

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 6th December 2016
Planning Application Report of the Service Lead, Planning, Infrastructure and Development

Application address: Former Portswood Bus Depot			
Proposed development: Development to provide purpose built student residential accommodation (435 bedspaces) in three buildings of between 3-storeys and 6-storeys plus lower ground floor level with vehicle access from Belmont Road and associated landscaping (amendment to previous planning permission reference 15/01510/FUL - changes relate to the type of accommodation and changes to elevations).			
Application number	16/01778/MMA	Application type	Minor Material Amendment
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	27.01.16	Ward	Portswood
Reason for Panel Referral:	Referred by the Planning & Development Manager	Ward Councillors	Cllr O'Neill Cllr Claisse Cllr Savage
Applicant: SPG(H) Newco One Limited		Agent: None	
Recommendation Summary		Delegate to Service Lead, Planning, Infrastructure and Development 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 including parking pressure, impact on neighbouring amenity, design and character have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). "Saved" Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, HE6, H1, H2, H7 and H13 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS6, CS7, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 and the Council's current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached			
1	Habitats Regulation Assessment	2	Panel Report for 15/01510/FUL
3	Relevant Planning Policies	4	Relevant Planning History

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead, Planning, Infrastructure and Development to grant planning permission subject to the completion of a deed of variation to bind this permission to the previous S.106 Legal Agreement for application 15/01510/FUL.
3. In the event that the legal agreement is not completed within 2 months of the Panel meeting the Service Lead, Planning, Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Service Lead, Planning, Infrastructure and Development 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 site and its context is set out in the previous report to the Planning Panel, attached in **Appendix 2** of this report.

2. **Proposal**

- 2.1 The application seeks to amend the previously approved scheme for the development of the site to provide 435 student bed spaces, approved by the Planning and Rights of Way Panel on the 27th October 2015. The key differences between the two scheme are summarised as follows:
 - The cluster flats have been removed from the scheme and replaced with self-contained studios. The number of student bed spaces remains the same at 435.
 - The footprint of Block B (which runs broadly parallel with the access to Sainsbury's) has been increased by approximately 4 metres in width.
 - On the lower ground floor level, the cycle storage and other ancillary accommodation has been reconfigured to provide a gym and movie room.
 - At ground floor, the main entrance has been brought forward in the undercroft area and a single, large common room or, 'student hub' has been provided.
 - The elevation design has changed with minor changes to the position of windows and an amended approach to the cladding of elevations.
 - Block C, which fronts Belmont Road, has been amended from a series of pitched roofs to flat roofs, resulting in a 3.1 metre reduction in height to this block.

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 3**.
- 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 relevant planning history of the site is set out in **Appendix 4** of this report.

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 (11.11.16) and erecting a site notice (08.11.16). At the time of writing the report **0** representations have been received from surrounding residents but a verbal update of comments received will be provided at the Panel meeting, following the expiration of the publicity expiry.

5.2 Consultation Responses

5.3 **SCC Highways** – No objection subject to further information regarding the refuse and cycle storage arrangements.

5.4 **SCC City Design** – The changes to the Portswood Road frontage make a potentially very elegant revised façade to the street. Raise concerns with the loss of the pitched roofs to the Belmont Road frontage.

5.5 **SCC Archaeology** – No objection or conditions suggested.

5.6 **SCC Sustainability Team** – No further comments to previous application

5.7 **SCC Environmental Health (Pollution & Safety)** – No objection subject to the previous recommendations being re-imposed on this application.

5.8 **SCC CIL Officer** – The development is CIL liable and the charge will be levied at £70 per sq.m (subject to indexing) on the Gross Internal Area of the development.

5.9 **City of Southampton Society** – The minor amendments appear to introduce changes that will improve the quality of life for the residents. Particularly welcome the introduction of Juliet balconies and the omission of loft rooms and pitched roofs. The reduction in height should reduce the impact on the surrounding area.

5.10 **SCC Ecology** – No objection

5.11 **Natural England** – The proposed amendments to the original application are unlikely to have significantly different impact on the natural environment than the original proposal.

6. Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are set out in the previous report to Planning Panel attached as **Appendix 2**. The main assessment of the key issues in the previous report are still relevant to this application.

6.2 In terms of the changes to the scheme, as noted above, the intensity of the scheme remains the same with no increase in the number of students that would be accommodated within the development. The changes to the communal spaces have resulted in slightly improved facilities for future residents.

6.3 Whilst the footprint of Block B has increased slightly, this block is set away from the street frontages of the development, with views of these elevations contained by the blocks to the Portswood Road and Belmont Road street frontages. A high-quality, landscaped courtyard would still be retained to the centre of the site. As such, this change is not considered to introduce harm to either the character of

the area or to the amenities of nearby residents.

- 6.4 The design changes to the elevations are, in general, considered to represent an improvement to the appearance of the buildings, particularly so to the Portswood Road frontage. Whilst the loss of the pitched roof to the Belmont Road elevation has eroded the more domestic design approach to this street frontage, the revised design has taken care to break the massing of this elevation to reflect the appearance of more domestic plot widths found within the area. Variations in external materials is also proposed to add interest to this elevation. Furthermore, the reduced scale of this block (by 3.1 metres) is considered to result in a lesser impact on nearby residents which would better assist the development in integrating into the context.

7. Summary

- 7.1 The proposed changes to the scheme are considered to be acceptable in terms of the impact of the development on the surroundings and are minor in nature.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to a Deed of Variation to the Section 106 agreement and the conditions set out below.

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

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

JT for 06/12/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development works hereby permitted shall begin no 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. Approved Plans

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

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

03. Details of building materials to be used (Pre-Commencement Condition)

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

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

04. Refuse and Cycle Storage (Pre-Occupation Condition)

The cycle and refuse storage shall be provided in accordance with the plans hereby approved, before the dwellings, to which the facilities relate, are occupied. The storage shall thereafter be retained and made available for that purpose.

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

05. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement Condition)

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority, 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.
- v. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

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

05. Tree Retention and Safeguarding (Pre-Commencement Condition)

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

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

06. Arboricultural Protection Measures (Pre-Commencement Condition)

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

Reason: To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees

07. Replacement Trees:

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority and shall include the following species:

- *Acer platanoides* *Olmstead*
- Incense Cedar *Calocedrus decurrens* for evergreen interest
- Non-Fastigate Scots Pine *Pinus sylvestris Fastigiata* for evergreen interest
- *Prunus Amanogawa* for autumn colour and spring flowers
- Small Leaves Lime *Tilia cordata Greenspire* (as above)
- Elm *Ulmus carpinifolia Wredei Aurea*

The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

08. Tree Planting Method (Performance Condition)

Prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. a root barrier for mitigating root damage to the public footway
2. Specification for constructing the above-ground surfacing to the front of the plots in a way that allows continuous soil volumes not individual 'tree pits', while avoiding future root damage to surfacing that will bring pressure to fell for actionable nuisance.

The development shall thereafter proceed in accordance with the agreed specification.

Reason: To ensure that replacement tree planting improves the appearance of the site and enhances the character of the area.

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

15. Sustainable Drainage Systems (Pre-Commencement Condition)

Prior to the commencement of development a specification for the proposed sustainable drainage system (including green roofs) shall be submitted to 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. Sustainability statement implementation (Pre-Occupation Condition)

Prior to the first occupation of the development hereby granted consent, written documentary evidence proving that the development has implemented the approved sustainability measures as contained in the report Energy Statement ' issue 02 July 2015 C6028 shall be submitted to the Local Planning Authority for its approval. Technologies that meet the agreed specifications must be retained thereafter.

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. BREEAM Standards (Pre-Commencement Condition)

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

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

18. BREEAM Standards (performance condition)

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

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

19. Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence, apart from demolition of the existing buildings, until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The

development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

20. Active Ground Floor Frontage (Performance Condition)

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

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

21. Bonfires (Performance Condition)

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

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

22. Piling (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.

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.