

Planning and Rights of Way Panel 1st August 2017
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

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| Application address: Land to rear of The Broadway, Portswood Road, Southampton | | | |
| Proposed development: Redevelopment of the site. Erection of a part 2-storey, part 4-storey building to contain 43 units of student accommodation with communal facilities and cycle/refuse storage | | | |
| Application number | 17/00325/FUL | Application type | FUL |
| Case officer | Anna Lee | Public speaking time | 15 minutes |
| Last date for determination: | 08.08.2017 (Extension of Time Agreed) | Ward | Goadsby Planning & Environment |

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| Reason for Panel Referral: | Councillor referral and a Major Development with 5 or more objections | Ward Councillors | Cllr Claisse Cllr O'Neill Cllr Savage |
| Referred to Panel by: | Cllr Claisse, Cllr Savage and Cllr O'Neill | Reason: | Overdevelopment, poor design, impact of residential amenity, inadequate access, no on-site management, fire hazard and insufficient parking |

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| Applicant: Lainston Broadway LLP | Agent: Goadsby Planning & Environment |
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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. Other material considerations including impact on neighbouring amenity, design, character and highway safety 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 as set out in the report to the Planning & Rights of Way Panel on 1st August 2017. 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, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, H1, H2, H3, H7, H13 and REI5 of the Local Development Framework Core Strategy Development Plan Document (March 2015)

Policies - CS4, CS5, CS6, CS11, CS13, CS15, CS16, CS18, CS19, CS20, CS22 and CS25 of the City of Southampton Local Plan Review (March 2015) and as supported by the adopted Residential Design Guide SPD (2006).

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| Appendix attached | |
| 1 | Development Plan Policies |

Recommendation in Full

1. Delegate to the Service Lead - Infrastructure, Planning and Development to grant planning permission, subject to the planning conditions recommended at the end of this report and to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site, including any necessary Traffic Regulation Orders to facilitate any changes, 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 from the student residential block an undertaking by the developer that only students in full time higher education be permitted to occupy the identified blocks and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v);
 - iii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, 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);
 - iv. Submission of a highway condition survey to ensure that any damage to the adjacent highway network attributable to the construction process is repaired by the developer;
 - v. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets;
 - vi. Financial contribution towards a consultation exercise to assess whether there is a demand for a Residents Parking Scheme; and if appropriate, to ensure that the Residents Parking Scheme is implemented in full;
 - vii. Submission, approval and implementation of a ‘Student Intake Management Plan’ to regulate arrangements at the beginning and end of the academic year;
 - viii. Submission and implementation of a Construction Traffic Management Plan;
 - ix. Submission and implementation of a Servicing Management Plan;

- xi. Submission and implementation of a Travel Plan.
 - xii. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners, with contributions towards community safety associated with the needs of the late night commercial uses;
 - xii. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010; and
 - xiii. 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).
- 2. In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, the Service Lead - Infrastructure, Planning and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
 - 3. That the Service Lead - Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1.0 The site and its context

- 1.1 The site holds a backland location behind Portswood Road, Tennyson Road and Westridge Road and lies within the defined Portswood District Centre. Currently the site houses a large vacant laundry warehouse, comprised of brick and tiles which varies in height, occupies the majority of the site. The sole access to the development is via an access way between 1 The Broadway and the Victory Club. Other than the adjacent shops and Victory Club the area to the rear is residential in nature.
- 1.2 The site is generally level with a slight slope to the rear. However, at the rear boundary the land slopes down adjacent to Tennyson Road where the properties are at a lower level. There is an access way from Westridge Road that serves the existing properties on Portswood Road. This access does not form part of the application site, and the same is true of the two footways to the rear of Tennyson Road. The neighbouring properties abut the site in a close-knit pattern of development characteristic of a district centre. The building to the south (The Victory Centre) is an attractive locally listed art deco building and the Russell Place conservation area sits behind the Portswood Road frontage on the opposite side of Portswood Road.

2.0 Proposal

- 2.1 The proposal seeks to redevelop the site for student housing. The scheme proposes 43 self-contained units accessed via Portswood Road. The building height proposed is between two and four storeys with a modern design using the following materials; brick cladding (brick slips) for the lower parts, timber look cladding to the stair cores and corners and the upper parts are to be clad using

a pattern of matt colours. The development would comprise one building, with two main parts labelled block 1 and 2. The building would be four storey adjacent to the Victory Club (block 1) and block 2 steps down to two storeys adjacent to the domestic scaled properties fronting Westridge Road and to the rear with Tennyson Road.

- 2.2 The current condition of the access way to the site is poor in terms of security and surfacing and the proposal seeks to improve it by resurfacing it with block pavements and adding street lighting to create a more attractive entrance for the development. An entrance pavilion has been proposed, which will add to the surveillance of the site. The refuse and cycle storage is located to the rear of the properties on Portswood Road. In terms of setting around the building soft landscaping is proposed with brick pavement access ways to the two main entrances. The units are all self-contained with integral kitchen and bathroom facilities.
- 2.3 With respect to outlook, the scheme has been designed to reduce the impact on neighbouring occupiers by orienting windows away from the occupiers of Westridge Road, and all the windows that face Tennyson Road are hallway windows or secondary windows. A condition is included to obscure glaze these windows to prevent direct overlooking. On the second and third floors the windows do not face Tennyson Road. No amenity space is provided for the students nor is there any communal 'break out' space but the site is located close to a good selection of local facilities and public transport routes, and the site lies approximately 15 minutes' walk from Southampton Common and the University. No car parking is proposed for the residents due to the highly sustainable location and the landlocked nature of the site. Cycle storage is provided to encourage modes of sustainable travel.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 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.

4.0 Relevant Planning History

- 4.1 The only relevant planning history for this site relates to an application in 1958 for the approval (ref 1140/20) of the rebuilding of the workshop on 14th October 1958.

5.0 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, erecting a site notice (28.03.2017) and by posting an advertisement in the local press (31.03.2017). At the time of writing the report **18 representations** have been received from surrounding residents/businesses (including comments from all three Ward Cllrs, the Portswood Central Residents' Association and Highfield Residents' Association). The following is a summary of the points raised:

5.2 The adjacent business owner at 1 The Broadway is concerned about the retention of the pedestrian access to service the business.

Response

The access is to remain open only for pedestrians as part of the proposal.

5.3 Concerned about construction damage and construction access.

Response

Any damage done to third party land is a civil matter, and with respect to the construction phase of the proposed development a construction management condition is recommended to prevent unnecessary disturbance to the wider vicinity and to prevent issues of highway safety.

5.4 Concerned about overlooking, overshadowing and loss of light.

Response

All new development will have an impact on neighbouring properties but whether or not the harm is sufficiently detrimental to warrant a reason for refusal has to be assessed against the individual merits of the scheme, including the existing site arrangement. See section 6 of this report for the officer's consideration.

5.5 A parking permit scheme should be requested as part of this application for the area with the developer paying the costs.

Response

A contribution to the consultation and implementation process (if there is suitable interest) has been included in the head of terms for the S106 legal agreement.

5.6 Portswood already has an excessive student population which has an impact on existing residents in terms of noise and disturbance as well as the mix and balance of the character of the area. The proposal will exacerbate these impacts significantly.

Response

Research carried out as part of other proposals show that the two universities together have an overall capacity of some 32,000 full-time students whereas the purpose built accommodation is only approximately 3,000 student rooms. Although there is a significant amount of development in the pipeline, the research indicates that 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. The evidence isn't available to suggest that no further student housing is needed.

Saved policy H13 of the Local Plan Review guides the location of student accommodation to locations that are easily accessible to the educational establishments by foot, cycle or public transport. It states that development by private sector providers will only be permitted where suitably located and where an assessment of need has been adequately presented. Currently, it is recognised that since the site is 15-20 minutes walking distance from the University of Southampton and 30 minutes from the Solent University but with

good accessibility to the Uni Link Bus stops, the proposal would fulfil this aim. As the site lies within the District Centre, with its shops and facilities and public transport links to the city centre, occupiers can avoid quieter residential streets on their return from a night out. A student management plan supports the application for the student population, which should assist in any direct local impacts. Finally, one of the drivers by the city in the support of purpose built housing is to release the family housing stock currently occupied by HMOs. This application can also assist with this aim.

5.7 Impact on the street scene due to the height of the proposed development.

Response

The adjacent locally listed property, the Victory Club, is a relatively tall building at 35 metres high and this proposal would be lower in height (31 metres high), but the four storey element would be just visible over the properties at Portswood Road. It is judged to be an acceptable height for this part of the city as agreed by the Council's City Design Officer.

5.8 The proposal is designed with insufficient car parking. The development would therefore lead to overspill car parking on the surrounding streets exacerbating existing parking pressures experienced by residents.

Response

The proposal has zero parking for the students. Portswood Road is protected by traffic restrictions to prevent long stay parking but there are unrestricted streets in the locality. The nearest controlled parking zone affects Brookvale Road to the north. Whilst it is acknowledged that some students will bring their cars to University this number is likely to be small and as parking on site is impossible it becomes a less attractive option. As part of the section 106 agreement, future occupants of the development would be restricted from obtaining parking permits in nearby (and future) controlled roads. As such, the development is unlikely to result in significant overspill car parking on the surrounding streets.

5.9 Concern with the lack on on-site management.

Response

The application submission sets out that there would be a manager available during working hours Monday to Friday and out of hours there is an emergency contact number which will be manned 24 hours a day. The applicants also propose to sign up to the Southampton Accreditation Scheme for Student Housing (SASSH) or similar. This is proposed to be secured through the section 106 legal agreement.

5.10 Concern with the practicality of drop-off and collection arrangements for new students and that insufficient car parking on site will result in further on-street car parking pressures within the vicinity of the site.

Response

The application is supported by a Student Intake Management Plan, which sets out how the arrivals and departures of students will be managed. A layby is proposed as part of the S106 legal agreement highway works to allow for students to be dropped off and picked up via time slots within the parking bay. The implementation of this management plan is proposed to be secured through the section 106 legal agreement (see recommendation vii above).

5.11 Fire hazard due to the access.

Response

The access width is more than 3.1 metres wide which is the narrowest width that a fire engine can access, therefore the Fire Services could access the development. This issue would be fully assessed at the Building Regulations stage but the design is, in principle, compliant.

5.12 **Impact on the character of the area and existing neighbouring occupiers in terms of overlooking.**

Response

The application has been assessed as acceptable to local context and in terms of the impact on neighbouring occupiers for the reasons set out in the Planning Considerations section of this report. A lot of care has been taken to design the location of habitable room windows so as to protect existing residential amenity.

5.13 **Concern over noise**

Response

Environmental Health have been notified of this application and no objection has been received on these grounds. There is no evidence to suggest that this residential scheme will exhibit unusually harmful noise levels and if it did there are other enforcement powers that can be called upon to deal with this unreasonable behaviour.

5.14 **Consultation Responses**

5.15 **SCC Highway Development Management: No objection**

The proposal is acceptable in terms of providing zero car parking, the scheme has been amended to remove the one parking space that was proposed within the access way which is positive to prevent obstruction. A layby is proposed to be utilised during student drop off and pick up times and for deliveries to the site during normal periods. A condition which requires the installation of removable bollards to remove the chance of casual parking occurring within the access way is proposed. The bin stores need to be suitably designed to accommodate euro bins, the two tier cycle parking is acceptable. Subject to conditions securing the above no objection is raised.

5.16 **SCC Sustainability Team – No objection** Subject to the imposition of conditions securing BREEAM ‘Excellent’.

5.17 **SCC Ecologist – No objection**

The site consists of a building and an area of hard standing which have negligible biodiversity value.

The building is in good condition and lacks opportunities for bat access. In addition, there is little suitable foraging habitat therefore the Council’s Ecologist is of the view that there is a negligible likelihood of bat roosts being present and therefore no objection is raised to the proposed development.

5.18 **SCC Archaeology: No objection**

The site is in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy -- LAAP 16 (The Rest of Southampton). The site is shown as parkland on the 1846 map of Southampton. Previous maps, though lacking detail, show the area as probable cultivated land. Archaeological excavations at the former Wickes site (SOU 1518, about 300m to the SSW) revealed evidence of Roman and earlier occupation, and there is

substantial evidence of Roman occupation from the area of St Denys. However, there has been very little archaeological work in the immediate vicinity of the site. Such remains, if present on the site, would be undesignated heritage assets under the National Planning Policy Framework.

Development here threatens to damage archaeological deposits, and an archaeological investigation will be needed to mitigate this. This will take the form of an archaeological evaluation excavation with further archaeological fieldwork as necessary. There are no objections subject to conditions on archaeology.

5.19 **SCC Environmental Health (Contaminated Land): No objection**

No objection subject to conditions to secure a contaminated land assessment and any required remediation measures.

5.20 **SCC Environmental Health (Pollution & Safety) – No objection** subject to conditions securing, a construction environment management plan, no bonfires (not secured as can be dealt with under separate legislation) demolition suppression and working hours.

5.21 **SCC Design – No objection**

The height of the scheme is acceptable and the Design Officer is pleased with the random panel approach to the upper floor cladding but is not keen on the 'pink' colour indicatively shown on the drawings. In the pre-application submission the proposal showed metal cladding and the design officer prefers that this material is used rather than use that now proposed.

Officer comment – the materials for the proposed development will be secured via condition so changes to type and colour of materials could be made at that stage.

5.22 **SCC Flooding Team – No objection** The proposed development introduces a reduction in the impermeable area on the site compared to existing which will provide a reduction in the peak flow rate and volume of runoff from the site. A surface water drainage strategy has not been submitted but the green space factor document details the use of permeable paving on the site which is an acceptable form of SuDS. However, there is a lack of information regarding the existing and proposed peak discharge rates, proposed discharge method, detailed design of the drainage system and proposed management and maintenance plan. Therefore further design details will be required in the form of a condition.

5.23 **Southern Water – No objection.**

Suggests a condition to secure measures to protect the public sewer during development and to secure details of the means of foul and surface water disposal.

5.24 **City of Southampton Society (CoSS)– Objection**

CoSS applaud the idea of bringing this neglected and isolated site back into productive use. However the main concern involves access to the site, particularly when students arrive/depart at the start/end of the academic year. The narrow driveway only allows one vehicle at a time, which would then have to reverse out onto The Broadway. Similarly emergency vehicles do not have

direct access to the building which would be a real problem in the event of fire. A redesign of the site could provide vehicular access with space to turn around and leave in a forward direction. This would also give access to emergency vehicles.

6.0 Planning Consideration Key Issues

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

- Principle of development;
- Design;
- amenity;
- Highway Safety and Parking;
- Landscaping; and
- Development Mitigation

6.2 Principle of development

The site lies within an area of mixed use with residential and commercial uses within Portswood District Centre (with good links to the University). The City has a housing need. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. CS16 of the Core Strategy confirms that 'in response to concern about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the provision of suitable, affordable accommodation for students to relieve the pressure on housing markets'. This policy confirms the Council's dual approach of delivering purpose built student accommodation whilst simultaneously managing the conversion of existing family housing to HMOs to relieve the pressure on local markets. Since the application proposes purpose-built accommodation for students, it would be consistent with this approach. In addition to this, 'saved' Local Plan Policy H13 supports the delivery of student accommodation in locations accessible to the Universities and where there is an identified need. The location of the site is within the Portswood District Centre and within walking distance from the University of Southampton and close to excellent transport links to the Solent University. Therefore, the location is appropriate for student accommodation.

6.2.1 This is a high density scheme (382dph dwellings per hectare), Core Strategy Policy CS5 recommends high densities (over 100dph) should be limited to the most accessible areas, namely the city centre, areas close to and within Shirley Town Centre and the district centres. The application site is within Portswood District Centre and the public transport corridor of Portswood Road therefore complying with this policy. A higher density development is considered to be acceptable in this location as it would result in making efficient and effective use of previously developed land in a sustainable location as recommended in NPPF and local planning policies. A lower density could be secured with larger flats or family housing, but single person student housing inevitably yields a high(er) density and this isn't deemed to be a suitably attractive location to encourage family housing. The NPPF introduces a presumption in favour of sustainable housing development and the use of previously developed land. Therefore the principle of a mixed use redevelopment is generally supported if it is agreed that it meets design and environmental policies as discussed further in this report.

- 6.2.2 Currently the site is vacant and, therefore, due to its sustainable location and brownfield sites status, bringing this site back into use is a positive approach. In addition to this, the proposed use of the site is the most suitable use that could be provided given the constraints. Open market units would attract occupiers with cars and the requirement for amenity space for these units could result in balconies and a higher density scheme causing more harm. Therefore, on balance it is considered that a student scheme is the best solution, in principle, that could be brought forward for this site.

6.3 Design

The design and materials chosen for the scheme are acceptable as a brick slips and cladding are preferred in this location. The modern nature of the development due to its flat roofed design reduces the height so it appears subordinate to the main buildings on the street frontages; albeit the fourth floor will be visible but only from certain viewpoints. The scheme has been designed around the massing of the existing building and is lower or the same height at many points except for the four storey element. The development at the rear would create a significant improvement to the current condition of the site where the site is dilapidated and vacant. The plans demonstrate that the accommodation provided allows all rooms to have an outlook and adequate light with access to the shared facilities including the cycle and refuse storage provided. No private amenity space is provided for the units but due to the end user, and the sites proximity to the District Centre and the Common the lack of amenity space is accepted. Furthermore, the Council has previously accepted reduced amenity standards for students as they often have access to the University's amenity and sports facilities. Defensible space is proposed to provide a sense of separation at the ground floor to prevent direct overlooking when occupiers access the units or the on-site facilities. In summary, the development has been designed to take into consideration the context within which it is set, including the setting of the neighbouring locally listed building. The City Design Officer supports the scheme and the design is considered to achieve the requirements of LDF Policy CS13.

6.4 Amenity

The scheme has been designed to address concerns previously raised during the pre-application stage relating to height and privacy, by reducing the height of the scheme in close proximity to the two storey neighbouring properties. The flat roofed design proposed reduces the impact, and the reduction in height to two storey adjacent to the Westridge Road/Tennyson Road, and most of the Portswood Road boundary, is the correct design response. The four storey element adjacent to the Victory is acceptable as it is located away from the two storey properties adjacent.

- 6.4.1 The nearest property on Portswood Road and the site is no 1 The Broadway and is 7.5 metres away. There are windows on the proposed elevation fronting the property but they are secondary windows which will be secured as obscured glazed by condition at first floor. The distance from the properties at Portswood Road/Broadway vary in distance between 14 metres to 23 metres. It is noted that the privacy distance is less than the guidance of 21 metres at two storey, and 35 metres at four storey, but because of the existing nature of the site in terms of the existing outlook the proposal is acceptable. It is noted that there are not many

windows at first floor to the rear of the Broadway/Portswood Road and no neighbours within these streets have objected on these grounds.

6.4.2 With respect to the distance with the two properties at 105 and 107 Westridge Road the distance between the proposed and existing neighbouring elevation is 10 metres, which is less than the guidance but the outlook is better than the existing (due to the flat roof design) and orientation of the windows which face away so there is no direct overlooking into these properties. The height of the proposal adjacent to Westridge Road is approximately 6.5 metres when the tallest part of the existing building is 8.5 metres as well as spanning the full width of the site with a pitched roof. The four storey element is approximately 44 metres away from Westridge Road, which is in line with guidance. Therefore, the scheme is a significant betterment in terms of outlook and once again none of the neighbours from these properties have objected to the scheme. The removal of the existing, redundant unlisted building will improve residential amenity and the new scheme provides an attractive replacement.

6.4.3 With respect to the properties along Tennyson Road there would be no direct overlooking as an obscured glazed condition is proposed to affected windows. The outlook would be similar as the height would remain the same for part of the elevation nearest Westridge Road. The height would reduce from approximately 8 metres to 6.5 metres proposed. The four storey element is about 21 metres away from the rear of the properties at Tennyson Road. The proposal is stepped away from the boundary but would still be in close proximity ranging from 10-12 metres away from the rear elevation of the properties in Tennyson Road. Once again the harm has been reduced in terms of the built form but the outlook from these properties would be still altered by a development. A concern with respect to privacy has been raised by a neighbour in Tennyson Road but the inclusion of a condition requiring the windows be obscured glazed seeks to address this concern. The scheme has therefore been assessed as compliant with Local Plan Policy SDP1(i) as it relates to existing neighbouring amenity.

6.5 Highway Safety and Parking

Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on the private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The site lies within a highly accessible location and therefore zero parking is accepted, particularly given the end use for student housing. The same conclusion would be difficult to reach for an open market flatted scheme, despite the District Centre location.

6.5.1 The proposed layby (secured through the s.106 process) would essentially serve the moving in and out of students and deliveries to the site and other shops in the vicinity. As set out above, the section 106 agreement will secure additional on-street car parking controls, subject to community consultation, and car parking permits would not be generally available to residents of this development. The accessible nature of the site coupled with no car parking will meet the aim for sustainable patterns of development, as required by the Council's adopted policies. Furthermore, the controls on local parking, secured by the section 106 agreement will prevent significant over-spill parking on surrounding streets that may, otherwise, be harmful to residential amenity.

6.6 Landscaping

The existing building covers the whole site so there is no landscaping on site; so any proposal for landscaping would be an improvement to the existing site. Therefore, a landscaping condition is suggested to secure the communal areas around the building to prevent insufficient landscaping and boundary treatment from being provided prior to occupation. The scheme will bring betterment and improve the area around the building and reduce the harsh appearance of the existing site.

6.7 Development Mitigation

As with all major development the application needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The main area of contribution for this development, in order to mitigate against its wider impact, is for highway works including the new layby. In terms of highway contributions, contributions to improve cycle facilities in the near vicinity of the site to enhance cycle safety, but also to provide improved connectivity to the local university campuses, and local facilities. Residents of this scheme will be dependent on sustainable transport modes, walking, cycling and public transport. In addition the scheme triggers the Community Infrastructure Levy (CIL) and affordable housing is not triggered, providing occupation is restricted to full time students.

6.7.1 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 £181 per unit has been adopted. The amount is slightly altered as the scheme is for students who are less likely to have a car or the need to walk a dog in these sensitive locations. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. When the legal agreement is signed and actioned this application will have complied with the requirements of the SDMP and met the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

7.1 Overall the scheme is acceptable and the level of development proposed will not

result in an adverse impact on the amenities enjoyed by surrounding occupiers or the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

7.2 A suitable balance has been achieved between securing student housing and bringing a difficult brownfield site back into use whilst not detrimentally harming the residential amenity and highway safety.

8.0 Conclusion

8.1 As such, the application is recommended for approval, subject to securing the matters set out in the recommendations section of this report 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), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(qq), 6(c), 7(a), 9(a), 9(b).

ARL for 01/08/2017 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition [Performance]

The development 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. Obscure Glazing [Performance Condition]

All windows fronting Tennyson Road, located at first floor level and above and the windows at first floor and above fronting 1 the Broadway of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

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

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. Development shall be implemented only in accordance with the agreed details.

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. Archaeological evaluation 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.

05. 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.

06. 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.

07. Archaeological work programme (further works) [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.

08. Refuse management plan [Pre-Commencement Condition]

Prior to commencement a refuse management plan shall be submitted to and be agreed in writing by the Local Planning Authority which sets out refuse strategy for the movement of the euro refuse bins from the units to a collection point and back to the internal storage areas. The collection point should be within 10m of either the public highway or the route of the refuse vehicle. The approved refuse management plan shall be implemented and retain unless agreed otherwise by the Local Planning Authority.

Reason: In the interests of highway safety.

09. Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved.

Reason: In the interest of visual and residential amenity.

10. Cycle storage facilities [Pre-Commencement Condition]

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason: To encourage cycling as an alternative form of transport.

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

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

- i. proposed finished ground levels; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (lighting columns etc.);
- ii. planting plans; written specifications; 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 and agreed in advance);
- iv. details of any proposed boundary treatment, including low level boundary restrictions along the soft landscaped areas to prevent parking and;
- v. a landscape management scheme of all the landscaped areas within the site.

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.

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.

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

12. Removable Bollards [pre-commencement]

Prior to development commencing details of removable bollards to be constructed to prevent parking on the pedestrian access way into the site shall be submitted to and be agreed in writing with the Local Planning Authority. The works shall be implemented in accordance with the plans prior to occupation unless agreed otherwise in writing by the Local Planning. The removable bollards shall be retained in situ in perpetuity except when access is needed for servicing.

Reason: To prevent obstruction of the proposed pedestrian access.

13. Construction Management Plan [Pre-Commencement]

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction

Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of demolition and construction;
- (f) details of construction vehicles wheel cleaning;
- (g) details of how noise emanating from the site during construction will be mitigated.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

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

14. 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).

15. 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).

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 dated 23/02/17 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. Land Contamination investigation and remediation [Pre-Commencement & Occupation]

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.

18. Use of uncontaminated soils and fill [Performance]

Any 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.

19. Unsuspected Contamination [Performance]

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

20. Noise & Vibration [external noise sources] [Pre-Commencement]

Prior to the commencement of the development hereby approved, a scheme of measures to protect the occupiers of the development from external noise and vibration sources, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved before the development first comes into occupation and thereafter retained as approved.

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

21. Surface / foul water drainage [Pre-commencement]

No development approved by this permission 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. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

22. Sustainable Drainage [Pre-Commencement 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).

23. Site Levels [pre-commencement]

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason: To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

24. 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.

25. Approved Plans [Performance Condition]

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.

26. Student Management Plan (SMP)

A Student Management Plan shall be agreed in writing by the LPA prior to the first occupation of the development. It will include, for instance, details on-site management and out of hours arrangements for managing issues arising at the building. The agreed SMP shall be implemented for the lifetime of the development

Note to Applicant

Public Sewerage system and water supply

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could

arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx> or contact the Council's CIL Officer.

S106 Legal Agreement

Please note that a Section 106 agreement has been completed in relation to this site which should be read in conjunction with this planning consent. A full copy of the Section 106 Agreement is available to view on Public Access via the Southampton City Council website.