length into surrounding roads. Buses run along Meggeson Avenue, linking to the local centre of Bitterne, and the main city centre beyond.

5.45 Meggeson Avenue is generally wide, and parking occurs along much of its length, whilst some parking has been provided on previous verge areas to cater for demand. It is clear that the current off highway parking provision on Townhill Park Estate falls short of the demand. Criticism has been raised concerning the speed

of traffic on Meggeson Avenue, and therefore these two issues have been at the forefront in the consideration of this proposal.

5.46 Accident data has been provided for Meggeson Avenue, where it was found that a total of 9 injury accidents had occurred in the study period of 3 previous years, 6 of which involved vulnerable road users. The proposals therefore need to take account of the environment for vulnerable road users particularly, and it is proposed to reduce the speed limit on Meggeson Avenue, and create traffic calming by a number of measures to reinforce the reduced speed. One element of the traffic calming involves the provision of on street parking arranged to reduce down the carriageway width and create the effect of chicanes, whilst providing adequate room for buses and larger vehicles to negotiate the route whilst other traffic will be required to give way.

5.47 Initial highway comments were provided on 13th November 2015 and some points raised have been addressed in the Technical Note dated 7th March 2016, principally around the parking court layout for the proposed flatted blocks. However a number of issues still require further clarification.

5.48 Although the methodology used to calculate the level of parking currently occurring on site is slightly incorrect, due to this being the existing situation, numbers of parked cars were able to be counted and I am prepared to accept the information supplied and use it as a comparison against the level of parking proposed. The proposed parking provision for the new development generally provides for one parking space per flat, and 2 spaces for houses. This parking does not include the parking which is to occur on Meggeson Avenue, which will in itself increase the level of parking generally on the estate. In some instances, some existing houses which currently do not benefit from the choice of having on plot parking will be given the opportunity to have this should they wish.

5.49 Highways Officers are concerned at the designers' response in places to the points raised in the Stage 1 safety audit, but this is a matter which will be resolved when the developer wishes to progress the development and enter into a Section 278 Agreement to undertake the work on Meggeson Avenue. Further safety audits will be required before any highway works can commence and therefore these concerns will be addressed at that stage.

5.50 The impact of the traffic generation of this proposal on the surrounding network has been calculated through to an expected level of generation in 2025, which is a standard procedure. Concerns have been raised over the likely impact on Woodmill Bridge, and although the developer has provided data which suggests that the impact on the bridge will be insignificant, we will need to investigate this further and possibly include an obligation via the Section 106 agreement which will require studies prior to commencement of development, and following the development, and should the impact be greater than anticipated, measures can be in place to require the developer to fund mitigation work.

5.51 Conditions will be required to cover:

- Sight line details for new accesses to be agreed.
- Sight lines at junctions need to be agreed prior to the commencement of works to Meggeson Avenue
- Detailed agreement for the cycle and bin store arrangements
- Details of gates and entry systems to car parks and bin and cycle stores.
- Any redundant dropped kerbs shall be reinstated.

- All works to the public highway shall be carried out under a Section 278 agreement.
- Any new roads shall be constructed to an adoptable standard.

S106 Issues

- 5.52
- Highway Condition Survey
 - Construction and Environment Management Plan
 - Refuse Management Plan
 - Traffic Regulation Order

Officer Comment:

- 5.53
- The Woodmill Bridge issue remains unresolved based upon the revised Transport Assessment, although any impacts can be addressed through a planning obligation. The trips generated by the proposals are not significant enough to warrant concern or a formal highway objection to the planning application and an off-site payment towards improvements may be sought in the event that further work suggests that this is necessary. This can be resolved with the conditions listed below.*

- 5.54
- Design Advisory Panel** (at the pre-application stage) - This scheme will undoubtedly lead to a major transformation of the area and bring a significant modernisation of the standard of accommodation for residents when set against the existing housing it will ultimately replace, and this is clearly to be welcomed.

- 5.55
- The Panel does however have concerns over the substantial increase in the overall units proposed, which appears to be very detrimental on the amount of green space and public realm to be provided, which will be needed to serve an increased number of residents and families. Although the panel acknowledge that there is potential to increase the quality of the green space provided rather than the largely grassed and undersigned space between buildings that currently exist there does not appear to be much spatial variety of green space created.

- 5.56
- From the master plan the Panel could not immediately recognise a synergy between the buildings and the landscape, which will be critical in an area where the major change would appear to be replacing pavilion buildings of flats set in an open landscape to one of the same or increased scale enclosed within a perimeter block form. Currently the master plan appears to lack the creation of a sense of place and identity for the estate with the buildings failing to identify key nodes particularly along Meggeson Avenue. Currently there is little variation in the height of the proposed apartment buildings and this repetition of scale could appear very monotonous rolled out across all of the sites identified for this typology. It may be better to look to increase heights in certain areas, such as the entrance gateway from Townhill Way, in order to reduce heights in others to lessen the often stark contrast between existing two storey houses on one side of the street and five or six storey flat blocks proposed opposite.

- 5.57
- The Panel welcomes the proposal to create a village green but is unsure about both the location and nature of the convenience store. A more satisfactory solution may be to see the park as a park, with its principal activity coming from the play areas and a community café, similar to St James's Park in Shirley, and the convenience store being the focus for a square on Meggeson Avenue in the same location as the existing retail units which would have the greater advantage of catching passing trade from connecting routes and movement through to the school. The Panel are concerned that when the practical functions of the

organisational requirements of an end user are taken into account, there is a real danger that the specified desire for a double fronted building facing both the street and the park with views through the building will not be commercially viable. As previously mentioned the sudden change from the existing predominantly two storey housing to much taller blocks in a perimeter form around the park will need to be handled carefully if this transition is to be at all successful

5.58 As previously mentioned the Panel is concerned that there isn't sufficient variation in the building typologies, eaves heights, and the response to the site topography. In addition, although the use of balconies is welcomed the impact can be a significant loss of natural daylight to rooms. It is often better to use balconies in association with transverse flats to ensure good natural lighting to habitable rooms.

5.59 The form of the flat blocks would suggest the use of single aspect flats which does mean that a significant number of the proposed blocks will be largely north facing. This combined with the scale of the blocks and the presence of largely car parking areas within could make for an overall poor quality of residential environment, particularly related to Plot 2, where the flats will not only be north facing but also be close to the substantial hedgerow forming the boundary with Cutbush Lane. These concerns are particularly applicable to the 2 and 3-bedroom family flats.

5.60 With regard to the materials shown the Panel would urge the use of a natural brick rather than concrete types shown as the natural weathering properties of a high quality clay brick are proven to be superior to that of a concrete alternative. Care will need to be taken regarding the colour themes that you referred to in your presentation, and rather than colour being used on all the buildings it may be better to use colour to emphasise key structural elements of the building or to define legibility and identity at key nodes within the estate. Although welcome, it will need to be established whether what appeared to be seamless glass balustrades are viable on a social housing scheme, as a different approach would have a significant impact on the overall architectural aesthetic of the building.

5.61 Finally, the Panel felt that there is a need for a clear strategy at this stage for the use and management of the proposed roof terrace gardens. As previously stated, with the loss of available amenity space at ground, ensuring that the roof terraces work in detail for residents and are maintained to a very high standard is absolutely fundamental to this project. This goes beyond simply meeting the amenity space requirements of planning, but is critical to the future health and well-being of the estate residents. The detail design implications of issues regarding safety of use on top of tall buildings, and the management to avoid the potential attraction of anti-social behaviour needs to be considered, as it is clear that it cannot be acceptable given the reduction in ground level open space to have a situation, as has happened on a number of roof-top gardens, where ultimately residents are denied access to roof terraces because of safety or anti-social behaviour concerns.

Officer response:

5.62 *These comments were used at the pre-application stage to inform a design change to the proposals. Not all suggestions have been accommodated with the submission but this in itself does not make the design philosophy wrong. The Council's Design Officer's comments below respond to the scheme as amended and submitted:*

5.63 **SCC Design** - I am content that the layout follows the details of the scheme which we have commented on during the PREAP for this project. I remain unconvinced

by plots 11 and 14, but accept that if these plots are to be developed then the schemes proposed are the best compromise. The scheme now relies very heavily on the new village green to provide the public amenity for the site, and the use of extensive roof terraces for the communal amenity for residents of the new block. It will be vital therefore that the village green is delivered to the highest quality standard and be very robust given the very heavy public use this space is likely to attract. It will also be vital that the roof terraces cannot be closed to residents use as we are all aware of such terraces that have been closed after the start of any anti-social behaviour thereby denying their use to law abiding residents, which if it were to happen in this case would seriously compromise the overall residential amenity of the development. Given the reduced recreational space over the existing development I am surprised that the outline proposals show no upgraded landscape proposals for the existing grassed area adjacent to Hazelwood Road, and for Dyneley Green (Site 4) given that it is not now to be developed

Comments on Site 1 public realm and landscape

5.64 Given the loss of the existing green edge to Townhill Way I am surprised by the paucity of landscape and tree planting to this frontage. 5 Ginkgo's at 20m centres with a few specimen shrubs is completely unacceptable. A hedge with trees at 10m centres should be the minimum expectation here, particularly given the increase in overall scale of the development. Trees should be a minimum of 12-14cm girth. Not sure Ginkgo is the most appropriate species as feel a quicker growing native species variant would be more appropriate in this semi-rural setting

5.65 Given the presence of a not inconsiderable retaining wall to the communal amenity space it would seem odd that the design for this space has not sought to plant the area in front of the wall rather than, or in addition to the planting in front of the building

5.66 The large grassed area to the side of the townhouse next to Townhill Way seems a missed opportunity to provide a more ecologically diverse habitat.

5.67 There are no trees in frontages of the townhouses. The parking layout needs to be tweaked to facilitate this.

5.68 What is the function of the strip of land between the existing and proposed houses?

5.69 The access route to the car parking area off Round Hill Close and the route in front of the houses should be vehicle grade block paving not tarmac to help unify this space

5.70 Although I would love to see a Cedar of Lebanon I'm not sure that in the car park is the best location for what is a broad spreading conifer, as ultimately the beauty of this tree is in its low hanging and broad sweeping branches, something that would not be possible in a car park location. It would however be ideal for one of the various small green spaces across the estate where it could develop to its full potential.

Comments on Site 2 public realm and landscape

5.71 Same comment re site 1 regarding Townhill Way frontage, and also frontage of Meggeson Avenue. Also more shrub planting/low hedge planting needed along the street frontages rather than narrow open grassed areas to define public and 'private' space.

5.72 The Picea omorika is unacceptable to be planted between car parking bays on Meggeson Avenue, however it would be ok in the adjacent triangle of green space

5.73 I would've liked to have seen a grid of trees planted within the internal car park court as I fear given the scale of the buildings this will feel a very hard and bleak space for those residents who's flats overlook it.

Comments on the apartment architecture

5.74 My only concern is that the coloured approach to the panels on the building may date very rapidly. It's always interesting to me that on public housing schemes these bright colours are often proposed/used and always seem to date, where they are seldom ever proposed for private residential developments. You would naturally think that the public housing would be the 'safe' conservative option and the private the more experimental.

Officer Comment:

5.75 *Amended landscape plans have been submitted to deal with the specific points raised and these will form part of the presentation to Panel. A detailed response also explains how the scheme has evolved to take into account the suggestions made. The coloured panels will be reviewed when the materials are agreed.*

5.76 **SCC Ecology** – I am satisfied that the ecology issues have been fully considered. On the specific issues the following points are made:

Badgers

- 5.77
- The proposed development will lead to the loss of a large area of amenity grassland which is providing foraging habitat for badgers. The current density of badgers is high and there any loss of habitat will adversely impact the badgers. In the long term the effect will be a gradual decline in the badger population however, in the short term there could be a lot of movement of badgers as they seek out new foraging areas such as domestic gardens.
 - Increased badger foraging in gardens has the potential to result in damage to lawns and flower beds and lead people to take actions that may be illegal under the Protection of Badgers Act 1992. This will need to be monitored.
 - A programme of monitoring should be undertaken to establish population changes and identify whether and where any problems are occurring. This will also help to monitor sett establishment activity and hence whether sett disturbance licences are required.
 - The proposed development will not at present necessitate the closure of any setts however, badgers are highly mobile animals and new setts can be established at any time. Re-survey will therefore need to be undertaken prior to the commencement of demolition or construction work to ensure that there are no setts within 30m of the works. Should a sett be present within 30m, a sett disturbance licence will be required. It should be noted that these licences are only issued for the period 1st July and 30th November inclusive

Bats

- 5.78
- Bats are present in relatively low numbers with three species, common pipistrelle, Pipistrellus pipistrellus, soprano pipistrelle Pipistrellus pygmaeus, and Myotis spp, being recorded.
 - Bat roosts have been identified in two buildings however, these are not included in the first phase of the development and hence there will not be any adverse impacts on bat roosts.
 - Further surveys of these buildings will be required to support detailed

proposals for the later phases of the development. If the roosts are still present Natural England European Protected Species Mitigation Licences and suitable mitigation measures will be required.

- Bat foraging is occurring around the perimeter and along a row of trees running across the centre of the site. These trees need to be retained and any increase in artificial illumination needs to be minimised.
- Cutbush Lane is a particularly important corridor and it is critical that any tree removal does not lead to a physical break or an increase in night time light levels.

Other species

- 5.79
- Nesting birds and slow worms could be affected by vegetation removal. Suitable precautions such as removing vegetation at appropriate times of year should be detailed in a biodiversity mitigation and enhancement plan.

Frogs Copse Management

- 5.80
- The management plan will require more detail however, I am of the view that this is best developed in conjunction with the local community to generate interest in and ownership of the plan.
 - Delivery of the management plan could be secured through a planning condition however, there would need to be a clear deadline for delivery, e.g. occupation of first dwellings, and resources to support the community involvement.

Additional comments

- 5.81
- The proposed loss of trees will adversely impact local wildlife, particularly bats and birds. Adequate replacements, both in terms of numbers and species, will be required.
 - I support the proposal for tree planting along roads which will benefit biodiversity and create an environment that is more attractive for walking and cycling.

Habitat Regulations Assessment

- 5.82
- The screening is generally accurate however, a Statement to Inform (StI) the 'Appropriate Assessment' is required to enable the Local Planning Authority to undertake the appropriate assessment.
 - One area of inaccuracy is the conclusion of no likely significant effect in respect of the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site. Research has shown that recreational activity will lead to adverse impacts on the features of interest and as a consequence residential developments in Southampton, in-combination with residential developments elsewhere in south Hampshire, will lead to likely significant effects. This impact is only mitigated if a payment is made towards the programme of measures being delivered by the Solent Recreation Mitigation Project (SRMP).
 - Recreational activity has been correctly identified as being likely to lead to adverse impacts on the New Forest SPA however, as above, this will be an in-combination impact.
 - The applicant will need to specifically identify how recreational activity impacts upon the designated features and then explain how the proposed mitigation measures will remove these adverse impacts.
 - Specific details of the proposed mitigation measures will need to be provided alongside costs, locations and timeframes for delivery. A mechanism for securing the necessary funding will also need to be identified.

Green Infrastructure Plan

- 5.83
- I am supportive of the approach detailed in the green infrastructure plan however, if this document is intended to provide the mitigation framework for the HRA then more specific details on the infrastructure to be provided, the community activities to be undertaken and the resources available are required.
 - The proposed signposting and provision of maps to highlight recreational opportunities available to new residents are useful however, I suspect that, at least for the initial period after occupation of the housing, there will be a need for active engagement with residents to introduce them to the various open spaces. This will require funding.
 - Marhill Copse has been shown in the GI Plan even though it is not an area of Public Open Space which is misleading. This should be removed.

Open Space

- 5.84
- The open space assessment only talks about the physical loss of open space, no mention has been made of the effects of a growing population. This will adversely affect capacity.
 - There are a lot of comments about improving the quality of the open space to offset the loss however, no evidence has been provided to demonstrate that it is possible to adequately mitigate the loss in the face of increasing population levels.
 - No evidence has been provided on the current levels of use of the open spaces.
 - The open space assessment appears to have only considered the population within the Townhill Park Estate however, Frogs Copse will attract people from the residential area to the north and west of the estate which means that the pressure on the site may be greater.
 - The proposals for Frogs Copse are a bit vague but broadly acceptable.
 - I support the suggestion of a management plan for Hidden Pond.
 - I support the inclusion of rooftop gardens as a means of off-setting some of the loss of open space however, resources will be required to ensure that new residents are actively encouraged to get involved with their management.
 - I support the proposal to engage the community in the management of natural open spaces however, there is no mention of the resources that will be required to achieve this.
 - The numbers provided for hectares of open space are inconsistent and there appears to be a mistake in the adding up in Table 13.2 (Amenity Green Space 4.5 + 4.21 doesn't equal 8.16).
 - The justification for the loss of such a large area of amenity open space is weak. The factors quoted could all be resolved by 'betterment'. There is nothing fundamentally wrong with the amenity space that some resources couldn't address.
 - There is no indication of how deterioration, leading to similar concerns about quality, will be avoided in the future where even higher population levels will place greater pressure on sites and probably lead to higher levels of misuse.

Drainage

- 5.85
- I am not convinced of the need for a distinction between green and blue roofs. Properly designed roofs should be biodiverse and capable of providing adequate surface water management.

Officer comment:

- 5.86
- These comments have been shared with the applicant and further assessment*

work has been undertaken. A lighting Strategy, revised Open Space Assessment and Green Infrastructure Plan has been submitted to support the proposals. In response to this submission the Ecologist has commented that 'I am satisfied with the Green Infrastructure Plan version 2 and would like a planning condition requiring implementation of the measures detailed within it. The lighting assessment has confirmed that there is likely to be an adverse impact on bats using Cutbush Lane so I will require mitigation measures to reduce the impact as far as possible'.

- 5.87 **SCC Employment & Skills** - An Employment and Skills Plan Obligation will be required.
- 5.88 **SCC Contaminated Land** - This department considers the proposed land use as being sensitive to the effects of land contamination. Records maintained by SCC - Regulatory Services indicate that the subject site is located on/adjacent to the following existing and historical land uses;
- Landfill (220m to SW).
- Brickfield (Adj. to SW)
These land uses are associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.
- 5.89 **SCC Environmental Health** - No objections to this application subject to suggested planning conditions.
- 5.90 **SCC Heritage** - The sites lie within Area 16 of the Local Areas of Archaeological Potential, and plots 12 and 14 are adjacent to the Itchen Valley Conservation Area and the Town Hill Park registered Park (Grade II). Generally, development here will threaten archaeological deposits, but the extent of survival of these deposits is presently unclear. It will therefore be necessary to archaeologically evaluate the area in accordance with the WSI prepared by the Southampton Archaeology Unit and dated 10/04/14.
- 5.91 Further works will need to be commissioned depending on the results of the evaluations. The need for further works may be mitigated once detailed information is received on groundworks (including landscaping and services) required for the construction of the new properties. There is the potential for the proposals for plots 12 and 14 to affect the setting of the Conservation Area and the Registered Park. While this may be unlikely (due to the heavy tree cover), this cannot be assessed at this stage as detailed design for these plots is reserved.
- 5.92 *Officer response:*
With the removal of Plot 14 from the scheme the setting to the Itchen Valley Conservation Area is preserved.
- 5.93 **SCC Sustainability** - A study was undertaken by Capita for a comprehensive district energy system which does not seem to be referenced to and reasons not given for not taking this forward. Code for Sustainable Homes Assessments have

been undertaken but the Code no longer exists. It may possible to still register a scheme, however according to Government guidance we can no longer require the Code as mandatory. Conditions securing the mandatory energy and water requirements are recommended. The image of the roof terrace doesn't look like a particularly pleasant environment - some artificial grass and a couple of planters with some coloured rubber paving. If the roof terrace is expected to replace some of the lost open space it should be of high quality. A condition is recommended to secure higher quality roof spaces.

- 5.94 **SCC Housing** – *comments made prior to withdrawal of Plot 14* - On the basis that there are a total of 675 new dwellings proposed by the application, and on the understanding that there are 428 existing dwellings, the resultant net gain is therefore 247 dwellings. In accordance with Policy CS15, the net gain is therefore subject to 35% affordable housing provision ie 86 units (rounded down). 50 of the affordable housing units are to be provided in Phase 1 of the proposed scheme, with the remaining 37 to be provided and agreed within the subsequent phases of the scheme as this evolves within the planning process.
- 5.95 **SCC Tree Team** – No objection (*following revised submission*)
The tree information is now vastly improved with better ability to see full impact of tree losses and gains. The proposed early phases don't deliver the 2:1 requirement on tree replacements. I'd therefore require an assurance that any delay or stoppage of phases subsequent to initial tree removal will be mitigated in any event please: this could be achieved by early planting on locations with less development pressure – perhaps as part of the improvement of tree cover for connectivity and the more sensitive ecological areas (Frogs Copse, Hidden Pond) allowing slight increase in young tree cover prior to losses.
- 5.96 Will require detail on tree planting into HARD landscaping to show sufficient soil volumes delivered for good tree establishment. Detailed pit designs for hard landscaping (including those with root barriers to one, two or three (undesirable) sides). Particularly into car parking areas and street verge locations. Not required for planting into soft landscaping. Understanding that the provision of soil volumes for tree establishment in hard landscape areas may require specialist below-ground engineering (Silvacells) to ensure no subsequent compaction takes place.
- 5.97 A condition that agreement on species per phase is agreed prior to any removals per phase to ensure good mix across the site.
- 5.98 *Officer Response:*
The requested details will be secured through the attached landscaping condition.
- 5.99 **SCC Flood risk** - The principles of the overall drainage strategy for the site are acceptable and the proposed reduction in peak flow rates and mitigation for the increased volume of runoff are welcomed. More detailed proposals for surface water drainage on phase 1 of the development (Plot 1 & 2) have been provided which in accordance with the principles provide a marked reduction in peak discharge to greenfield runoff rates and the increase in volume created by the increase in impermeable surfaces will be mitigated through the use of long term storage and infiltration. In relation to the proposals for infiltration on these plots the following information will need to be provided in order to satisfy that an appropriate infiltration assessment has been undertaken:
- confirm that the infiltration tests have been undertaken at the location, depth and with a head of water that replicates the proposed design;

- confirm what measures are necessary to prevent construction activities (especially compaction) changing the infiltration characteristics;
- confirm that the test infiltration capacity is likely to be representative of the wider ground mass;
- confirm that evidence has been provided of seasonal variations in groundwater levels;
- confirm that the maximum likely groundwater levels are >1m below the base of the infiltration devices;
- confirm that an assessment has been undertaken of the potential effect of infiltration on groundwater levels local to any infiltration component and the potential wider impact of multiple infiltration components within the site, with respect to groundwater flood risk;
- confirm that an assessment has been undertaken of the risk of springs developing in layered geology/steep topography as a result of the proposed infiltration.

Given the need for further details in relation to the proposed infiltration components of the drainage system for plots 1 & 2 it is advised that a pre-commencement condition is added to cover the need for further detail on the design proposals for the drainage on the later phases of the development. It would also be advisable that a condition is applied to secure that the development is implemented in accordance with the submitted drainage strategy and flood risk assessment.

5.100 **Southern Water** – No objection subject to appropriate planning conditions being attached – The response confirms that there is currently inadequate capacity for both foul and surface water drainage but that both can be resolved through further approvals with Southern Water.

5.101 **Natural England** – Holding objection removed
The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and the Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar site and also notified at a national level as Lee-on-the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). The proposal site is also in close proximity to the New Forest SPA, SAC, Ramsar and SSSI sites.

5.102 In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

5.103 i) Solent and Southampton Water SPA - No objection, subject to contributions
This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that Southampton City Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). Provided that the applicant is

complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

5.104 ii) New Forest sites - No objection

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

5.105 iii) Protected species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a decision checklist which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development.

5.106 iv) Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

5.107 v) Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

5.108 **Environment Agency** – No objection.

5.109 **Southampton Common and Parks Protection Society** - SCAPPS appreciated the time and effort officers spent in explaining proposals to us whilst the regeneration plan was in preparation and is pleased that the submitted scheme has taken account of our comments. SCAPPS welcomes & supports the inclusion in the application of our suggestions for a clearly signed path from Meggeson Avenue into Frogs Copse, the principal green space in Townhill and the inclusion of proposals to enhance its provisions for recreation. SCAPPS has been unable to find in the documentation accompanying the application a firm commitment to

implement the proposed improved access and facilities and has concern that the phasing plan shows the housing-development area through which the new access would pass in phase 3, 2020-25, which is too long to wait for a proposal that will significantly contribute to improving the character and 'feel' of the estate. However, the phasing plan has an annotation on Frogs Copse 'phase to be confirmed' for improvements to Frogs Copse. SCAPPS requests that the planning permission requires the new access & improvements to Frogs Copse to be brought forward at an early phase of implementation and certainly significantly sooner than development of housing area 13.

5.110 SCAPPS welcomes removal from the proposals of the previous intention to build on the highest point in the estate, Dyneley Green (housing area 4). SCAPPS has not been able to find reference in submission documents to how it is proposed the amenity grass area known as Dyneley Green will be managed/maintained but hopes it will be managed as rough grass, not a close mown area. SCAPPS welcomes and supports the creation of a 'village green' which will include a large children's and young person's play area and is pleased to see this is included in phase 2a.

5.111 *Officer Response:*
*The submitted Green Infrastructure gives more certainty to the phasing of the open space improvements and has informed the HRA attached at **Appendix 1**. A planning condition relating to a wider phasing plan is also recommended to secure delivery.*

6.0 Planning Consideration Key Issues

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

1. The Principle of Development (including Open Space);
2. The Design, Layout & Density;
3. Impact upon Residential Amenity;
4. Parking, Rights of Way & Highway Safety; and,
5. Off-site Mitigation, Habitat Regulations & S.106 Legal Agreement.

6.2 1.Principle of Development (including Open Space)

6.2.1 Both local and national planning policies are committed to delivering additional housing on previously developed land in sustainable locations. The Council has a recognised housing need of 16,300 homes until 2026 (LDF Policy CS4 refers). In particular, whilst the principle of development is clearly supported in these circumstances, an assessment of the scheme's impact on the character of the area, residential amenity, and its efficient use of land for housing delivery, are material to the Council's planning decision.

6.2.2 The scheme proposes a reasonable mix of flats and houses as set out below, albeit the permission will need to allow for flexibility to respond to market conditions and (given the outline nature of the application and the time needed for delivery) the following should be taken as indicative only at this stage:

	1 bed	2 bed	3 bed	4 bed	Total
Flats	281	154	96	0	531 (80%)
Houses	0	19	113	2	134 (20%)
Total	281 (42%)	173 (26%)	209 (31%)	2 (<1%)	665

- 6.2.3 The current split between houses (134 – 20%) and flats (531 – 80%) is acceptable given that the existing plots are wholly flatted. Flat sizes are between 47 and 107sq.m in floorarea, which is also acceptable. A minimum of 35% of the homes will be secured as affordable. The application proposes that 44 of the dwellings within Phase 1 (Plots 1 and 2) will be genuine family homes, with at least 3 bedrooms and access to private amenity space. The minimum target across the estate will be 30% (LDF Policy CS16 refers). 50 of the units from Phase 1 will also be 'affordable'.
- 6.2.4 The key issue for assessing the acceptability of the principle of development for this application concerns the loss of open space. As has been stated the application proposes a shift away from undesignated highway verges and open spaces around flatted blocks towards private gardens and roof top terraces. All plots will lose a degree of open space in this process and, despite the retention of Plot 14 as part of the scheme's open space provision, the overall loss of open space to development is 1.69 hectares. This is not compliant with LDF Policy CS21 – *'the Council will retain the quantity and improve the quality'* - and needs to be considered against other material considerations around this case. The Panel have to decide whether this loss is acceptable and should note that not all of this space is currently attractive and/or useable; some of it is unusable and some is used instead for parking on an informal basis. It does, however, perform a visual function and separates development giving the estate an open character which will, to a certain extent, be lost should the proposed redevelopment take place.
- 6.2.5 Furthermore, there will be additional demand for recreation created by the predicted population increase of some 560 people. In order to satisfy Natural England that this combination (of additional demand for open space coupled with a direct loss in quantity) wouldn't result in additional recreational pressures on the Special Protection Areas of the Solent Waters and the New Forest the applicant has put together a scheme of measures to mitigate against any significant impact. The Appropriate Assessment appended to this report at **Appendix 1** details this further, and is informed by the revised Green Infrastructure Management Plan (Version 2). These documents are deemed sufficient to meet the requirements of the Habitats Regulations.
- 6.2.6 In designing the redevelopment of an existing estate it is inevitable that residential numbers, density and scale will increase as the proposals seek to maximise the land's reuse whilst delivering a viable scheme worth implementing. The suggested mitigation, in combination with the wider benefits derived from housing delivery (including the provision of affordable housing), is sufficient to persuade officers that the principle of increasing residential density and losing open space is acceptable in this instance. In reaching this decision weight has been given to LDF paragraph 5.4.14 (as set out above).
- 6.3 2.The Design, Layout & Density
- 6.3.1 This individual plots are currently, as has been described above, characterised by 5 storey flatted blocks of uniform appearance set within existing landscaped open space and significant areas of hardstanding used for parking.
- 6.3.2 The proposed layout for all plots has been provided, with full details of the buildings design and landscaping offered for Plots 1 and 2 only.

- 6.3.3 The design for Plot 1 is contemporary and steps the flatted block down the slope of Townhill Way. The terraced housing acts as a buffer between the larger block and the bungalow neighbours of Onibury Road to the south. The houses themselves offer an attractive internal layout with habitable rooms addressing the street. Storage is integral to the design and is welcomed. The use of predominantly brick facades broken by coloured panels and balconies with grey windows is also considered to be successful with further details to be secured with the attached planning conditions.
- 6.3.4 Plot 2 proposes to replace 5 flatted blocks with 5 buildings of larger footprint framing an internal parking courtyard. This design is positive in streetscene terms and rooflines have been amended at the request of the Design Advisory Panel. The proposals introduce surveillance to Cutbush Lane and retain public open space between blocks whilst gating the parking to make it safe and secure. The design aesthetic for Plot 2 follows that employed for Plot 1 and has been assessed by officers as acceptable when considered against LDF Policy CS13.
- 6.3.5 The chosen layouts for all plots apply a perimeter block approach by placing buildings onto street frontages to screen a significant increase in parking to satisfy the needs of the development. This assists in reducing the car dominated appearance that currently presents itself across the estate. This approach also keeps development away from the neighbouring boundaries wherever possible. The estate retains its permeability despite the increase in dwelling numbers, scale and density. A total of 43 trees will be lost to Phase 1 and their replacement forms part of the detailed landscape proposals.
- 6.3.6 LDF Policy CS5 encourages higher residential densities in areas with good local access. Townhill Park has relatively poor accessibility (when compared to other parts of the City) and yet is already developed to a reasonably high density given the terraced housing and 4/5 storey flatted development. Similarly, the form of development proposed includes terraced housing coupled with flatted blocks of up to 7 storeys where the applicants exploit the change in levels across the estate to provide additional height in those areas where additional scale can be successfully accommodated. The layouts clearly delineate private and public areas, unlike existing, whilst respecting the importance of the existing trees and the need to provide greater surveillance to the site's public footways along the boundaries.
- 6.3.7 In terms of residential density the Development Plan suggests that areas with low accessibility should be redeveloped at between 35-50 dwellings per hectare (dph) as a guide (Policy CS5 refers). This needs to take account of the existing context of course and, in this case, the Council's vision to regenerate its existing housing stock. In this instance the following densities are proposed:

Plot	Site Area	Existing		Proposed	
		Units	Density	Units	Density
1	0.58ha	43	73dph	63	107
2	1.46ha	93	64dph	213	146
5	1.20ha	65	54dph	169	141
6	0.32ha	11	35dph	14	44
7	0.67ha	44	66dph	50	75
8	0.89ha	33	37dph	0	0
9	0.71ha	66	93dph	48	68
10	0.35ha	16	46dph	20	57
11	0.16ha	0	0	4	25

12	0.31ha	33	105dph	56	179
13	0.73ha	22	30dph	28	38

- 6.3.8 The increase in scale and site coverage results in higher densities on all plots (as would be expected if development is to be a viable proposition), but still within a range of 25-179dph (up from a range of 35-105dph). Density in itself should be a final test though, and crucially the design of a scheme should take precedence. Where a scheme can be accommodated within its existing context then a higher density can be considered. In this case the proposed densities are not harmful or indicative of an overdevelopment.
- 6.3.9 Parking is well scattered across the development within defined parking courtyards that are screened by the buildings, wherever possible, so as to reduce the dominance of the private car to the overall layout. It is considered that the proposed footprint and quantum of development is acceptable and would make an efficient use of land whilst providing a good mix, and additional family dwellings, within a mature landscape setting.
- 6.3.10 With the exception of plots 1 and 2 the design of the housing is reserved for a separate application but is likely to be simple and contemporary, which is appropriate given the surrounding context. A traditional palette of materials is recommended, including a mixture of facing bricks, and coloured panels (to be determined). The indicative materials provided for the later plots is well considered, thorough and gives officers the assurance needed to conclude that the quantum of development proposed can be delivered without significant harm being caused to the visual amenity of the estate. Further details can be secured with the attached planning condition. The buildings have safe and convenient access to integral bin and cycle storage, which can also be secured with a planning condition.
- 6.3.11 As the design is reserved the internal layouts are not currently known. That said, the indicative layouts provided suggest that it is possible for all houses to have dual aspect with access to private gardens of between 54sq.m and 95sq.m with between 9 and 15m depth as suggested within the RDG.
- 6.3.12 The flatted blocks have private balconies and roof terraces. These private external spaces largely meet the standards set out in the Residential Design Guide, namely paragraph 2.3.14 and section 4.4. They are considered to be fit for purpose and are acceptable. The success of the flatted roof terraces lies in their management and a planning condition is recommended. Flats have, wherever possible been designed as dual aspect, particularly where corner units are proposed and/or there is a change in storey height. Single aspect north facing flats are limited to Plots 2, 5, 7 and 12.
- 6.3.13 The current scheme, therefore, assists the Council in meeting its housing requirements without harming the character of the area, whilst providing a good mix of units to assist in achieving a 'mixed and balanced community' as required by the National Planning Policy Framework (NPPF – Chapter 8). It is considered that the application accords in broad terms with Local Plan design policies SDP1, SDP7 and H7 as supported by Core Strategy Policy CS13. The Council's City Design team have worked with the applicant at the pre-application stage to reduce the scheme's impact and are supportive of the current application layout, whilst noting that the scale of development proposed is significant and will inevitably change the established character of the estate.

3.Impact on Residential Amenity

6.4

6.4.1

Local Plan Policy SDP1(i) seeks to protect the existing residential amenity from development. The proposed dwellings have been designed to sit within their plot and are mostly set away from the common boundary with immediate neighbours. Where development is closest to the neighbours there exists mature planting that will be retained to mitigate any impact; this is particularly the case in respect of Plot 2 where development is pushed towards Cutbush Lane. The change in levels in this location and the retention of the mature trees assist in reducing the impacts from the development on the neighbours living within the administrative boundary of Eastleigh Borough Council. It should also be noted that there have been no design-related objections from neighbours to Plots 1 and 2.

6.4.2

In terms of impacting upon existing residential amenity the scheme is mitigated to a certain extent by the existing layout and flatted blocks that already places 5 storey development adjacent to two storey terraced housing. The areas of change have, however, been assessed as part of this planning application's assessment:

6.4.3

Plot 1 has residential neighbours to the west (24-40m separation) and south (20m back to back). Plot 2 is separated from the neighbours in Cerne Close and Culvery Gardens by Cutbush Lane and its mature tree planting (20+ metres separation). Plot 5 fronts Meggeson Avenue but the rear blocks afford views towards Gatcombe Gardens (35m+ metres separation). This plot has been reduced in height to the east where the separation distance from the fronts of these existing neighbours ranges from 14-20 metres. This improves the outlook from these neighbours. Plot 6 introduces a two storey mews adjacent to the retaining walls of rear gardens to property fronting Kingsdown Way (18m separation distance). A bespoke design is employed for this plot and this is considered to work successfully. Plot 7 (houses) step away from their neighbours along Wakefield Road and Cornwall Road (16m to 40+ metres) and the flatted scheme, which has attracted objection from concerned neighbours living (mainly in Cornwall Road) is 35+ metres from the rear elevation of these affected neighbours. Plot 9 has a back-to-back relationship of 19-24m between the blocks proposed, although buyers will be aware of this relationship when purchasing. Similarly Plot 10 has the same internal relationship without affecting existing neighbours. Plot 11 affects the outlook from existing neighbours and results in the direct loss of open space. The change in levels across this plot enables a two storey development to appear as a single storey scheme when viewed from the rear (south) thereby reducing the impacts. These units wouldn't benefit from private rear gardens but again buyers would be aware of the circumstances before making a purchase. Plot 12 has no neighbours to the north (Hidden Pond), although an objection has been raised by the neighbour to the west of the proposed terrace (see response given above). Plot 13 doesn't propose any direct back-to-back issues with its neighbours as all units front outwards across the street. These relationships are acceptable and, where not directly compliant with the distances listed in the RDG, there is mitigation – in the form of level changes and existing (retained) planting – to lessen the direct impacts.

6.4.4

As a result of these proposed spatial characteristics the existing residential amenity of the area, in terms of daylight, shadowing, privacy and outlook will not be significantly compromised by this proposal. In amenity terms the proposed separation between dwellings, the retention of the mature landscape setting and the orientation of the buildings within their plots combine to create an acceptable

addition to the area. The application accords with the adopted Local Plan policies SDP1(i), SDP7(v) and SDP9(v), as supported by the relevant sections of the Council's approved Residential Design Guide SPD, which seek to protect residential amenity.

4. Parking, Rights of Way & Highway Safety

- 6.5 Car parking is a key determinant in the choice of mode of travel. The Local Plan aims to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling.

- 6.5.1 The Council's revised adopted maximum parking standards are 1 space per 1 bed and 2 spaces per 2 and 3 beds as set in the adopted Car Parking SPD (September 2011). Applying these standards the maximum level of on plot parking required would be 1,053 spaces based on the indicative mix given above.

- 6.5.2 The proposed development seeks to provide, instead, a single parking space for every flat and 2 parking spaces for every dwellinghouse and this has largely been achieved across the (indicative) layouts provided. There are a couple of exceptions as noted above and this should be considered in the context of the 109 uncontrolled parking spaces shown along Meggeson Avenue, Wakefield Road, Cutbush Lane and Ozier Road to support the estate. A total of 778 off road parking spaces are proposed. This level of on-site parking meets our maximum standards and is considered to be appropriate in this instance given the local circumstances involved and the concerns of existing residents of a harmful parking overspill arising. Any additional parking would be at the expense and further erosion of the retained areas of open space and any further reduction in unit numbers is, according to the applicant, likely to affect the viability and deliverability of the scheme.

- 6.5.3 In order to move away from a 1960's flatted finger-block layout towards one of perimeter blocks there will be a shift in the existing open access approach offered by the estate. Whilst permeability is retained, and Cutbush Lane in particular is retained as an important east-west pedestrian link, there will inevitably be a change to the existing network of rights of way across the estate. Whilst not strictly a matter for this planning application, as further consents would be required to divert existing footpaths, the application has been described as affecting rights of way on this basis so as to expedite the process. This does not prejudice the ability of a third party to raise related objections at a later point in the overall process.

- 6.5.4 The Council's Highways Officer has raised no objection to the proposal and its proposed level of parking, subject to further discussion on the Woodmill Bridge impacts and the use of the attached planning conditions; including means for controlling construction delivery times and routing so as not to conflict with local schools. The application is considered to accord with Local Plan policies SDP4, SDP5 and Core Strategy policies CS18 and CS19 in respect of local highway safety.

5. Off-site Mitigation, Habitats Regulations & S.106 Legal Agreement

- 6.6 The proposed development is expected to make reasonable contributions towards mitigating site specific impacts of the development, including the provision of affordable housing, as is the case with all new development. The proposed works to Meggeson Avenue constitute a site specific highways contribution as required by the Council's Highways Officer.
- 6.6.1

6.6.2 The Council (as landowner and applicant) cannot, however, enter into a S.106 with the Council (as Local Planning Authority). As such, in the event that this planning application is deemed by the Panel to be acceptable a conditional outline planning permission will be issued. A condition requiring a commitment towards the planning obligations by the Council (as applicant) ahead of the commencement of works is recommended and supported by the Planning Solicitor. Furthermore, the Council will include a clause to bind any future developer to enter into the S.106 legal agreement at the land transfer stage (should this be the preferred approach for delivery). So whilst the process is slightly different the result will be the same and a package of off-site mitigation measures and affordable housing can be secured.

6.6.3 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:

6.6.4 i) Solent & Southampton Water SPA

The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £174 (per unit) has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity.

6.6.5 i) New Forest SPA

The New Forest is designated as a SPA and Natural England have raised concerns that new residents will put pressure on the Forest for recreational activity. To mitigate this the application promotes improved signage of local open space thereby offering residents a wider choice and understanding of their local offer alongside design led on-site mitigation to enhance the existing recreational offer on the estate, with a particular focus upon improving Frog's Copse as an attractive local resource.

6.6.6 The Panel's attention is drawn to **Appendix 1** of this report and the Habitats Regulation Assessment provided, which is necessary as part of this determination process before the Council as the 'competent authority' under the Conservation of Habitats and Species Regulations 2010 (as amended) can give approval to the project. The Habitats Regulation Assessment concludes that there will be no adverse effects on the European sites (Solent Waters and New Forest). Members are recommended to endorse this conclusion to allow the planning application to be decided. Providing the planning obligations are secured (as discussed above) this application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as

amended). Natural England agree with this conclusion and have removed their holding objection.

6.6.7 Finally, as the development will affect bats, which are European Protected Species, the Local Planning Authority needs to demonstrate that it has discharged its duty further in relation the Habitats Regulations. This requirement has arisen as a consequence of the findings of the Judicial Review Woolley v Cheshire East BC. In order to discharge its duty the Local Planning Authority will need to demonstrate that the three tests contained within the Habitats Regulations have been met. The three tests are as follows:

1. *the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';*
2. *there must be 'no satisfactory alternative'; and*
3. *the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.*

6.6.8 The applicant's submission satisfactorily deals with these requirements, and the delivery of housing on this estate is the overriding consideration. The Council's Ecologist has raised no objection to the proposals on this point subject to further mitigation being provided through the attached planning conditions.

7.0 **Summary**

7.1 The redevelopment of the Townhill Park Estate is supported by officers as a way of improving the quality and quantity of the City's housing stock. The scheme presented has been many years in the making and care has been taken to ensure compliance with the Development Plan for the City. The loss of some 1.69 hectares of open space is however proposed and is regrettable given the significant increase in population projected. At this time the open space losses can be mitigated through the transfer of undefined public areas to private gardens and roof terraces, with improvements proposed to the quality of the retained spaces. In the context of the wider estate regeneration benefits proposed this loss of open space is deemed by officers to be acceptable and is within the spirit of LDF Core Strategy paragraph 5.4.14 as set out above.

7.2 The provision of 665 new dwellings - an increase of 239 (56% increase) dwellings on a comprehensive basis makes an appropriate use of this previously developed land, wherever possible, whilst respecting the specific constraints to redevelopment, including the significant tree cover. Particular account has also been taken of the third party response to the scheme, including the existing parking problems experienced around the estate, the quality of the proposed redevelopment proposals, the associated regeneration benefits and improvements to local housing (including a high percentage of affordable and family housing), current market conditions and the overall viability of the scheme. An acceptable residential layout is proposed and the contemporary design shown for Phase 1 can be supported.

8.0 **Conclusion**

8.1 This outline planning application is recommended for conditional approval with the

planning obligations to be resolved at the land transfer stage (should that be a preferred delivery model) and certainly ahead of the commencement of development, for the reasons given above.

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

1a-d, 2b, d & f, 4f & vv, 6a, 7a&b, 8j, 9a & b

SH2 for 03.05.2016 PROW Panel

PLANNING CONDITIONS to include:

1.APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development for 665 residential dwellings across the phases shown on plan ref: P100 025 Rev A is approved.

The following matters sought for consideration, namely the 'Layout' of buildings and other external ancillary areas, the means of 'Access' (vehicular and pedestrian) into the site and the buildings, the 'Scale', massing and bulk of the development, the 'External Appearance' and the 'Landscaping' (both hard, soft and including enclosure details) of the site is approved for Plots 1 and 2 (Phase 1) subject to the following:

- (i) The development of Phase 1 hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

The following matters sought for consideration, namely the 'Layout' of buildings and other external ancillary areas, the means of 'Access' (vehicular and pedestrian) into the site and the buildings and the 'Scale', massing and bulk of the development, of the site is approved for Plots 5-13, with indicative plans noted, subject to the following:

- (i) Written approval of the details of the following awaited reserved matters for each phase shall be obtained from the Local Planning Authority prior to any works taking place on that phase (excluding any demolition phase, site set up and/or site investigation works):
 - the 'External Appearance' and architectural design specifying the external materials to be used (see associated external materials condition below); and,
 - the 'Landscaping' (both hard and soft including tree pit details, all means of enclosure details, including any gated accesses, and ancillary works) with associated management.
- (ii) The development of each phase hereby permitted shall be begun before the expiration of two years from the date of approval of the last application of the reserved matters to be approved for that phase of the regeneration project.

Reason:

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

2.APPROVAL CONDITION – Planning Obligation

No development shall commence on site (excluding any demolition phase, site set up and/or site investigation works) until a planning obligation has been entered into or given with the Council covering the following heads of terms:

- i. A phasing strategy for the delivery of the development, the on-street car parking serving the wider estate, the public realm and traffic calming measures for Meggeson Avenue and the phasing of any financial contributions listed below. This phasing plan shall

confirm that the Village Green proposals shall have been approved and completed prior to the first occupation of the 277th residential unit (ie. the next dwelling after those approved for Phase 1):

- ii. Either works agreed under S.278 or financial contributions towards site specific transport contributions for highway improvements and external lighting (if needed) both within and in the vicinity of the site, including any associated Traffic Regulation Orders, in line with Policy SDP4 of the City of Southampton Local Plan Review (amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- iii. An off-site construction vehicle routing plan with its principal focus being Townhill Park;
- iv. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (amended 2015) and the adopted SPD relating to Planning Obligations (September 2013) or details of an independently assessed viability of the project with appropriate triggers for reappraisal;
- v. The provision and ongoing management/maintenance of on-site playspace in accordance with the approved drawings, as required by policies CLT5 and CLT6 of the City of Southampton Local Plan Review (amended 2015), and the provision for ongoing management of external amenity spaces and landscaped buffers forming the site;
- vi. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives during the construction phase, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- vii. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (amended 2015);
- viii. The implementation of the Green Infrastructure Strategy (Version 2) (25th February 2016) and measures listed within the Habitats Regulations Assessment (03.03.2016) with a plan for the phasing of its full delivery associated with housing delivery including financial contributions towards an on and off-site open space signage strategy for encouraging residents of the development to visit local areas of open space for dog walking and recreation – Habitats Regulations mitigation;
- ix. Financial contributions towards Solent Disturbance Mitigation Project in accordance with policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010 and as detailed in the Habitats Regulations Assessment (03.03.2016);
- x. A commitment to a 2:1 tree replacement strategy for the wider estate, particularly to compensate for those plots that are unable to meet this requirement directly;
- xi. A roof terrace design, implementation and management strategy for all flatted blocks. The roof terraces shall remain open for the benefit of residents and their visitors to which they relate during the lifetime of the development. Any planters and seating provided shall be fixed. In the event that the roofspace is designed for the growing of fruit and vegetables it shall be provided with areas for storage, a water supply, waste handling and appropriate drainage;
- xii. Submission of a highway condition survey on a phase by phase basis to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer; and,
- xiii. A public art strategy for the estate.

The development shall proceed as agreed.

Reason:

Planning permission can be issued following the resolution of the Planning and Rights of Way Panel as the site is currently within Council ownership and the planning obligations are to be tied to either to the commencement of the development or the sale of the land contract as deemed appropriate in the National Planning Policy Guidance. Furthermore, as the development will create localised impacts the above planning obligations are required in the interests of the proper planning of the area and to mitigate the impact of the development in accordance with Policy CS25 of the amended City of Southampton Core Strategy (amended 2015).

3.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.

The development hereby permitted shall be carried out in accordance with the recommendations and details set out in the following documents, unless alternative arrangements are made through the clearance of the planning conditions attached to this planning permission:

- Capita Drainage Strategy (August 2015)
- Capita Phase 2 Bat & Reptile Surveys (October 2012)
- Capita Ecological Report (September 2014)
- Preliminary Ecological Assessment (August 2012)
- Capita Lighting Assessment (January 2016)
- Design out Crime Consultation (July 2015)
- Arboricultural implications Assessment (July 2015)
- Flood Risk Assessment (May 2015)

Reason:

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

4.APPROVAL CONDITION - Details of External Materials - Samples

Notwithstanding the submission to date prior to the commencement of any above ground works for the construction of the buildings in each phase hereby permitted (excluding any demolition phase, site set up and/or site investigation works) details and samples of the materials and finishes to be used for the external walls (including a colour scheme for any cladding systems), windows, balconies, doors and roof etc. of the buildings in that associated phase shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Those flats with windows fronting Cutbush Lane and Hidden Pond – namely Plot 2 (A, F and E), Plot 5 (C and D) and Plot 12 (A) shall be fitted with tinted glazing as recommended by the Capita Lighting Assessment (January 2016) in order to reduce light spill into this established corridor for bats.

The external window reveals to be employed across the development shall be a minimum of 150mm as agreed by the applicant in their letter dated 8th March 2016.

External meters and utility boxes required to serve the residential use shall be fitted away from the principal elevation of the building to which it relates unless otherwise agreed in writing with the Local Planning Authority prior to its installation.

Reason:

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

Note to Applicant:

The use of render should be kept to a minimum across the development with the Council's preference for brick as the principal facing material.

5. APPROVAL CONDITION – Landscaping (Phase 1)

The landscaping associated with Phase 1 hereby approved shall be implemented in accordance with the approved plans.

Details of the gates, entry systems and means of enclosure to the private parking courtyards serving Phase 1 (Plots 1 and 2) shall be provided and agreed prior to their installation and erected prior to the first occupation of the residential units to which the parking relates. The gates and means of enclosure shall be maintained as agreed during the lifetime of the development.

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

The approved hard and soft landscaping scheme (including parking) for the whole phase shall be carried out prior to the first occupation of the phase 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 and to ensure that the parking courtyards are retained as private thereby improving security for these areas.

6. APPROVAL CONDITION - Arboricultural Method Statement

No operation in connection with the development hereby permitted shall commence on each phase until a phase specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.

7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason:

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

7.APPROVAL CONDITION - Replacement trees

Notwithstanding the agreed landscaping scheme for Phase 1 any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority prior to the commencement of development of each phase at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

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

8.APPROVAL CONDITION - Tree Retention and Safeguarding

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

Reason:

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

9.APPROVAL CONDITION - no storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

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

10. APPROVAL CONDITION – Demolition and Construction Method Statement (DCMS)

Prior to the commencement of development of every phase (including any demolition phase, site set up and/or site investigation works) details shall be submitted to and approved in writing by the Local Planning Authority making provision for a “Demolition and Construction Method Statement” (DCMS) for the development. The DCMS shall include details of:

- a) Parking of vehicles of site personnel, operatives and visitors;
- b) Any site compound details and contractor’s cabins/office;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials, including cement mixing and washings, used in constructing the development;
- e) Treatment of all relevant pedestrian routes and highways within the site throughout the course of construction and their reinstatement where necessary;
- f) A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- g) A scheme for recycling waste resulting from the construction programme;
- h) details of lorry routing
- i) Measures to be used for the suppression of dust and dirt throughout the course of construction;
- j) Measures for the cleaning of wheels and the under chassis of lorries leaving the site;
- k) Details of how noise and vibration emanating from the site during construction will be mitigated;
- l) A "hotline" telephone number and email address shall be provided for the use of residents in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period;
- m) Confirmation that the hours of construction listed in the condition below will be adhered to; and,
- n) The methods of supervision to ensure that workers have knowledge of the method statement.

The approved DCMS shall also include proposals to monitor these measures (as set out above) at the site boundary to ensure that a statutory nuisance does not arise beyond the site boundary, and shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

Note to Applicant:

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

11. APPROVAL CONDITION - Hours of Construction & Associated Deliveries

In connection with the implementation of this permission any demolition, conversion and construction works (including all associated deliveries), shall not take place outside the hours of:

- 8am and 6pm Mondays to Fridays; and,
- 9am and 1pm on Saturdays.

Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

No deliveries of construction materials or equipment, or removal of demolition materials associated with this development shall take place between the following times:

- 8am to 9:30am and 2:30pm to 3:30pm Mondays to Fridays

Notwithstanding the above restrictions the date/time of delivery to site and erection of any tower cranes required to construct the development outside of these permitted hours shall be agreed in writing with the Local Planning Authority, in consultation with the Highways Department, prior to their delivery.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission, and to ensure that construction traffic does not conflict unduly with the local school's peak hour traffic.

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

The external amenity space serving each dwelling hereby approved, and pedestrian access to it, shall be made available for use by the associated dwelling prior to the first occupation of that dwelling hereby permitted, and shall be retained with access to it at all times for the use of the dwellings.

Reason:

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

13.APPROVAL CONDITION - Ecological Mitigation Statement

Prior to development of each phase commencing, (including any demolition phase, site set up and/or site investigation works) the developer shall submit a programme of habitat and species mitigation and enhancement measures for approval in writing by the Local Planning Authority, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the agreed programme.

Reason:

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

14.APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

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

Reason:

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

15.APPROVAL CONDITION- Green roof feasibility study (Pre-Commencement)

A detailed feasibility study for a green roof to support each phase shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development of each phase (excluding any demolition phase, site set up and/or site investigation works) to which the information relates. If the study demonstrates the site is viable and has the capacity for the green roof, a specification shall be agreed in writing with the Local Planning Authority prior to its installation. 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 runoff in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13.

16.APPROVAL CONDITION – Drainage & Sewerage Infrastructure

No development shall commence on each phase (excluding any demolition phase, site set up and/or site investigation works) until details of the proposed means of foul sewerage and surface water drainage for that associated phase have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be constructed in accordance with the agreed details prior to the first occupation of the development.

Reason:

As further capacity is required to accommodate the proposed intensification of development.

17.APPROVAL CONDITION - Sewers

No development shall commence on each phase (excluding any demolition phase, site set up and/or site investigation works) until details of how the existing sewer and water infrastructure across the site shall be protected during that associated construction phase have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be constructed in accordance with the agreed details prior to the first occupation of the development.

Reason:

As further capacity is required to accommodate the proposed intensification of development.

18.APPROVAL CONDITION - Sustainable Drainage System (Surface Water)

Prior to development of each phase (including Phase 1) commencing (excluding any demolition phase, site set up and/or site investigation works) details of the construction of the surface water drainage system for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Planning Authority. The surface water drainage for the relevant phase shall thereafter be undertaken only in accordance with the approved details. The submission shall include a feasibility study by independent consultants demonstrating the investigation and assessment of the potential for creation of a sustainable drainage system on site. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority and fully operational prior to the first occupation of the associated phase. It shall thereafter be retained and maintained for the benefit of the site and its users.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, to ensure future maintenance of the surface water drainage system and to comply with policy SDP13 (vii) of the City of Southampton Local (2006) and the LDF Core Strategy Policy CS20.

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

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

Reason:

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

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

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

21.APPROVAL CONDITION - Archaeological evaluation

No development shall take place within the site until the implementation of a programme of archaeological work on a phase by phase basis has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. This detail shall be submitted on a phase by phase basis with the information provided in support of the associated phase prior to the commencement of any development works (including any demolition phase, site set up and/or site investigation works).

Reason:

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

22.APPROVAL CONDITION - Archaeological evaluation work programme

The developer will secure the completion of a programme of archaeological work on a phase by phase basis in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. This detail shall be submitted on a phase by phase basis with the information provided in support of the associated phase prior to the commencement of any development works (including any demolition phase, site set up and/or site investigation works).

Reason:

To ensure that the archaeological investigation is completed.

23.APPROVAL CONDITION - Archaeological investigation (further works)

The Developer will secure the implementation of a programme of archaeological works on a phase by phase basis in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority. This detail shall be submitted on a phase by phase basis with the information provided in support of the associated phase prior to the commencement of any development works (including any demolition phase, site set up and/or site investigation works).

Reason:

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

24.APPROVAL CONDITION - Archaeological work programme (further works)

The developer will secure the completion of a programme of archaeological work on a phase by phase basis in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. This detail shall be submitted on a phase by phase basis with the information provided in support of the associated phase prior to the commencement of any development works (including any demolition phase, site set up and/or site investigation works).

Reason:

To ensure that the archaeological investigation is completed.

26.APPROVAL CONDITION - Land Contamination investigation and remediation

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

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

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme 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.

27.APPROVAL CONDITION - Use of uncontaminated soils and fill

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.

28.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.

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

No development shall take place on each phase hereby permitted (excluding any demolition phase, site set up and/or site investigation works) until the Local Planning Authority have approved in writing:-

- A specification of the type of construction proposed for the roads, cycleways and footpaths for that particular phase including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water;
- A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority; and,
- A programme for reinstating any redundant/existing dropped crossings and footway crossovers around the site perimeter. These affected kerbs are to be reinstated to a full kerb and footway construction under licence from the Council or our highway partners.

If a Section 38 agreement is not entered into for the formal adoption of the roads, details of how a Management Company will be set up and put in place for the future maintenance of the development will be required and this will need to be supported by a suitable bond.

The development shall be completed as agreed.

Reason:

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

30.APPROVAL CONDITION – Residential Parking

All parking spaces shall be provided with a minimum 5m x 2.4m dimension and with a minimum 6m isle width (unless echelon) to allow adequate space to turn into and out of the spaces if positioned at 90 degrees to the highway. Parking spaces parallel with the kerb shall be a minimum 6m long and 2m wide, with a paved refuge to stand out onto beside the vehicle. The residential parking shall be provided in full prior to the first occupation of each phase to which it relates at a ratio of 1 parking space per flat and 2 parking spaces per house unless otherwise agreed in writing prior to the commencement of development for that phase. No more than 1 parking space shall be allocated to each flat unless otherwise agreed in writing with the Local Planning Authority. Any garaged spaces shall be retained for parking and not converted for habitable residential accommodation. A minimum of 109 visitor parking spaces shall be marked out in accordance with details to have been agreed in writing by the Local Planning Authority prior to their first use and shall thereafter be retained for public/general use. The phasing of these on-street parking spaces shall be phased in accordance with the details secured through the planning obligation (Condition 2 above)

Reason:

To ensure that the scheme provides a suitable level of parking to serve its needs in the interests of highway safety.

31.APPROVAL CONDITION – Sightlines

Details of sightlines to serve any new road or parking courtyard entrance shall be agreed on a phase by phase basis through the Reserved Matters application submission. Details for Phase 1 as approved shall be provided, approved and provided (as agreed) prior to the first occupation of the phase.

Reason:

In the interests of highway safety.

32.APPROVAL CONDITION – Electric Car Charging Points

Details of electric car charging points to serve the development shall be agreed on a phase by phase basis through the Reserved Matters application submission. Details for Phase 1 as approved shall be provided, approved and provided (as agreed) prior to the first occupation of the phase. The charging points shall be retained thereafter.

Reason:

In the interests of promoting alternative modes of travel and improving air quality across the estate in accordance with LPR Policy SDP15.

33.APPROVAL CONDITION - Refuse & Recycling Bin Storage – In accordance

Appropriate bin storage shall be laid out with a level approach prior to the first occupation of each terraced house or flatted block hereby approved in accordance with details hereby approved (for Phase 1) or that shall have been submitted and agreed at the Reserved Matters stage (for later phases). The facilities shall include accommodation for the separation of waste to enable recycling (including glass) and green waste. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with any Eurobins. Refuse bins shall not be left in collection points or otherwise external to the approved refuse stores other than on the day of the designated collection. The approved refuse and recycling storage shall be retained whilst the development is used for residential purposes.

Reason:

In the interests of the visual appearance of the building and the area in general.

Informative:

All refuse stores identified on the approved plans listed should be constructed of brick under a suitable weatherproof roof with adequate ventilation. The doors should be hinged to open outwards with a minimum opening of 1.4m wide, and any lock system should comply with the Council's standard lock requirements operated by a fob system. Six spare fobs should be supplied to the Council prior to the first use of the relevant store. Each store should be fitted and retained with internal lighting that shall operate when doors are open and a tap and wash down gully should also be provided. The access path to the bin store should be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable unless they comply with SCC standard fob lock details. The gradient of the access path to the bin store should not exceed 1:12 unless suitable anti-slip surfacing is used, and still should not exceed 1:10 and a single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bins. Refuse containers should be purchased by the applicant from the Council ahead of occupation.

34.APPROVAL CONDITION - Cycle Storage

Appropriate, secure, covered cycle storage shall be laid out with a level approach prior to the first occupation of each dwelling hereby approved in accordance with details hereby approved (for Phase 1) or that shall have been submitted and agreed at the Reserved Matters stage (for later phases). The facilities for the flats hereby approved shall include Sheffield style stands and shall be retained whilst the development is used for residential purposes.

Reason:

To encourage cycling as an alternative form of transport.

35.APPROVAL CONDITION - Residential - Permitted Development Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

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

Class B (roof alteration),

Class C (other alteration to the roof),

Class F (hard surface area)

Reason:

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

36.APPROVAL CONDITION - Piling (Pre-Commencement)

Prior to the commencement of development associated with each phase hereby approved, a piling/foundation design and method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details on a phase by phase basis.

Reason:

In the interest of residential amenity.

37.APPROVAL CONDITION – Site Levels

No development shall take place on any phase approved (excluding any demolition phase, site set up and/or site investigation works) until further details of finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority.

These details shall relate to the phase to which development is to be implemented and shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eave and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason:

As the site is characterised by significant level changes, and will have been partially cleared and re-profiled it is unclear exactly where the buildings will sit in relation to one another and the approved infrastructure.

38.APPROVAL CONDITION – Commercial Use

The commercial use shown on Plot 8 shall not exceed 500sq.m (gross) and shall be completed and fitted out ready for occupation prior to any demolition works taking place in connection with the redevelopment of Plot 6 (ie. where the existing commercial use is located).

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes of A1 (retail) and/or A2 (financial/professional services) and/or A3 (restaurant). The use hereby approved shall not operate outside the hours of 7am and 11pm (7 days a week including public holidays).

The commercial use shall not be occupied until details of a Servicing Management Plan has been submitted to and agreed in writing with the Local Planning Authority. The commercial use shall operate as agreed.

Reason:

To ensure that the estate is served continuously by a local shop and to define the limits of the commercial use in respect of BREEAM, its use and its trading hours.

Note to Applicant:

The commercial use should be designed with active frontages to both Meggeson Avenue and the Village Green and it is likely that the use of window vinyls will be restricted when the Reserved Matters application is considered.

Any extraction equipment required to facilitate a food and drink use will require planning permission and such details (including a manufacturer's specification) should be provided at the Reserved Matters stage for Plot 8.

Note(s) To Applicant

Note to Applicant - Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally

discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

Note to Applicant - Performance Conditions

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

Note to Applicant - Southern Water - Informative

The applicant is advised to note the comments from Southern Water (dated 19th May 2015) in relation to this application. In particular they advise that a formal application for connection to the public water supply and a formal agreement to provide the necessary sewerage infrastructure are required in order to service this development. Please contact Southern Water, Sparrowgate House, Sparrowgate, Otterbourne, Hampshire SO21 2SW – Tel. 0330 303 0119.

Note to Applicant – Planning Obligations

Please note that a Section 106 agreement is to be completed as part of the land sale transaction and should be read in conjunction with this planning consent. A full copy of the Section 106 Agreement will be available to view on Public Access via the Southampton City Council website, once completed.

Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at:

<http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx>

or contact the Council's CIL Officer.