

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 16 October 2012
Planning Application Report of the Planning and Development Manager

Application address: Block C, Orions Point, 78 St Marys Road			
Proposed development: Change of use and reconfiguration of existing office building, conversion of the undercroft of Block C and erection of a new 16 storey building to provide additional student residential accommodation (comprising 12 studio and 67 cluster flats - 423 study bedrooms, in addition to the existing 431 study bedrooms) with on-site management and ground floor commercial uses (224 square metres A1 retail floorspace) with associated parking, other facilities and vehicular access retained from St Mary's Road.			
Application number	12/00922/FUL	Application type	FULL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	15.09.2012	Ward	Bevois
Reason for Panel Referral:	Major application subject to objections	Ward Councillors	Cllr Barnes-Andrews Cllr Burke Cllr Rayment
Applicant: Liberty Living Op Properties Ltd		Agent: Lewis And Hickey	
Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report		

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 development, in terms of visual and neighbouring amenity, highway safety and parking is considered to be acceptable. In reaching this conclusion, on the acceptability of the development, particular account has been taken of the third party response to the scheme; the quality of the proposed redevelopment proposals; the need for student housing and the potential reduction in demand for converting the City's existing family housing stock into shared housing. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 planning permission should therefore be granted in accordance with the following policies:

City of Southampton Local Plan Review (March 2006) Policies SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP13, SDP15, CLT5, H2, H7, H13 and MSA1, City of Southampton Core Strategy (January 2010) Policies CS5, CS6, CS7, CS11, CS13, CS15, CS19, CS20 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	Development Plan Policies		

Recommendation in Full

1) Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
 - ii. A financial contribution towards strategic transport improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
 - iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
 - iv. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education will be permitted to occupy the flats.
 - v. Submission and implementation of a Training & Employment Management Plan committing to adopting local labour and employment initiatives (during and post construction) in line with LDF Core Strategy policies CS24 and CS25.
 - vi. The submission and implementation of a Student Drop Off/Collection Management Plan committing to an ongoing review of the site.
 - vii. A Site Waste Management Plan.
 - viii. Submission and implementation within a specified timescale of a Travel Plan.
 - ix. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.
 - x. Provision of on-site CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy policies CS13 and CS25.
 - xi. The submission, approval and implementation of public art that is consistent with the Council's Public Art Strategy.
 - xii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- 2) In the event that the legal agreement is not completed within two months of the Panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
 - 3) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

1. The site and its context

- 1.1 The application site is a triangular plot of approximately 0.68 hectares in area situated on the west side of St Mary's Road. There are currently three buildings on the site, two of which are already in use as student accommodation and the remaining one is in office use by British Gas. The building known as Block A is the

12-storey building on the west side of the site which is currently used as offices for British Gas. Block B is the 10-storey building on the eastern side of the site fronting St Mary's Road which is currently used for student residential accommodation. Block C is at the southern end of the site fronting the Charlotte Place roundabout and is a 7-storey building. There is quite a significant slope on the site with the land level increasing from south to north. There is currently vehicular access to the site at two points from St Mary's Road to service areas and car parking. The site is totally bounded by roads with Dorset Street to the west and Charlotte Place to the south. There are a number of semi-mature trees on the northern site boundary which are at a lower level than the adjoining road.

- 1.2 The surrounding area is of mixed character with a variety of commercial and residential uses with tall buildings to the south (Jurys Inn Hotel and offices) and smaller scale buildings on either side. The application site is just outside the City Centre area as defined in the Local Plan. The application site is not within a conservation area. The nearest conservation area is Cranbury Place which is approximately 150 metres to the north.

2. Proposal

- 2.1 The application proposals involve a change of use of the whole of Block A from offices (8,125 square metres) to student accommodation; alterations and remodelling of Block B to provide additional ancillary facilities and a retail unit of 224 square metres; and infilling the undercroft space of Block C to provide additional student rooms. The most significant part of the development is the erection of a new building at the northern end of the site, Block D, a building of part 12-storeys and part 16-storeys in height which will provide 154 bedspaces. The accommodation is a mixture of studio flats and larger shared 'cluster flats' There are currently 125 flats, a further 79 flats are proposed (12 studios and 67 cluster flats). Overall the proposal would result in an increase in the number of bedspaces from 423 to 854. The existing student accommodation employs 5 full-time staff and other temporary staff. 3 or 4 additional staff are likely to be needed.
- 2.2 Vehicular access to the site would be maintained in the existing position in St Mary's Road. The car parking arrangements would be reorganised and the amount of car parking would be reduced from 71 spaces to 6 spaces due to the relocation of the offices which currently take most of the spaces. The amount of cycle parking spaces will increase from 96 to 312. As part of the works a new security fence and secure pedestrian entrances will be created from St Mary's Road and Dorset Street with new landscaping and hard surfacing to create new seating areas for the residents.
- 2.3 The proposed external materials for the new building would be: a smooth blue engineering brick to the 3-storey plinth feature on the St Mary's Road frontage; insulated through colour render to the upper floors; aluminium rainscreen cladding in a random stack bonded pattern; aluminium cladding to a 'feature fin' on the north elevation; powder coated aluminium tilt and turn windows with a bio-diverse 'brown roof' to the lower roof level on the eastern side of the building. For the refurbished building the brickwork to be used will match that of the existing building.
- 2.4 The application is accompanied by a series of supporting/background documents: a Design and Access Statement; a Transport Statement; Sustainability Statement; Air Quality Assessment; a Traffic Service Management Plan and Drainage

Assessment.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27 March 2012 and replaces the previous set of national planning policy guidance notes and statements. Having regard to paragraph 214 of the NPPF the local policies and saved policies listed in this report retain their full material weight for decision making purposes.

4. Relevant Planning History

- 4.1 The whole of the site was developed as offices in the 1970's and subsequently occupied by British Gas, the only remaining office use is within Block A and the company have announced that this will be closing shortly. In 2002, planning permission was granted for a 2-storey extension to Block C to create two additional floors of accommodation and change of use of 10,140 square metres of offices to create 431 bedroom student and keyworker accommodation (Council reference 01/01647/FUL). In 2003 permission was granted for a single-storey extension to Block C (reference 03/00062/FUL). There have been a series of subsequent decisions for minor alterations and signage which are not directly relevant to this application.
- 4.2 In May of this year a 'Screening Opinion' was issued confirming that the development subject of this application did not require the submission of an Environmental Statement (reference 12/00657/SCR).

5. Consultation Responses and Notification Representations

- 5.1 The applicants carried out a pre-application consultation process which is explained in the supporting information. This consultation took the form of a mailshot to 500 local residents and businesses which referred people to a website explaining the proposals. The Royal South Hants Hospital were also consulted. A public meeting was subsequently held on 18 September 2012 organised by the Charlotte Place Campaign Group at which the applicants were represented and approximately 150 local residents attended. This meeting also discussed another proposal for student accommodation on a nearby site in St Mary's Road which has not yet been submitted as a planning application. Following the receipt of the planning application a publicity exercise in line with departmental procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (12.07.2012) and erecting a site notice (05.07.2012). At the time of writing the report **3** representations have been received from surrounding residents including the Charlotte Place Campaign Group. The following is a summary of the points raised.

- 5.2 **The proposal is contrary to various policies in the Local Plan. It would not respect or improve the quality of Southampton's built environment (Policy SDP1). It does not connect into existing cycle networks or provide new cycle lanes (SDP2). The proposal would harm the character and appearance of the area, it will not blend into the streetscape or integrate with the local community (SDP7). It is not sympathetic to the scale and mass of the existing structures. At the highest point the proposed development will be only one-storey less than the Jury's Inn Hotel which is very dramatic. The quality and use of materials is poor, the visual impact imposing and the overall appearance out of keeping with the surroundings (SDP9).**

Response

These policy and design issues are addressed later in this report.

- 5.3 **The proposal would result in anything up to 1,000 students in a dense residential area with the associated risk of anti-social behaviour. There is reasonable public transport in the city so it is contrary to natural justice to put students in just one corner of the city.**

Response

There is currently considerable demand for additional student accommodation in the city, much of it directed at city centre sites. There has been a gradual move away from traditional halls of residence on campus sites to new blocks within or close to the city centre. There is no specific policy in the Local Plan or Core Strategy which sets a limit on the amount of accommodation in any particular area although Policy H13 of the Local Plan encourages student accommodation in suitable locations.

- 5.4 **The erection of a further building will cause the loss of the already reduced amount of car parking on the site. Many students have cars so parking will be difficult and highly competitive. Parents dropping off prospective students will cause a damaging impact on traffic especially as there is a hospital access directly opposite.**

Response

There will be a marked reduction in the amount of car parking on this site, the vast majority of which is used by the office occupiers and will not be required once this use ceases. Mitigation measures relating to control of changeover days and restricting car parking permits as part of the Section 106 can be put in place.

- 5.5 **Bevois Ward Councillors** - object to the application. The area is prime for redevelopment but the site is in an area of high density where there are problems associated with the night-time economy and young people. The scale of the development will impact heavily on the area adding to the problems already experienced by local residents. The local infrastructure is already struggling with the number of new communities and there would be additional strain on local NHS provision. Any student accommodation comes with parking issues and this site will be no different with increased parking exacerbating an already difficult situation.

- 5.6 **SCC Highways** - Given the city centre location and the high public transport accessibility there is no objection to the scheme in terms of its parking or the impact on the highway network. Additional information will be needed on cycle parking, refuse arrangements and particularly the management procedures for

student changeover days. These issues can be covered through conditions and the Section 106 agreement.

5.7

SCC City Design Manager – The site is an island site just to the north of the city centre boundary, adjacent to the dual carriageway A33, Dorset Street, which is the main route into the city centre along the Avenue from the north. Due to its proximity to the tall buildings on the Charlotte Place development and on the site already, it can be considered as a gateway site to the city centre, and therefore a tall building on the site could be justified subject to other considerations. However, the site is very close to some small scale residential development and therefore its impact on these properties needs appropriate consideration. In particular the shading of properties from a low sun needs to be considered. The articulation of the tower in plan and at the roof levels might help this, and the skyline profile will be important to consider in the longer distance views. The approach along the Avenue and then down Dorset Street has a strong attractive 'green' character with many mature trees lining the route to the city centre, as such this character should not be harmed. However the existing Block B presents a stark, dark and unwelcoming face to the north which would benefit from redevelopment/extension. The scale of these views from this approach would support a tall building, however, in contrast, the views from the Onslow Road approach from the east and along St Mary's Road from the south are much more sensitive to the provision of a building of the height proposed. A back of pavement development is generally encouraged, however the impact of a very tall building in this location needs to be mitigated. This would allow the creation of a streetscale of development that could contribute positively to recreating the west edge to the St Mary's Road which has been lost in post war redevelopment.

5.8

SCC Sustainability Team – A pre-assessment estimator has been submitted which shows that the new development has been designed to meet the policy requirement of BREEAM 'Excellent'. For the refurbished development, the applicant states, "the refurbishment work shall also include the specification of high efficiency plant to reduce carbon emissions from the site. A full Low and Zero Carbon Technology (LZCT) feasibility study shall be implemented and the conclusions designed into the scheme. An initial feasibility study has been carried out which indicates that the most appropriate solution is the utilisation of the local district heating system." Rainwater harvesting is proposed to be used. However there is little information on the detail of this and other Sustainable Drainage System measures that are to be provided. Any paving should be permeable unless it can be demonstrated that this is not technically feasible. Conditions are recommended to cover these issues.

5.9

SCC Heritage Team – The site lies within an area defined as having high archaeological potential. This area forms the historic core of Southampton, and the archaeology of the area outlines the development and redevelopment of the historic towns from the 8th century to the present day. Previous work on plots both to the north and south of the site uncovered significant archaeological material including features dating to the mid-Saxon and medieval periods. The developer has submitted an archaeological desk-based assessment with the planning application, however, this relies entirely on internet data sources and does not include the primary material contained in the SCC Historic Environment Record. I would normally expect to see included in a report submitted in support of a planning application. The report concludes that any archaeology in the area is likely to have been previously disturbed, however, this will need testing with a

programme of archaeological work in advance of the development. Due to the high archaeological potential of the site a phased programme of archaeological evaluation and excavation work will be required in advance of the development which can be covered by conditions.

- 5.10 **SCC Trees Team** –There are no important amenity trees threatened by this development. With the majority of existing trees retained around the boundaries and the centre of the site as hard standing, there is little opportunity for any significant new planting. There are no objections to this application on tree grounds subject to conditions.
- 5.11 **SCC Environmental Health (Contaminated Land)** - This department considers the proposed land use as being sensitive to the affects of land contamination. Records maintained by SCC indicate that the subject site is located on/adjacent to the following existing and historical land uses: Garage (on site). This land use is 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 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. This can be covered by planning conditions.
- 5.12 **SCC Ecology** – The ecology report submitted in support of the planning application has confirmed that the site is of low ecological value. The only notable features are a number of trees and areas of introduced shrubs which provide nesting and foraging habitat for birds. Should vegetation removal be necessary it should be undertaken outside the period March to August inclusive to avoid impacts on nesting birds. Where this is not practical, the vegetation should be checked by a suitably qualified ecologist prior to commencement. If active nests are be found, works in the vicinity of the nest must be postponed until all the chicks have fledged. The report makes recommendations for a number of biodiversity enhancements which are appropriate to the site. In particular, the diverse species mix for the green roof will provide a significant improvement and act as a stepping stone in the Green Grid. In conclusion there are no objections subject to the imposition of conditions.
- 5.13 **BAA** – There are no aerodrome safeguarding objections to this proposal, provided that a condition is imposed relating to hazardous birds.
- 5.14 **Environment Agency** – no objection to the proposed development. All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to our guidance ‘PPG1 – General guide to the prevention of pollution’, which is available on our website at www.environment-agency.gov.uk.
- 5.15 **Southern Water** – No objections, there is a public water distribution main crossing the site, this infrastructure should be protected during the course of construction works. A formal application will be needed for connection to the public foul and surface water sewer. An informative is requested to cover this issue.
- 5.16 **Southampton Commons and Parks Protection Society** - SCAPPS concerns

are two-fold. Firstly, concern about any more tall buildings on the periphery of the Central Parks. In this case the proposed 16 storey structure may well be largely hidden from view from the Parks by the tall buildings already on this site and nearby, notably the Jurys Inn complex. It would however add to the bulk and massing of this already over-obtrusive group of tall buildings which are prominent in views from much of Andrews and Palmerston Parks. Secondly, SCAPPS have growing concerns about the impact of pressure of use on the fabric of the Central Parks. They already show signs of wear from pressure of use. The Orions Point application would result in more than double the number of students on the site. The application makes no provision for outdoor recreational provision for the 500 or so extra students which it is proposed to accommodate on the site, or the 431 students already resident there. That seems entirely unreasonable as putting that number of active young people next to a park must result in an increase in pressure of use. The north-east corner of Andrews Park is just not laid out in a way that would provide for the sort of active recreational use (kick-about activities etc) that could be anticipated to be the leisure use student residents nearby might be expected to seek. SCAPPS implores the City Council to be alert to the undoubted impact this large number of students living next to the Park must have on use and abuse, of a Park that is already struggling to cope with pressures of use. The Council will need to be satisfied that a Section 106 agreement can be concluded to adequately mitigate the additional pressure on the park.

6. Planning Consideration Key Issues

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

- The principle of this form of development
- Design issues including the provision of a tall building on the site
- Transport and parking issues
- Impact on residential amenity
- Environmental and sustainability considerations

6.2 Principle of Development

The site is currently a mixture of student accommodation and offices. The offices are still occupied by British Gas but the decision has been made to discontinue the use. This decision was made in advance of submission of the planning application. The site is just outside the city centre boundary and is 'white land' in the Local Plan (meaning that it is not an allocated site and there is no policy requirement to retain office use on this site). The emerging City Centre Action Plan (CCAP) has reviewed the office allocations in the city centre and seeks to retain office use at Charlotte Place and along the Cumberland Place/Brunswick frontages. These sites are nearby but as the application site is outside the City Centre boundary these office policies are not directly relevant to this case.

6.3 With the exception of the self-contained studio flats the accommodation is provided in 'cluster flats', where normally 6 students share a communal living space. There are 67 of these flats proposed in addition to the 87 cluster flats already on site. The principle of this type of accommodation is supported by 'saved' Local Plan Policy H13 and is well suited for this site which is on the edge of the City Centre and within easy walking distance of Southampton Solent University. Furthermore, the provision of purpose built student accommodation

reduces the pressure, in part, on the City's existing family housing stock to be converted to housing in multiple occupation. Policy H13 requires such housing to be restricted by a planning condition or an appropriate legal agreement. Where this is accepted the Council's normal affordable housing requirements do not apply. This site has been partly used as student housing for nearly 10 years. It is an 'island site' with roads adjoining on all sides and predominantly commercial uses immediately adjoining. In these circumstances the principle of the whole site being used for student residential accommodation is considered to be acceptable.

6.4 Design issues

Adopted Local Plan Policy SDP9 defines a tall building as having 5 or more storeys of accommodation. It states that the principle of tall(er) buildings is accepted on major routes into and out of the City, at junctions, "gateway" locations, adjoining the city centre parks and on "major" sites. The application site meets these requirements as it can be defined as a gateway location in to the city centre when arriving from the north. Furthermore this part of the city has developed a cluster of tall buildings in recent years including the Charlotte Place development which adjoins to the south. Members attention is drawn to the detailed comments of the Council's City Design Manager in paragraph 5.7 of this report.

- 6.5 The existing buildings on the site are quite dominant due to their rectangular shape and the apparent bulk and mass is accentuated by the use of dark coloured brickwork and window treatment which contribute to the horizontal proportions of the buildings. The proposed new Block D at the northern end of the site would be a similar height to the existing Block B along the St Mary's Road frontage but taller by some 4-storeys at the northern end. However, the design details and use of lighter coloured materials would give a more contemporary feel and a clear visual separation from the existing buildings. The floor to ceiling height of the new Block D would be less than the adjoining office building which allows the glazing treatment to be of a vertical rather than horizontal emphasis as existing. A large 'signature fin' along the centre line of the building would tie the design together and accentuate the vertical nature of the building. The use of a dark brick to the base of the building on the St Mary's Road frontage would pay some regard to the proportions and scale of the buildings on the opposite side of St Mary's Road. Subject to the use of good quality materials which can be reserved by condition, it is considered that the proposal has addressed the requirements of local and national design guidance, namely policies SDP6, SDP7, SDP8 and SDP9 as supported by the English Heritage/CABE guidance on tall buildings and would provide a suitable landmark feature on this prominent site.

6.6 Transport and Parking

Car parking is a key determinant in the choice of mode of travel, and the site is close to principal bus routes and within reasonable walking distance of the railway station. Local and national policies aim to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling. The application site is very close to Southampton Solent University where it is anticipated many of the student residents will attend. A 'car free' scheme with only limited disabled and staff parking is proposed for the development. Students will be discouraged from bringing a car to the city and nearby parking is all restricted. Providing that no resident obtains a permit to park in one of the nearby Controlled Parking Zones, as secured through the S.106

legal agreement, the proposal is considered to be acceptable given this location. In terms of highway related issues during the beginning and end of term the S.106 legal agreement makes provision for a management plan to be secured and reviewed to ensure that any traffic problems are mitigated. The applicants already have arrangements in place for staggering arrival times for students which are spread out over the second and third weekends in September and during weekdays by appointment. The applicants have confirmed that the management arrangements could exclude Fridays when the local area is particularly busy with people attending religious premises. Students are currently given a 15 minute time slot in which to arrive, park in a designated slot, unload and depart. The applicants arrange for marshalls to meet new arrivals, give advice and assist in offloading luggage. Once cars have been unloaded there will be a minibus to run between the car parks and the site to ferry parents back to the site. These existing arrangements are likely to continue with the new development. A requirement for a Travel Plan can be included within the Section 106 agreement. The applicants state that they already issue all their residents with a free complimentary bus pass. The existing vehicular access arrangements will be retained and is considered to be acceptable. The existing pedestrian routes through the site will be made more secure and limited to student residents only.

6.7 Residential Amenity

The siting of the tall building at the northern end of the site limits the adverse impact on the existing buildings on the site in terms of sunlight/daylight. The area immediately north of the application site is mostly highway land. Although there would be some additional overshadowing of adjoining properties the direct impact on neighbours would be relatively limited as this is an island site and the immediate neighbours are predominantly commercial in character with Jurys Inn and offices to the south on Charlotte Place, the offices at 1 Dorset Street to the west and a commercial frontage with the RSH hospital beyond to the east. There are residential streets nearby and the concerns about the wider impact of a substantial increase in the student population is understandable, particularly given the number of other proposals nearby. However, each application has to be considered on its own merits and it would be difficult to make a direct connection between this use and the amenities of the area given the busy central nature of this location.

6.8 Environmental issues and Section 106 agreement

The proposal would have limited impact on existing trees on the site and the Trees team are satisfied with the proposals. The site is currently not particularly well landscaped although there will be scope for some additional hard landscaping and tree planting as a result of these works. In terms of sustainability, the intention is to meet BREEAM 'excellent' for the new build element which has been designed to ensure a 15% reduction in carbon emissions. The construction will utilise high performance building fabric, high efficiency plant and may connect to the local district heating system. These sustainability measures are welcomed and can be secured through appropriate planning conditions.

6.9 In accordance with policy, a Section 106 agreement will be necessary to mitigate the impact of the development. The issue of the impact additional student residents might have on the existing parks as raised by SCAPPS is understandable and a financial contribution will be sought towards improvements

to the parks as part of potential increased usage. The S.106 agreement can also include measures to influence the travel habits of future residents. Concern has been expressed by local residents and groups about the impact of the development on the local community and how this might perhaps be mitigated by the provision of a community facility on the site. However, this is not part of the planning application and there is no specific policy which would require new community space to be provided unless this was to replace an existing use on the site.

7. Summary

7.1 This application proposes a landmark building and provides an enlarged student residential campus in a central location close to one of the city's universities. The application replaces an office use which is due to close down and there is no policy requirement to retain offices on this site. The application also includes a small scale retail use which would serve local needs. The impact of the development, in terms of visual and neighbouring amenity, highway safety and parking is considered to be acceptable.

8. Conclusion

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

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

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

RP2 for 16/10/2012 PROW Panel

PLANNING CONDITIONS

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

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

Reason:

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

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

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

Reason:

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

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

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

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

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

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

Reason:

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

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

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

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above

an initial conceptual site model of the site indicating sources, pathways and receptors

a qualitative assessment of the likely risks
any requirements for exploratory investigations.

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.

3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

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

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

Reason:

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

05. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

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

Reason:

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

06. 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.

07. APPROVAL CONDITION – Archaeological investigation [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

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

08. APPROVAL CONDITION – Archaeological work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological investigation is completed.

09. APPROVAL CONDITION – Archaeological damage-assessment [Pre-Commencement Condition]

No development shall take place within the site until the type and dimensions of all proposed groundworks (including details of foundations, ground beams, all services etc) have been submitted to and agreed by the Local planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

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

10. APPROVAL CONDITION - BREEAM Standards (new development) [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development has achieved at minimum a rating of Excellent against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

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).

11. APPROVAL CONDITION - Energy (Pre-Occupation Condition)

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

Reason:

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

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

Prior to the commencement of development a feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and submitted to the Local Planning Authority. Any measures shown to be feasible shall be verified in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby granted consent. 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. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

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

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

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

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

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

And at no time on Sundays and recognised public holidays.

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

Reason:

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

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

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

Reason:

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

15 APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

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

Reason:

In the interests of highway safety.

16 APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

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

17 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

18 APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

19 APPROVAL CONDITION - No storage under tree canopy [Performance Condition]

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.

20. APPROVAL CONDITION - Cycle Storage

Notwithstanding the information already submitted no development shall be occupied until details of the secure, covered cycle storage for all uses included within the development hereby approved (and their visitors) have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be made available prior to the occupation of the development in accordance with the approved details. The cycle

storage shall be retained whilst the building is occupied for the approved use.

REASON:

In the interest of the amenity of residents and to reduce reliance on the private motor car.

21. APPROVAL CONDITION - Security Measures

Prior to either the first occupation of the development or the installation of the details listed below (whichever is sooner) a Security Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:

- i. CCTV coverage & concierge arrangements with 24 hour on-site management;
- ii. semi-private ground floor courtyard access and management arrangements to include hours of access by the public;
- iii. door types of the storage areas;
- iv. outer communal doorsets and the cluster flat access doorsets;
- v. the design of the security gates into the central courtyard in consultation with Hampshire Constabulary;
- vi. ground floor windows; and
- vii. audio/visual control through the communal access doors.

Development shall be completed and maintained in accordance with the agreed details.

Reason:

In the interests of crime prevention and residential safety

22. APPROVAL CONDITION - Piling Method

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority. Any pile driving operations as approved shall be carried out in accordance with that approved method statement. To limit vibration, a continuous flight auger method is the preferred method and no percussion or impact driven piling activities should take place for pre-works, foundations, or as any part of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON:

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

23. APPROVAL CONDITION - Bird Hazard Management Plan (BHMP)

Development shall not commence (excluding the demolition and site preparation phase including any below ground works required) until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of the management of any flat or shallow pitched roof that may be attractive to nesting, roosting and loafing birds and include details for preventing birds from perching in the window reveals. The BHMP shall comply with BAA's Advice Note 8. The BHMP shall be implemented as approved upon completion of the roof and shall remain in force for the life of the development. No subsequent alterations to the BHMP are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON:

It is necessary to manage the roofs in order to minimise its attractiveness to birds which could otherwise endanger the safe movement of aircraft and the operation of Southampton

Airport – BAA comments dated 9th May 2012 refer.

For information:

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season, gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airfield Operations Staff. In some instances, it may be necessary to contact BAA Airfield Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences from Natural England before the removal of nests and eggs.

24. APPROVAL CONDITION - Refuse facilities (Pre-Occupation Condition)

The refuse storage facilities, which shall include recycling facilities, as shown on the approved drawings shall be provided before the use to which the facility relates has been provided. The storage areas shall be retained thereafter.

REASON

To ensure suitable refuse and recycling facilities are provided and in the interests of visual amenity.

25. APPROVAL CONDITION - Layout of Car Parking/Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities shown on the approved plans shall be laid out and made available before the use of the building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

26. APPROVAL CONDITION - Details of visitor cycle parking (Pre-Occupation Condition)

The development hereby approved shall not be first occupied until visitor cycle facilities have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure satisfactory provision of cycle facilities for visitors to the site.

27. APPROVAL CONDITION - Approved Plans

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

Reason:

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

POLICY CONTEXT

Core Strategy - (January 2010)

CS1	City Centre Approach
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS8	Office Location
CS11	An Educated City
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP24	Advertisements
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
H1	Housing Supply
H2	Previously Developed Land
H5	Conversion to Residential Use
H7	The Residential Environment
H13	New Student Accommodation
REI15	Office Development Areas
REI16	Identified Offices Sites
MSA1	City Centre Design

Supplementary Planning Guidance

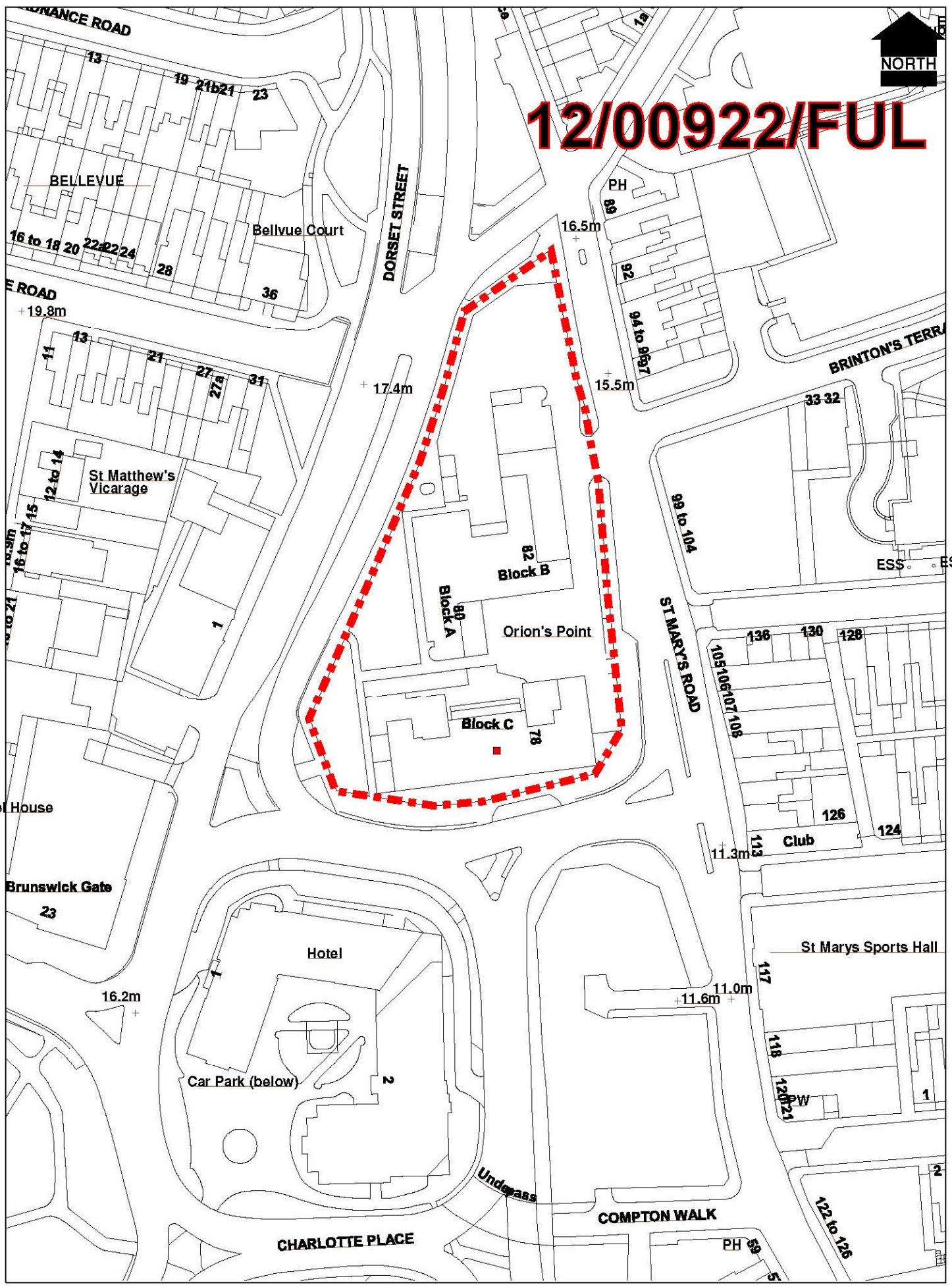
Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)

Other Relevant Guidance

The National Planning Policy Framework 2012



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