

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel (East) 12 April 2016
 Planning Application Report of the Planning and Development Manager**

Application address: 536-540 Portswood Road			
Proposed development: Redevelopment of the site. Demolition of the existing buildings and erection of two linked buildings of 5 and 6 storeys above basement to provide 199 units of student residential accommodation with associated communal living spaces, landscaping and parking.			
Application number	15/02401/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	11.03.2016	Ward	Swaythling
Reason for Panel Referral:	Request by Ward Member and five letters of objection have been received.	Ward Councillors	Cllr Mintoff Cllr Painton Cllr Vassillou
Referred by:	Councillor Mintoff	Reason:	Overdevelopment, loss of business, too many students in the area.

Applicant: Urban Study	Agent: Signet Planning
-------------------------------	-------------------------------

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

Community Infrastructure Levy Liable	Yes
---	------------

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should be granted. In reaching this decision the Local Planning Authority offered a pre-application planning

service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP5, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, HE6, H1, H2, H7, H13 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS15, CS18, CS19, CS20, CS24, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Habitats Regulations Assessment

Recommendation in Full

1. That the Panel confirm the Habitats Regulations Assessment in Appendix 2 to this report.
2. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education be permitted to occupy the development.
 - iii. 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.
 - iv. Submission of a Training & 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 (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. Provision of Public Art in accordance with the Council's Public Art Strategy.
 - vii. Measures to mitigate the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
 - viii. Submission and implementation of a Travel Plan.
 - ix. Submission and implementation of a Waste Management Plan.

x. Submission and implementation of a Student Intake Management Plan to regulate arrangements at the beginning and end of the academic year.

xi. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.

3. 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.

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

1. The site and its context

1.1 The application site is approximately 0.24 hectares in area and is situated on the south-east side of Portswood Road at the junction with Mayfield Road and Thomas Lewis Way. The site comprises open yards and a series of single-storey and two-storey buildings used for a bathroom, swimming pool and plumbing supplies business (Pipescenes). The site is not within a conservation area and there are no trees on the site.

1.2 Public highway immediately adjoins the site on three sides with a landscape belt adjoining to the north. To the south is a 2-storey retail unit; to the north-west is the site of the former B and Q premises where buildings have recently been demolished to be replaced by a student residential development approved by the Panel in April 2015. On the opposite corner of Mayfield Road is a 4-storey block of flats (Cupid House) and adjoining 3-storey houses fronting Portswood Road.

2. Proposal

2.1 The application proposes redevelopment of the site to provide a total of 199 units (studio/bedsitting rooms) for student residential accommodation in two linked buildings of 5-storeys and 6-storeys above a basement car parking area. Block A at the Mayfield Road corner of the site would be 6-storeys above the basement level; Block B would be 5-storeys above basement level.

2.2 A new vehicular access will be formed from Portswood Road in a slightly different location than the existing access. Due to the slope of the land, it is possible to provide a basement car park of 17 spaces to be used by staff, visitors and disabled residents. A total of 100 cycle parking spaces will also be provided. The development will provide a range of communal facilities: cinema/function room, gym, laundry, group study/function room and other meeting and social spaces.

2.3 The proposed external materials would be a mix of red/brown brick and a mid

grey brick, fibre cement cladding, gold cladding, gold/bronze window frames and feature coloured glass with a railing detail to the balconies.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 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.

4. Relevant Planning History

- 4.1 The site has been in commercial/storage use for many years. In the 1980's and 1990's there were a series of planning permissions granted for redevelopment of the site to provide a 3-storey block for use as offices, showroom and light industrial purposes. None of these permissions were implemented and have now expired.
- 4.2 The recent planning permission for redevelopment of the former B and Q site on the opposite side of Portswood Road is also relevant to this application. That permission (reference 14/02108/FUL) was granted in November 2015 and was for redevelopment of the site with 3, 4, 5 and 6 storey buildings to provide purpose built student accommodation (comprising 525 bedrooms in 80 flats and 103 studio rooms), with associated communal living spaces, landscaping, cycle storage, parking, and independent cafe, with vehicle access retained from Mayfield Road. The proposal includes 25 car parking spaces. Work has commenced on this development.

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 (01.01.2016) and erecting a site notice (06.01.2016). At the time of writing the report **7** representations from surrounding residents and an objection from Councillor Mintoff have been received. The following is a summary of the points raised:
- 5.2 **There has already been a massive influx of students in the surrounding area. Within half a mile radius of this site there are already four student accommodation sites, including the massive 525 bedroom development on the former B and Q site. This inappropriate development would further add to the swamping of Swaythling by students. There are plenty of other sites**

closer to the University where student accommodation can be provided. There needs to be a better balance between students and family tenanted properties.

Response

The evidence submitted with this application does not support the contention that there is now over-provision of student accommodation across the city. Any strategic review of the location for student accommodation across the city will have to await the review of the Local Plan. There has been a significant increase in the amount of purpose built private sector student accommodation proposed in the last few years, much of which has not yet been completed. It is therefore too early to properly assess what impact this might have on the existing HMO stock.

- 5.3 This development, together with that of the adjoining B and Q site results in a loss of facilities for local people and employment opportunities.**

Response

Neither site is protected for employment purposes in the Local Plan. The application site is previously developed land and allocated for housing purposes. It is understood that the existing business on the site is relocating to a site near the M3 at Eastleigh.

- 5.4 The potential increase in traffic on Portswood Road. This section of road already has two traffic light controlled junctions which at times can become blocked by vehicles. Any additional junctions onto Portswood Road should take existing arrangements into consideration. The short access road connecting Thomas Lewis Way to Portswood Road frequently proves to be of insufficient length to accommodate the traffic which can back up on to Portswood Road/Thomas Lewis Way especially during busy periods. This situation could be alleviated by making the short access road two way in both directions, although this would not be possible in the future if it is approved to build right up to the southern boundary.**

Response

The Council's Highways Team consider the development to be acceptable in transport terms with no requirement for the type of highways improvements suggested.

- 5.5 If car parking is not sufficient what alternative parking arrangements are available and how will this impact on current schemes. The developer will not be able to control the number of student vehicles parked outside the site, these spots are relied on by local residents and will make parking more difficult.**

Response

The car parking issues are addressed later in this report.

- 5.6 Tall buildings facing each other would create a claustrophobic, narrow, canyon like effect and amplify traffic noise.**

Response

This proposal, together with that approved for the former B and Q site opposite

would result in 5 and 6-storey buildings on either side of the road which is certainly not typical for this area. However, neither development involves a continuous building form; there are a series of setbacks from the road frontage which would mitigate any 'canyon effect'.

- 5.7 **The proposal will result in further air quality issues in this area, additional noise and litter as students return home. It is also not clear whether the utilities of the area can cope with this level of development: water flow in the area is already a problem.**

Response

Thomas Lewis Way is a very busy road but this is not currently an Air Quality Management Area. This development will have limited car parking with the majority of movements likely to be by walking, cycling and public transport so it is unlikely to worsen air quality issues in the area. The Council's Environmental Health Team are satisfied with the air quality report submitted with this application. Portswood Road is a busy route leading to the district centre, it does not automatically follow that the use will result in more noise and litter. Although there appear to be some issues with drainage and water supply infrastructure in the area, Southern Water are satisfied that these issues can be addressed through conditions/informatives.

- 5.8 **Councillor Mintoff** - I wish to have this application determined by the Planning and Rights of Way Panel. I am objecting for the following reasons: the loss of the businesses which provide employment; the over development of the site; the detrimental impact on the balance of the neighbourhood - this area is being over-run by student accommodation.

Consultation Responses

- 5.9 **SCC Highways** - The proposed development takes its access from Portswood Road, a principal linking road from the Swaything area through to the city centre. Portswood Road is subject to a 30mph speed limit, and parking provision is intermittent along its length, with many areas being covered by double yellow lines due to the strategic nature of this road. Opposite this site is a further development site currently under construction to provide student accommodation. Behind the site is Thomas Lewis Way, a strategic traffic route with a 50mph speed limit, which links the M27 motorway to the city centre on an unmarked 4 lane carriageway. To the west of the site is Mayfield Road, which has traffic light controlled junctions with Portswood Road and Thomas Lewis Way. In principle, the proposed development is acceptable. However, more information is required with a few issues needing to be addressed, which can be dealt with by conditions.
- 5.10 The introduction of a vehicular access along Portswood Road is acceptable subject to sufficient sightlines being provided (which have not been shown on a plan) and the need to secure the sightlines with a TRO around the access. The green phase for the signal system for the car park should prioritise the traffic entering the site. Red phase should only be shown to entering traffic when there is a vehicle waiting to exit ' this can be achieved via some form of a sensor, details to be agreed. The transport statement mentions the Travel plan which had been conducted by the University. It is the objective of the University as well as the Council to encourage sustainable travel and reduce the need to travel by car. The parking spaces should be reserved only for visitors, servicing and for

the drop off/pick up at the start/end of term periods. With regards to the pedestrian/cycle ramp next to the ground floor refuse store, the gradient is not clear from the plans but it should not be more than 1:12 in accordance with RDG, part 9.

- 5.11 There are concerns regarding parking overspill as a result of this development. This is considered to be an amenity issue rather than highway safety and therefore will hold limited weight to the recommendation. Most of the on street parking within the area is covered by a residents parking zone. Considering the close proximity to the University of Southampton and the sustainable location of the site, the need to travel by car is considered low, and students will be deterred from bringing cars due to the lack of available parking. A review of on street parking within this area is to be conducted in the near future, and any necessary changes can be made subject to the outcome of this review.
- 5.12 **SCC Sustainability Team** – The proposed development intends to meet the policy requirements of meeting BREEAM Excellent. Passive and efficiency measures have been applied. The energy strategy proposes on site CHP (Combined heat and power), as well as 100m² of roof mounted PV (photovoltaic) panels. The CHP System will result in a CO₂ reduction of 22.8% from the efficient baseline, with an additional 2% from the PV. This will result in a reduction over the building regulations notional benchmark building of 10%. There appears to be little information regarding sustainable drainage systems - the flood risk assessment details a number of SUDs techniques which can be applied, but it had not been confirmed which will be used in this development. In addition, Policy CS20 requires rainwater harvesting and greywater recycling to be utilised where viable so it must be justified if these are not incorporated. No objections subject to conditions.
- 5.13 **SCC Heritage** – The site lies within Area 16 of the Local Areas of Archaeological Potential (Rest of Southampton). It sits directly opposite the late Medieval South Stoneham Farm, and is adjacent to the possible Roman Road between Clausentum and Winchester. Development is likely to damage archaeological deposits, and it would be necessary to commission an archaeological evaluation to determine the presence or absence, and importance of these deposits. Further work may be required, depending on the results of the evaluation. This may range from a Watching Brief on the construction to full-scale excavation. Demolition works below the ground slab would need to be controlled by an appropriately qualified archaeologist, and any soil investigations would also need to be (at least) monitored by an archaeologist. It would be advisable for the developer to commission the evaluation and soil investigations as one contract to minimise costs.
- 5.14 **SCC Environmental Health (Pollution & Safety)** - Following the submission of a revised air quality report there is no objection on air quality grounds. A condition will be needed on the specification of windows to control noise.
- 5.15 **SCC Environmental Health (Contaminated Land)** - This department considers the proposed land use as being sensitive to the affects of land contamination. Records indicate that the subject site is located on/adjacent to the following existing and historical land uses: Laundry (on site); Depot (on site). 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. 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 conditions.

- 5.16 **SCC Ecology** – The application site comprises four buildings, several shipping containers, hard standing, walls and small patches of ruderal vegetation. The area immediately around the site consists of busy roads, on three sides, and a linear strip of woodland, on the northern boundary, which runs along Thomas Lewis Way to Woodmill Road. The habitats present on the site have negligible biodiversity value. An ecological survey accompanying the planning application identifies low potential for foraging bats and nesting birds which confirms the low ecological value of the site. The area immediately around the site is also of low ecological value. The development is unlikely to directly impact the adjacent strip of woodland however, to ensure that any bat foraging activity is maintained, light spill from the building should be assessed to ensure that the woodland is not subjected to a higher level of artificial illumination than currently experienced.
- 5.17 The new building provides an opportunity to introduce ecological enhancements into the locality. The development on the former B&Q site included biodiverse green roofs, bat boxes and swift nesting boxes and I would like to see similar measures incorporated into this development. The proposed development is unlikely to have any direct ecological impacts. There is however, a risk of indirect impacts upon European and internationally designated sites along the Solent coast and in the New Forest. Provided appropriate mitigation measures to address these impacts can be secured I have no objection to the proposed development.
- 5.18 **BAA** – No objections.
- 5.19 **Natural England** – Object unless further information is provided. The application site is within 5.6 km of the Solent and Southampton Water Special Protection Area and will lead to a net increase in residential accommodation. Providing the level of contribution complies with the Council's policy and SPD, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites and consequently would have no objection to this aspect of the application. In terms of the impact on New Forest sites, the application site is in close proximity to the New Forest SPA, Special Area of Conservation, Ramsar and SSSI sites. The documents provided with the application do not demonstrate that the requirements of the Habitats Regulations have been considered by the Council. Natural England therefore advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. The necessary information required for the HRA will relate to car parking provision and likely travel patterns to the New Forest.

Response

Additional information has been provided in response to these comments and the necessary Habitats Regulations Assessment undertaken. Natural England have been notified of these developments and any update will be reported to the meeting.

- 5.20 **Southern Water** – No objections but a number of issues need to be resolved which can be conditioned before the development can proceed. There are currently water mains and surface water sewers which cross the site. It might be possible to divert the surface water sewer so long as this would not result in unacceptable loss of hydraulic capacity and the work was carried out to the satisfaction of Southern Water. Initial investigations indicate that Southern Water can provide foul sewage disposal to service the development. Following initial investigations there is currently inadequate capacity in the local network to provide a water supply to service the development.

Response

This matter can be resolved outside of the planing process

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
- Transport issues
- Impact on neighbouring occupiers
- Section 106 process

6.2 Principle of Development

This site is allocated in the Local Plan for residential purposes. Public comments on the application have expressed a preference for either retaining a commercial use or developing the site for general needs family housing. Whilst these alternative uses might be acceptable, this application must be considered on its own merits against the relevant policy background. Student accommodation is a particular form of residential which is probably better suited to this site given the busy road to the rear and the limited scope for on-site amenity space.

- 6.3 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 close to existing bus routes and within easy walking distance of the University of Southampton (approximately 900 metres from the main campus). Furthermore, the provision of purpose built student accommodation could reduce 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 Core Strategy Policy relating to Housing Mix and Type (CS 16), specifically the family housing/HMO requirements, do not apply to purpose built student accommodation. 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 area. Research carried out as part of this application and other proposals show that the two universities together have an overall capacity of some 35,000 full-time students (2013/2014 academic year) whereas the purpose built accommodation is only approximately 10,000

student rooms. Although there is a significant amount of development in the pipeline, the research indicates there remains demand for well-located purpose built student accommodation within the city and student numbers are also likely to rise further: this proposal will contribute to meeting that need and may assist in freeing up shared housing in the suburbs for genuine family housing.

6.4 Scale and design of the development

There is no dominant architectural style in this area in terms of character and building height although the residential streets adjoining to the north are predominantly two-storeys in height. The exception to this is the relatively new 4-storey block of flats on the opposite corner of Mayfield Road. This building is set on higher ground relative to the application site; it therefore has the appearance of a taller building (5-storeys) relative to Portswood Road. The proposed building would be part 5-storeys and part 6-storeys. The impact of the 6-storey building is mitigated by its location which is at the lowest part of the site (south-west corner). This would be one of the tallest buildings on Portswood Road but given this is an 'island site' on sloping land and given the nature of the surroundings, it is not considered to be harmful. The overall height is very similar to that approved on the former B and Q site opposite.

6.5 The design of the scheme has evolved through the pre-application process. It is considered that the proposed architectural approach and the integrated landscape scheme has the potential to create a development of high standard design, subject to the use of good quality materials which can be controlled through conditions. A reasonable amount of shared open space will be provided with the scope for new tree planting.

6.6 Transportation Issues

Highways officers are satisfied with the proposed vehicular access, which is in a similar position to the existing. The development does incorporate sufficient parking to meet the needs of staff members, disabled residents and visitors. 12 parking spaces may be available to rent with priority given to those with mobility issues. Local residents are understandably concerned that the limited car parking provision for the student accommodation would result in overspill into adjoining streets. However, this site is served by public transport, being on the Unilink bus route and is within convenient walking distance of the Highfield Campus where it is anticipated many of the student residents will attend. 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. 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. Issues associated with refuse management and the dropping off and collection of students at the beginning and end of the University term can be controlled through the Section 106 agreement.

6.7 Impact on residential amenity

As this is an 'island site' with public highway on three sides and a landscaped

area on the other side, there would be limited impact on the amenities of neighbouring residents, the nearest of which are on the opposite side of Portswood Road. A purpose built development of this nature will include 24 hour on site management controls which should limit any adverse impact on local amenity.

6.8 Section 106 Mitigation

The Section 106 agreement can limit use of the site to student accommodation only as well as assist in the day to day management of the building and parking arrangements. Financial contributions can be sought towards transportation improvements. The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £174 per unit has been adopted. A specific formula has been adopted for student accommodation of this type. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application will comply with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) once the Section 106 agreement completes. A more detailed assessment of the impact of the development in this regard is included in the HRA within Appendix 2 to this report. The HRA concludes that any significant effects which are likely in association with the proposed development can be overcome.

7. Summary

- 7.1 The application site is currently occupied for employment use but is allocated in the Local Plan for residential development; student accommodation is a specialist form of housing so the use is acceptable in principle. There is demand for additional purpose built student accommodation in the city and this site is close to the University of Southampton. This would be a high density development but the scale and form of the development is considered to be acceptable for this site. 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), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(a), 6(b), 7(a), 7(j).

RP2 for 12/04/2016 PROW Panel

PLANNING CONDITIONS

01. 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. Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works, apart from demolition of the existing buildings, 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. Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works, apart from demolition of the existing buildings, 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
- vi. measures for dealing with Japanese Knotweed.

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. 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. Reuse of uncontaminated soils [Performance Condition]

No soils, sub-soil or other spoil material generated from the construction must be re-used on the near-surface soils unless it can be validated as being fit for use (i.e. evidently undisturbed, natural soils or, if otherwise, tested to ensure it is free of contamination).

Reason:

The property is in an area where there land has been unfilled or reclaimed. It would be prudent to ensure any potential fill material excavated during construction is not reused in sensitive areas unless it is evident that it is unlikely to present a land contamination risk.

06. Use of uncontaminated soils and fill [Performance Condition]

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

Reason:

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

07. 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.

08. Archaeological evaluation [Pre-Commencement Condition]

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

Reason:

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

09. Archaeological damage-assessment [Pre-Commencement Condition]

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

Reason:

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

10. Archaeological investigation (further works) [Performance Condition]

The Developer will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

Reason:

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

11. Archaeological evaluation 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.

12. Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission, apart from demolition of the existing buildings, shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

13. Diversion of sewers (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, 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

14. Demolition - Dust Suppression [Pre-Commencement Condition]

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason:

To protect the amenities of users of the surrounding area.

15. No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

16. 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.

17. 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.

18. 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.

19. 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, as set out in the Ecological Appraisal Report submitted with the application which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme.

Reason

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

20. 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.

21. BREEAM Standards (Pre-Commencement Condition)

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

REASON:

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

22. BREEAM Standards (Pre-Occupation Condition)

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

REASON:

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

23. Green roof feasibility study (Pre-Commencement)

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

Reason:

To reduce flood risk and manage surface water run off in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13.

24. Storage / Removal of Refuse Material [Pre-Occupation Condition]

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

Reason:

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

25. 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.

26. 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.

27. Safety and security (Pre-Commencement Condition)

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

Reason

In the interests of safety and security.

28. External materials and window detail (Performance Condition)

The external materials of the buildings hereby approved shall be brickwork for the areas shown as such on the approved drawings. The windows shall be constructed with reveals in the manner shown on the approved drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the development achieves the quality of design demonstrated in the application and supporting information.

29. Provision and retention of facilities (Performance Condition)

The ancillary facilities for the student accommodation as shown on the approved plans, to include the cinema, study spaces, gym and amenity areas shall be provided before the residential accommodation to which the facilities relate is first occupied and retained thereafter for the duration of the use of the building as student accommodation.

Reason: In the interests of the amenities of future occupiers of the building.

30. Sustainable Drainage (Pre-Occupation Condition).

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and

- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

31. Noise Mitigation Measures (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, until details of noise mitigation measures to safeguard future residents from noise from the adjoining roads has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved measures have been installed as approved and subsequently retained thereafter.

Reason

To safeguard the amenities of future occupiers given the location adjoining a busy road.

32. Vehicular Access Arrangements (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, until details of the vehicular access arrangements to include the gradient of the access ramp and traffic signal measures have been submitted to and approved in writing by the Local Planning Authority. The works shall subsequently be carried out in accordance with these approved measures.

Reason

To ensure suitable access arrangements are provided in the interests of highway safety.

33. 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 - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
SDP22	Contaminated Land
NE4	Protected Species
HE6	Archaeological Remains
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)