

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 2 September 2014
 Planning Application Report of the Planning and Development Manager**

Application address: 60-64 St Mary's Road			
Proposed development: Redevelopment of the site. Erection of a building ranging from three storeys to four storeys and a building ranging from eight storeys to 14 storeys to provide 147 student flats (71 cluster flats, six townhouses, and 70 studios - total number of bed spaces 467), commercial/community uses on the ground floor (Class A1-A5 inclusive, Class D1 and D2 - 180 square metres) with associated parking and communal facilities, vehicular access from Compton Walk and a new pedestrian access route from Charlotte Place to Compton Walk.			
Application number	14/00931/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	02.09.2014	Ward	Bevois
Reason for Panel Referral:	Departure from the Development Plan Referred by the Planning and Development Manager due to wider public interest	Ward Councillors	Cllr Barnes-Andrews Cllr Burke Cllr Rayment

Applicant: By Development Ltd	Agent: N/A
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The impact of the development, in terms of design 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 and 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, MSA1 and MSA3, City of Southampton Core Strategy (January 2010) Policies CS5, CS6, 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	2	Planning History

Recommendation in Full

Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report

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, to include payment for any necessary Traffic Regulation Orders, in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013).
- ii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education be permitted to occupy the development.
- iii. Financial Contribution towards the Solent Disturbance Mitigation Fund.
- iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- v. Submission of a Training and Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013).
- vi. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
- vii. The submission and implementation of a Student Drop Off/Collection Management Plan committing to an ongoing review of the site.
- viii. A Site Waste Management Plan.
- ix. Submission and implementation within a specified timescale of a Travel Plan.

x. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits for the Council's Controlled Parking Zones. The operator of the site to write to future occupiers at the beginning of their tenancy advising them not to bring a car to the site.

xi. 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.

xii. The submission, approval and implementation of public art that is consistent with the Council's Public Art Strategy.

xiii. The provision of the public route from Compton Walk to Charlotte Place, future maintenance and public rights to pass over the route.

2. In the event that the legal agreement is not completed within two months of the Panel decision, the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

3. That the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1. The site and its context

1.1 The application site is a roughly rectangular area of Council owned land (0.31 hectares) situated on the east side of the Charlotte Place roundabout with St Mary's Road on its eastern side and Compton Walk to the south. The site is cleared of buildings and surrounded by fencing and advertisement hoardings. It was last used for car parking and there is vehicular access from St Mary's Road and Compton Walk. The site slopes down from north to south along St Mary's Road by about 1.5 metres. The road level around the Charlotte Place roundabout is approximately 3 metres higher than Compton Walk.

1.2 The immediate surroundings are mixed in terms of uses, building heights and architectural styles. To the west, in the centre of the roundabout, are the Jurys Inn Hotel, a 13-storey building and an eight-storey office building. To the north is Orion's Point, a former office building converted to student/key worker accommodation which is seven-storeys closest to the application site, stepping up to 14-storeys at its highest to the north. Permission was granted last year for further student accommodation on that site including a new building of part 12-storeys and part 16-storeys. This development would increase the total number of student bed spaces on this site from 423 to 854. To the east, on the opposite side of St Mary's Road, is the St Mary's Sports Hall adjoined by three-storey shops with residential accommodation above. Beyond the St Mary's Road frontage are two-storey terraced houses in Clovelly Road and Oxford Avenue. To the south, on the opposite side of Compton Walk, is a car park, night club and religious building with commercial properties on the St Mary's Road frontage.

1.3 The application site is not situated within a conservation area and there are no listed buildings in the immediate vicinity. St Mary's Sports Hall opposite is a 'locally listed building'. The site is just within the defined City centre boundary.

2. Proposal

- 2.1 The application proposes redevelopment of the site to provide student residential accommodation and a ground floor commercial frontage to St Mary's Road. Two separate buildings would be provided: a part three-storey and part four-storey building fronting St Mary's Road, between which the main entrance would be provided to the main building of part eight-storeys, part 12-storeys and part 14-storeys fronting the Charlotte Place roundabout.
- 2.2 The student residential accommodation to be provided would be a total of 467 bed spaces in the form of 70 studio flats and 77 'cluster units' which will provide large flats of between four and eight bedrooms with shared kitchen/living rooms (18 x four bedrooms, 35 x five beds, 21 x six beds, 3 x eight beds). On the ground floor, fronting St Mary's Road, three commercial units totalling 180 square metres would be provided which could be used for either retail or related uses including food and drink uses (Classes A1 to A5 inclusive), non-residential institutional use (Class D1) or leisure use (Class D2). The main pedestrian entrance to the building would be from St Mary's Road. On the road frontage either side of the entrance a Management Office and Student Common Room would be provided
- 2.3 There would be a single vehicular access from Compton Walk to an open car parking area of nine spaces of which three are designed for people with disabilities. Covered cycle parking at a ratio of one space for every two bed spaces would be provided. The proposed building has been set back from Compton Walk to the south to provide a staircase link between Charlotte Place and St Mary's Road. Tree planting is indicated next to the staircase. The staircase would become a general public route but would remain in private ownership. A loading bay would be provided on St Mary's Road for vehicles servicing the commercial units. A communal landscaping area would be provided at the northern end of the site between the two buildings
- 2.4 The proposed building would have a series of flat roofs, the roof to the three-storey element would be a 'brown roof'. The proposed materials would be a mixture of red brick to the eastern elevation, including for the St Mary's Road frontage; grey brickwork to the plinth of the main building; and a mixture of white, grey and silver metal cladding panels with dark grey windows. The density of the development is the equivalent of about 460 dwellings per hectare.
- 2.5 The main differences between this application and the previous scheme are as follows:
- a reduction in the height of the building from a maximum of 20-storeys to a maximum of 14-storeys
 - a reduction in the total number of student bed spaces from 686 to 467
 - a reduction in the amount of commercial floor space fronting St Mary's Road
 - a change to the layout on site to provide two separate buildings (one fronting St Mary's Road and one fronting Charlotte Place) rather than a single 'perimeter block' building
 - changes to the pedestrian entrance, car parking layout and landscaping.
 - a change to the on-site amenity area, now at ground level between the buildings rather than an upper floor deck.

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 Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.4 The City Centre Urban Design Strategy (CCUDS) has been approved by the Council as supplementary planning guidance to the Local Plan and should be taken into account in the determination of this application. The strategy identifies the Charlotte Place area, including the application site, as a key gateway development site marking the north eastern approach to the City centre. The specific design opportunities identified for the application site are: the need to reinforce both visual and pedestrian links through to St Mary's district; the footprint of the building should be set back from the corridor connecting to the parks and the facade should be set in relation to the axis with Oxford Avenue; the junction of St Mary's Road and Compton Walk should be enhanced with a stronger public realm setting and improved landscape structure.
- 3.5 The Draft City Centre Action Plan (CCAP) is also a material policy consideration despite not being an adopted document. The application site is identified as being within the University Quarter. Draft Policy AP 34 covers the site and in order to facilitate development of this long vacant site the policy recommends a wide range of suitable uses. These uses include residential and/or student accommodation, community uses and small scale retail and food and drink uses.
The policy recognises that the heights of buildings in this area vary considerably ranging from two to 16-storeys.

4. Relevant Planning History

- 4.1 The application site was previously in two parts: a car park in the northern half and a Co-op retail store in the southern half (60-64 St Mary's Road) which was demolished in the 1970's. Details of previous planning decisions are included in Appendix 2 of this report.
- 4.2 In 2005, the Panel resolved to grant permission, subject to a Section 106 agreement, for redevelopment of the site to provide a Healthy Living Centre and 131 flats (552 bed spaces) for students and key workers in a building ranging in height from four-storeys to 13-storeys (reference 04/01490/FUL). This application included vehicular access from Compton Walk to a covered car parking area of 25 spaces, 23 of which were to be for the Healthy Living Centre

with two spaces for the student accommodation. The application also included a pedestrian link between Charlotte Place and St. Mary's Road. Following the Panel resolution the applicants decided not to proceed with the development and the application was subsequently withdrawn.

- 4.3 In May 2012, a 'Screening Opinion' under the Environmental Impact Assessment Regulations (EIA) was issued confirming that the development, subject of the current application, was not EIA development (12/00586/SCR).
- 4.4 In May 2013, planning permission was granted for redevelopment of the site, erection of a building ranging in height from three-storeys to 20-storeys to provide 154 student residential flats, (77 cluster flats, 77 studios - 686 bed spaces), commercial/community uses on the ground floor (Class A1 - A5 inclusive, Class D1 or Class D2 - 581 square metres) with associated parking and communal facilities, vehicular access from Compton Walk and a new pedestrian access route from Charlotte Place to Compton Walk (reference 12/01525/FUL).

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (13.06.2014) and erecting a site notice (13.06.2014). At the time of writing the report **1** representation had been received from surrounding residents in the form of an objection from The Charlotte Place Campaign Group (a combination of local residents associations and community groups). The following is a summary of the points raised:
- The group would like to resister an objection on the grounds of design and use of material.
 - As a gateway into Newtown/Nicholstown the site warrants a building of high quality with good design.
 - The submitted plans fails to provide any inspiration and will appear top heavy with poor use of colour and style.

Consultation Responses

- 5.2 **SCC Highways** - The principle of this development in this location is acceptable, as it is in an area of good public transport links, close to a recognised cycle network and conveniently located for the city centre and social facilities. The refuse stores are at each end of the site, although refuse collection is to be from Compton Walk. A refuse management plan is required to understand how the site management will move the bins for collection, and to understand the frequency of collections required. At the end of term students do generate large amounts of refuse, and the refuse management plan will need to address this issue, and explain how refuse will be managed at these times. The service layby shall be designed in a manner that when not in use it is an area for pedestrian movement to reduce the risk of abuse, this will require a Traffic Regulation Order (TRO) to control the use. A student management plan will be required to understand how the intake and departure will be handled at this location, and where parents can park once the students have unloaded their belongings.
- 5.3 **SCC Design Team** - The site is a challenging one given the change in levels from west to east as well as the significant change in scale from the 'city scale' of

the Charlotte Place development to the 'suburban scale' of St Mary's Road. As in the 2012 planning application, the architect has sought to create an improved pedestrian environment linking Compton Walk with Charlotte Place via a flight of steps and a landscaped edge to the north of the site. As before, the accommodation is separated into two blocks; one which responds to St Mary's Road and one to Charlotte Place. However, in this scheme there is complete separation at ground level with the creation of a ground level courtyard/car park and landscaped area for the students. This has the potential to alleviate what is likely to be an otherwise harsh urban environment, heavily shaded from midday onward, though it will be important to provide the trees and soft landscaping indicated in the southern part of this area and along Compton Walk.

- 5.4 The developer has sought to rationalise the main student block fronting Charlotte Place so that the vertical circulation is contained in one area in a central location. This results in a more slab like solution that accentuates the 'canyon' effect on Charlotte Place and creates very limited opportunity to articulate the accommodation. The new proposal rises 13 storeys above Charlotte Place, stepping down in two steps to 11 storeys to the north and eight storeys to the south. This compares favourably in terms of height with the previous application of two towers of 20 storeys and 15 storeys with an eight storey link block, in that it is significantly lower and therefore less imposing on medium to long term views (particularly from Clovelly Road and Oxford Avenue), but lacks the opportunity to articulate the blocks other than steps in height and a slight stepping back in plan. Efforts to break up the length of the block have been taken by breaking it into five sections with a central 'tower' and two side 'wings' each with its own elevational treatment and slight stepping back. The architect has been encouraged to use the kitchen windows to create more of a feature on each corner, to use a limited palette of materials to articulate the facades and accentuate the central circulation 'tower', and to create a simple skyline profile. The fenestration is repetitive by the nature of the buildings use resulting in a bland and pared down composition that tries not to compete with the Charlotte Place development but does not make a very positive contribution to the existing environment.
- 5.5 I do not think the current scheme can be improved substantially in terms of its civic architecture due to the decision to have only one vertical circulation core. The viability of the scheme and its rather bland architectural design needs to be balanced with the opportunity to fill a long standing vacant site and its contribution to increased footfall and vitality on St Mary's Road.
- 5.6 **SCC Sustainability Team** – Under Policy CS20 of the Southampton Core Strategy, all new non-residential development with a floor space of more than 500sqm must achieve a standard of 'Excellent' in the Building Research Establishment's Environmental Assessment Method. The Sustainability Statement states that the previous scheme on this site was designed to meet Excellent, but the current one is targeting only 'Very Good'. In a scheme for purpose-built student accommodation, there is a significant benefit to the applicant in ensuring the scheme is as energy efficient as possible.
- 5.7 Overall, the applicant has not provided a feasibility study which sets out why a BREEAM level of Excellent cannot be achieved, which is ultimately necessary in terms of justifying a departure from policy. Indeed, I would consider at this point, based on the evidence which has been submitted, that there are a number of

potential routes to achieving BREEAM Excellent for this scheme. It is noteworthy that all purpose built student accommodation sites in Southampton since 2012 are meeting BREEAM Excellent, such as Mayflower Halls. There is also consistent evidence from elsewhere in the country showing that BREEAM Excellent is achievable for purpose built student accommodation developments. Indeed the City Council has recently considered a number of purpose built student accommodation schemes, and there is another currently with us for determination at Back of the Walls. This is a similarly large development (358 bedrooms) and is proposing an energy strategy based on fabric efficiency and CHP, achieving BREEAM Excellent.

- 5.8 At this point, the proposed development would meet the 15% reduction in emissions required through CS20. However, the development would not achieve BREEAM Excellent and there is not sufficient evidence to justify a deviation from policy. As such, an objection to the application is maintained, based on non-compliance with Policy CS20. The applicant is proposing a brown roof to the townhouses. I would agree with the applicant's rationale behind the brown as opposed to green roof and fully support this addition to the scheme.

Response

The applicant has subsequently confirmed that they will accept a requirement for BREEAM Excellent.

- 5.9 **SCC Heritage Team** – The archaeological deposits on this site have been dealt with under previous applications. There may be the potential for further archaeological work, but this will be subject to the final landscaping details (placement of trees in particular), and new service connections. Subject to the above, I would not require any conditions to be appended to this application.
- 5.10 **SCC Environmental Health (Pollution and Safety)** This site is located within an Air Quality Management Area. I would request an air quality (AQ) assessment to be carried out and the recommendations of the report to be agreed by the Local Planning Authority and implemented prior to the occupation of the buildings. This AQ report should be accompanied by an acoustic report and the method of ventilation of the rooms shall be agreed.
- 5.11 **SCC Environmental Health (Contaminated Land)** - The proposed land use is considered to be sensitive to the effects of land contamination. Records indicate that the subject site is located on/adjacent to the following existing and historical land uses: Garage 20m North (Approx); Rope Works 40m South East (Approx); Coach Building Works 50m South (Approx). 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 Paragraphs 120 and 121 of the National Planning Policy Framework and Policies SDP1 and SDP22 of the 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.
- 5.12 **SCC Ecology** – The site is currently derelict and the vegetation is limited to self-sown shrubs and ruderals. This is a highly disturbed habitat and is unlikely

to support high levels of biodiversity. The ecology report accompanying the planning application makes a number of recommendations for mitigation measures. These are practical measures and I would like to see their implementation secured through a planning condition. In addition to increasing the range of plant species on the site, the landscape scheme should also aim to replace the loss of foraging and nesting opportunities. Subject to these conditions there are no objections to the application.

5.10 **Southampton Commons and Parks Protection Society (SCAPPS)** – although the new application is a welcome reduction in height of building and number of students, SCAPPS objects to the proposal for the following reasons.

- Material submitted with the application include a number of perspective views but none show whether the proposed development would be visible from within Andrews Park despite applicant and planning officers being well-aware of concerns about visual intrusion from the Parks. SCAPPS suspects the reduction in height means, unlike the previous proposal, the building will not be seen from within Andrews Park but, before reaching a decision on the application, the Planning and Rights of Way Panel should be shown perspective views from the Park showing conclusively that this is so.
- SCAPPS principal objection is that the proposed development will result in increased pressure of use, and a type of use, that risks damaging the Central Parks. The proposed development includes no provision for outdoor recreation and gives no consideration to how the outdoor recreation needs of the 467 active young residents would be met. SCAPPS concern is of impact on Andrews Park of increased pressure of use, and particularly the active recreation kick-about type activity likely to result from bringing so many active young persons to live close by, and especially as that will be additional to the numbers already consequent on permissions given nearby at Orion's Point. The part of Andrews Park closest to the application site is laid out as ornamental gardens and is particularly unsuited to withstanding pressure from this type of use.
- SCAPPS would not normally comment on design, but in this case feels obliged to object to the poor quality of the proposed design; Southampton deserves better. The application proposes a massive, slab-like block running north-south the length of the site fronting Charlotte Place producing a canyon-like effect against the Jurys Inn block and looming over the lower block on St Mary's Road when seen from Newtown. Presumably with the intention of relieving the visual impact of so monolithic a slab, west and east elevations are then divided into discordant and seemingly unrelated parts by use of different surface materials and colours. The result is a most unfortunate, visually restless muddle. The narrow north and south facing end elevations are left as plain, heavy-looking slabs of monotonous uniform facing material, and yet will be particularly visible approaching the site from the north on St Mary's Road or from the south on the principal traffic route of St Andrews Road from Six Dials. It is important for Southampton's 'image' that visitors to the City using this principal traffic route see buildings of top-quality design that enhance and add interest to the townscape. This application fails that test.

Response

Although the upper parts of the buildings would be visible from within the central parks, the height and separation is such that this proposal would not adversely affect the setting of the historic park. The previously permitted scheme was for a significantly taller building than proposed now.

5.11 **City of Southampton Society** – Object to the planning application on the following grounds:

- Whilst the Society is pleased with the reduced height of the buildings and consequent reduced number of students, it is still felt that the proposed number of students (467) amounts to an overdevelopment and would cause an unacceptable level of stress on the adjacent city centre parks;
- the proposed building is of poor design, both the north and south facing walls are bereft of any interest being mainly brick faced;
- the height and mass of the west facing wall and its proximity to the pavement creates a canyon effect with the Jurys Inn complex in the centre of the roundabout which will add further to the wind at street level;
- the design of the main block only has one staircase in which to evacuate 425 students in the case of a fire.

Response

The design issues are addressed later in this report. On the fire escape issue, this is something to be addressed as part of the Building Regulations. The applicants have had discussions with the relevant bodies including Hampshire Fire and Rescue who apparently accept a single entrance subject to an appropriate fire strategy being agreed.

5.12 **Southern Water** – Initial investigations show there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. Any excess surface water should be attenuated and stored on site. There are no objections subject to the imposition of conditions and informatives.

5.13 **BAA** - The plans have been examined from an aerodrome safeguarding perspective and this development could conflict with safeguarding criteria unless any planning permission granted is subject to a condition requiring submission of Bird Hazard Management Plan.

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 tall buildings on the site
- Transport and parking issues
- Impact on residential amenity
- Environmental and sustainability considerations.

6.2 Principle of Development

This site has been vacant for many years. It is derelict and an eyesore at an important location on the edge of the city centre. The site was identified in both the Local Plan Review, site allocation MSA3, and the City Centre Urban Design Strategy (CCUDS), as a key development site. Furthermore, the emerging City Centre Action Plan (CCAP) identifies the site as suitable for a range of uses, including student residential accommodation. This is a difficult site to develop given the change in levels and the need to provide an active frontage to St Mary's Road. The principle of this development for large scale student residential accommodation was accepted by the planning permission granted last year.

6.3 As previously approved, the proposed student accommodation is a mixture of self-contained studio flats and 'cluster flats', where groups of students have individual study bedrooms and share a communal living space. 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 (approximately 300 metres from the main campus). 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. The application is therefore considered to be policy compliant and acceptable in principle. Concern has been expressed about the level of new student accommodation being provided in this part of the City centre. Research carried out as part of this application and other proposals show that the two universities together have an overall capacity of some 40,000 students whereas the purpose built accommodation is only approximately 8,000 student rooms. There is therefore considered to be a significant shortfall in the number of purpose built student bed spaces: this proposal will contribute to meeting that need.

6.4 Design issues

Adopted Local Plan Policy SDP9 defines a tall building as having five 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. It is identified in the CCUDS as an appropriate site for a landmark building. Furthermore, this part of the City has

developed a cluster of tall buildings in recent years including the Charlotte Place hotel and office building which adjoins to the west and Orion's Point to the north. The principle of a tall building on this site has been accepted by the previous permission: this application is for a building of reduced height.

6.5 The application proposes substantial new buildings which will significantly change the appearance of this area. Although there are tall buildings on adjoining sites, this development needs to be sensitive to the more domestic scale buildings of the residential community to the east. The reduced height of the building where it fronts St Mary's Road is a suitable scale of development in the street scene and is very similar to the previous approval. The provision of an active frontage to St Mary's Road will add to the vitality of the area and there is scope for some tree planting to both the south and east frontages.

6.6 On detailed design issues, Members' attention is drawn to the comments of the Council's City Design Team in paragraphs 5.3 to 5.5 of this report. It is considered that the current application compares unfavourably with that of the previous permission. That earlier design, although taller, did include more features of interest with a better articulated design and a distinctive skyline profile. The scheme has been 'value engineered' for viability reasons. A crucial change has been the decision to go for one entrance with lifts and staircase. This change reduces the options for a greater range of height across the main building: whereas the previous scheme had tower features at either end of the site and a lower central feature; this development has the tallest element in the middle (where the entrance is situated) and a more uniform height fronting the Charlotte Place roundabout. This would result in something of a 'canyon effect' between the two buildings either side of the roundabout. Furthermore, the removal of the entrance from the northern end of the building does result in a less attractive street frontage when approaching the site from the North. These design shortcomings of the scheme have to be balanced against the benefits of securing a viable and productive use of this site which has been vacant for over 30 years.

6.7 Transport and Parking

Highways officers are satisfied with the proposed vehicular access, which is in the only practical location given the constraints of the site, and the car and cycle parking arrangements. The car parking spaces are now in the open between the buildings, rather than enclosed within the building, but the number of spaces is the same as previously. For the previous application, local residents were understandably concerned that the limited car parking provision for the residential accommodation would result in overspill into adjoining streets. However, this site is well served by public transport and is within convenient walking distance of the City centre. The availability of car parking is a key determinant in the choice of mode of travel. 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.

6.8 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. A requirement for a Travel Plan can be included within the Section 106 agreement. The development also seeks to provide visual and physical links between the parks and the St Mary's area with a new staircase which will improve pedestrian links in the area. This was the same route as included in the 2004 and 2012 planning applications. The significant difference in levels between Compton Walk and the Charlotte Place roundabout would not allow for disabled access over this route; the provision of a ramp would be impractical in construction terms and there is alternative access available for disabled users through use of the lift within the car park.

6.9 Residential Amenity

The significant reduction in the height of the building compared to the previous permission will mean there would be a reduced impact on the amenities of neighbours. The shadow diagrams show that there would be some adverse impact on the properties on the east side of St Mary's Road, particularly during the afternoons. However, many of the properties affected are in predominantly commercial use including the leisure centre directly opposite. The residential properties in the side streets including Clovelly Road, are much less significantly affected. As these houses face north/south the accepted planning standards of daylight and sunlight would be satisfied for these properties. Issues of privacy have also been raised by local residents. The height of the buildings and the amount of glazing will give the perception of being overlooked but the separation distances and the relative position of windows should mean this is not a significant problem. The distance across St Mary's Road between the upper floors above shops and this development would be 18 metres, which is normal across a road in a city location. The distance between windows in the highest part of the development and the nearest residential properties in Clovelly Road and Oxford Avenue, is some 70 metres, and this is at an oblique angle. Overall, it is considered that the development would not significantly affect the amenities of neighbours in terms of loss of light, privacy or outlook.

6.10 This application has resulted in considerably fewer objections from local people than the previous one. This may partly be due to the consultation carried out by the applicant. It is also probably due to the significant reduction in the amount of development proposed. The number of bed spaces (and therefore students) is over 30% less than approved last year. In considering the previous application it was recognised that 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.

6.11 Environmental issues and Section 106 agreement

The site has been cleared of its previously overgrown vegetation which was of no landscape value. There will be scope for some additional soft landscaping and tree planting as a result of these works. In terms of sustainability, the application was submitted on the basis of meeting BREEAM 'Very Good' rather than 'Excellent'. Consequently, the application was advertised as a Departure. The applicants submitted pre-assessments demonstrating only a 6% difference

between the very good and excellent standards. Following further discussions, the applicant has confirmed that they are prepared to commit to BREEAM Excellent. This can be conditioned and would mean the development would comply with Core Strategy Policy CS20. The application site is within an Air Quality Management Area and, as for the previous application, it will be necessary for the rooms facing Charlotte Place to be mechanically ventilated to safeguard the amenities of future occupiers. This can be covered by a condition.

- 6.12 In accordance with policy, a Section 106 agreement will be necessary to mitigate the impact of the development. The issue of the impact additional students might have on the existing parks as raised by SCAPPS is understandable and a financial contribution was previously sought towards improvements to the parks as part of potential increased usage. The previous permission was granted before the Council adopted the Community Infrastructure Levy (CIL). As CIL is now in place, it is no longer possible to require financial contributions towards park improvements through the Section 106 process. For more active pursuits, students will have access to the sports facilities at their universities. The S.106 agreement can include measures to influence the travel habits of future residents.

7. Summary

- 7.1 This is a finely balanced case. The application proposes a tall building and provides additional student accommodation in a central location close to one of the City's universities. This is not an easy site to develop as evidenced by the previous proposals which have not been implemented. It is disappointing that the applicant is now unable to deliver the scheme approved last year. The current application compares unfavourably with that previous approval. Attempts to secure improvements to the design have met with only limited success. On the other hand, the site has been vacant for some 30 years and currently contributes nothing to the City. This is considered to be a significant material consideration which weighs in favour of supporting the application. In these circumstances the proposal is considered to be acceptable in terms of design and neighbouring amenity, highway safety and parking.

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), 3(a), 4(d), 4(g), 4(r), 4(vv), 6(a), 7(a), 8(a), 8(j), 9(a), 9(b).

RP2 for 02/09/14 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 and 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 five 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 and 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 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.

05. 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.

06. 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.

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

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

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

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

And at no time on Sundays and recognised public holidays.

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

Reason:

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

08. APPROVAL CONDITION - 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. The measures shall include arrangements for vehicle parking by site operatives during construction. 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.

09. 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.

10. 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.

11. 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.

12. 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.

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

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- management of any flat/shallow pitched/green/brown roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' See information section below. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No

subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat/shallow pitched *roofs* in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport.

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.

14. APPROVAL CONDITION - Piling Method (Pre-Commencement Condition).

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

15. 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.

16. 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 within 6 months of 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).

17. 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

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

The whole of the car parking 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.

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

Notwithstanding what is shown on the approved drawings, the development hereby approved shall not be first occupied until cycle facilities for both visitors and residents have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved cycle facilities shall subsequently be retained on site.

Reason:

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

20. APPROVAL CONDITION - Noise - plant and machinery [Pre-Commencement Condition]

The use hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:

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

21. APPROVAL CONDITION - Mechanical Ventilation (Pre-Commencement Condition)

The development shall not commence until a scheme of measures for mechanical ventilation to the residential accommodation hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed before first occupation of the new accommodation to which it relates and retained thereafter.

Reason:

To protect the amenities of future occupiers of the development in view of the air quality characteristics of the area

22. APPROVAL CONDITION - Extract Ventilation - control of noise, fumes and odour [Pre-Commencement Condition]

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

Reason:

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

23. APPROVAL CONDITION - Television Reception (Pre-Commencement Condition)

No development shall commence until a survey and report of the impact of the proposed development on television reception to adjoining properties has been submitted to and approved in writing by the Local Planning Authority. Any remedial measures recommended in this report shall be implemented in accordance with measures and timescale to be agreed by the Local Planning Authority.

Reason:

To safeguard the amenities of neighbours.

24. APPROVAL CONDITION - Diversion of sewers (Pre-Commencement Condition)

No development shall commence until details of measures to be undertaken to divert/protect the public water supply mains and sewers has been submitted to and approved in writing by the Local Planning Authority in conjunction with Southern Water. The development shall subsequently be carried out in accordance with these approved measures.

Reason:

In order to protect Southern Water apparatus

25. APPROVAL CONDITION - Security Measures (Pre-Occupation Condition)

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 and 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 door sets and the cluster flat access door sets;
- 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

26. 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 and Countryside Act 1981 (as amended) and the conservation of biodiversity

27. 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.

28. APPROVAL CONDITION - Hours of use (Performance Condition)

The ground floor commercial units to be used for Class A3, A4 or A5 uses hereby approved shall not be open to the public outside the hours of 0800 to midnight on any day.

Reason:

To safeguard the amenities of the area.

29. APPROVAL CONDITION - Provision of communal facilities (Pre-Occupation Condition)

The student residential accommodation hereby approved shall not be first occupied until the ground floor launderette and common rooms and the upper floor shared amenity area has been provided as shown on the approved drawings.

Reason:

To ensure these shared facilities are provided as submitted, in the interests of the appearance of the area and the amenities of future occupiers.

**30. APPROVAL CONDITION - Noise and Vibration (external noise sources)
[Pre-Commencement Condition]**

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

Reason:

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

31. APPROVAL CONDITION - Active frontages

Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 the occupier(s) of the non-residential uses hereby approved on the ground floor shall retain an 'active window display' along the length of the shop frontages hereby approved (without the installation of window vinyls or roller shutters) in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of each unit to which the information relates.

Reason:

In the interests of retaining a lively and attractive street scene.

32. 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.

APPENDIX 1

POLICY CONTEXT

Core Strategy - (January 2010)

CS1	City Centre Approach
CS3	Promoting Successful Places
CS4	Housing Delivery
CS5	Housing Density
CS11	An Educated City
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS24	Access to Jobs
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
SDP17	Lighting
SDP22	Contaminated Land
HE5	Parks and Gardens of Special Historic Interest
HE6	Archaeological Remains
CLT5	Open Space in New Residential Developments
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation
MSA1	City Centre Design
MSA3	Charlotte Place

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - August 2005 and amended November 2006)

Parking Standards (September 2011)

City Centre Urban Design Strategy (2001)
City Centre Action Plan - Preferred Approach (January 2012)

Other Relevant Guidance

The National Planning Policy Framework 2012

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

In 1978, planning permission was refused for redevelopment to provide a supermarket of 76,000 square feet with associated car parking. The reasons for refusal related to shopping policy considerations, the location of the proposed development, traffic generation and future transportation proposals.

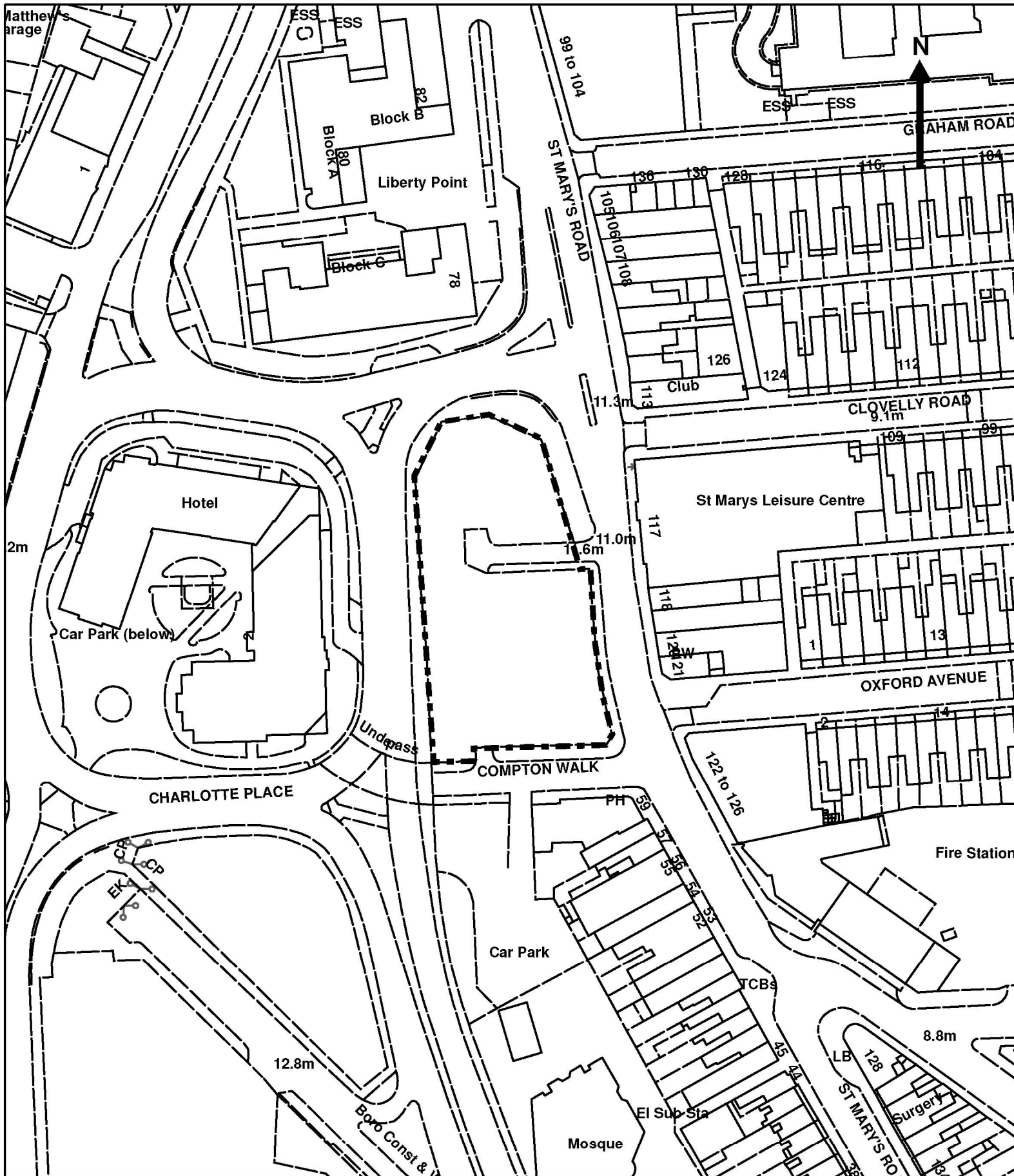
In 1988, outline planning permission was granted for redevelopment of the whole site to provide an office development comprising 9,196 square metres of floorspace with associated car parking and retail units on the St Mary's Road frontage. This permission was not acted upon.

In 1991, planning permission was refused for redevelopment of the site by the erection of a building providing 10,127 square metres of office floorspace and 2,932 square metres educational floorspace and associated car parking. The reasons for refusal related to the size and scale of the building in relation to the restricted nature of the surroundings, highway and car parking issues and archaeology.

In 1993, planning permission was granted for the erection of a 6 to 8-storey office building of 8,919 square metres floorspace with associated car parking.

In January 2004, a limited period planning permission, expiring in January 2005 was granted for the establishment of a temporary short-term car park on the site with lighting.

14/00931/FUL



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