

Planning and Rights of Way Panel (EAST)

Tuesday, 1st March, 2016
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Denness (Chair)
Councillor Tucker (Vice-Chair)
Councillor Hecks
Councillor Coombs
Councillor Wilkinson

Contacts

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PUBLIC INFORMATION

Role of the Planning and Rights of Way Panel

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

Public Representations

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Smoking policy – The Council operates a no-smoking policy in all civic buildings

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Southampton City Council's Priorities

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

Fire Procedure – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2015/16

Planning and Rights of Way - EAST	
2015	2016
23 June 2015	19 January 2016
4 August	1 March
15 September	12 April
27 October	
8 December	

Planning and Rights of Way - WEST	
2015	2016
2 June 2015	9 February 2016
14 July	22 March
25 August	3 May
6 October	
17 November	
22 December	

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 8)

To approve and sign as a correct record the Minutes of the meeting held on 19 January 2016 and to deal with any matters arising, attached.

CONSIDERATION OF PLANNING APPLICATIONS

5 FORMER CO-OP, VICTORIA ROAD SO19 9DY 15/01939/FUL (Pages 13 - 38)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

6 UNIVERSITY / SALISBURY ROAD 15/02460/FUL AND 15/02461/FUL (Pages 39 - 92)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of the applications for the proposed development at the above address, attached.

7 10-11 PALMERSTON ROAD SO14 1LL 15/02208/FUL (Pages 93 - 108)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

8 34 ALBANY ROAD 15/02363/FUL (Pages 109 - 126)

Report of the Planning and Development Manager recommending that conditional approval be granted in respect of an application for a proposed development at the above address, attached.

9 70 COBDEN AVENUE 16/00083/FUL (Pages 127 - 146)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

10 36 DELL ROAD 15/01621/FUL (Pages 147 - 172)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

11 ALBION TOWERS, GOLDEN GROVE 15/02429/DIS (Pages 173 - 180)

Report of the Planning and Development Manager objecting to a discharge of conditions for a proposed development at the above address, attached.

Monday, 22 February 2016

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 19 JANUARY 2016

Present: Councillors Denness (Chair), Tucker (except Minute Number 40) (Vice-Chair), Hecks, Coombs and Wilkinson

38. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED: that the minutes for the Panel meeting on 8 December 2015 be approved and signed as a correct record.

39. **18-22 CUMBERLAND PLACE 15/01823/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Erection of a part 11-storey and part 12-storey building to provide retail floorspace (Class A1/A2/A3) at ground floor level with purpose built student residential accommodation above (62 cluster flats and 166 studio units - 507 bedrooms in total) with associated communal living space, cycle and waste storage in the basement and external amenity areas.

Lorraine Barter (local resident/ objecting) and Charles Fish (applicant) were present and with the consent of the Chair, addressed the meeting.

The presenting officer corrected two typographical errors in the Habitats Regulations Assessment, deleting reference to the former bus depot site and amending the distance quoted for 'the likelihood of a significant effect from Solent and Southampton Water SPA from 670m to 1.4 km.

Two key matters that Members needed to consider were emphasised by the presenting officer:

- Office policy – it was noted that the site is within an area safeguarded for future office development (Core Strategy Policy CS6 and CCAP Policies AP1 and AP2). It was noted that the application constitutes a 'Departure from the Development Plan' so that Members would need to consider in balance the length of time the site has been vacant against the benefits associated with this proposal which are outlined in the report; and
- Impact on the setting of heritage assets – Members were advised to pay special attention to the conservation of the designated heritage assets in the immediate vicinity. It was noted that officers considered that the listed buildings to the north, east and west were too far away for their setting to be adversely affected by this development. In regard to the impact on the setting of the registered park, Members attention was drawn to the comments of the Heritage Team Leader in paragraph 5.12 of the report.

In addition the Panel discussed the potential usage of the top floor roof terrace and the condition relating to the hours of construction.

RECORDED VOTE on the amended officer recommendation
FOR: Councillors Coombs, Denness and Tucker
AGAINST: Councillors Hecks and Wilkinson

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment as set in Appendix 2 of the report, and updated at the meeting;
- (ii) delegated to the Planning and Development Manager authority to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report, and the amendment to the S106 and amended conditions, set out below.

Amended / Additional Conditions

Amended Condition

Condition 09: 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 Saturday 08:00 hours to 18:00 hours (8.00am to 6.00pm) 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.

Additional Condition:

Condition 28: Use of top floor roof terrace (Performance Condition)

The roof terrace at 11th floor level as shown on approved drawing number 15009 (08) 113 Rev B shall not be used or occupied between the hours of 2200 hours and 0900 hours on any day.

Reason: To Protect the amenities of neighbouring occupiers.

40. **TRAFALGAR DRY DOCK 15/00408/FUL AND 15/00409/LBC**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

The report set out matters relating to:

- (i) Planning Application Number 15/00408/FUL for the relocation and consolidation of Red Funnel facilities to Trafalgar Dock, including demolition of and works to listed structures and fixtures/fittings, construction of a ferry terminal building of 2,123 sqm (GIA), a marshalling area for the queuing of ferry traffic with a four level decked car park above to replace existing surface parking and car storage, new vehicular, cycle and pedestrian access arrangements, including bus stops and a drop off and pick up area, a storage and operational area and associated infrastructure including two electricity sub-stations, a foul pumping station, gantries and marine-related infrastructure (Environmental Impact Assessment development).
- (ii) Planning Application Number 15/00409/LBC for the Listed Building Consent being sought for demolition of the above ground structure of the pump house and erection of a new ferry terminal building above the pump well. New ramped structure within the dry dock to provide access to a multi-deck car park with associated works

Allan Gordon (local resident objecting), Peter Lay (Ferry Operator) Ann Bartaby (agent), Ernie Battey (applicant), were present and with the consent of the Chair, addressed the meeting.

It was noted that correspondence had been received from Associated British Ports; Red Funnel and Hampshire County Council. It was explained that those elements of the Section 106 detailing the financial contributions for site specific transport improvements, as set out in the agenda papers, would be controlled by condition. The Panel noted that further information relating to the setting of BREAM standards had been received and that the wording of conditions 7 and 8 would need to be reviewed. The Panel expressed concerns over the potential methods of piling that would be used during construction and noted Condition 21 (Construction Environment Management Plan) should be influenced by the piling methodology. The Panel were assured that in the event that impact driven piling were to be used, the hours of construction should be restricted.

Following the presentations from officers and interested parties Councillors considered a motion proposed by Councillor Hecks and seconded by Councillor Wilkinson that the Panel would defer decision on this matter until a site visit had been arranged.

RECORDED VOTE to defer making a decision subject to a site visit

FOR: Councillors Hecks and Wilkinson

AGAINST: Councillor Coombs and Denness

The proposal to defer subject to a site visit was lost on the use of the Chair's second and casting vote.

Following the Panel decision not to defer decision subject to a site visit, the Panel then unanimously confirmed the Habitats Regulation Assessment for application 15/00408/FUL set out in Appendix 3 of the report. The Panel then considered the officer recommendation as amended at the meeting and the application for Listed Building Consent.

RECORDED VOTE:

On the amended officer recommendation for 15/00408/FUL

FOR: Councillors Coombs, Denness and Hecks

ABSTAIN: Councillor Wilkinson

RESOLVED that in regard to planning application Number 15/00408/FUL the Panel:

- (i) confirmed the Habitats Regulation Assessment as set out in Appendix 3 of the report;
- (ii) that Section 2(i) of the recommendation as set out within the papers be deleted and replaced with “the applicant paying for any necessary Traffic Regulation Orders”;
- (iii) that Section 2(ii) of the recommendation as set out within the papers be amended to read “Maintenance of public access to the waterfront footpath in perpetuity”;
- (iv) the Panel agreed to delegate matters relating to the setting of the BREAM standards to the Planning and Development Manager for consideration, providing suitable importance was given to energy measures;
- (v) delegated authority to the Planning and Development Manager to grant planning permission subject to the completion of the amended S106 Legal Agreement, the conditions listed in the report, and the amendment to the S106 and amended conditions, set out below.

In regard to planning application Number 15/00409/LBC the Panel unanimously agreed that:

- (vi) authority be delegated to the Planning and Development Manager approval to grant listed building consent subject to conditions was agreed.

Amended Conditions

Condition 29. Highway Works – (Pre-Commencement Condition)

No development shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- (i) details of the changes to Dock Gate 5 (DG5) junction resulting from the changes to Orchard Place and DG5 exit (including location of signal heads, poles and signal control equipment, vehicle detection equipment, and location and operation of the associated pedestrian and cycle crossing points and cycle routes);
- (ii) detailed layout of the Internal Port junction and future management (including location of signal heads, poles and signal control equipment, vehicle detection equipment and CCTV monitoring);
- (iii) details of the wider signing and white lining to implement the proposed Orchard Place restrictions;

- (iv) details of appropriate signing to direct traffic to the correct Dock Gate and to the Triangle Car Park;
- (v) details of the connection to the Southampton City Council Urban Traffic Control (UTC) system using signal management system Split Cycle Offset Optimisation Technique (SCOOT) or Microprocessor Optimism Vehicle Actuation (MOVA), including traffic signal staging plans and bus priority;
- (vi) details of the maintenance agreements and access agreements for all traffic signal control equipment not on the adopted highway;
- (vii) details of the Enhanced Variable Message Sign (EVMS) to be installed to provide traveller information to DG5 port exiting traffic in line with the SCC ITS Strategy

These measures shall be implemented in accordance with the approved details before the terminal building or marshalling yard is first used and retained thereafter.

Reason: To ensure that the transport needs of the development can be satisfactorily provided without adverse impact on the operations of the Port of Southampton and the needs of other highway users.

Condition 30. Public Transport – (Pre-Commencement Condition)

No development shall commence until details of the following measures have been submitted to and approved in writing by the Local Planning Authority:

- (i) the level of taxi rank provision, including waiting shelters and 'kiss & sail spaces' (including waiting times) to replicate at least the current arrangement at Town Quay;
- (ii) a management plan for public transport including detail on provision for the bus stop on the Terminal Access Road, including waiting facilities, real-time information and future maintenance agreements, and evidence to demonstrate that a bus can turn around in the turning head and what waiting/parking restrictions will be included and how they will be managed taking account of this not being adopted highway.
- (iii) real-time information provision within the ferry terminal, such as displaying live train times from Southampton Central.

These measures shall be implemented in accordance with the approved details before the terminal building or marshalling yard is first used and retained thereafter.

Reason: To ensure that the public transport needs of the development can be satisfactorily provided given that the new location of the ferry terminal is further away from existing transport facilities in the City Centre.

Condition 31. Pedestrian and Cycle Provision - (Pre-Commencement Condition)

No development shall commence until details of the following measures have been submitted to and approved in writing by the Local Planning Authority:

- (i) the materials, surveillance, lighting, security, management of the landscape planting and access arrangements for the Quayside path;
- (ii) how the interaction between traffic accessing the Marina Car Park and slipway, and pedestrians and cyclists is managed – such as width, materials, surveillance, lighting and boundary treatment with the Town Quay offices and Marina car parks. This should include a plan and cross-section of this section

- of the route and be consistent with remainder of the route along the Quayside;
- (iii) details of localised movements and connections for cyclists and pedestrians along the Terminal Access Road, particularly for cyclists entering and exiting the site through DG5 with provision for either on-carriageway (advisory cycle lanes and advanced stop lines at the signalized junction) or shared use pedestrian-cycle paths;
- (iv) details of pedestrian access points and routes for the Triangle Car Park;
- (v) details of management of the interaction of pedestrians and cycles crossing in front of the ferry ramps and vehicles disembarking;
- (vi) details of the pedestrian and cyclist wayfinding strategy in line with SCC Legible City standards;
- (vii) details on the cycle parking facilities both in the covered facility (including lighting, security, type and style), additional short-stay facilities closer to the terminal entrance and separate secure facilities for staff.

These measures shall be implemented in accordance with the approved details before the terminal building or marshalling yard is first used and retained thereafter.

Reason: To ensure that the pedestrian/cycling transport needs of the development can be satisfactorily provided.

Condition 32. Facilities for the Hythe ferry – (Pre-Commencement Condition)

No development shall commence until details of permanent facilities for the Southampton-Hythe ferry operation, to include passenger facilities, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be in place before the new ferry terminal is first used and retained thereafter.

Reason: To ensure adequate provision of facilities for this important transport route.

NOTE: Councillor Tucker declared an interest and withdrew from the meeting during the consideration of this item.

41. 55 ROCKLEIGH ROAD 15/02126/FUL

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Conversion of integral garage to living accommodation.

Lynn Hand, Sharon Bridger (local residents/ objecting), Thomas Axton(applicant),and Councillor B Harris (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended / additional conditions set out below.

Additional Condition

05. Reinstatement of Dropped Kerb (Grampian condition)

Occupation of the garage conversion hereby approved shall not commence until the redundant dropped kerb crossing in front of the garage is reinstated to a full height kerb and the footway levels reconstructed to suit. Please note that this work requires a licence to be obtained from the Highways Authority.

Reason: To ensure that the hardstanding to the front of the property is not used for off-street parking, resulting in cars over-hanging the pavement, and in the interests of the amenity of local residents and of highway safety.

Amended Condition

02. Materials to match

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building. The proposed window and window reveals in the development hereby approved shall be set back by 100mm, or one brick width from the front elevation, in order to discern the outline of the original garage opening.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

42. 62 COLBY STREET 15/02047/FUL

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Change of use from a dwelling house (class C3) to a house in multiple occupation (HMO, class C4) (retrospective).

Denise Wyatt (local resident/ objecting), Geoff Ibbett (applicant), and Councillor Pope (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

RECORDED VOTE on the officer recommendation:

FOR: Councillors Coombs, Denness, Hecks and Tucker
AGAINST: Councillor Wilkinson

RESOLVED that planning permission be granted subject to the conditions listed in the report.

43. UNIT 3 WINCHESTER STREET AND 3-4 VERNON WALK, SO15 2EL 15/02217/FUL

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Variation of Condition 2 of planning consent ref. 09/00636/FUL to allow operational hours of 8.00am - 2.00am Monday to Thursday, 8.00am - 3.00am Friday, Saturday and Bank Holidays and 10.00am - 2.00am on Sundays (Ground Floor, Unit 3 Winchester Street) and to reduce operational hours to 8.00am -12.00am Monday to Saturday and 10.00am - 12.00am on Sundays and Bank Holidays (3-4 Vernon Walk).

Dennis Bundy, Lorraine Barter (local residents objecting), Stephen Andrews (agent), were present and with the consent of the Chair, addressed the meeting.

RECORDED VOTE

FOR: Councillors Coombs, Denness and Tucker
AGAINST: Councillor Wilkinson
ABSTAINED: Councillor Hecks

RESOLVED to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report.

44. **37 ORPEN ROAD 15/01998/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Erection of a 2- bedroom single storey dwelling to the rear of existing bungalow.

RESOLVED that planning permission be granted subject to the conditions in the report and the additional conditions set out below.

Additional Condition

Residential - Permitted Development Restriction (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,
Class B (roof enlargement)
Class D (porch)
Class E (curtilage structures), including a garage, shed, greenhouse, etc.
Class F (hard surface area)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

Agenda Annex

PLANNING AND RIGHTS OF WAY PANEL (EAST)

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 1 March 2016 - 6pm

Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	LG	DEL	15	15/01939/FUL – Former Co-Op, Victoria Road, SO19 9DY
6	SH	DEL	15	15/02460/FUL – Building 58A 15/02461/FUL – Salisbury Road University of Southampton
7	MP	DEL	15	15/02208/FUL – 10-11 Palmerston Road, SO14 1LL
8	JF	CAP	5	15/02363/FUL – 34 Albany Road
9	SB	DEL	5	16/00083/FUL – 70 Cobden Avenue
10	JT	DEL	5	15/01621/FUL – 36 Dell Road
11	JT	OBJ	5	15/02429/DIS – Albion Towers, Golden Grove

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers:
OBJ – objection

Delete as applicable:

SH – Stephen Harrison

SB – Stuart Brooks

JF – John Fanning

JT – Jenna Turner

LG – Laura Grimason

MP – Mathew Pidgeon

Southampton City Council - Planning and Rights of Way Panel

Report of Planning & Development Manager

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning

Applications:

Background Papers

1. Documents specifically related to the application
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties
2. Statutory Plans
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Local Transport Plan 2006 – 2011 (June 2006)
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)
3. Statutory Plans in Preparation
 - (a) Emerging Bassett Neighbourhood Plan (Post Examination) (2015)
4. Policies and Briefs published and adopted by Southampton City Council
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)
 - (n) Itchen Valley Strategy (1993)

- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (1997)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (2012)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Southampton C.C. - Cycling Plan (June 2000)
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) DETR Traffic Advisory Leaflets (various)

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (27.3.2012)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

Agenda Item 5

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (EAST) - 1st March 2016
Planning Application Report of the Planning and Development Manager

Application address: Former Co-Op, Victoria Road, SO19 9DY.			
Proposed development: Redevelopment of the site. Demolition of the existing building and erection of a two-storey building to provide a Lidl food store with associated car parking.			
Application number	15/01939/FUL	Application type	FUL
Case officer	Laura Grimason	Public speaking time	15 minutes
Last date for determination:	04/03/2016	Ward	Woolston
Reason for Panel Referral:	Request by Ward Member.	Ward Councillors	Cllr Chamberlain Cllr Hammond Cllr Payne
Referred by:	Cllr Hammond	Reason:	Environmental impact of the store and loss of trees.

Applicant: Lidl UK Gmbh	Agent:
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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 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 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).

Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP12, SDP16, SDP17, SDP21, HE1 and RE15 of the City of Southampton Local Plan Review (Amended 2015) and CS3, CS13, CS14, CS18, CS19, CS20, CS21, CS22, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

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

- i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (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. 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;
- iii. The submission, approval and implementation of a Travel Plan 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);
- iv. The submission, approval and implementation of a Servicing Management Plan 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);
- v. The submission, approval and implementation of a Waste Management Plan 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);
- vi. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & 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);
- vii. 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);
- viii. The submission, approval and implementation of a Construction Traffic Management Plan 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).

2. In the event that the legal agreement is not completed within three months of the Planning and Rights of Way Panel, 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; and

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

necessary. 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 brought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1.0 The site and its context

- 1.1 The application site is approximately 9700 sq m and is located to the south of Obelisk Road and to the east of Victoria Road. The site is located within Woolston District Centre. At present, the site houses the former Co-Op store which has a gross internal floorspace of 1486 sq m. This building is currently vacant. The existing, single storey building has a height of approximately 6.5m at its highest point dropping to approximately 4m at its lowest point. On site car parking associated with this existing vacant store is available in the form of 2 separate car parking areas, one adjacent to the Obelisk Road boundary and one adjacent to the Victoria Road boundary. A total of 82 car parking spaces are provided at the current time.
- 1.2 The application site is approximately 2m higher than the neighbouring residential road of Thorneycroft Avenue. Furthermore, site levels increase in a northerly direction towards Obelisk Road. As a result, Obelisk Road is approximately 3m higher than the application site. There is an existing vegetated bank sloping upwards from the site to Obelisk Road. This boundary is also heavily screened by a number of mature trees protected under the Southampton (Obelisk Road) TPO 1975.
- 1.3 The principal access to the site at the current time is from Victoria Road. There is an existing roundabout which was constructed as a requirement of the permission for the Co-Op store.
- 1.4 The site is located close to the Old Woolston 1 Conservation Area. The boundary of this designated heritage asset extends up to 27 Obelisk Road.
- 1.5 The surrounding area is predominantly residential in character with a range of detached, semi-detached and terraced dwellinghouses along Obelisk Road, Mirabella Close and Thorneycroft Avenue in addition to more recent flatted developments along Victoria Road.

2.0 Proposal

- 2.1 Permission is sought for the demolition of the existing Co-Op store and its replacement with a two storey building to provide a Lidl food store with a gross internal floorspace of 2532.5 sq m. This proposal would result in an increase of 1046.5 sq m of gross internal retail floorspace in this location. The size of the proposed store has been reduced from 2720 sq m during the lifetime of this application.
- 2.2 At ground floor level, the sales floor would occupy an area of 1551 sq m. Delivery and storage space, freezers, chillers, an in-store bakery, a cash room, a utility room and a disabled WC would also be provided at ground floor level. In total, the gross internal floor area of the ground floor would be 2318 sq m.

- 2.3 Additional accommodation would be provided at first floor level to provide office accommodation and a staff room. In total, the gross floor area of the first floor would be 214.5 sq m.
- 2.4 The building would comprise a low level rendered wall positioned beneath aluminium cladding to both the side and rear elevations and a glazed, full height curtain walling system to the front elevation. The main entrance would be located at the north west corner, fronting the proposed car parking area. The proposed store would be located within the southern half of the site. At its highest point, it would have a height of approximately 7.6m sloping down to approximately 5.2m at its lowest point. There would be a modest projection to the eastern elevation (approximately 4.6m in height) which would be for deliveries.
- 2.5 A total of 115 car parking spaces would be provided on site (an increase of 33) including 7 disabled parking spaces and 5 parent and child parking spaces. The parking area would largely remain unchanged from its current arrangement with one parking area (spaces 1 – 49) provided along the Obelisk Road boundary and one parking area (spaces 50 – 115) along the Victoria Road boundary. A delivery bay for a single HGV would be provided adjacent to the delivery area.
- 2.6 The existing vehicular access to the site would be retained. This is also the main access for pedestrians travelling to the site. The existing pedestrian access to Obelisk Road would be retained (located adjacent to car parking spaces 50 – 59) and an additional stepped pedestrian access would be provided on the corner of Obelisk Road and Mirabella Close.
- 2.7 The majority of trees (16 in total) protected by the Southampton (Obelisk Road) Tree Preservation Order 1975 would remain along the Obelisk Road boundary. A total of 8 trees along this boundary would be felled. These trees are considered to be of a lower amenity value. 4 trees are proposed to replace these. A further 20 trees would be planted around the perimeter of the site along Mirabella Close, Obelisk Road and Thorneycroft Avenue. Additional landscaping would be provided within the car park.
- 2.8 The proposed store would provide an equivalent of 23 full time jobs (5 full time and 35 part time).

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 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.

4.0 Relevant Planning History

- 4.1 In 2001, conditional approval (ref.01/00368/FUL) was granted for the construction of a food retail store with associated parking and servicing. (Amended site layout and elevations). Condition 18 of this previous permission limited hours of operation to the hours of 07:00 to 22:00 daily.
- 4.2 In 1997, conditional approval (ref.970534/E) was granted for the erection of a retail store with associated parking and service area. Condition 18 of this previous permission also limited the hours of operation to the hours of 07:00 to 22:00 daily.
- 4.3 In 1995, conditional approval (ref.941319/E) was granted for the redevelopment of the site for residential purposes. This was an extension of a previous scheme which granted permission for the redevelopment of the site for residential purposes in 1992 (ref.911073/E).

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, placing a press advertisement (23/10/2015) and erecting a site notice (20/10/2015). Following the submission of amended plans, further notification was undertaken in the form of additional letters to all neighbours who were originally consulted and who had at that time, commented on the application. Further letters were sent out on the 28/01/2016. At the time of writing the report, **391** representations have been received from surrounding residents and local Councillors. **382** (10 received following second round of consultation) of these are in support of the proposal and **3** are in objection to the proposals. **6** are neutral. The following is a summary of the points raised:

Objections

- 5.1.1. **The proposed delivery area would be positioned in an inappropriate location and would give rise to additional noise and disturbance for neighbouring residential properties. A more suitable position for the delivery area and loading bay should be found.**

Response: The City Council's Environmental Health team have been consulted on this proposal and have raised no objection with regards to the impact of the proposed delivery area on nearby residential properties. A delivery management plan has been requested to ensure that deliveries are undertaken at appropriate times and to ensure best practice procedures are in place. Furthermore, an adequate separation distance of approximately 20m would remain between the closest residential properties along Mirabella Close and the proposed delivery area. This, combined with new boundary screening would further reduce the impact of the proposed delivery area. Regard should also be given to the presence of an existing store on site which also had deliveries associated with it during its operation.

5.1.2 Refuse collection for the proposed store would give rise to additional noise and disturbance to the detriment of the residential amenities of neighbouring occupiers.

Response: The City Council's Environmental Health team have been consulted on this proposal and have raised no objection with regards to the impact of the refuse collection associated with the proposed store on nearby residential properties. A waste management plan has been requested to ensure that refuse collection is undertaken at appropriate times and to ensure best practice procedures are in place. Regard should also be given to the presence of an existing store on site which also had refuse collection associated with it during its operation.

5.1.3 The proposed scheme would result in the removal of a number of protected trees on site.

Response: The initial scheme sought to remove an entire group of protected trees along the Obelisk Road boundary of the site. The proposed scheme has however, been amended. Amended plans retain all but 8 of the protected trees. The City Council's Trees Team have confirmed that this is acceptable. Furthermore, additional planting is proposed around the boundary of the site to provide additional screening.

Support

5.1.4 This proposal would establish a much needed, additional food store within this part of the City. A good quality discount retailer is desperately needed in this location and the proposed store would serve the retail needs of local residents, diversifying the retail offer in the City and encouraging residents to shop locally rather than travelling outside the City.

5.1.5 The proposed store would serve new residential development within the area, particularly the new residential properties currently underway as part of the Centenary Quay development. It would also provide a much needed retail store for low income households within the area.

5.1.6 The proposed scheme would bring the application site back into use. This site has become an eyesore since the Co-Op store closed, attracting anti-social behaviour, graffiti and fly tipping. The site has also become overgrown due to poor maintenance since the store has closed. If the proposed development is not approved, this situation will only worsen.

5.1.7 The proposed store would result in more jobs for local residents and would boost the local economy.

5.1.8 The proposed store would encourage other businesses to move to the Woolston area and would enhance Woolston District Centre which is currently struggling.

5.1.9 Lidl have a strong commitment to recycling and low waste development. Sustainable building techniques will also be utilised.

5.1.10 The proposed store would have a modern building constructed using high quality materials. It would fit in with modern developments being constructed at

the nearby Centenary Quay site and would enhance the overall appearance of the area.

- 5.1.11 The proposed store would be located within an accessible location and would serve local residents.
- 5.1.12 Additional car parking on site is welcomed.
- 5.1.13 The retention of the protected trees on site and the additional planting which has been secured through amended plans is welcomed and would enhance the overall appearance of the surrounding area.

5.2 Consultation Responses

5.2.1 SCC Highways – No objection.

Access arrangements

The site access to the proposed new store is to remain unchanged, utilising the roundabout on Victoria Road. Visibility splays are proven to give adequate visibility for vehicles using the store access.

Parking provision

Due to the site being adjacent to the edge of the District Centre this would be classed as being an accessible location. The level of parking provision equates to 1 space per 24m² gross floor area, which falls between our minimum and maximum parking permitted levels.

Cycle parking provision

The applicant states on the form that 28 cycle parking spaces are to be provided, it is clear from the plans that 10 spaces are to be provided and a condition will be required to cover the provision of the remainder.

Servicing

The applicant has identified that articulated delivery vehicles can enter and leave the site in a forward gear, and utilise the goods in delivery bay at the eastern end of the building.

I raise no objection to the proposal subject to the following conditions and the completion of the S106 agreement:

1. The sight lines indicated on drawing no. 5192.001 shall be maintained and kept clear at all times, with nothing permitted above 600mm in height within these areas.
2. Details need to be agreed for the provision of the cycle parking provision for both customers and staff. Customer cycle parking needs to be covered, and staff cycle parking must be in a weatherproof secure area and locker and shower facilities provided.
3. The parking area shall be available and marked out prior to commencement of the trading of the new store.
4. A car park management plan will be required to ensure that the dwell time of

any vehicle within the car park shall not exceed 5 hours (with the exception of permitted staff parking) to accord with the ethos of parking within the Woolston area. This is to prevent abuse of the car park by city commuters.

5. A Construction and Environment Management plan will be required to be agreed prior to commencement of development. This will need to include details of contractor parking.

6. A delivery management plan is required.

5.2.2 SCC Environmental Health (Pollution and Safety) – No objection subject to conditions.

No deliveries or refuse collections shall be taken in or dispatched from the premises outside the following times 07.00hrs - 21.00hrs.

Furthermore the recommendations specified in the Acoustic Report prepared by Acoustic Consultants Ltd, dated July 2015, Ref: 6098/BL/pw in relation to preventing unacceptable delivery noise, including the erection of an acoustic barrier, must be adhered to and an additional report submitted by the applicant in due course to confirm that the recommendations have been fully implemented.

Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the development hereby approved details, including acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority.

The plant sourced must meet the selection criteria detailed in the Acoustic Report prepared by Acoustic Consultants Ltd, dated July 2015, Ref: 6098/BL/pw and an additional report submitted by the applicant in due course to confirm that the recommendations have been fully implemented.

5.2.3 SCC Heritage Conservation – No objection.

The amended plans will have a negligible impact on the Conservation Area, and are supported.

5.2.4 SCC Ecology – No objection.

The revised layout is a significant improvement on the earlier version and will largely safeguard the existing biodiversity. In addition, approximately 50% of the species within the proposed planting is of recognised value to wildlife.

I still have concerns about the impact of lighting however, it should be possible to address these through appropriate planning conditions.

5.2.6 SCC Employment – No objection.

An Employment and Skills Plan obligation will be required for the construction and end use phases of the development, under the section 106 Agreement.

5.2.7 SCC Environmental Health (Contaminated Land) – No objection.

This department considers the proposed land use as being sensitive to the effects of land contamination.

Records maintained by SCC - Regulatory Services indicate that the subject site is located on/adjacent to the following existing and historical land uses;
- Works (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.

Therefore, 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 secured through planning conditions.

5.2.8 SCC Sustainability – No objection.

If the case officer is minded to approve the application, conditions are recommended in order to ensure compliance with policy CS20 to cover BREEAM standards, energy and sustainable urban drainage.

5.2.9 City of Southampton Society

Lidl propose a bleak warehouse design lacking sufficient mature trees to shield it from our eyes.

5.2.10 SCC Trees Team – No objection.

With regards to the revised plans, the placement of the retaining wall to facilitate additional parking areas will have a very little impact to the trees health, therefore I do not object to this proposal.

As the design of the carpark has changed, I no longer feel that it is feasible to plant trees within the parking area, therefore I would request that a landscaping plan be provided to show the location and species of trees to be planted around the boundary.

It would appear that the soil conditions are poor, therefore to give the newly planted trees the best possible chance of establishing and reaching their full potential, I would ask for planting pit designs to be provided.

As guidance, I would be looking for larger species of trees and being both broadleaf and pine species. There has been some considerable planting as part of the former Vosper site and the new planting for Lidl can mirror this and I hope achieve a continuation of the planting design so it naturally flows rather than choosing all completely different species.

5.2.11 SCC Design – No objection.

Significant landscape enhancement will be required around the north and east boundaries of the site.

5.2.12 Southern Water – No objection subject to conditions.

6.0 Planning Consideration Key Issues

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

- The principle of development.
- Design and heritage.
- Impact on protected trees and ecology.
- Residential amenity.
- Highways safety, car and cycle parking and servicing.

6.2 Principle of Development

6.2.1 The principle of retail development has long been established on this site following the grant of planning permission for retail stores under the following schemes:

- Planning ref.970534/E for the erection of a retail store with associated parking and servicing area (permitted in 1998).
- Planning ref.01/00368/FUL for the construction of a food retail store with associated parking and servicing (permitted in 2003).

6.2.2 Chapter 2 (Ensuring the Vitality of Town Centres) of the National Planning Policy Framework (NPPF) advises that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses, directing main town centre uses such as the one being proposed to designated centres first.

6.2.3 The application site is located within Woolston District Centre as designated by saved Local Plan Policy REI5 (District Centres). This policy states that: 'Development proposals should be in scale with the District Centre and should maintain and where possible enhance, its vitality and viability. Such proposals will be permitted if: (i) on the ground floor the use falls within classes A1, A2, A3, A4, A5, D2 or other use offering a direct service to the public'. Paragraph 8.3 of this document advises that with regards to food expenditure in the city, there is significant leakage from the eastern part of the city to large food stores located in Hedge End given the relatively limited food store provision within this part of the city.

6.2.4 Core Strategy policy CS3 (Town, District and Local Centres, community hubs and community facilities) states that: 'The Council will support the role of town and district centres in providing shops and local services in safe, accessible locations. New development should make a contribution to the centre's vitality and viability, promote and enhance its attractiveness, respect where possible the historic street patterns and building lines and improve its connectivity to surrounding residential neighbourhoods'.

6.2.5 The proposed store would provide additional employment within the City and

would be in accordance with Core Strategy policy CS24. This would be secured through the provision of an Employment and Skills Plan in the S106 agreement.

- 6.2.6 The proposed store is approximately 1046.5 sq m larger than the existing Co-Op store and would be located within Woolston District Centre where retail uses of this scale are considered to be appropriate. Having regard to national and local planning policies, it is considered that the proposed store would be acceptable in principle. This scheme would bring a vacant site back into effective use and would consequently enhance the vitality and viability of Woolston District Centre. The proposed store would provide additional food retail within the eastern part of the city, enhancing choice for local residents.

6.3 Design and Heritage

- 6.3.1 The site layout has been amended during the lifetime of this application following extensive negotiation with the applicant. Initially, the store was positioned within the northern half of the site with the longest side elevation positioned adjacent to Obelisk Road. This option necessitated the complete removal of a group of trees protected under the Southampton (Obelisk Road) Tree Preservation Order 1975. The applicant was advised that objection to the removal of these trees had been raised by both the Trees and Ecology teams. Concerns had also been raised by the City Design and Heritage teams. The site layout has subsequently, been amended to address these issues.
- 6.3.2 The surrounding area is predominantly residential in character with residential properties along Obelisk Road, Mirabella Close and Thorneycroft Avenue typically comprising a mixture of two and three storey dwellinghouses and flatted accommodation. More recent development along Victoria Road comprises 6 storey flatted blocks with commercial uses at ground floor level as part of the wider Centenary Quay development.
- 6.3.3 The proposed store would be located within the southern half of the site adjacent to the southern site boundary. At its highest point of approximately 7.6m, the proposed store would be approximately 1.1m taller than the existing Co-Op store. This relatively modest increase in height is considered to be appropriate in this location.
- 6.3.4 The proposed building would comprise a low level rendered wall positioned beneath aluminium cladding to both the side and rear elevations and a glazed, full height curtain walling system to the front elevation. The front elevation would be the most interesting elevation in terms of visual amenity given the use of a glazed curtain walling system. This is considered to be appropriate given that this would be the most visible elevation of the store. It is acknowledged that the side and rear elevations are more limited in terms of visual appearance due to the use of aluminium cladding however this is typical with this type of retail store.
- 6.3.5 At present, the site is well screened by the large, mature trees along the Obelisk Road boundary which are protected under the Southampton (Obelisk Road) Tree Preservation Order 1975. These trees are positioned on a landscaped bank within the boundary of the site which is approximately 3m higher than the site at its highest point. Due to the presence of this established landscaping, the existing Co-Op store is not overly visible from Obelisk Road. This is advantageous given the proximity of the site to the Old Woolston 1 Conservation

Area boundary and having regard to the importance of protecting the setting of this designated heritage asset. The proposed layout retains the majority of these protected trees and the landscaped bank meaning that the site would continue to be well screened when viewed from Obelisk Road. It also seeks to provide additional planting along this boundary. Whilst it is not ideal to have a long, blank side elevation fronting Obelisk Road, the retention of substantial screening along this boundary combined with the retention of an acceptable set back from the northern boundary and the introduction of additional planting would ensure that the proposed store would not be overly visible from Obelisk Road. Furthermore, it is considered that this proposal would preserve the character and appearance of the Old Woolston 1 Conservation Area in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

- 6.3.6 Limited screening along the southern boundary of the site means that the existing Co-Op store is visible from Thorneycroft Avenue. This is exacerbated by the position of the site approximately 2m higher than this neighbouring residential road. The southern elevation of the proposed store would comprise a long, blank side elevation. The scheme does however, propose substantial landscaping along this boundary. This additional planting would ensure that the proposed scheme would improve the existing arrangement by establishing additional screening to minimise the visibility of the proposed store. Its visual appearance in this location is therefore, considered to be acceptable.
- 6.3.7 Limited screening along the eastern boundary of the site means that the existing Co-Op store is also visible when viewed from Mirabella Close. Additional screening along the eastern boundary would ensure that the proposed scheme would improve the existing arrangement by minimising the visual appearance of the store in this location.
- 6.3.8 The provision of an additional stepped access to the site from the corner of Obelisk Road and Mirabella Close would enhance connectivity in the surrounding area.
- 6.3.9 Proposed landscaping within the car park would successfully break up the hardstanding within the car park, improving the existing arrangement.

6.4 Impact on Protected Trees and Ecology

- 6.4.1 Through extensive negotiation with the applicant, it has been possible to secure the retention of the majority of the group of trees along the Obelisk Road boundary protected under the Southampton (Obelisk Road) Tree Preservation Order 1975. A total of 8 trees along the Obelisk Road boundary would be removed as a result of this proposal to provide additional space for car parking. These are as follows:

T3: Sycamore.
T4: Cherry.
T6: Cherry.
T8: Sycamore.
T10: Sweet Chestnut.
T11: Sweet Chestnut.
T13: False Acacia.
T15: False Acacia.

With the exception of T8 and T11, these trees are considered to be of lower amenity value and no objection to their removal has been raised by the City Council's Trees team. The provision of additional planting along the Obelisk Road boundary is considered to be sufficient to overcome the loss of these trees.

- 6.4.2 Additional planting is also proposed around the southern and eastern boundaries and within the car park. A tree pit has also been proposed to ensure that new planting has a good chance of reaching maturity. The City Council's Trees team have been consulted on the proposed landscaping and are satisfied with the species and sizes which have been proposed. The landscaping scheme is therefore, considered to be acceptable.
- 6.4.3 The City Council's Ecology team have been consulted on the amended proposals and have confirmed that the retention of existing trees and provision of additional planting would be acceptable. The proposed additional planting is of recognised value to wildlife. Conditions are however, requested to ensure that any on-site lighting does not have an adverse impact in ecology terms.

6.5 Residential Amenity

- 6.5.1 The most affected residential properties are located along Thorneycroft Avenue and Victoria Road. These properties are approximately 2m lower than the application site given the variation in land levels in the area. It is the two maisonettes at no.1 and 1a Thorneycroft Avenue which are likely to be most affected by the proposed scheme. At the current time, these properties are located approximately 16m away from the blank side elevation of the existing Co-Op store. As mentioned previously, given the limited screening of the southern boundary of the site at present, the existing store is visible from this nearby residential road meaning that the side facing windows of these residential properties do not currently benefit from a good outlook. It is however, acknowledged that the existing store is positioned further back into the site. The side elevation of the proposed store would be located approximately 17m away from the side elevation of no.1 and no.1a Thorneycroft Avenue. It is acknowledged that this proposal would establish additional building bulk extending along the southern boundary of the site, visible from these properties. The installation of extensive planting along this boundary would however, effectively screen the proposed store from Thorneycroft Avenue, constituting an improvement on the existing arrangement. Furthermore, according to the original floorplans for these two properties (as approved under planning ref.1428/104), the two windows at first floor level within the side elevation of the property facing the application site serve a bathroom and a landing. These are not classed as habitable rooms and they do not therefore, require the same level of outlook or access to light as would be expected with habitable accommodation. Having regard to this and the existing arrangement, it is not considered that the proposed store would have an adverse impact on these residential properties in terms of loss of light or loss of outlook. The retention of a separation distance of approximately 17m and the proposed installation of additional boundary screening would also ensure that the proposed store would not have an overbearing impact or result in an increased sense of enclosure for these residential properties or their gardens. The windows at ground floor level are screened by the existing car ports and are not considered to be affected.

- 6.5.2 A separation distance of approximately 16m would remain between the rear elevation of the property located at no.53 Victoria Road and the proposed store. This property appears to be split into two flats however there is an application currently pending consideration (ref. 15/02482/OUT) for the redevelopment of the site by the erection of 3 x part three-storey dwellings (1 x three-bed and 2 x four-bed) with associated parking and amenity space. There are a number of windows within the rear elevation of this property at the current time which appear to serve habitable rooms and the proposed plans for the redevelopment of the site would also establish habitable rooms (bedrooms at first floor level and kitchen / living rooms at ground floor level) with windows facing out to the rear. The overall footprint of the building itself however, would remain the same. The retention of an acceptable separation distance and the orientation of this property to the south of the site would ensure that no significant loss of amenity by virtue of loss of light, outlook or privacy would occur as a result of this proposal. Furthermore, the introduction of extensive screening along the southern boundary of the site would effectively screen the proposed store, minimising its overall appearance and ensuring that it would not have an overbearing impact or lead to an increased sense of enclosure for this neighbouring residential property.
- 6.5.3 The side elevation of no.1 Mirabella Close would face the proposed store. This does not contain any windows and so it is not considered that this scheme would be detrimental to light, outlook or privacy for this property. Furthermore, the retention of a separation distance of approximately 20m would ensure that the proposed store would not have an overbearing impact or result in an increased sense of enclosure for this property or its rear garden.
- 6.5.4 The side elevation of 6 – 14 Mirabella Close would also face the proposed store. This property is split into flats. Its side elevation contains a number of windows which appear to serve habitable living accommodation. The retention of a separation distance of approximately 30m would ensure than the proposed scheme would not have an overbearing impact or result in an increased sense of enclosure for the flats within this block. Furthermore, no loss of light, outlook or privacy is considered likely to occur.
- 6.5.5 The delivery bay for the proposed store would be located along the eastern elevation, adjacent to Mirabella Close. To ensure no loss of amenity occurs from additional noise associated with this, planning conditions requiring a delivery management plan will be imposed. The Environmental Health team have been consulted and raise no objection to the scheme subject to conditions. Provided these conditions are satisfied, the proposed scheme is not considered to be harmful to residential amenity during the construction or operational phases.
- 6.5.6 The existing store has permitted opening hours of 07:00 to 22:00 daily. The same hours would be conditioned for the proposed store to protect residential amenity.
- 6.6 Highways Safety, Car and Cycle Parking and Servicing Arrangements
- 6.6.1 At present, there are 82 car parking spaces on site. The proposed store would have a total of 115 car parking spaces (including 7 disabled spaces and 5 parent and child spaces). There would therefore, be an increase of 33 car parking

spaces in this location.

- 6.6.2 The Parking Standards SPD advises that 1 space per 25 sq m of A1 retail floorspace (for convenience supermarkets over 2500 sq m gross floor area) should be provided in areas of high accessibility. The proposed store would be located in an area of high accessibility given its location on the edge of Woolston District Centre. It would have a gross floor area of 2532.5 sq m resulting in a maximum car parking requirement of 101 spaces. The City Council's Highways Team have confirmed that the proposed level of parking would be acceptable for a store of this size.

The Parking Standards SPD also sets out cycle parking requirements for new retail development within the city. For new retail development of this scale, the following minimum cycle parking spaces would be required:

13 long stay spaces (rounded up from 12.6)
25 short stay spaces (rounded down from 25.32).

- 6.6.3 The submitted plans indicate that 10 cycle parking spaces would be provided. They do not however, distinguish between long and short stay. The City Council's Highways team have confirmed that additional cycle spaces would be required and as such, a planning condition will be imposed to secure these. An additional condition requiring a car park management plan would also be required. This should set out a maximum dwell time to ensure that the car park for the store is not used by commuters. This is standard practice for this part of the City which benefits from good accessibility to public transport services into the City centre and beyond.
- 6.6.4 The existing access to the site would remain unchanged with the existing roundabout on Victoria Road provided access to the site. This was constructed as a requirement of the S106 agreement for the Co-Op store approved under 01/00360/FUL in 2001. The City Council's Highways Team have confirmed that this is an acceptable arrangement. The existing road layout and access would be able to comfortably accommodate the additional vehicular movements associated with the proposed store. Conditions to secure adequate sightlines would however, be imposed.
- 6.6.5 A delivery area would be provided adjacent to the eastern elevation. Delivery vehicles would enter the site using the main entrance and would travel through the car parking area. The submitted information indicates that delivery vehicles would be able to enter and leave the site in a forward gear. This is considered to be acceptable in terms of highways safety. A delivery management plan would be required to outline delivery times and procedures in order to protect highways safety in this location.

7.0 Summary

- 7.1 This proposal would bring the application site back into effective use, subsequently enhancing the vitality and viability of Woolston District Centre. Establishing additional food retail in this location would enhance the convenience food retail offer in this part of the city, providing additional choice for local residents and providing regeneration benefits. The proposed scheme is policy compliant with issues relating to the principle of development, highways

safety, transport, design and residential amenity being adequately addressed.

8.0 Conclusion

- 8.1 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(c), 2(d), 2(e), 2(f), 4(g), 4(u), 4(oo), 4(vv), 6(a) and 6(b).

LAUGRI for 01/03/16 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION: 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).

2. 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.

3. APPROVAL CONDITION: 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.

4. APPROVAL CONDITION: Sightlines specification (Pre-Commencement)

The sightlines indicated on plan ref. 5192.001 shall be provided before the use of the building hereby approved commences. The approved sightlines shall be maintained and kept clear at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences, walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

5. APPROVAL CONDITION: Cycle storage and changing facilities (Pre-Occupation Condition)

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles for both employees and customers shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Customer cycle parking should be covered and secure and staff cycle parking should be positioned within a secure and weatherproof storage area. A shower area and lockers shall also be provided for staff. The approved scheme shall be thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To encourage cycling as an alternative form of transport.

6. APPROVAL CONDITION: Parking (Pre-Occupation)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. The approved parking shall be used in accordance with the development hereby approved in connection with the District Centre in which it is located.

Reason:

To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

7. APPROVAL CONDITION: Demolition - Dust Suppression (Pre-Commencement)

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.

8. APPROVAL CONDITION: Hours of work for Demolition / Clearance / Construction (Performance)

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 to 18:00 hours

Saturdays: 09:00 to 13:00 hours

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.

9. APPROVAL CONDITION: 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.

10. APPROVAL CONDITION: Refuse & Recycling (Pre-Commencement)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved.

Reason:

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

11. APPROVAL CONDITION: Delivery times

No deliveries shall be taken in or dispatched from the premises outside the following times;

Monday to Saturday: 07:00 - 21:00.

Sundays and Public Holidays: 10:00 – 16:00.

Reason:

To protect the residential amenities of neighbouring occupiers and to prevent traffic congestion.

12. APPROVAL CONDITION: Noise - plant and machinery (Pre-Commencement)

Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the development hereby approved details, including acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority.

The plant sourced must meet the selection criteria detailed in the Acoustic Report prepared by Acoustic Consultants Ltd, dated July 2015, Ref: 6098/BL/pw and an additional report submitted by the applicant in due course to confirm that the recommendations have been fully implemented

The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

13. APPROVAL CONDITION: External Lighting Scheme (Pre-Commencement)

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be thereafter retained as approved.

Reason:

In the interest of residential amenity/to minimise the impact on protected species.

14. APPROVAL CONDITION: 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 scheme of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

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

15. APPROVAL CONDITION: Reuse of uncontaminated soils

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.

16. APPROVAL CONDITION: Use of uncontaminated soils and fill (Performance)

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.

17. APPROVAL CONDITION: 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.

18. APPROVAL CONDITION: BREEAM Standards (commercial development) [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).

19. APPROVAL CONDITION: APPROVAL CONDITION - BREEAM Standards (commercial development) [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).

20. APPROVAL CONDITION: Energy (Pre-Occupation Condition)

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in CO2 emissions of 12.5% over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

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

21. APPROVAL CONDITION: Sustainable Drainage Systems (Pre-Commencement)

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.

22. APPROVAL CONDITION: Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)

Notwithstanding the submitted details as indicated on plan ref.PR-001 Rev C, 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, 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 and agreed in advance);
- iv. Details of any proposed boundary treatment, including retaining walls and;
- v. A landscape management scheme.

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.

23. APPROVAL CONDITION: Surface / foul water drainage / sewer (Pre-commencement)

No development approved by this permission shall commence until a scheme outlining measures to be undertaken to divert / protect the public water supply main and sewer have been submitted to and agreed in writing by Southern Water and 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.

24. APPROVAL CONDITION: Arboricultural Protection Measures (Pre-Commencement)

Notwithstanding the submitted details as indicated on plan ref.PR-001 Rev C 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:

1. Induction and personnel awareness of arboricultural matters
2. Identification of individual responsibilities and key personnel
3. Statement of delegated powers
4. Timing and methods of site visiting and record keeping, including updates
5. 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

25. APPROVAL CONDITION: 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 construction;
- (f) Details of construction vehicles wheel cleaning; and,
- (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, and the character of the area and highway safety.

26. APPROVAL CONDITION: No further vehicular accesses on site

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent amending order, there shall be no vehicular accesses to the site other than the existing access from Victoria Road as shown on the approved plans.

Reason:

In the interests of highways safety.

27. APPROVAL CONDITION: Car Park Management Plan

Prior to first occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. Specifically, this shall include details of a maximum 5 hour dwell time for parked vehicles within the car park hereby permitted in accordance with existing areas of car parking within Woolston District Centre.

Reason: To prevent the use of the car park by city commuters.

28. APPROVAL CONDITION: Piling (Pre-Commencement)

Prior to the commencement of development hereby approved, a piling/foundation design and method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason:

In the interest of residential amenity.

29. APPROVAL CONDITION: Hours of Operation

Unless otherwise agreed in writing by the Local Planning Authority, the premises to which this permission relates shall not be open for business other than between the following hours:

07:00 - 22:00 daily.

Reason:

In the interests of residential amenity.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3	Town, District and Local Centres, community hubs and community facilities
CS13	Fundamentals of Design
CS14	Historic Environment
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
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
SDP16	Noise
SDP17	Lighting
HE1	New Development in Conservation Areas
REI5	District Centres

Supplementary Planning Guidance

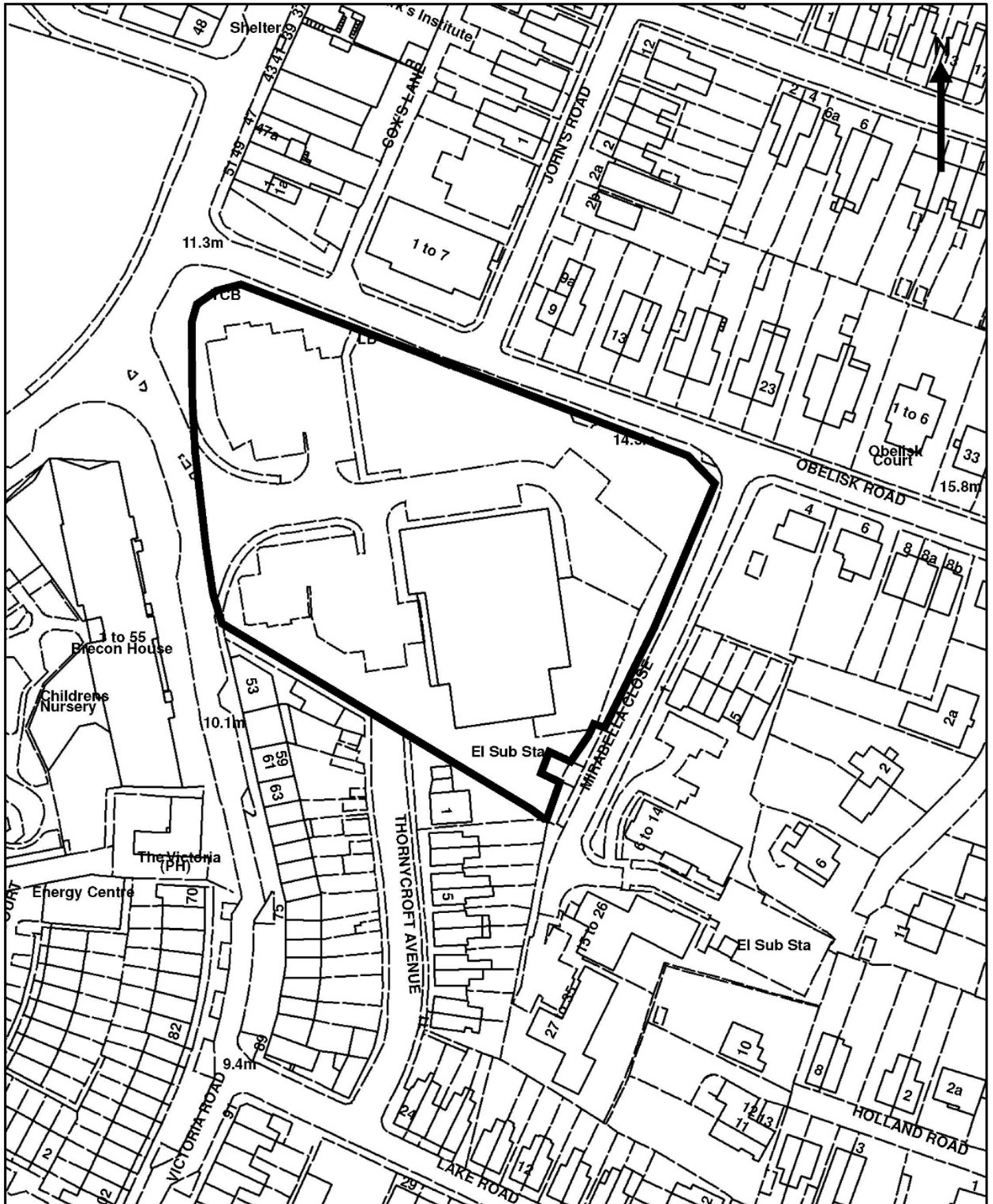
Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)



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Agenda Item 6

Planning, Transport & Sustainability Division
Planning and Rights of Way (EAST) Panel - 1 March 2016
Planning Application Report of the Planning and Development Manager

Application address: University of Southampton, Building 58A, Salisbury Road, Southampton			
Proposed developments: a) 15/02460/FUL – Replacement Building 58a Demolition of existing building and erection of a new part 4-storey and part 7-storey building to provide a new teaching and learning centre comprising lecture theatres, seminar rooms, teaching and learning spaces and a cafe with associated landscape, infrastructure and other works. b) 15/02461/FUL – Salisbury Road Landscaping and traffic calming measures to Salisbury Road, including alterations to vehicular access and utilities following proposed stopping up of Salisbury Road as public highway.			
Application number	a) 15/02460/FUL b) 15/02461/FUL	Applications type	FUL
Case officer	Stephen Harrison	Public speaking time	a) 15 minutes b) 5 minutes
Last date for determination:	Planning Performance Agreement	Ward	Portswood
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr Claisse Cllr Norris Cllr O'Neill
Referred by:	Cllr Claisse	Reason:	a) Additional students increasing pressure for HMOs b) Impact upon Southampton Common c) Lack of environmental improvements d) Inadequate analysis of sustainable transport

Applicant: University Of Southampton	Agent: Turnberry Planning Ltd
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Recommendation Summary	15/02460/FUL and 15/02461/FUL Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The development of additional teaching and learning space, and the associated public realm enhancements, have been considered by the Council's Planning and Rights of Way Panel (1st March 2016) where the merits of the additional accommodation, its impact on student growth and existing housing stock, visual and residential amenity, the setting of the Common and the impact upon highway safety

(for all users) have all been assessed as acceptable. 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 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).

Policies – CS11, CS13, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) as supported by policies SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP12, SDP13, SDP15, SDP16, SDP17, SDP19, SDP22, NE4, HE5, L7 and H13 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Highfield Residents' Association
3	University Supplemental Response		

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission for both 15/01260/FUL and 15/02461/FUL subject to the removal of the objection by Southampton Airport to the height of the proposed building and the completion of a S.106 Legal Agreement to secure:

a) 15/02460/FUL – Replacement Building 58a

- i. The delivery of a scheme of hard and soft landscaping and highway works for the enhancement of Salisbury Road for all users, including pedestrians and cyclists, possibly through a s.278 depending upon the outcome of the 'Stopping Up' procedure, 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). To include a contribution (if required) to cover the cost of any necessary Traffic Regulation Orders. Delivery within 6 months from the date of first use of the building;
- ii. 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;
- iii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & 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. 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); and,

b) 15/02461/FUL – Salisbury Road

- i. In the event that the 'Stopping Up' of Salisbury Road is successful it shall be retained as a permissive route with full access for pedestrians and cyclists retained as such. Any administrative costs incurred by the City Council as a consequence of the 'Stopping Up' procedures – particularly in the event that an Inquiry is required - shall be borne by the applicant.
2. In the event that the legal agreements are not completed within two months from the date of this Planning Panel the Planning and Development Manager be authorised to refuse permission unless an extension is mutually agreed.
3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreements 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 brought back to the Planning and Rights of Way Panel for further consideration of the planning application.

Background

The Planning and Rights of Way Panel are being asked to consider two recommendations for linked development at the University of Southampton's main Highfield campus.

The first application (LPA ref: 15/02460/FUL) is for a new learning and teaching building of 6,628sq.m with associated public realm and landscape improvements around the building, including works to the public highway of Salisbury Road that would require the approval of the Council's Highways Department (under s.278 agreements). These works would need to be to adoptable highway standards if the Council is to retain the ongoing maintenance.

The second application (LPA ref: 15/02461/FUL) is for the associated public realm and landscape improvements around the building, including works to the public highway of Salisbury Road. These works are currently shown the same as those under 15/02460/FUL however, if successful at the Planning stage, the applicant would then apply to 'Stop Up' the public highway thereby taking on the responsibility for Salisbury Road whilst retaining it as an important public link between the Campus and the Common. The University are keen to implement a different specification to the one the Council would impose upon them should the Council retain the ongoing maintenance. This is likely to be a higher specification.

Salisbury Road is presently a carriageway, maintainable at the public expense, so unless the development on the highway is carried out by or with the permission of the Council as highway authority, then doing so would be unlawful. To overcome this, the highway would have to be stopped up under Part X of the Town and Country Planning Act 1990. The process enables the stopping up of a highway, if it is considered necessary to enable the development. However, the fact that Salisbury Road is a carriageway is significant as it means the applicant must apply to the Secretary of State (the National Planning Casework team) to consider and determine the application. The process for 'Stopping Up' the highway is separate from Planning, and the Panel is not being asked to consider the merits of transferring Salisbury Road to the University through this process. There will be the opportunity for public comment on this when the University formally apply for the Stopping Up. The Panel are, however, being asked to determine the proposed physical public realm works shown on the submitted drawings.

The reason that there are two linked applications is that the University did not want the progress of the new teaching block – that could, subject to planning permission, be

implemented and occupied without stopping up Salisbury Road – to be held up by the ‘Stopping Up’ process. This approach enables the University to erect and occupy their new teaching block and implement a public realm scheme either (i) to adoptable standards through the s.106/278 process outlined above or (ii) to a different specification following a successful ‘Stopping Up’ process. Either option will retain access for all users of Salisbury Road between the Campus and the Common.

1.0 The site and its context

- 1.1 These linked planning applications relate to land between University Road and the Common at the University of Southampton’s main Highfield campus. The application site has an area of 0.72 hectares and there is a change in level from Salisbury Road southwards of approximately 4 metres (one storey) in places.
- 1.2 The principal application seeks to redevelop an existing teaching block (building 58a – 422sq.m) to the South of Salisbury Road, and the surface car park to the east (36 spaces), with new teaching facilities serving the University. The replacement Mountbatten (4 storeys) and Zepler (4 storeys) buildings form the site’s northern boundary. The Nightingale Building (4 storeys) is located to the east of the development site. The main campus, Nuffield Theatre and Unilink bus interchange are located to the south, and the land between the application site and the Southampton Common (to the west) is formed by the Murray Building (3 storeys) and the Maths Tower (8 storeys – 73.31m Above Ordnance Datum (AOD)). There are no immediate residential neighbours. The nearest are located on the northern side of Burgess Road some 120 metres away.
- 1.3 Salisbury Road itself is adopted highway land within the University of Southampton campus. This road currently connects University Road with the Southampton Common and then extends southwards and links into Chamberlain Road. It is primarily used for access, servicing and deliveries and is limited to 20mph, marked with double yellow lines on both sides and has a dedicated two-way cycle lane marked within its width.
- 1.4 The site is partly covered by the Southampton (University Road No.2) Tree Preservation Order (2002). In total there are some 62 trees on site (15 of which are covered by the TPO).

2.0 Proposal

- 2.1 Linked applications have been submitted seeking full planning permission for a new learning and teaching block with a net gain of some 6,207sq.m of additional floorspace (LPA ref: 15/02460/FUL), and the provision of public realm and landscape enhancements (LPA ref: 15/02461/FUL), possibly following the stopping up of Salisbury Road as public highway, whilst retaining existing public access along it as a permissive route to and from the Southampton Common. These applications can be summarised as follows:
- 2.2 **a) 15/02460/FUL – Replacement Building 58a**
The new part four/part seven storey teaching block comprises 6,628sq.m of floorspace formed by the following teaching and learning spaces:
 - 1 no. 250 seat lecture theatre
 - 1 no. 100 seat ‘Harvard-style’ lecture theatre
 - 9 no. seminar rooms
 - 1 no. 60 seater computer room
 - 2 no.120 seater flat floor rooms

- Study/common room for the MBA (post graduate business centre)
- Independent learning spaces
- cafe

- 2.3 The proposed building takes advantage of the change in levels (of approximately one storey) resulting in a split level building, of between 4 and 7 storeys, albeit with parapet level to the roof and an overall height of 31 metres (77.5m AOD). By way of comparison, at its tallest, the proposed building will be 8.5m taller than the recently completed timber clad Life Sciences Building (B85) and 4.2m taller than the nearby Maths Tower. The telecoms mast on the roof of the Farraday Tower, on the opposite side of the campus, is 7.2m taller than the proposed building.
- 2.4 In total the building can accommodate up to 1,500 students and staff.
- 2.5 The proposed building has a contemporary aesthetic using a modulated pale glazed ceramic textured material for the upper floors of the building. At lower levels a combination of cast metal and glazing will create a contrast. Metal has been selected for its durability. Roof plant will be screened by a parapet level above the seventh floor of teaching accommodation.
- 2.6 To accommodate the new building 36 parking spaces will be lost from the Upper Nuffield (West) car park. The University propose to replace these spaces across the Campus so as to ensure no net loss of on-site parking. In total 5 spaces will be re-provided with a revised parking layout to the car park serving the Gower building. The disabled bays will be re-provided at the Upper Nuffield (East) car park with a loss of 8 regular spaces from this car park. The Broadlands car park will be redesigned and the existing containers removed to enable 37 new spaces to be provided. In total the scheme results in 1 additional regular parking space and 1 additional disabled parking space. A planning condition is recommended to secure the delivery of this replacement parking.
- 2.7 The proposed building has been designed to link into the University's campus-wide district energy system and will achieve the required Building Research Establishment Environmental Assessment Methodology (BREEAM) rating of 'Excellent', incorporating water efficiency measures, recycling facilities, above standard insulation with low air permeability, mechanical ventilation heat recovery, maximised natural daylight and an overall reduction in CO2 emissions. If successful it is anticipated that the construction works will commence in the Autumn 2016 with completion programmed for the Summer of 2018.
- 2.8 **b) 15/02461/FUL – Salisbury Road**
The proposed works to Salisbury include a narrowing of the carriageway, improving the priority given to pedestrians (particularly those crossing to the east of the existing Zepler building, additional soft landscaping (including tree planting) and a resurfacing to link the Road to the external spaces to the south of the Mountbatten building and those proposed to compliment to the proposed building. These public realm improvements require planning permission. If successful, the University will then apply to the Secretary of State to 'stop up' Salisbury Road as public highway. This process is separate from the planning application process and there will be an opportunity for public comment on this issue at that stage. The effect of stopping up Salisbury Road is that the road will no longer be maintained by the Council, the University will be able to implement a public realm scheme outside of that which the Council would normally be looking to adopt. The procedure retains access to and from Southampton Common from University

Road by all users (including pedestrians and cyclists) as the road would be retained as a permissive route. The University have confirmed that it is not their intention to seek a closer of Salisbury Road to the public, and the above recommendation includes a S.106 requirement to retain access as proposed.

- 2.9 This application follows a similar proposal for the stopping up and enhancement of Salisbury Road in 2007 (LPA ref: 07/00513/FUL). Whilst a permission was granted, following a Panel determination, the University did not implement their permission and it has now lapsed.
- 2.10 The alterations to Salisbury Road and the proposed footprint of the building involve the removal of 33 trees, including 4 covered by a TPO. Only 2 of these trees are 'B' Category; *'trees of moderate quality or value capable of making a significant contribution to the area for 20 or more years'*. No category 'A' trees are to be lost. The two existing Lime Trees, a significant feature of the landscape, have been retained and are used as a focus for the building footprint. A 2:1 tree replacement programme is proposed across the wider campus and can be secured with the attached planning condition.

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 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 application site is located within the defined University Campus. Local Plan Policy L7 states that:
Within the University Development Area planning permission will be granted for:
i. academic and teaching facilities;
ii. research facilities;
iii. incubator units which facilitate technology transfer where it can be demonstrated that they will be accommodated as shared and linked academic or research or commercial development space and would not prejudice future academic needs;
iv. student accommodation to meet the needs of students with special needs;
v. a new road link from University Road (starting from the south side of University Crescent's junction with University Road) to Broadlands Road (north of its junction with Mayfield Road).
- 3.4 It adds the supporting text adds that *'the University of Southampton is recognised nationally and internationally for excellence in teaching and research across the whole institution. World-class centres include optoelectronics, electronic engineering and computing, nutrition, asthma research, oceanography and synthetic chemistry. The city council is committed to working with the University to accommodate its requirements for expansion within the urban areas of Southampton which consolidates the University accommodation within the existing sites and maximises their efficient use'*.
- 3.5 It adds that *'Policy H13 and H14 in the Homes and Housing Chapter deal with the*

retention and provision of student accommodation’.

- 3.6 The main campus is also safeguarded under LDF Core Strategy Policy CS11. It states that:
‘The development of new inspirational, high quality education and related facilities which encourage community use of their facilities will be promoted. The main sites of the University of Southampton and Southampton Solent University will be safeguarded to allow expansion of these facilities through intensification on their existing sites... Developer contributions, including travel plans, may be sought from new development to support any additional education infrastructure required in accordance with Policy CS25’.
- 3.7 Alongside these policies LPR Policy H13 also seeks to ensure University growth is properly balanced with a growth in purpose built student housing to support any increase in student numbers. It states that:
‘Development by private sector providers and higher education institutions, which would result in an increase in student numbers, will only be permitted where suitably located and where residential accommodation is provided at a level to be agreed with the council. Permission will be subject to:
i. an assessment of the number of additional full time undergraduate and postgraduate students requiring full time accommodation, in order to ensure that a demonstrable need for such provision is satisfied;
ii. the phasing of any residential development to accord with that of any academic expansion;
iii. the accommodation being easily accessible by foot, cycle or by public transport from the relevant educational establishment;
iv. an agreement to control and manage the level of student car parking being made with the appropriate developer; and
v. the occupancy of the development being controlled through the imposition of planning conditions or an appropriate legal agreement’.
- 3.8 The supporting text adds that, *‘the city council supports the expansion of the city’s educational establishments, but recognises that increases in student numbers have traditionally put pressure on the city’s existing areas of conventional housing. The council is aware that in recent years the full time student population of both Solent University and the University of Southampton has grown to approximately 31,000. This represents a doubling in size of the overall student population during the ten years from 1991... the city council will nevertheless require a development proposal to be accompanied by a thorough assessment of the estimated number of additional students who are likely to result from any new academic expansion. The level of any such provision should be directly related to the number of additional students who might require residential accommodation within the city. Any assessment should take into account existing accommodation under the control of the higher education institution concerned, and existing and proposed accommodation by private developers available for students’.*
- 3.9 Whilst this commentary is out of date in terms of up-to-date numbers of students the principle behind the policy remains sound.
- 3.10 At the national level 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 06/01262/FUL – Approved by Planning Panel 10.10.2008
Redevelopment of the site to provide a new four-storey laboratory and office building with ancillary accommodation and link to adjoining Zepler Building to replace former research facility at Building 53 (Mountbatten Complex).
- 4.2 07/00513/FUL – Approved by Planning Panel 06.11.2007
Installation of hard and soft landscaping to create informal open space following the stopping up of Salisbury Road - Description amended following submission of amended plans.

5.0 Consultation Responses and Notification Representations

- 5.1 Given the scale of development proposed the University undertook their own pre-application public engagement prior to the formal submission of their planning application. This involved 2 exhibitions, as the scheme evolved, that took place on 20/21 October and 8/9 December 2015.
- 5.2 Following the receipt of the planning applications a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement for both applications (15/01/2016) and erecting a site notice for both applications (12/01/2016).
- 5.3 **a) 15/02460/FUL – Replacement Building 58a**
At the time of writing the report **5 representations** have been received as summarised below:
- 5.4 **Ward Cllr Claisse – Objection**
I object to the above application for the following reasons;
- The proposal would add to the University's capacity to further increase student numbers and there should therefore be a corresponding guaranteed increase in student accommodation in accordance with SCC Policy H13;
 - There is no recognition of the historic and landscape importance of the nearby Common when such a development might be expected to provide some 'planning gain' environmental improvements, in particular to the western end of Salisbury Road and that entrance to The Common
 - There is inadequate analysis of and measures to encourage sustainable transport potential within the campus and links to pedestrian and cycle routes outside the campus
- Should you be minded to consider approving this application under delegated powers could you please refer it to the Planning and Rights of Way Panel.
- 5.5 **Highfield Residents Association (HRA) - Objection**
The HRA recognises the benefits that the University brings to the City and locality and wishes to support its aim to become one of the world's leading academic institutions. However the HRA objects to the current application in its present form for the following reasons:
- A. The proposal would inevitably substantially add to the University's capacity to further increase student numbers and there should therefore be a corresponding guaranteed increase in student accommodation in accordance with SCC LP Policy H13;

- B. There is no recognition of the historic and landscape importance of the nearby Common when such a development might be expected to provide some 'planning gain' environmental improvements, in particular to the western end of Salisbury Road and that entrance to The Common (in accordance with LP Policies SDP8 and HE5);
- C. There is inadequate analysis of and measures to encourage sustainable transport potential within the campus and links to pedestrian and cycle routes outside the campus (contrary to the requirements of LP policy SDP 4).

Response:

- 5.6 *The HRA have provided a detailed response to the planning application and their full response is appended to this report at **Appendix 2**. Officers respond to each of these concerns in the Planning Considerations section of this report. The University have also responded to these points and their commentary is attached at **Appendix 3**.*

East Bassett Residents' Association – No objection

- 5.7 EBRA have no objections to the plans which were shown to be of high quality and fulfilling a needful reorganisation on the site. The only comment, made at the public exhibition, is the crowding of higher buildings on the site shutting off the open aspect towards the adjoining common which at present produces a calming effect in what can be a tense environment for its users.

City of Southampton Society – No objection

- 5.8 No objection in principle. As is usual in the campus there is no coordination between buildings; they come along from time to time haphazardly without an overall plan or strategy. The design is acceptable. The lost parking will need to be replaced. Presumably there will be an acceptable shadow over the Common in the morning. Unclear who will be able to use the café. Presumably the drainage details are technically acceptable.

Southampton Common And Parks Protection Society (SCAPPS) – Objection

- 5.9 SCAPPS made representations at the public pre-application consultation. In consequence, the applicant includes an 'illustrative view' of the proposed development from the west end of Salisbury Road where pedestrians & cyclists can enter The Common to link through to Lovers Walk. With benefit of that information, SCAPPS does not raise concern about visual impact of the proposed building as viewed from The Common.

- 5.10 SCAPPS is however concerned, & objects, to the inadequacy of that part of the application relating to altering layout & appearance of Salisbury Road in that no provision is included to improve the entrance to The Common. SCAPPS recognises this might involve work outside the application site boundary; the applicant should, in preparing the application, have discussed & negotiated with the City Council on & off-site works to secure improvement in the appearance of this important link, used by the public as well as students & staff from the University, from the Highfield Campus to Lovers Walk & hence on in one direction to Avenue Campus & in the other direction to student accommodation in Glen Eyre Road.

- 5.11 The application perpetuates an unfortunately long-established attitude of the University that its boundary with The Common is an unimportant rear to buildings, unseen & unimportant. The University has made considerable effort successfully to transform its appearance for those arriving by car on University Road. No similar care is taken for those approaching the Highfield Campus on foot or cycling. Both

University & City Council want to encourage an increasing proportion of journeys by means other than car. Lovers Walk is an important principle pedestrian & cycle access route to Highfield Campus.

- 5.12 SCAPPS would encourage the University to have greater concern for the appearance of its boundary with The Common, & the appearance & 'fitness for purpose' of its access points from Highfield Campus to the Lovers Walk path on The Common. One of these is within the application site boundary, at the end of Salisbury Road, & the application should include proposals for significant improvement in layout & appearance of the path through to Lovers Walk & for adjoining stretches of the boundary. The application site defined in the application plans is arbitrary; there is no reason why improvements along this boundary should not have been included in this application. Both sides of the Salisbury Road entrance to The Common look unsightly, in poor condition & poorly maintained. The application should be accompanied by landscaping proposals agreed with Parks Team to improve the appearance along this boundary, including if necessary works on City Council owned land.

- 5.13 SCAPPS notes the intention to seek de-adoption of Salisbury Road. SCAPPS will require a binding undertaking that there will be continuing public highway rights & that, as stated in the Planning Design & Access Statement, 'public access from The Common would be unaffected'.

b) 15/02461/FUL – Salisbury Road

- 5.14 At the time of writing the report **8 representations** have been received from surrounding residents. The following is a summary of the points raised:

- Stopping up Salisbury Road will reduce access to cyclists and pedestrians who use this important link to and from the Common. A permissive route is not sufficient as this will lead to the route being closed. The proposed narrowing will and tree planting affect the freeflow of cyclists along Salisbury Road.
- 5.15

Response:

The proposed stopping up of Salisbury Road requires further permissions following the grant of planning permission. A favourable decision to the proposed physical development would not prejudice any party wishing to object at the formal stopping up stage. There are, however, no highway objections to the stopping up of Salisbury Road and its retention as a permissive route through the s.106 (as recommended) will retain public access in perpetuity. The proposed physical changes follow detailed design discussions with SCC Highways officers.

5.16 **Consultation Responses**

5.17 **SCC Highways – No objection**

Southampton University have submitted two planning applications, one for the construction of a new teaching and learning centre on the site known as Gower South, and the second application is complimentary to the first involving works to Salisbury Road should the application for its stopping up as public highway be successful.

- 5.18 My highway comments as follows refer to both applications, but do not tie the outcome of one application to the successful outcome of the other.

- 5.19 The site of the proposed new teaching and learning facility is currently a car park,

identified as the Upper Nuffield West car park, and also is occupied by building 58a, a post graduate learning facility containing 2 seminar areas. The car park to be lost accommodates the existing visitor allocation for this campus, and has 36 spaces. Visitor car parking will be replaced in an adjacent car park, and spaces lost to these changes will be almost completely replaced around the neighbouring campus by reconfiguring the layout of existing car parks, increasing their capacity.

- 5.20 There is no intention to increase parking numbers as the development proposed is to improve the learning facilities provided by the University, rather than to accommodate for an increase in student numbers or staff numbers. There is a possibility that by providing an enhanced facility, this could become more attractive to students in the future, swaying their choice to come to this University, but that is something the University will have to address through their own robust Travel Plan, and is not something to give serious consideration to at this stage. The Travel Plan restricts the University to a set number of parking spaces, and therefore this is an internal management issue.
- 5.21 The new building will accommodate up to a maximum of 1,500 students, and will provide lecture theatres, seminar rooms, computer rooms, break out learning space and a café. The setting of this building is important, and it is positioned on a principle pedestrian desire line linking from Burgess Road through the campus to main hubs such as the Nuffield Theatre, the bus hub, sports and fitness complex, and all main learning facilities.
- 5.22 The new building sits on the crossroads of the principle pedestrian desire line, the exit for the campus bus hub, and Salisbury Road, a wide straight section of public highway which provides access to car parking and servicing areas for the campus, and carries an important strategic cycleway route from the Common to the west, to the main campus and Swaythling to the east, and provides the exit route for buses from the adjacent hub. It is the aspiration of the University, through the second planning application, to enhance the public realm area around this new building and the neighbouring buildings to the west, whilst creating a more attractive, but primarily safer environment for all the different modes to interact in a safe and naturally controlled environment, created by the high quality design of this space. To achieve this end, it would be necessary to stop up the public highway rights over the section of Salisbury Road from immediately west of the junction of the bus exit route, to the point that the road finishes adjacent to the Common. This is because the combination of materials to be used are not likely to conform to adoptable standards, and therefore will create a maintenance issue if the area remained as publicly maintained highway. Via the Section 106 process, there will be a legal obligation for the provision of unfettered access for all, to ensure that the cycle and pedestrian linkages are not lost, as this would be detrimental to the ambitions of sustainable travel and loss of convenient routes. Motorised traffic using this section of road is University generated.
- 5.23 I raise no objection to either application, subject to the following:
- The design detail of the public realm area shall be agreed prior to commencement of that particular planning consent. City Design, the Architects Panel, and myself are still unconvinced about the introduction of clear delineation of an effective kerbline as shown on the submitted plans, and are of the opinion that the vehicle route should be created more subtly with street trees and furniture to ensure a more inclusive design which naturally creates better traffic calming.

- In the absence of the failure of the stopping up of the highway application, prior to occupation of the new Gower South Teaching and Learning facility a scheme of works on Salisbury Road, to be undertaken through a Section 278 Agreement, shall be agreed and the works completed within 6 months of the occupation of the building.
- That via the legal agreement for the stopping up proposal there shall be unhindered public access through the site throughout the year, allowing free flow of cyclists and pedestrians particularly, but also to allow motorists of all vehicles who have inadvertently taken the wrong route to get to a suitable on site turning point where they can then exit the site in a forward gear.
- Long stay cycle parking facilities shall be agreed prior to commencement of the Gower South building.
- Short stay cycle parking facilities shall be agreed and installed prior to occupation of the building. This is likely to be decided as part of the public realm scheme, and detail may be subject to the outcome of the stopping up process.
- Refuse storage detail to be agreed and a Refuse Management Plan provided to understand how waste from the café and main facility will be managed.
- A servicing management plan will be required to understand how the cafe and main building will be serviced.
- The public realm works, whether done as a Section 278 Agreement, or via the public realm scheme following the stopping up of this section of Salisbury Road shall form the site specific element of this scheme. Confirmation is required if a TRO is required for any reason on the remaining section of Salisbury Road.

5.24 Response:

The requirements of SCC Highways have been met either through the s.106 requirements or the planning conditions attached to this report. The issue raised about whether or not Salisbury Road should be finished with a raised or flush kerbline (similar to that used at Guildhall Square) can be resolved following a safety audit and the clearance of the relevant planning condition/s.106 requirements.

5.25 **SCC City Design Group Leader – No objection**

I'm generally happy with the proposals, the only observations I have are

- Although we have details of the ceramic cladding, we don't seem to have any details concerning the metal cladding for the lower level of the building
- From my point of view it would be far better if we didn't have the flush kerb delineation for the Salisbury Road section and what I presume is a loading bay, so that the space is read as a genuinely shared surface as once a kerb is used, even a flush kerb, this defines the vehicle and pedestrian territories. It may also be worth considering an additional 'pinch point' to the west end of Salisbury Road, not just at the east end
- It would've been a nice touch to have continued the paving design on (at least along the northern footpath) to meet the pedestrian entrance from Lover's Walk
- It's a shame that the space between buildings 2 and 4 is not to be landscaped other than a statement that it is to be "refreshed". When the new building is in place this will become an important link/desire line from the botanical gardens. It would also be worth considering (levels permitting) a connecting stretch of

footpath within the botanical gardens to avoid the predictable worn grass as a new desire line from the students union and other faculty buildings to the south west will be formed by the new building.

- 5.26 **SCC Design Advisory Panel (DAP)** – The building appears to be a missed opportunity. Although the use of high quality materials are supported by the panel, too much emphasis appears to have been given to the use of the ceramic cladding at the expense of the design of the actual building. It would've been better if the two forms had been expressed in two different materials with greater expression/tension at the meeting point. Greater justification is needed as to why the forms have been expressed in the manner in which they have. The 'petticoat' plinth on the taller building would be better as a double height glazed space. Demarcation of the highway/service bay negates the delivery of a genuinely shared space and seems unnecessary for the limited traffic which will cross the space

Response from SCC City Design Group Leader to DAP comments:

- 5.27 *Although I don't disagree with any of the observations of the DAP, none of them in my opinion would warrant a reason for refusal, so I have no objection to the proposed application. I do have concerns over the separate landscape application for the 'shared surface' with its kerb line demarcation, which by definition means that it isn't a shared surface and would like to see this distinction removed.*

SCC Tree Team – No objection

- 5.28 The tree survey gives a clear indication of the implication on the tree population which in summary is the loss of 4 trees under TPO on arboricultural grounds and the loss of 33 trees (some of which are in groups), three shrubs and a section of hedge to the proposal. The policy on tree replacements for the city is clear:
- Any TPO tree lost is to be replaced on a one-for-one basis
 - Any tree lost to development is to be replaced on a two-for-one basis.
- This means replacement planting in the region of 4 trees for the TPO requirement and 66 trees for the development.

- 5.29 The landscaping plan (reference LD-PLN 001) supplied, which is illustrative, shows far fewer trees than we would require to mitigate. The legend on the landscape plan indicates trees in hard landscaping to be 35-40cm girth. This is very large stock. I suggest this is reconsidered: current thinking indicates large tree transplants are harder to establish, especially in hard landscaping, than smaller stock. There are potential stability issues. Planning conditions are recommended. I would guide the tree selection towards a wide range of species with a view to future sustainability with a good percentage to be native or of high ecological benefit and to include evergreen or semi-evergreen species. If sufficient room is not available at the proposal location, alternative local sites under University ownership can be considered. In principle I have no objection to the proposal if suitable numbers and species are agreed.

- 5.30 **SCC Heritage** – No objection

The southern part of the site appears to have been destroyed by early 20th century brickworks. However, it is likely that archaeological remains may survive in the northern part of the site. The site will need to be archaeologically evaluated (the recent watching brief on the engineering bore holes and test pits do not constitute evaluation). Planning conditions are recommended.

- 5.31 **SCC Sustainability Team** – No objection

The applicants and development team met with the Sustainable Development officer prior to application and outlined the sustainability measures to be included in the development. There are a number of measures proposed which exceed policy requirements and these are very welcome. A detailed energy and sustainability statement is included with the application. The building will connect to the University's District Heating network which will reduce CO2 emissions by 15%. The development will meet BREEAM 'Excellent' and planning conditions are recommended

5.32 SCC Flood Risk Manager – No objection

The proposed development (building zone) introduces an increase in impermeable area and runoff into the sewer network from the site compared to existing. To compensate the peak runoff rate will be limited to the 1 in 1 year discharge rate for the existing site through the use of attenuation on site. The proposed SuDS scheme includes the use of permeable subbase in areas of paving and underground cellular crates. Attenuation through the use of permeable paving is to be provided for the public realm area to enable surface water to be discharged at no greater than existing peak runoff rates. The following details on the drainage scheme for the site will be required:

- Requirements for the long term operation of SuDS, construction & structural integrity of the proposed system and its maintenance.

If the case officer is minded to approve the application it is recommended that the above information should be secured through a planning condition.

5.33 SCC Environmental Health (Pollution & Safety) – No objection

The applicant appears to have considered and made arrangements for the control of noise and dust. Conditions recommended.

5.34 SCC Ecology – No objection

The application site consists of a building, hard-standing, amenity grassland, trees and shrubs. An ecology report accompanying the application confirms that these habitats are of negligible-to-low ecological. In addition, apart from nesting birds, there is no habitat suitable for protected species.

5.35 The nearest statutorily designated site, the Southampton Common Site of Special Scientific Interest (SSSI), is located approximately 525m from the western end of Salisbury Road and is too distant to be affected by the proposed development.

5.36 The nearest non-statutory site, the Southampton Common Site of Importance for Nature Conservation (SINC) is located adjacent to the development site. This SINC is designated for ancient semi-natural woodland, improved grasslands and its value to the local community. It is also known to support a range of protected species. The building scheduled for demolition is approximately 90m away from the SINC and demolition activity is unlikely to have any direct impacts. Indirect impacts are, however, possible and appropriate screening and controls on noise and light levels will be required.

5.37 The ecology report recommends the inclusion of native and/or ornamental species with recognised biodiversity value within the landscaping scheme, which I support. In particular, I would like to see any replacement amenity grassland include native wildflower species that are tolerant of mowing. The ecology report also makes reference to the inclusion of nest boxes within the development although none are shown. I am supportive of this suggestion and would like bat boxes to be included as well. To secure the suggested enhancements I would like a biodiversity

mitigation and enhancement plan to be secured by a planning condition. The proposed development is unlikely to have any adverse impacts on local biodiversity and I therefore have no objection. Planning conditions recommended.

5.38 **SCC Training & Employment** - An Employment and Skills Plan Obligation will be sought under S106 Planning Agreement.

5.39 **Southampton Airport** – Holding Objection

The plans indicate that the proposed development will be 77.5m AOD and this will lead to a large infringement of our obstacle limitation surfaces by approximately 25m. Obstacle limitation surfaces are in place to protect the safety of passengers and aircraft utilising Southampton Airport by controlling the height and location of tall structures. The information held within the application indicates that this will become the tallest structure in the area.

5.40 I am aware that there are other buildings in the area but I do not have access to any information on the height of these buildings. Before I can complete my assessment, I will need the developer to provide height information on the surrounding buildings and the location of the buildings so we can build up a picture of the surrounding structures. There may be other buildings or structures that mitigate this new development but this information needs to be provided before I can complete my assessment.

5.41 Where a Planning Authority proposes to grant permission against the advice of Southampton Airport, it shall notify the airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002. This is also in line with the Air Navigation Order which makes it an offence to negligently or recklessly endanger the safety of an aircraft or its passengers.

5.42 *Response:*

The applicants have provided the Airport with the requested information and a verbal update will be given at the meeting.

5.43 **Hampshire Constabulary** – No objection

The applicant has consulted with the Police and I am satisfied that their proposals regarding layout, lighting, vehicle and cycle parking and landscaping are generally acceptable. They are continuing to consult with us regarding physical security measures, CCTV and lighting to ensure the development provides a safer and more secure environment. Providing our recommendations are implemented as far as practicable then the Police would have no objection to this application.

5.44 **Southern Water** – No objection (detailed response dated 28/01/2016)

It appears that the developer is intending to build over a public foul sewer which is crossing the site. Building over a public sewer is not normally permitted. It also appears that the applicant is proposing to divert the public sewer and further investigations will, therefore, be required. No objection is, however, raised subject to planning conditions relating to sewer diversions, foul and surface water drainage.

6.0 **Planning Consideration Key Issues**

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

- i. The Principle of Development & Additional Accommodation

- ii. Design & Impact upon the Southampton Common
- iii. Highways & Sustainable Travel
- iv. S.106 Mitigation Measures

6.2 Principle of Development & Additional Accommodation

- 6.3 New development to provide for the expansion of the University of Southampton is promoted in accordance with LPR Policy L7 of the Local Plan. This policy approach has been taken forward by LDF Core Strategy Policy CS11 which also promotes the development of new high quality education and related facilities within defined University boundaries. In particular the policy safeguards the main University campus to allow expansion and intensification of the educational use. The provision of 6,628sq.m (6,206.5sq.m net) of new teaching and learning floorspace fulfils this requirement and accords with both policies.
- 6.4 In order to ensure sustainable growth results from such development LPR Policy H13 seeks to balance the growth of academic floorspace alongside an equal growth in purpose built student accommodation so as to reduce the pressure upon the City's housing stock for shared student housing (Housing in Multiple Occupation – HMO). Since Policy H13 was adopted the Council has also enacted a city-wide Article 4 Direction to control and manage the future growth of the HMO sector, which has, in part, led to a significant recent expansion of the purpose-built student housing sector across the City (by both the University with City Gateway, Mayflower Halls and the replacement of Chamberlain Halls – under construction – and through private sector providers..
- 6.5 Policy H13 explains that new development needs to be suitably located, and any application should be subject to an assessment of additional full time undergraduate and postgraduate students. The chosen location for this building is a good one in terms of accessibility and the linkages to other parts of the Highfield Campus. The planning application suggests that the proposed building could accommodate up to 1,500 students. It is not, however, as simple as concluding that without an additional 1,500 study bedspaces this planning application is contrary to the requirements of Policy H13. An assessment as to the type of academic accommodation proposed, the growth proposed across the wider campus and the quality of accommodation, both existing and proposed, on offer is also needed.
- 6.6 The University have stated that their primary concern in this matter *'is not growing student numbers but addressing quality issues which are causing, potentially, a competitive disadvantage for Southampton. The Boldrewood redevelopment has not added new space to the University but has simply replicated, though not fully, the space that had been previously lost in the demolition of Building 62 which was formerly on that site. In that demolition, the University lost just under a thousand lecture spaces in six different theatres and these have not, to date, been replaced. Indeed our library provision has 10.3 students per seat as opposed to a Russell Group average of 6.9 per seat, a clear indication that we need to improve our provision of independent study spaces'*.
- 6.7 Nevertheless student growth is anticipated regardless of this application and improvements to quality will inevitably improve the desirability of the University to prospective students. Whilst the University do not necessarily agree that Policy H13 is applicable to new academic accommodation – relying upon the support given by LPR Policy L7 and LDF Policy CS11 – they have, nevertheless, assessed

the current student housing market against their aspiration of securing 12,000 study bedrooms by 2019/20. A copy of the University's supplemental statement in relation to this issue is appended to this report at **Appendix 3**. Whilst there are some discrepancies regarding where in the build process the various schemes are this updated submission should be read alongside the concerns raised by the HRA in their objection at **Appendix 2**. Whilst student numbers are growing there is no agreement as to the likely student growth across the Campus, and the University themselves cannot be definitive about the likely take up of places over the coming years; offering a total of 24,600 by the end of the decade with or without the proposed building. The University also cite an increase of 36% in study bedspaces across the City between 2014 and July 2016 as evidence in support of their scheme when assessed against Policy H13. As such it can be seen that, whilst not an exact science, the purpose built student accommodation sector is growing whilst predicted student demand has been varied downwards.

- 6.8 It should, in addition, be remembered that the former Boldrewood building, at the junction of Burgess Road with the Avenue, accommodated 31,735sq.m of academic floorspace prior to its redevelopment. The outline masterplan for this site sought to replace this floorspace with 32,000sq.m of academic floorspace (LPA ref: 07/00985/OUT). No assessment under Policy H13 was undertaken due to the like-for-like replacement proposed. As the Boldrewood masterplan has evolved this academic floorspace has reduced from the original cap of 32,000sq.m. Firstly 10,270sq.m of this floorspace has been taken for the Lloyds Register office building (use class B1 – LPA ref: 08/01097/FUL). Secondly, the masterplan has recently changed and Blocks E and F are no longer required following a revision to Blocks D and G and their amalgamation (LPA ref: 15/01025/FUL).
- 6.9 Boldrewood has, subsequently, been redeveloped at a lower academic density than the previous development. A total of 15,610sq.m of University (use class D1) floorspace will be reprovided in addition to the Lloyd's Register office. This equates to a reduction of 16,125sq.m of academic floorspace at Boldrewood and, arguably, therefore across the University. Whilst the Institute for Life Sciences building at the Highfield campus reprovided 10,500sq.m of accommodation from Boldrewood (prior to its demolition) this still means that the wider phased project is 5,625sq.m short of the original 31,735sq.m offered at Boldrewood. Furthermore, the type of accommodation that has been reprovided at Boldrewood differs meaning that there is a greater need for lecture theatre space across the University. The current application seeks to address the shortfall and improve the quality of the University's offer. The net additional increase in floorspace created by this application (if the redevelopment of Boldrewood is taken into consideration) is 581.5sq.m and, when taken in combination with the University's move towards replacing the type of academic accommodation that was lost, and the need for improved quality in learning spaces, this level of additional accommodation is considered by officers to be acceptable in the context of the above discussion.
- 6.10 Whilst the principle of development is considered to be acceptable an understanding of how the additional floorspace, and replacement of parking, affects both the design, local highway network and access to the Southampton Common is required before the planning application can be fully supported:
- 6.11 Design & Impact upon the Southampton Common
- 6.12 LDF Core Strategy Policy CS13 seeks to secure high-quality, architecturally-led development, and with the recent developments across the University campus it is

considered that the applicants have the same aspiration.

- 6.13 The proposed building uses a modern architectural solution in keeping with the other approved buildings on the Campus. The building has been shaped to create and link the surrounded landscaped spaces and, in combination with the public realm improvements to Salisbury Road, will create an attractive place for users. The building utilises the change in levels and provides a focal point, in the form of a café with its associated active frontage, at the point where significant footfall across Salisbury Road is noted.
- 6.14 In design terms the building will be constructed using a metal plinth with a ceramic cladding system above. Rooftop plant will be screened from view by the cladding to the proposed parapet. These materials and chosen design has been chosen following a study of the existing campus, which presents a simple pale palette with a strong horizontal emphasis. Whilst the commentary of the Design Advisory Panel is relevant to the Panel's consideration of the application, and the suggestions made could be accommodated in a redesign, they do not conclude that the proposed building is harmful or that the proposed design warrants a planning refusal. Indeed, the Council's City Design Group Leader makes this very point and is supportive of the architectural finish employed.
- 6.15 Buildings with height, notably the Maths Tower and the Farraday Tower, already punctuate the campus' skyline meaning that the proposed 7 storey building will not sit alone or present itself as an incongruous addition. Given the central location along Salisbury Road the physical impact of the building upon the Common is also considered to be mitigated, firstly by the screening that the Common provides, but secondly because the University presents itself as a collective of academic buildings within which the proposed building is suitably located. The building sits some 80 metres from the end of Salisbury Road with its junction with the Lover's Walk entrance to the Common. This relationship is acceptable.
- 6.16 The proposed landscape design, both around the building and along Salisbury Road, is of a high quality and will link the development to the Mountbatten building's frontage thereby enhancing the setting of this part of the University Campus. Whilst the loss of 4 trees under TPO, on arboricultural grounds, and the loss of 33 trees (some of which are in groups) is regrettable this loss can be mitigated by the 2:1 replacement to be secured with the attached planning condition. The trees affected have been surveyed and are predominantly of limited value meaning that their loss to development is appropriate, in this instance, as part of the wider landscape scheme. The Tree Officer agrees. The application is considered to accord with the requirements of adopted Local Plan policies SDP1, SDP7, SDP9 and SDP12. The issue raised by HRA and SCAPPS about the physical changes to Salisbury Road are considered under the Highways section of this report (below).
- 6.17 The proposed building has been designed to link into the University's campus-wide district energy system and will achieve the required Building Research Establishment Environmental Assessment Methodology (BREEAM) rating of 'Excellent', incorporating water efficiency measures, recycling facilities, above standard insulation with low air permeability, mechanical ventilation heat recovery, maximising natural daylight and an overall reduction in CO2 emissions. The development, therefore, accords with LDF Policy CS20.
- 6.18 In design terms the current application is considered to accord with Local Plan design policies SDP1, SDP7, SDP9 and L7 as supported by Core Strategy Policy

CS13. The Council's City Design Group Leader agrees with this conclusion and has raised no objection to the application.

Highways & Sustainable Travel

6.19

The proposed development is not specifically supported by additional parking but does require an existing surface car park of 36 spaces to accommodate its footprint.

6.20

Students of the University are not entitled to park on the Campus. The University propose to replace these spaces across the Campus so as to ensure no net loss of on-site parking for staff and visitors. In total 5 spaces will be re-provided with a revised parking layout to the car park serving the Gower building. The disabled bays will be re-provided at the Upper Nuffield (East) car park with a loss of 8 regular spaces from this car park. The Broadlands car park will be redesigned and the existing containers removed to enable 37 new spaces to be provided. In total the scheme results in 1 additional regular parking space and 1 additional disabled parking space. A planning condition is recommended to secure the delivery of this replacement parking.

6.21

In terms of sustainable transport improvements the proposed building is only 40 metres from the Main Unilink bus interchange, and the development seeks to relocate 48 existing cycle spaces and provide a further 56 spaces. These changes are picked up through the University's Travel Plan, which can be updated through the attached planning condition to reflect the development changes now proposed. SCAPPS and the HRA have commented that the University should look beyond their boundary and improve access to the Campus from further afield. This may be a future aspiration of the University but is not a strict policy requirement for development contained with policies L7 or CS11. The Council's Highways team consider the proposed improvements to Salisbury Road as meeting the site specific highway requirements of the scheme without the need for further contributions. The improvements to Salisbury Road are considered to offset its downgrading as an adopted right of way. More importantly, perhaps, the work proposed to Salisbury Road are designed specifically to improve highway safety and offer pedestrians and cyclists greater priority, particularly at the point adjacent to the Zepler building where footfall crossing into and out of the main campus is highest. SCAPPS and the HRA are critical of the proposed physical works to Salisbury Road suggesting that the scheme does not go far enough. The point is well made but this, in itself, does not make the current proposals harmful. Improvements to Lover's Walk, including to its junction with Salisbury Road, are proposed under a separate application by the Council (LPA ref: 15/02327/R3CFL – subject to objection) and any works affecting the Common require additional consents to planning permission, which could delay the delivery of the University's project. They have proposed a scheme of works within their control (dependent upon the outcome of the stopping up process to which the Council's Highways Team raise no objection in principle), and that can be delivered and the Council now has a duty to determine whether or not those works are acceptable.

6.22

In short, the proposed enhancements to Salisbury Road will benefit the setting of both the proposed and existing buildings, they will enhance the appearance of the road and improve highway safety. There are no highway safety objections to the scheme(s), with or without the formal 'stopping up' proposed, and the application is considered to address the development plan policies pursuant to highway safety, accessibility and sustainable travel. A similar scheme of public realm enhancements were approved by the Council in 2007 (LPA ref: 07/00513/FUL) and circumstances, in respect of this part of the project, remain largely the same.

S.106 Mitigation Measures

6.23

6.24

The recommendation for planning approval is dependent upon the applicants entering into a s.106 legal agreement to secure appropriate mitigation to make the scheme acceptable. The proposed public realm improvements include provisions for improved pedestrian and cyclist safety and satisfy the site specific highway improvements for the scheme. The legal agreement will secure the final details of this proposal, following the outcome of the stopping up process, and will retain public access along Salisbury Road as a permissive route.

6.25

The application does not trigger the need for public art as the floorspace proposed is below the 10,000sq.m threshold set by the adopted Planning Obligations SPD (September 2013). The s.106 legal agreement will, however, secure the 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, a Training & Employment Management Plan committing to adopting local labour and employment initiatives, and the submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved (whilst recognising that the University already adopts its own targets and may be able to meet this requirement elsewhere on the campus instead of making a direct financial payment).

6.26

With the above mitigation package the development is considered to comply with the development plan, with specific reference to LDF Core Strategy policies CS18, CS20, CS24 and CS25.

7.0 Summary

7.1

The principle of redeveloping land to the south of Salisbury Road with additional teaching and academic floorspace accords with LPR Policy L7 and LDF Policy CS11. Whilst the additional floorspace is looking to replace space lost to the Boldrewood redevelopment, and offer improved lecture space it is not *per se* to enable substantial growth in student numbers. Growth at the University is, however, anticipated. That said, the applicants have looked at existing student housing provision in the City and note the recent expansion in purpose built student accommodation that is responding to the HMO A4D restrictions and the need to meet the existing and expected demand for student housing that will occur with or without the proposed building. The objection to the proposals by the HRA, SCAPPS and the Ward Cllr are noted, but do not warrant a planning refusal in this instance for the reasons set out in this report.

7.2

The chosen contemporary design solution is fitting for the site and responds well to the context set by existing buildings. The site can accommodate a tall building given the presence of others in the vicinity and the lack of any nearby residential neighbours. The landscaped setting to the site will not be compromised by these proposals and, despite the loss of trees proposed, will deliver improved public realm along Salisbury Road – either through a s.278 agreement to undertake an agreed scheme upon public highway, or following the stopping up of Salisbury Road to enable the University to undertake the works to a higher specification. Access to and from the Southampton Common at this location would remain. These works will improve highway safety for all users and have the support of the Council's Highways Team. The scheme(s) are considered to meet the requirements of the

development plan and are supported by officers.

8.0 Conclusion

- 8.1 The planning applications for new teaching and academic floorspace, with associated public realm improvements, is acceptable subject to the completion of a S.106 legal agreement and the planning conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1a-d, 2b, d, 3a, 4f, k, dd, vv, 6a-b & 7a

SH for 01.03.16 PROW Panel

PLANNING CONDITIONS to include:

a) 15/02460/FUL – Replacement Building 58a

1. APPROVAL CONDITION - Full Permission Timing Condition - physical works

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

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

2. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, and shall be used for academic purposes associated with the University of Southampton, unless otherwise agreed in writing with the Local Planning Authority.

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

3. APPROVAL CONDITION – Replacement Car Parking

Prior to the closure of the 36 car parking spaces known as the 'Upper Nuffield West Car Park' the applicant shall submit detailed layout plans showing how these spaces will be reprovided elsewhere within the Highfield Campus. The agreed details shall be implemented prior to the closure of the 36 car parking spaces known as the 'Upper Nuffield West Car Park' with the replacement spaces retained thereafter as agreed.

Reason: To ensure no net loss of car parking as a consequence of the development hereby approved.

4. APPROVAL CONDITION – Landscaping, lighting & means of enclosure detailed plan

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

- i. proposed finished ground levels or contours; means of enclosure; vehicle and 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 with any trees to be lost to be replaced on a favourable basis (a two-for one basis applied across the Campus) and clearly shown;
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme.

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.

5. APPROVAL CONDITION – Arboricultural Impact Assessment

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment – December 2015.

Reason: In the interests of protecting the trees on site and securing an acceptable development.

6. APPROVAL CONDITION – No storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality

7. APPROVAL CONDITION - Materials

Notwithstanding the information already approved the external materials to be used for the building hereby approved shall be agreed prior to their installation. The details to be submitted shall include a schedule of materials and finishes (including full details of the manufacturers, types and colours of the external materials), and samples where requested, to be used for external walls, fenestration (including window reveals) and the roof of the relevant building. The development shall be implemented as agreed.

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.

8. APPROVAL CONDITION – Canopy Design

Further details of the building's entrance canopy shall be submitted to and agreed in writing by the LPA prior to its installation. The development shall be implemented as agreed prior to the first use of the building hereby approved.

Reason: In the interests of good design and as suggested by the applicant's in the Turnberry Planning letter dated 5th February 2016.

9. APPROVAL CONDITION - BREEAM Standards (commercial development)

Before the development commences (excluding any demolition and initial site set up phase), 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).

10. APPROVAL CONDITION - BREEAM Standards (commercial development)

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).

11. APPROVAL CONDITION – External Equipment/Plant

Notwithstanding the submitted plans hereby approved that show indicative external plant equipment there shall be no external plant, condenser/air conditioning units or similar equipment erected on the approved building without the prior written approval of the Local Planning Authority. These details shall include design and acoustic information to enable an assessment of the impact of the equipment to be undertaken. Any agreed external equipment shall be implemented and retained only in accordance with the approved details.

Reason: In the interests of visual and neighbour amenity.

12. APPROVAL CONDITION - Ecological Mitigation Statement (Pre-Commencement)

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

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

13. APPROVAL CONDITION - Submission of a Bird Hazard Management Plan

Development shall not commence (excluding any demolition and initial site set up phase) until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of management of any flat/shallow pitched/green roofs on the buildings within the site which may be attractive to

nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow. The Bird Hazard Management Plan shall be implemented as approved upon the completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

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

For information:

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

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences from Natural England before the removal of nests and eggs.

14. APPROVAL CONDITION – Lighting

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of any external lighting scheme. The installation must be maintained in accordance with the agreed written scheme.

Reason: In the interests of protecting residents of Burgess Road and users and habitat of the Southampton Common from excessive lighting and in the interests of site security.

15. APPROVAL CONDITION – Travel Plan

Prior to the first occupation of the building hereby approved the applicant shall submit for approval in writing by the Local Planning Authority an addendum to the Campus-wide travel plan taking account of the building hereby approved. The amended travel plan shall set benchmarks and measures for the delivery of sustainable travel across the campus for both staff and students, with ongoing review mechanisms, and shall be implemented prior to the first occupation of the building hereby approved.

Reason: In the interests of promoting alternative travel modes to the private car.

16. APPROVAL CONDITION – Cycle Parking (Reprovision)

Linked to the requirements of the Travel Plan prior to the closure of the 'Upper Nuffield West Car Park' and the loss of the existing 48 cycle spaces the applicant shall submit detailed layout plans showing how these spaces will be reprovided elsewhere within the Highfield Campus. The agreed details shall be implemented prior to the loss of the existing cycle parking spaces with the replacement spaces retained thereafter as agreed.

Reason: To ensure no net loss of cycle parking as a consequence of the development hereby approved and to secure the provisions of the submitted Planning, Design and Access Statement.

17. APPROVAL CONDITION – Cycle Parking (Additional)

Linked to the requirements of the Travel Plan a further (minimum) 56 cycle parking spaces shall be provided on the Highfield Campus - in a location to be agreed with the LPA – prior to the first occupation of the building hereby approved. The approved cycle parking shall be retained as agreed

Reason: To encourage cycling as an alternative mode of travel to the private car and to secure the provisions of the submitted Planning, Design and Access Statement.

18. APPROVAL CONDITION – Lockers & Showers

Linked to the requirements of the Travel Plan further details of shower facilities and secure lockers for use by staff/student cyclists shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the building hereby approved. The agreed showers and lockers shall be available prior to the first occupation of the building and retained thereafter.

Reason: To encourage cycling as an alternative mode of travel to the private car.

19. APPROVAL CONDITION – Refuse Management Plan

Prior to the first occupation of the building hereby approved the applicant shall submit a 'Refuse and Servicing Management Plan' (RSMP) for approval by the LPA. The agreed RSMP shall include details of how the building, including the approved café, will be serviced with details of associated litter bins. The approved RSMP shall be in place prior to the first use of the building hereby approved and implemented as agreed thereafter, unless otherwise agreed in writing by the LPA.

Reason: In the interests of highways safety, good planning and to ensure appropriate provision is made for refuse and litter created by the development hereby approved.

20. APPROVAL CONDITION – Piling

Before the development commences (excluding any demolition and initial site set up phase) details of any piling requirements for the building hereby approved (including a piling/foundation design and method statement as appropriate) shall be submitted to and agreed in writing by the Local Planning Authority. The construction phase shall be implemented in accordance with the agreed details.

Reason: In the interests of protecting residents of Burgess Road and users and habitat of the Southampton Common from excessive noise and disturbance.

21. APPROVAL CONDITION - Construction Method Statement (CMS)

Prior to the commencement of development hereby approved (including any demolition or construction phase) further details (to those included to date in the Outline CMS – December 2015) shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Statement (DCMS) for the development. The DCMS 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, including Salisbury Road itself, and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the

course of construction; (f) details of construction vehicles wheel cleaning; (g) details of how noise emanating from the site during construction will be mitigated in accordance with S.60 of the Control of Pollution Act 1974; and (h) an agreed route for construction vehicles and deliveries to take. The approved DCMS 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.

22. APPROVAL CONDITION - Hours of Construction

In connection with the implementation of this permission any demolition and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Notwithstanding the above restrictions the date/time of delivery to site and erection of any tower cranes required to construct the development outside of these permitted hours shall be agreed in writing with the Local Planning Authority, in consultation with the Highways Department, prior to their delivery.

Reason: To protect local residents from unreasonable disturbances from works connected with implementing this permission.

23. APPROVAL CONDITION - Bonfires

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.

24. APPROVAL CONDITION - Sustainable Urban Drainage System

Notwithstanding the submitted details the development of the building hereby approved shall not begin (excluding any demolition and initial site set up phase) until foul and surface drainage details, including the detailed specification for the sustainable urban drainage system (SUDS), have been submitted to and approved in writing by the Local Planning Authority. The agreed drainage shall be installed and rendered fully operational prior to the first occupation of the building hereby approved. It shall thereafter be retained and maintained for the lifetime of the development.

Reason: To conserve valuable water resources and prevent against flood risk and to comply with policy SDP13 (vii) of the City of Southampton Local (2015) and Policy CS20 of the adopted LDF Core Strategy (2015) and to ensure protection of controlled waters.

25. APPROVAL CONDITION – Public Sewer Diversion

Details of any sewer diversions shall be submitted to and agreed in writing with the Local Planning Authority, in consultation with Southern Water prior to the commencement of development (excluding any demolition and initial site set up phase). The development shall be implemented in accordance with the agreed details.

Reason: In the interest of protecting sewer infrastructure from development as requested by Southern Water in their response (dated 28th January 2016) to the planning application.

26. APPROVAL CONDITION - Safety and security (Pre-Commencement Condition)

No development shall take place (excluding any demolition and initial site set up phase) until a scheme of safety and security measures including on-site management, security of the external areas, a lighting plan, a plan showing location and type of CCTV cameras and its coverage of the building's access points has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first occupation of the development to which the works relate and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and security.

27. APPROVAL CONDITION - Land Contamination investigation and remediation

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

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

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

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

28. APPROVAL CONDITION - Use of uncontaminated soils and fill (Performance)

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.

29. APPROVAL CONDITION - 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.

30. APPROVAL CONDITION - Archaeological evaluation investigation

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

31. APPROVAL CONDITION - Archaeological evaluation work programme

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.

32. APPROVAL CONDITION - Archaeological investigation (further works)

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.

33. APPROVAL CONDITION - Archaeological work programme (further works)

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.

Informative – Southampton Airport

Given the nature of the proposed development it is possible that a crane may be required during its construction. Southampton Airport draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes and for crane operators to consult the aerodrome before erecting a crane in close proximity of an aerodrome. This is explained further in Advice Note 4 – 'Cranes and Other Construction Issues'.

Informative – Southern Water

A formal application to requisition water infrastructure is required in order to service this development. The applicant/developer should also enter into a formal agreement with

Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW – T.0330 303 0119.

b) 15/02461/FUL – Salisbury Road

1. APPROVAL CONDITION - Full Permission Timing Condition - physical works

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

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

2. 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.

3. APPROVAL CONDITION – Landscaping, lighting & means of enclosure detailed plan

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

- i. proposed finished ground levels or contours; means of enclosure; 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 with any trees to be lost to be replaced on a favourable basis (a two-for one basis applied across the Campus) and clearly shown;
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme.

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.

4. APPROVAL CONDITION – Arboricultural Impact Assessment

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment – December 2015.

Reason: In the interests of protecting the trees on site and securing an acceptable development.

5. APPROVAL CONDITION – No storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality

6. APPROVAL CONDITION - Construction Method Statement (CMS)

Prior to the commencement of development hereby approved (including any demolition or construction phase) further details (to those included to date in the Outline CMS – December 2015) shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Statement (DCMS) for the development. The DCMS 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, including Salisbury Road itself, and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; (g) details of how noise emanating from the site during construction will be mitigated in accordance with S.60 of the Control of Pollution Act 1974; and (h) an agreed route for construction vehicles and deliveries to take. The approved DCMS 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.

7. APPROVAL CONDITION - Hours of Construction

In connection with the implementation of this permission any demolition and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect local residents from unreasonable disturbances from works connected with implementing this permission.

8. APPROVAL CONDITION - Sustainable Urban Drainage System

Notwithstanding the submitted details the development of the building hereby approved shall not begin (excluding any demolition and initial site set up phase) until foul and surface

drainage details, including the detailed specification for the sustainable urban drainage system (SUDS), have been submitted to and approved in writing by the Local Planning Authority. The agreed drainage shall be installed and rendered fully operational prior to the first occupation of the building hereby approved. It shall thereafter be retained and maintained for the lifetime of the development.

Reason: To conserve valuable water resources and prevent against flood risk and to comply with policy SDP13 (vii) of the City of Southampton Local (2015) and Policy CS20 of the adopted LDF Core Strategy (2015) and to ensure protection of controlled waters.

9. APPROVAL CONDITION - Use of uncontaminated soils and fill (Performance)

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.

10. APPROVAL CONDITION - 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.

11. APPROVAL CONDITION - Archaeological evaluation investigation

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

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

12. APPROVAL CONDITION - Archaeological evaluation work programme

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

Reason: To ensure that the archaeological investigation is completed.

13. APPROVAL CONDITION - Archaeological investigation (further works)

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.

14. APPROVAL CONDITION - Archaeological work programme (further works)

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.

15. APPROVAL CONDITION - Bonfires

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.

Application 15/02460/FUL & 15/02461/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS11	An Educated City
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
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
SDP7	Urban Design Context
SDP8	Urban Form & Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety
Zone	
SDP22	Contaminated Land
NE4	Protected Species
L7	The University of Southampton
H13	New Student Accommodation
HE5	Parks and Gardens of Special Historic Interest

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)

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15/02460/FUL - Building 58A and adjoining land Salisbury Road, University of Southampton SO17 1BJ¹

Development of a new teaching and learning centre comprising lecture theatres, seminar rooms, teaching and learning spaces and a cafe with supporting landscape, infrastructure and other ancillary works.

Representation of Highfield Residents' Association

The HRA recognises the benefits that the University brings to the City and locality and wishes to support its aim to become one of the world's leading academic institutions. However the HRA objects to the current application in its present form for the following reasons (as explained in the notes below):

- A. The proposal would inevitably substantially add to the University's capacity to further increase student numbers and there should therefore be a corresponding guaranteed increase in student accommodation in accordance with SCC LP Policy H13;
- B. There is no recognition of the historic and landscape importance of the nearby Common when such a development might be expected to provide some 'planning gain' environmental improvements, in particular to the western end of Salisbury Road and that entrance to The Common (in accordance with LP Policies SDP 8 and HE 5);
- C. There is inadequate analysis of and measures to encourage sustainable transport potential within the campus and links to pedestrian and cycle routes outside the campus (contrary to the requirements of LP policy SDP 4).

A. Impact on student accommodation demand

- 1. The proposal is for a (very substantial) 6,206.5 m² net increase in floorspace. The application is accompanied by copious reports on drainage, ecology, archaeology and transport. Nowhere in the Planning, Design and Access Statement is there any mention of how the proposal relates to the University's business strategy and increases in student numbers.
- 2. Relevant planning policies are rehearsed except for policy H13, which is not mentioned. H13 in effect requires developments that would increase student numbers to be accompanied by a corresponding increase in student accommodation (see appendix 1 below). It can only be assumed that the applicant considers the floorspace to be not contributing to an increase in student numbers on the basis that it would provide a qualitative improvement in facilities rather than a quantitative increase in capacity. If that is the case, nowhere is it explicitly stated.

¹ Planning : Chris Pattison, Turnberry Planning 0207 493 6693 planning@turnberryuk.com
Project Management: Peter Fisher, pdcm 0207 556 0980 peterf@pdcmltd.co.uk

3. Such a stance is wholly implausible and cannot reasonably be accepted by the planning authority for the following reasons:
- a. Within the stock of floorspace available to the university for all uses there are continual adjustments to the precise use of the various parts – between direct contact teaching/research, student work areas/libraries and supporting administration/ management – designed to optimise use of space within the context of the steady planned increase in student numbers. This can take place outside planning control.
 - b. New building/floorspace is inevitably added in stepped intervals and any one addition may or may not be for direct contact teaching, but nevertheless adds to the total floorspace stock that can be adjusted in the way it is used to improve both quality and quantity of teaching/research/administration capacity overall. In this case the spaces released from the teaching activities within individual departments by the new centralised facility will be put to other use which it is difficult to comprehend will not contribute overall to increasing the student capacity in time if not immediately.
 - c. There have been several large developments in recent years, including the Boldrewood campus and the Institute for Life Sciences, since the Local Plan was adopted in 2006 with policy H13. The draft of the policy would have been in place for 2-3 years before that as a material consideration. Yet the HRA is not aware of any instance of when a University development has been subjected to the requirements of policy H13 or of reasons as to why those developments should be exempted. That may well have been unlawful, given that statutory development plan policies must be adhered to unless material considerations indicate otherwise.
 - d. A development of a centralised teaching facility of this size will inevitably have a systemic effect on improving the quality and increasing the capacity of teaching in one of the country's major universities. If SU and SCC consider that this proposal does not fall within the remit of policy H13, then it would be instructive for them to describe exactly what past or future University development has or would do so, against a backdrop of a steady increase in student number in the past and planned for the future.
4. With government limits now removed it can only be assumed that the steady increase in student numbers over the last 15-20 years will continue. Indeed an increase of approximately 3% p.a. was mentioned by the project director at the public exhibition held in December 2015. Current (2013/14) numbers are approx 24,000² FTE UG & PG so 3% pa would result in 32,250 by 2023/4 - an increase of over 8,250. That past rate of growth would imply about 17,500 students in 2003/4, having increased by 6,500 up to 2013/14 – although taking information made available (see appendix 3

² Higher Education Statistics Agency

below) at the time of consideration of the recent private proposal on the old bus depot Portswood there appears to have been an increase of 3,000 (14%) in the one year 2012/13 – 2013/14.

5. There has been no information provided with the planning application on student numbers and none can be found online; and the 2020 Vision is also devoid of numbers, but talks much about 'growing' in various ways. There must also be a business plan that provides the financial strategy within which assumptions about student numbers and income are co-ordinated with expenditure on buildings and staff; this is not readily in the public domain but is understood to be disclosable under FOI requirements.
6. The University professes great concern that it should not have a detrimental effect on local communities. It cites a new accommodation strategy and recent student accommodation developments as evidence of how it is limiting and reversing the effects. However with all recent developments the accommodation has only increased from 5,000 to 6,500 student units in the last few years (see appendix 2 below). If the impact on family housing and the local community were to be held still (let alone improved) then the existing stock of student accommodation would need to be more than doubled - i.e. over 8,000 additional accommodation places - to keep pace with the anticipated increase in student numbers in the next 10 years 2013/14 – 2023/24. Despite much anecdotal reporting of student accommodation schemes, the HRA is unaware of any University or other plans to increase student accommodation on this scale.
7. The effect of a continuing planned increase in students without a corresponding planned increase in accommodation would be to 'dump' the problem on the surrounding community. It would further very substantially exacerbate the destructive effect on local communities that the growth in student numbers unrelated to any matching increase in accommodation has already caused in some localities due to the inability of families to compete financially with the much higher gearing on capital that HMO use of family dwellings generates.
8. Therefore, before permission for the proposal can be entertained, in order to be able to make a rational assessment against LP policy H13, the City Council should be requiring of the University:
 - a. a comprehensive audit of past, present and future student numbers and floorspace and of existing and planned student accommodation;
 - b. a co-ordinated (publicly available) plan for further increases in accommodation corresponding with and in advance of further increases in student numbers;and should in the meantime refuse this and other developments that contribute to increasing the University's student teaching capacity.

B. Environment – The Common

9. Most of the western edge of the Highfield Campus bounds The Common – one of the City's most prized historic and landscape assets. Past University developments, however, have tended to turn their back on The Common,

treating it as a piece of undeveloped 'gash' land rather than an important landscape feature to be respected. For example, it is difficult to think of other instances in Southampton or other cities where the flank of such a massive and overbearing structure at the northern end (Computer Sciences) is placed so close to the boundary of a park/public open space (arguably in contravention of LP policies SPD8/HE5 – appendix 4).

10. Whilst this proposal does not abut The Common, it does incorporate proposals for environmental improvement of parts of Salisbury Road. Given the University's close physical relationship to The Common and that the western end of Salisbury Road issues on to The Common which provides the pedestrian and cycle link to the Glen Eyre/Burgess Road crossing it would not be unreasonable to expect as a planning gain contribution some improvement to the entrance to The Common to give recognition to its importance and removal of the anachronistic remnants of the unused stub end of a road designed for vehicle priority.

C. Transport

11. Most of the accompanying Transport Statement relates to analysis of road junctions and parking. A gesture to sustainable transport is made in the form of the proposed 'enhancements' to Salisbury Road to provide flush contrasting surfaces to indicate a negotiation between pedestrians and cars rather than pedestrian priority. Whilst this is claimed to be within current standards, where used elsewhere in the City it is the writer's view that they lead to confusion and allow those drivers who feel there should be no impediment to the free flow of traffic to assert their priority over pedestrians – the reverse of the proclaimed policies of the SCC LP and of SU's Travel Plan (see appendices 5 and 6). Effective check on vehicle speed and assertion of pedestrian priority requires crossings at the same height as the pavements with a vehicle ramp to physically check vehicle speeds – as has been successfully long applied on University Road.
12. In relation to cycling, there is a token reference to the City Bike Guide Map 2012 illustration of existing routes over the entire city. There is no assessment of the existing and potential pedestrian and cycle flows/desire lines within the campus and how routes within and surrounding the campus should be improved to accommodate and encourage these sustainable forms of transport. Even without looking to encourage walking and cycling, the proposal must represent a significant disruptor of existing patterns, as students will be accessing a single hub for lectures, rather than facilities dispersed across the campus.
13. The University professes great concern to encourage sustainable transport including walking and cycling (see SU Travel Plan - appendix 5). It states that (within the campus) matters are kept continually under review to give priority to walkers and cyclists over vehicles wherever possible in order to convince people to change their mode of travel. Yet this is patently not the case



..... more a matter of talking the walk than walking the talk.

14. Passing up the opportunity of the currently proposed development to critically appraise walking and cycle routes within the campus and links to the surrounding network is bizarre; one would have thought it to be in SU's own interest. In any event it conflicts with SCC's policies that in effect require an appraisal and appropriate proposed measures to accompany an application (see appendix 6).
15. For example for student and staff cycle travel from the proposal southwards to and from the city and the Avenue Campus could be directed down the service road running parallel to The Common. That would potentially take some traffic off Lovers' Walk on the Common where there is pedestrian/cycle conflict and avoid the same conflict on the narrow shared routes with high pedestrian volumes within the Highfield campus.
16. The main pedestrian and cycle link to the Avenue Campus shown in the photograph continues into a set of dank, dark, dangerous steps, which are entirely unsuitable for cyclists, issuing on to The Common. SCC has applied for planning permission to widen the link from the top of the steps to Lovers' Walk; this is opposed by the HRA because of the environmental damage to the appearance of The Common. There is also potential for an alternative route suitable for cyclists as well as pedestrians on University land that would cause less harm to The Common.
17. There is no adequate consideration given to secure cycle parking which is an essential ingredient in persuading people into that form of transport rather than the car.

Simon Hill MRTPI
On behalf of the HRA

Appendix 1

Southampton L P Review adopted version 2nd revision (2015)

H 13 New Student Accommodations

Development by private sector providers and higher education institutions, which would result in an increase in student numbers, will only be permitted where suitably located and where residential accommodation is provided at a level to be agreed with the council. Permission will be subject to:

- (i) an assessment of the number of additional full time undergraduate and postgraduate students requiring full time accommodation, in order to ensure that a demonstrable need for such provision is satisfied;
- (ii) the phasing of any residential development to accord with that of any academic expansion;
- (iii) the accommodation being easily accessible by foot, cycle or by public transport from the relevant educational establishment;
- (iv) an agreement to control and manage the level of student car parking being made with the appropriate developer; and
- (v) the occupancy of the development being controlled through the imposition of planning conditions or an appropriate legal agreement.

Appendix 2

Response to questions for the University of Southampton with regard to [Southampton City Council] Scrutiny Panel A [2015] - A Call for Inquiry For Evidence in Respect of the Effectiveness of the Council's Article 4 Direction and Houses in Multiple Occupation – Supplementary Planning Document (HMO SPD)

1. The University of Southampton has concerns relating to housing pressures on the City of Southampton in general, in that houses in multiple occupation, owned by landlords concerned only with income, can lead to both poor quality standards for the occupants of those houses as well as the general and creeping degradation of the neighbourhood and community. This is both to the detriment of the citizens of Southampton, the general quality of the environment within Southampton and also (potentially) sub-standard conditions for the occupants of those houses. Furthermore, the degradation of residential environments potentially deters commercial investment from both within and without the city. An attractive, safe and affordable residential environment is a key element of the decision making process for investors bringing employment and economic activity to the city.

2. The University is currently in the process of completely revising its Accommodation Strategy for student residences and at present has two developments underway, Mayflower Halls of Residence and City Gateway, which collectively, will introduce 1,489 additional bedroom units to the City for the purposes of student occupation. A recent decision has also been made by University Council, to progress with the development of our Chamberlain Hall

site which ultimately will yield 379 bedrooms in the first phase and in the second phase, a further 41 units, ultimately producing a total of 420 units. This however, will not be deliverable before 2016. This will increase our capacity from approximately 5000 to 6500 units. In parallel, consideration will be given as part of the revision of our Accommodation Strategy during the calendar year 2014, to an additional expansion of student bedroom places, to further alleviate pressure on the City housing stock. This will be given consideration alongside a strategic review of future potential student numbers which in the current economic conditions and so soon after the introduction of increased fees, will be subject to some volatility. With regards to the impact that these proposed developments may have on reducing housing pressures in the City, the University of Southampton believes that there will be a beneficial impact in that there will be a wider choice for students and with an increased focus on development in the City Centre (Mayflower Halls), a substantial contribution to the re-invigoration of the central Southampton area.

3. It is difficult to assess the impact that the HMO SPD has had on Southampton at a relatively early stage in its implementation. Whilst the University both recognises and welcomes a degree of greater control, it is also at pains to point out that HMO's are not solely occupied by students but by a wide range of citizens ranging from recent arrivals in the UK as well as young professionals and all social groupings in-between. The University has a concern that students, who may well be the future contributors to Southampton's economy, are not "victimised" in any kind of unintended way by unnecessary focus on them as a single use class.

4. The HMO Licencing Scheme, if applied appropriately, should both enhance control and quality of the HMO stock and potentially have the benefit of restricting the impact on certain specific neighbourhoods. That said, there must always be extreme caution applied, to ensure that unintended consequences are not created which might for example, result in further degradation of areas cause by properties falling into non-use or disrepair. It must always be remembered that the University of Southampton brings significant economic benefits to the city and the immediate region and this hopefully will, prevent any consideration of singling out students and stigmatisation.

5. The University is supportive of any attempt to improve the quality of housing for citizens of Southampton, whether they be families with a long history of occupation in this area, or relative newcomers including students. The University is keen that there may be no formation of "student ghettos" or any kind of single population type, such that, the general environment of the City of Southampton is negatively affected. The University is keen that Southampton as a city, becomes a city of high quality housing for all, with a focus on all citizens, including students (who may be future contributors to the Southampton economy) being encouraged to assist in the creation of a diverse and environmentally enhanced city.

Kevin Monaghan
Director of Estates
University of Southampton
www.southampton.ac.uk/estates

Appendix 3

Note of conversation with Orchard Homes 09.07.15

Student/accommodation numbers

Total number of students 2012/13 in Southampton:

Southampton University	21,000 ³
Solent University	10,000

Total	31,000
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bespoke bed spaces 2015⁴

Southampton University ⁵	6,500
Solent/private	5,000

Total	11,000
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Est. no. living at home ⁶ /in own home	6,000
Est. no. in HMOs ⁷	14,000

Growth in student nos. 2002-2014 est.	6,500
est. bed spaces built in then/in pipeline now	5,500

Southampton population (mid 2014 est.) ⁸	245,300
Proportion of which are students	13%

Less than 10% of existing accomm is self contained
– may increase with demand from postgrad/mature
/wealthy foreign students

Ave. prop. of students in family homes (HMOs)⁹ UK = 35%
Soton = 50%

Est. prop. of dwgs in P'wood (ward?) in HMO use = 25%

³ 6,000 (25%) postgrad; 30% international (UK ave. 23%)

⁴ including commitments at 2015 (e.g. B&Q)

⁵ Including Mayflower 1,104; City Gateway, 325; British Gas nominated 325 (out of 430); aiming for 20,000 bed spaces by 2020 – own and private

⁶ Mainly Solent University students

⁷ At, say, 5 per house ave, = 2,800 HMOs?

⁸ Source: SCC website

⁹ Unipol (?) survey

Appendix 4

Southampton LP Review adopted version 2nd revision (2015)

SDP 8 Urban Form and Public Space

Planning permission will only be granted where the layout and form of buildings and spaces are integrated into the existing urban structure and relate positively to the public realm. Proposals should:

- (i) position doors and windows to create active street frontages;
- (ii) provide defensible space and a clear distinction between public and private space;
- (iii) provide townscape opportunities including the creation of public spaces which are well defined, usable and connected;
- (iv) retain and/ or enhance existing public art and through 'Percent for Art' take the opportunity to incorporate new public art where appropriate.

HE 5 Parks and Gardens of Special Historic Interest

Development will not be permitted which would detract from the character or setting of parks and gardens of special historic interest, including those on the national and local register.

Appendix 5

Extract from SU Travel Plan December 2014:

"4.3.1.1 The University recognises that good walking and cycling routes are essential; they should be as direct as possible, well lit and well maintained. The existing network of roads and paths across our campuses are regularly reviewed from a walker/cyclist perspective to see if improvements such as shortcuts or opening up alternative entrances and exits can be made, and to identify any maintenance issues. Priority is given to the pedestrian and cyclist over the motorist wherever practicable. This helps to convince people to change their mode of travel and improves the feel and safety of our campuses.

4.3.1.2 To create a step-change in behaviour by persuading people to walk and cycle, a number of 'showcase' routes have been targeted. It is proposed that these routes be comprehensively improved to create attractive, coherent and safe walking and cycling corridors for staff, students and the general public.

4.3.1.3 Routes identified as suitable for upgrade to 'showcase' walking and cycling routes are: (inter alia) Avenue Campus to Highfield Campus".

Appendix 6

Southampton LP Review adopted version 2nd revision (2015)

SDP 4 Development Access

Development will only be permitted where access into the development is provided in priority order for:

- (i) pedestrians and disabled people;
- (ii) cyclists;
- (iii) public transport;
- (iv) private transport.

2.28 To encourage sustainable transport modes, priority for the needs of certain groups over others should be given in the access into the site.

2.29 Not only is it important that travel to the site is safe and convenient, it is also important to ensure that on arrival, easy and safe access into the site can be made. The detailed design of access arrangements should ensure that priority is given in the order specified but not to the detriment of highway safety.

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TurnberryPlanning

Stephen Harrison
Southampton City Council
Civic Centre
Southampton
SO14 7LY

10th February 2016

Our ref L Harrison 10.02.2016 US-GS
Your ref 15/02460/FUL
15/02461/FUL

Dear Stephen

University of Southampton: Application for a new teaching and learning centre (15/02460/FUL) and application for landscaping and traffic calming measures to Sallsbury Road (15/02461/FUL)

We have reviewed the consultation feedback, which has been received on the above application to date, and have the following comments, which I trust assist with the preparation of your Committee Report.

1. In response to the matter of student numbers and accommodation that has been raised, the attached statement responds to the requirements of Policy L7 of the Core Strategy. Policy H13 in the Local Plan Review has been referenced by objectors, but relates to new proposals for student accommodation and is therefore not relevant to this application.

It is relevant to note that our Student Residences Strategy approved by University Council in 2014 had the stated aim of: *To be able to offer 12,000 bed-spaces by 2019/20 using a mixed economy of University owned and third party provided student accommodation including at least one major growth site to develop a further large scale student residential community.*

The attached evidence confirms that the University owns or has nomination rights in respect of 6,838 bedspaces with a further 6,218 completed, under construction or going through the planning process. The University is aware of other schemes in the pre-planning pipeline and is continuing to stimulate the market for purpose-built student accommodation to ensure supply increase even further by the end of the decade.

2. As further evidence in support of our position we would add that our primary concern in this matter is not growing student numbers (our very recently refreshed strategy which has just been approved by University Council confirms this) but addressing quality issues which are causing, potentially, a competitive disadvantage for Southampton. The Boldrewood redevelopment has not added new space to the University but has simply replicated, though not fully, the space that had been previously lost in the demolition of Building 62 which was formerly on that site. In that demolition, the University lost just under a thousand lecture spaces in six different theatres and these have not, to date, been replaced. Indeed our library provision has 10.3 students per seat as opposed to a Russell Group average of 6.9 per seat, a clear indication that we need to improve our provision of independent study spaces.
3. In response to comments from BAA, you will be aware we have confirmed building heights on campus relative to the proposed new building. It is clear that this was a misunderstanding on BAA's part and trust that this issue can be covered off.
4. There has been a suggestion that this building will have influence or change existing travel patterns, particularly for cyclists and that those changes need to be understood. There is no evidence to support that assumption - the project does not expect to see greatly differing travel trends to those already established for campus users. It is unlikely that students from distant other locations, such as Winchester, will start using this building for small timetable slots. It is more anticipated that there will be changes locally of the current buildings being used. Changes to travel patterns will arise in response to broader, long term strategic reasons. That is why the University has a campus-wide Travel Plan, so these matters can be looked at holistically and reviewed on an on-going basis. Appropriate measures are of course identified and implemented as a consequence of that exercise. It is superfluous to add that this approach is superior to only examining the impacts of one building as and when they come forward. The University undertake regular staff and student surveys to inform and update the travel plan. A student survey will be undertaken in Spring 2019, which coincides with the new building being occupied. This in turn will update the Travel Plan and be presented to the city council.
5. The above point addresses many of the concerns raised by Highfield Residents Association, but we would like to clarify the University's approach to sustainable transport which has three levels: strategic, campus and tactical or site-based. At a strategic level the University's Travel Plan sets out the continuing investment that the University is making in public transport, cycle infrastructure and route improvements and this often supports Southampton

City Council to deliver schemes beyond University boundaries such as the proposed "Lovers Lane" improvements. At a campus level, the University makes regular interventions to support sustainable travel. This includes a new cycle connection between Broadlands and University Road to allow cyclists to by-pass the busy Burgess Road junction. At a site-specific level, the proposals include the upgrading of Salisbury Road to an important piece of public realm that links the campus to the Common. It also provides covered and secure cycle parking.

6. In all other aspects, you have indicated that the application has all the information you require at this stage to determine the application and that the proposals will have no impact on the integrity or environment of the Common or incur contributions or conditions for the same.

Section 106 Heads of Terms

I can confirm we have instructed Martin Howe of Keystone to produce a draft Section 106 that will be common to both applications. We currently consider the draft Heads of Terms relevant to both applications to be:

Requirement	Contribution type
Employment and Skills	This appears to be a standard requirement for the main contractor to fulfil.
Salisbury Road pedestrian and cyclist access	Unfettered access from Common along Salisbury Road for pedestrians and cyclists, as existing. NB: The university has no intention to restrict these movements.

Travel Plan, Highway condition and compensatory tree planting measures are addressed below in the conditions. Moreover, the University directly funds its own Carbon Management Plan and thus no financial contribution is to be made in respect to carbon off-setting.

Conditions

In consideration of conditions which should be included on any decision notice, we have reviewed standard general conditions and those recommended by statutory consultees and have compiled the following list. We request that they be phased as indicated to allow a managed and timely production of information:

Suggested Conditions	[X indicates which project the condition relates to]	
	Building	Salisbury Rd
Pre-Commencement (exc. Demolition)		
Implementation time limit - 3 years	X	X
Works to car parks on campus to align with the closure of Upper Nuffield West Car Park	X	
Archaeology - the recommended conditions are being discussed with the Council's Archaeologist (see note below)	X	X
Detailed Construction Method Statement/Construction Traffic routing	X	X
Highways conditions survey and restoration	X	
Prior to commencement of works above Ground Level	Building	Salisbury Rd
Security details - This building is not to be detailed to achieve any secure by design criteria, but will be subject to the University's own standards. The condition should not include any references to secure by design.	X	
Refuse and servicing management plan	X	
BREEAM Excellent compliance	X	
Prior to Installation of those elements	Building	Salisbury Rd
External lighting	X	X
Samples of materials	X	X
Long stay cycle parking facilities (although this is already confirmed)	X	X
Landscape plan	X	X
Canopy design (over main entrance)	X	
Bicycle storage facility design	X	
Prior to Occupation	Building	Salisbury Rd
Off-site Tree Planting – on the basis that the site is within a campus setting, we suggest this matter is addressed as a condition in terms of ensuring 2 for 1 replacement for trees. The total will include those that will be confirmed in the detailed landscaping scheme for the two planning applications.	X	X
Other	Building	Salisbury Rd

Travel Plan – Implementation and on-going review	X	
If not de-adopted, Salisbury Road works to be implemented within 6 weeks of occupation (via S278)	X	

Vanessa White and Darren Shorter have made the point that a flush kerb would be preferred. However as the road has not yet been de-adopted, there is no guarantee that an application for de-adoption would go through, and a safety audit needs to inform the direction of design. We therefore consider that a standard landscape condition would be most appropriate at this stage to address the surfacing solution.

Kevin White (Council Archaeology) has recommended four standard archaeological conditions on the presumption that archaeological remains may survive in the northern part of the site. However, the submitted archaeological desk based assessment found that no part of the site had a particularly high archaeological potential which was further supported by the site investigation. This confirms that there has been extensive recent made ground deposition across the site and there are signs that the natural ground surface that would have preceded this deposition has been truncated. This latter point appears evidenced by the variance in the depth of the made ground across the site. As such, I think the suggested conditions do not appear justified by either policy (they do not appear proportionate or appropriate to the significance of the archaeological assets which could potentially be present – NPPF 141 and SCC Policy CS 14) or findings on the site to date. We would consider that a condition for an archaeological watching brief would be more appropriate, which would also provide a mechanism for recording and investigating anything that may be present. Should this not be acceptable, we request further evidence to support the claims that remains may survive in the northern part of the site, and where.

I trust this letter is helpful to you and look forward to discussing its contents with you in due course.

Yours sincerely

Chris Pattison

Gower South Learning and Teaching Building – Policy L7 Statement

This statement addresses the issue of growth and the supply of student accommodation. The statement provides the planning policy context that has prompted this statement and makes a concluding point about the qualitative (not quantitative) objective associated with the application for the Gower South Learning and Teaching Building in terms of improving the range and quality of learning environments for students.

Planning Policy Context:

The planning policy framework within Southampton is supportive of the University in this respect and Policy CS11 – An Educated City within the Core Strategy promotes the development of new inspirational and high quality facilities through intensification. This intent is underlined by Policy L7 – The University of Southampton, which will grant planning permission for new academic and teaching facilities on the University's academic campuses.

Policy H13 in the Local Plan Review has been referenced by objectors, but relates to new proposals for student accommodation and has therefore not been considered here. That Policy sits within the Housing section of the Local Plan and clearly relates to proposals for student accommodation. It would duplicate other policies within the planning framework if it were to apply to non-residential University development and the references to private providers confirms its residential focus.

Although not expressed within the wording of policy L7, the supporting text for the Policy seeks an assessment of the estimated number of additional students who are likely to result from any new academic facilities and how this might relate to the requirement of additional residential accommodation within the City.

The following points are made by the University in respect of growth and residential accommodation and address the supporting text for L7, and by default, the request erroneously made under Policy H13.

University of Southampton
Gower South Learning and Teaching Building
10th February 2016

Growth

In July 2011 The University communicated a growth plan to Southampton City Council of a total student cohort from 20,000 in 2010 to 23,000 by 2015/16.

This sits within the broader context of the University's Vision 2020, which set out a growth plan for a total Southampton-based student cohort (excluding Winchester), potentially to a maximum of 30,400 by 2020. In reality, a number of factors, including broader changes in the Higher Education Sector and the University of Southampton's response to those changes, will mean that student numbers are unlikely to exceed 24,600 by the end of the decade.

Supply of Student Accommodation

Against this, the University of Southampton has substantially added to its own student hall capacity in the last three years, directly or in partnership with specialist developers, such that in July 2016 it will own or have access to 6,838 bedspaces within Southampton. This is an increase of 36% compared to 2014.

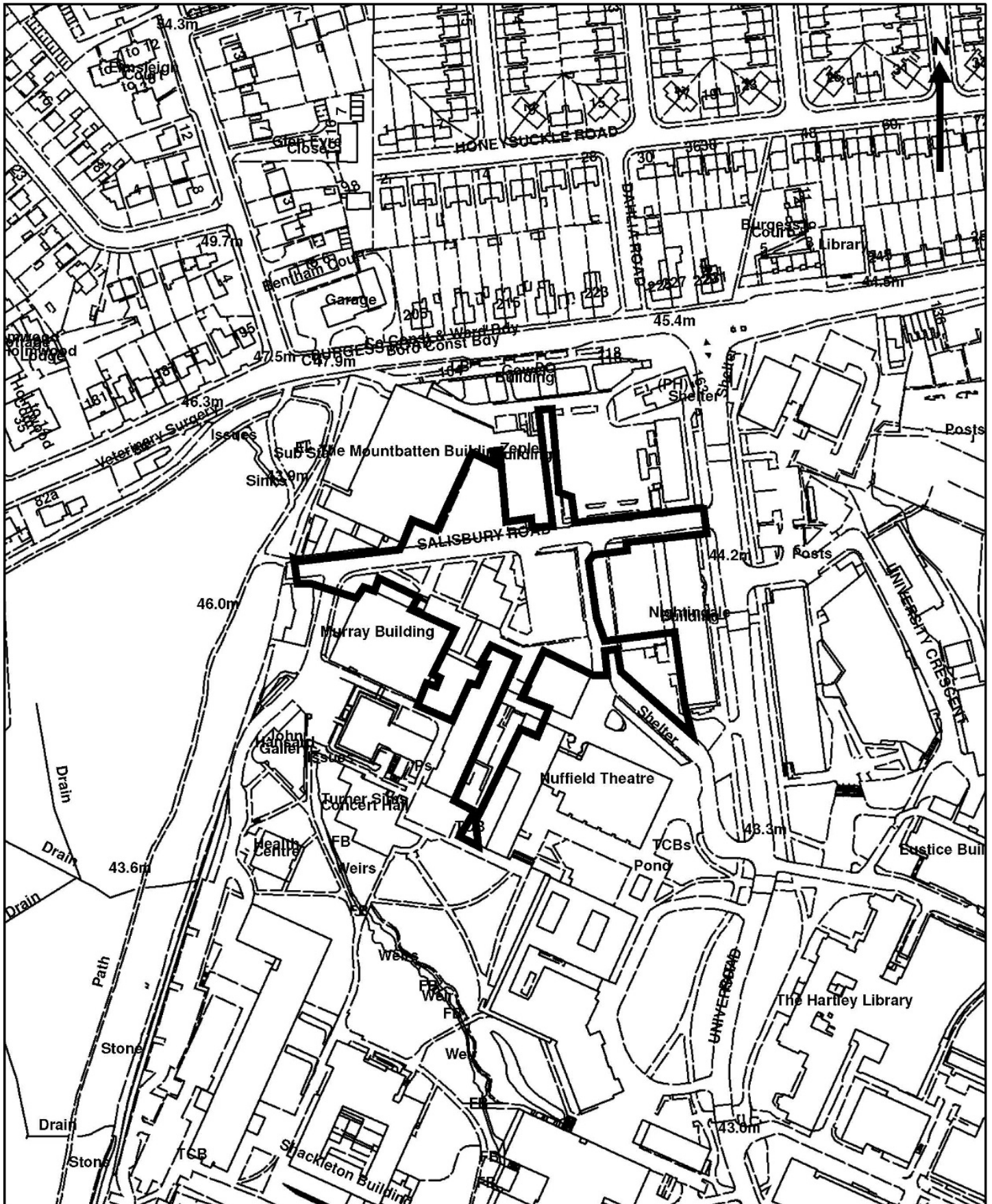
However, to complement this provision, the University has sought to stimulate private provision to the extent indicated in the attached spreadsheet which is current. This identifies an additional 6,218 bedspaces are in the pipeline (excluding Solent University schemes). The University is aware of other schemes at an earlier stage in the planning process.

Thus it can be seen that a) the projected student demand has been substantially varied downward and b) the supply side has been and will be boosted considerably and will continue to rise.

Summary

The intended South Gower scheme is very much about dealing with quality issues relating to pressure on our existing facilities, caused in part by growth but also substantially by a change in the methods of learning (a move towards independent study space) which can no longer be provided on Highfield unless new accommodation is provided. The University will therefore continue to grow in accordance with the revised projections outlined above, but the proposed building is essential as it will have a major impact on quality provision for teaching and learning for students. The University must respond to this need to maintain its competitiveness within the UK and international Higher Education sector, an objective that the City's planning policy framework supports.

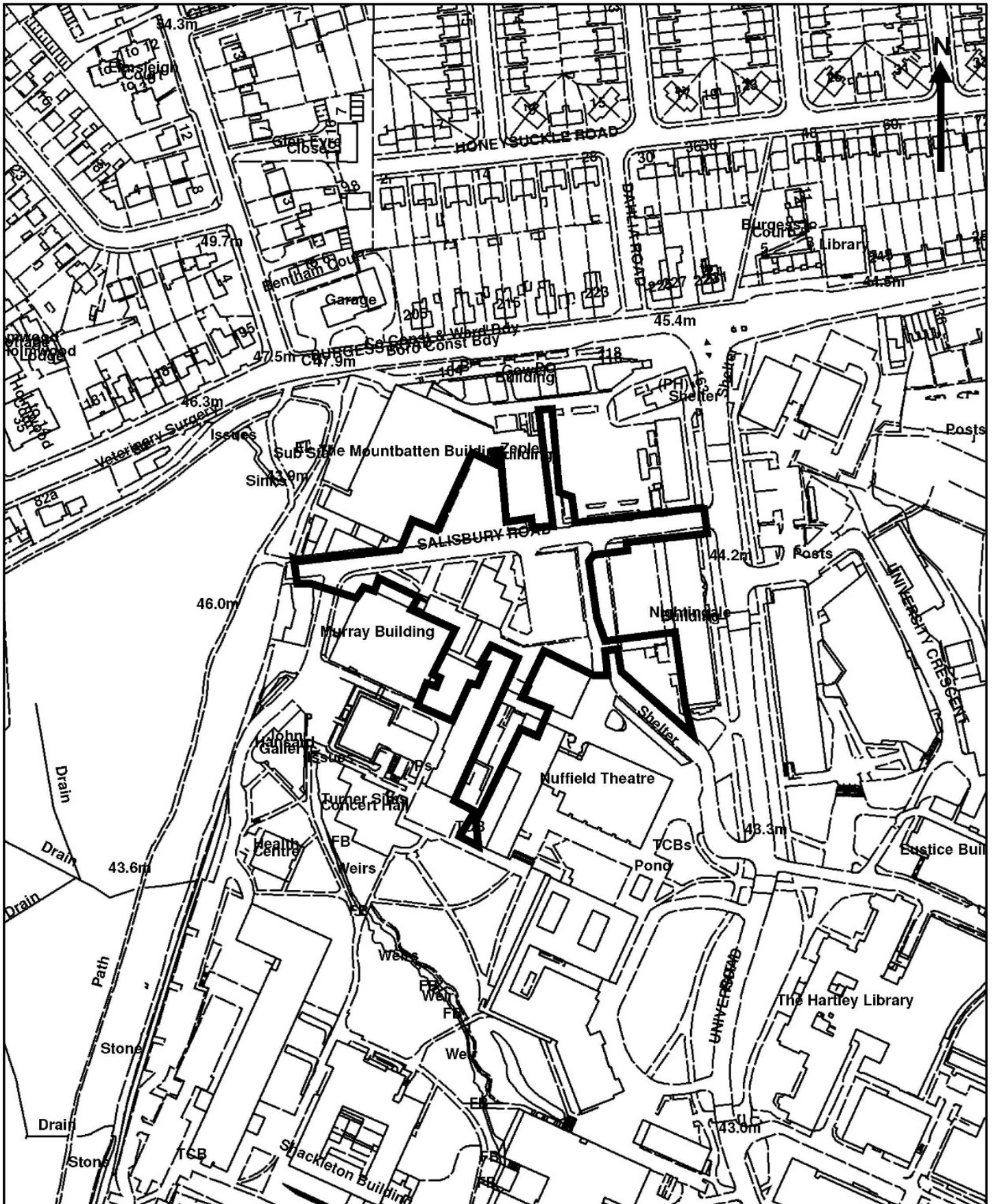
Address	Type	Planning Position	Build position	Owner/Applicant	Total bed spaces	Type	Notes
Former B&Q, 42 Mayfield Road	Purpose Built	Approved	Under construction	Peveril Securities & Birtel Fund Trustees Limited	528	Cluster flat/studio	On site early 2016, delivery by May/June 2017
Liberty Quays, Duke Street	Purpose Built	NA	Complete & occupied	Liberty Living	562	Cluster/studio	
The Bond, Cumberland Place	Purpose Built	Approved	Not started	Peveril Securities/Cumberland Commercial	507	Cluster/studio	Inc 166 studio. Hoping to deliver by May/June 2017
60-64 St Mary's Road	Purpose Built	Approved	Under construction	The Student Housing Company	467	Cluster/studio	Originally had planning for 697 but reduced to 467
224 Portwood Road (bus depot)	Purpose Built	Approved	Under construction	Orchard Homes	443	Cluster/Studio/1 bed/2 bed	
Liberty Point, St Mary's Road	Conversion	NA	Complete & occupied	Liberty Living	431	Cluster/studio	
Orions Point, 78 St Mary's Road	Purpose Built & Conversion	Approved	Under construction	Liberty Living	423	Cluster/studio	Targeting Summer 2016
City Gateway Parkville Road	Purpose Built	NA	Complete & occupied	Cheshire West & Chester Borough Council	364	Cluster/Studio/1 bed/2 bed	356 rooms for 1 student, 4 rooms for 2 students
NCP Car Park, Back of the Walls	Purpose Built	Approved	Not started	The Student Housing Company	358	Cluster/Studio	Was originally 403
Voodoo Lounge, Vincents Walk	Site	Pending decision	Not started	Victoria Hall	283	Cluster/Studio/2 Bed	Includes 97 studios and 16 x 2 bedrooms
Richmond House- Terminus Terrace	Conversion	NA	Completed & occupied	Via Student	207	Cluster/studio	
536-540 Portwood Road	Purpose Built	Pending decision	Not started	Urban Study	199	Studio	
Brunswick House- Brunswick Place	Conversion	Approved	Under construction	Colligate UK	156	Studio flats	
68-76 and 80-84 Portwood Road	Purpose Built	Pending decision	Not started	Mr Glen Dale	133	1/2/3 bed flats	75 flats (21 x 1, 50 x 2 and 4 x 3 bedroom)
Vermont Close	Site	Approved	Under construction	Mrs A Hauser	120	Cluster flats	
Land at corner of Bevois Valley Road and Earls Road	Site	Approved	Under construction	Mrs A Hauser	107	Cluster flats	
Park House, 102-108 Above Bar Street	Conversion	Approved	Complete & occupied	Unilife	103	Studio flats	
Marland House, Civic Centre	Conversion	Approved	Not started	Brick Projects (Reading) Ltd	100	Studio flats	
Wheathead House 24 Bernard Street	Conversion plus 2 x new floors	Approved	Not started	Eastbury Developments	79	Studio	
13-14 High Street	Conversion	NA	Complete & occupied	Unilife	66	Cluster/Studio flats	
Bassett House, Chelwynd Road	Site	Approved	Not started	University of Southampton	64	Cluster flats	
Carlton House, Carlton Place	Conversion	NA	Completed & occupied	Valfox Ltd	64	Cluster flats	Urban Life (operator)
Queens Gate, 15-19 Queens Terrace	Conversion	Approved	Completed & occupied	Ardel Properties Ltd	64	Studio	
Portcullis House, Platform Road	Conversion	Pending decision	Not started	Cherryman Estates	51	Unknown	
468-480 Portwood Road	Purpose built	Approved	Under Construction	Brick Projects (Chertsey) Ltd	50	Studio	Urban Life (operator)
Fairchild House, 21 Southampton Street	Conversion	Pending decision	Not started	MyUniPad	45	Studio flats	4 additional studios subject to application (included in the 45)
104-106 Bevois Valley Road	Purpose Built	See notes	Complete (& occupied?)	J Pitt & B Moon (receivers)	43	Studio flats	Retrospective application on behalf of receivers (reserved matters)
404-424 London Road	Purpose Built	Approved	Not started	Urban Creativity	32	Studio flats	
Migration House, 11-13 Southampton Street	Conversion	Pending decision	Not started	MyUniPad	30	Studio flats	
115-125 Wilton Avenue	Site	Approved	Not started	Mr K Reeves	30	Unknown	
42b London Road	Purpose Built	Pending decision	Not started	Urban Creation Investment	24	2 bed	
17-18 St Mary's Place	Site	Pending decision	Not started	Mr A Bajar	22	Studio flats	
24-28 John Street	Purpose Built	Pending decision	Not started	Mr A Bajar	19	Studio flats	
Mayfield House, 51 High Road, Swaythling	New Build	Approved	Under Construction	Lainston Colleys LLP / MyUniPad	17	Studio flats	
1-2 Portland Street	Conversion	Pending decision	Not started	Provinci Group	15	Studio	
100-102 High Road	Purpose Built	Approved	Not started	Mr S Pisswall	12	Studio flats	
UPDATED 8th February 2016				TOTAL	6218		



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Agenda Item 7

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (EAST) - 1st March 2016
Planning Application Report of the Planning and Development Manager

Application address: 10-11 Palmerston Road, SO14 1LL			
Proposed development: Alterations including rear extensions at first and second floor levels and reconstruction of the roof in connection with conversion of the existing public house into 13 flats (8 x studios and 5 x 1 bedroom) with associated works			
Application number	15/02208/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	15 minutes
Last date for determination:	12.02.2016	Ward	Bargate
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Bogle Cllr Noon Cllr Tucker

Applicant: Mr I Bajar	Agent: Concept Design & Planning, Mr Rob Wiles
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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. Overall the scheme is acceptable and the level of development sought will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. The development would secure additional flats and bring a vacant building back into use. The site is in a sustainable location close to public transport, central parks and city centre amenities and therefore reduced parking and private amenity space can be supported in this area. Furthermore the proposed residential use is likely to have less noise impact on neighbouring residents than the authorised public house (Use Class A4).

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP16, H2, H5 and H7 of the City of Southampton Local Plan Review (Amended 2015), Policies CS4, CS5, CS13, CS15, CS16, CS18, CS19, CS20, CS22, CS23 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and AP9, AP15, AP16 and AP18 of the City Centre Action Plan (Adopted 2015).

Appendix attached			
1	Development Plan Policies	2	13/00969/OUT decision notice
3	12/01887/FUL decision notice		

Recommendation in Full

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

i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013);

ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013);

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. 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);

v. No resident, with the exception of registered disabled drivers, shall be entitled to obtain parking permits in the Council's Controlled Parking Zones.

2. In the event that the legal agreement is not completed within 2 months 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; and

3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. 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 brought 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 comprises a vacant three-storey pub building (Use Class A4) which fronts Palmerston Road. The building has an asymmetric roof pitch with dormer windows to the rear. The site levels step down to the rear and the building incorporates a basement level with outlook onto an enclosed yard area to the rear. Gated rear pedestrian access is available into Cossack Green. Flatted development is located immediately to the south and east, known as Central Park and Green Park Court which ranges in scale from 3-5 storeys. The buildings to the north form a terrace of three-storey buildings with a courtyard to the rear. Palmerston Park is located adjacent to the west. Parking restrictions exist within

surrounding streets.

2 Proposal

- 2.1 The proposal seeks to convert the vacant pub building into 13 flats. The building will be extended by raising the roof so that there is more floor space within the second floor and so that the head room at first floor level is also increased. The foot print of the two upper floors will not exceed the floor area of the ground floor of the original building. Owing to the roof alteration the front elevation will also change slightly. Other external works proposed to facilitate the conversion include changes to windows and doors. From the front the building will largely retain the character of the existing public house. The rear courtyard area will provide an amenity area with cycle storage facilities. Rear pedestrian access is provided onto Cossack Green. No on-site car parking is available.
- 2.2 The basement level contains 2 x 1-bed flats with rear outlook provided to the habitable rooms (lounge and bedrooms). The main entrance into the building is from Palmerston Road. The ground floor contains an integral bin store with access onto Palmerston Road, 1 x 1-bed flat and 2 x studio flats. The first floor contains 1 x 1-bed flat and 3 x studio flats and the second floor also contains 1 x 1-bed flat and 3 x studio flats laid out the same as the first floor. Rear access is taken from ground floor level which steps down to the rear yard area.
- 2.3 The scheme differs from the previously approved application by extending the building at first and second floor level to add four additional flats. The four additional flats are formed by one additional studio flat at first floor level and instead of 1 x 2 bed flat at first floor level there would now be 1 x 1 bed flat and 3 x studio flats at second floor level.

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 14/00935/FUL - Alterations and conversion of existing Public House to create 9 flats (3 x studio, 5 x 1-bedroom, 1 x 2-bedroom) with associated works (Amended mix).
Supported by the Planning and Rights of Way Panel 22/07/2014, Approved

09/01/2015

- 4.2 13/00969/OUT - Re-development of the site. Erection of halls of residence building providing five-storeys of accommodation (arranged as 19 flats for student occupation) following demolition of existing building. Outline application seeking approval for Layout, Access and Scale.
Refused on 12.09.2013. See Appendix 2 for reasons for refusal.
- 4.3 12/01887/FUL - Demolition of existing building and re-development to provide 21 units of student accommodation in a 4-storey building plus basement.
Refused on 27.03.2013. See Appendix 3 for reasons for refusal.
- 4.4 11/00261/FUL - Redevelopment of site. Erection of 3-storey building (including basements) comprising 5 flats (1x 1-bed and 4x 2-bed) following demolition of existing building.
Conditionally Approved however the permission expired 14.04.2014.

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 (11/12/2015) and erecting a site notice (11/12/2015). At the time of writing the report 6 representations have been received from surrounding residents, it is also noted that one of the letters submitted comes in the form of a petition with 29 signatories. The following is a summary of the points raised:

5.1.1 Noise nuisance arising from 13 flats

Response - It is likely the flats will have less noise impact than the authorised pub use. Statutory noise nuisance from future tenants would be controlled by Environmental Health legislation. Flatted development would be in keeping with the surrounding character of the area. The proposal seeks C3 planning use and the application cannot be refused because of a perceived noise impact from any future residents.

5.1.2 Zero parking provision is insufficient in the City centre, impact of traffic and loss of parking

Response - This is a highly sustainable location where no car parking can be supported. Parking controls are in place within the City centre and residents of the development would not be entitled to apply for parking permits. Bin and bike storage would be contained within the site. The applicants have provided land registry details to indicate they have rear access rights for bins, cycles and pedestrians. The planning application form indicates this is a zero parking scheme. Residents would not be entitled to park on neighbouring private land without the landowners consent.

5.1.3 Overdevelopment

Response - There is no upward density level within the City centre and therefore the proposed density of 520 dwellings per hectare would be policy compliant. Furthermore the Council doesn't have any planning policies requiring minimum

room size standards. All habitable rooms are provided with outlook and natural daylighting. There is an identified need for 1 bed flats within the City centre.

5.1.4 Concern regarding overlooking and privacy enjoyed by neighbouring occupiers has been raised

Response - A reasonable back to back separation distance of up to 21m is provided between the original part of the building and Green Park Court. Due to the change in levels across the site, whereby the basement level flats have their floor level below that of the rear garden, significant harm will not be caused by the rear facing ground floor habitable room windows. The relationship of proposed habitable room windows to neighbouring habitable room windows is acceptable having regard to the tighter urban grain within the City centre. It should also be noted that this relationship has previously been approved.

5.1.5 Issues regarding right of access over third party land to gain rear access to Cosack Green.

Response - The applicant has submitted title deed information which claims a right of access for pedestrians, to include bin and bike access.

5.1.6 Concern regarding noise, dust and debris during construction work

Response - The impact of noise dust and debris is far less for a conversion compared to a redevelopment. An hours of work condition can be added to ensure construction noise is limited to Monday to Friday 8am-6pm and Saturday 9am-1pm. Furthermore, a construction environment management plan can also be added to control the location of parked construction vehicles and materials storage.

5.1.7 There is concern that residents will park within the private courtyard adjacent (rear of 12-13 Palmerston Road).

Response - The planning application form indicates this is a zero parking scheme. Residents would not be entitled to park on neighbouring private land without the landowners consent.

5.1.8 Concern regarding potential damage to neighbouring parked vehicles during construction works

Response - This is a civil matter and cannot be controlled by planning condition nor can planning permission be refused for this reason.

5.1.9 Concerns regarding the impact of large delivery vehicles on the neighbouring courtyard

Response - The applicant does not have a right of vehicle access into the neighbouring courtyard. The proposed development is unlikely to generate high levels of large construction vehicles furthermore this is a civil matter that could potentially be resolved at a later date if planning permission is granted.

5.1.10 **Concerns regarding bin storage**

Response - It would appear the rear bin storage area cannot be served by the Council refuse collection team because euro bins cannot be stored on the public footway and the applicant does not have the right to store bins on third party land. Therefore integral storage to the front has been incorporated.

5.1.11 **Concerns regarding party wall**

Response - Party wall matters are civil matters to which the applicant must attend to separately from the planning application.

Consultation Responses

5.2 **SCC Highways** - No objection subject to recommended conditions:

- Waste Management plan.
- Construction management plan.
- Wheel Cleaning.

5.3 **SCC Housing** – As the scheme comprises of 13 dwellings in total the affordable housing requirement from the proposed development is 20%. The affordable housing requirement is therefore 3 dwellings (2.6 rounded up).

5.4 **SCC Employment** - There is no requirement for an Employment and Skills Plan Obligation under Section 106 planning agreement.

5.5 **SCC Heritage and conservation** - No objection. A key element of the street scene is the façade, which is proposed for retention. The extent of any below-ground works associated with the development is unclear (below ground works include the construction of new service runs and connections). Apply recommended conditions:

- Archaeological watching brief investigation [Pre-Commencement Condition].
- Archaeological watching brief work programme [Performance Condition].

5.6 **SCC Flooding** - The proposals for the reduction in impermeable area on the site compared to existing, through the introduction of permeable paving and grassed areas, will provide betterment for surface water runoff through reduced peak flow and volume. Recommend that the proposals for a reduction in impermeable area are secured by condition, in addition to further design details for the surface water drainage system.

5.7 **SCC Ecology** - No objection, apply recommended condition:

- Protection of nesting birds

5.8 **Southern Water** – No objection subject to recommended condition.

6 Planning Consideration Key Issues

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

- Principle of development
- Impact on the character and appearance of the area

- Residential environment for future occupiers
- Transport and parking issues
- Impact on residential amenity

Principle of Development

- 6.2 The development and formation of 13 flats is acceptable in principle and residential use would be compatible with neighbouring uses. The site is not safeguarded for A4 use and the proposal would bring the building back into use. The pub is not considered a community facility, in line with paragraph 70 of the National Planning Policy Framework (March 2012), because it has been vacant since at least 2011 and there are many alternative drinking establishments within the City centre. The public house was also of fairly small scale and did not include a function room thus community use is unlikely to have occurred. It is also important to note that pubs are not safeguarded as community facilities within Policy CS3 of the Core Strategy.
- 6.3 The development has a density of 520 dwellings per hectare which accords with Policy CS5 of the Core Strategy. Densities in excess of 100dph can be considered in high accessibility areas, such as the City Centre. The extension is small in comparison to the overall size of the building and as such the density will not harm the character of the area. Policy CS16 seeks a target of 30% family housing on sites where 10 or more residential properties are proposed. The scheme does not include family housing. However, given the constraints of the site; namely the re-use of this commercial building, the location on a busy road and limited available garden space, it is considered that the site is not conducive to family housing. The precedent for providing residential accommodation in the city centre without including family housing has been established by other planning permissions granted by Southampton City Council. The provision of studio flats along with 1-bed units is suitable in this locality and there is need for such accommodation within the City centre. Accordingly considering the established character and density of the neighbourhood and specifically due to the site in question the decision to not include family housing is acceptable in terms of Policy CS16.
- 6.4 Planning permission has been granted in the past for residential development on the site. The most recent permission (14/00935/FUL) granted the conversion of the building to 9 flats. The proposal, including an extension, is not significantly dissimilar in terms of principle. Planning permission for redevelopment of the site with a 3-storey building comprising 5 flats was approved in 2011 which has now lapsed. Subsequent redevelopment schemes (References 13/00969/OUT and 12/01887/FUL) for larger 4-storey buildings with deeper footprints than the current proposal have been refused however the current proposal, and the approved schemes, are materially different to those previous refusals.

Impact on the character and appearance of the area

- 6.5 The proposed conversion and extension of the existing building and limited external works will not adversely impact on the appearance of the area. Bringing the building back into use will enhance the area and residential use would be compatible with neighbouring flats and offices.

Residential environment for future occupiers

- 6.6 All habitable rooms will receive sufficient outlook and day lighting. The Council does not have minimum room size standards in relation to self-contained flats. 115 square metres of communal amenity space is provided to the rear which is acceptable given the nature of the units, residential mix of studio flats (one bed flats) and proximity to City centre parks and amenities.

Transport and parking issues

- 6.7 The development represents a 'car free' scheme which can be supported in the City centre because the area is high accessibility. The site is located close to public transport and City centre amenities. 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. On-street parking controls are in place. Details of bike storage have been provided and will be controlled by condition. An integral bin store has been provided to the front of the building.

Impact on residential amenity

- 6.8 The residential amenities of neighbouring residents will not be adversely harmed. A reasonable back to back separation distance of up to 21m is provided with Green Park Court which is acceptable having regard to the tighter urban grain within the city centre and opportunity to bring this building back into use. It is likely the flats will have less noise impact than the authorised pub use. Statutory noise nuisance from future tenants would be controlled by Environmental Health legislation. It is also noted that this arrangement has previously been supported under 14/00935/FUL.

7 Summary

- 7.1 The existing A4 drinking establishment is not safeguarded and conversion of the building, its extension and bringing it back into use for residential purposes is policy compliant. Retention of this character building is welcomed and the proposed external alterations are in keeping with the character and appearance of the building and will not harm the visual amenities of the area. The principle of the conversion of the public house, which has been vacant since 2011 is not opposed.
- 7.2 The impact of the development, in terms of visual and neighbouring amenity, highway safety and parking is considered to be acceptable as is the quality of the proposed residential environment for future occupants.

8 Conclusion

- 8.1 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(e), 2 (f), 4(f), 4(g), 6(a), 6(b).

PLANNING CONDITIONS

1. 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).

2. Materials to match (Performance Condition)

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

3. 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.

4. Construction Management (Pre-Commencement Condition)

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, construction vehicles, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason: To avoid undue congestion on the site and consequent obstruction to access.

5. Glazing - soundproofing from external traffic noise [Pre-Occupation Condition]

The residential units hereby approved shall not be occupied until a scheme for protecting the proposed flats from traffic noise from Palmerston Road has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall specify either:- Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

There must be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from traffic noise.

6. Energy & Water (Pre-Commencement Condition)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

7. Energy & Water (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 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

8. Waste storage - Performance Condition

Bin storage shall be provided in accordance with the approved plans (Drawing no. C15/072.07, Rev A) prior to the occupation of the development hereby approved and shall be maintained in perpetuity for refuse storage purposes thereafter. At no times shall refuse bins be stored on the public highway and bins shall be provided within the bin store which enable the separation of waste into non-recyclables, recyclables and glass.

Reason: To encourage recycling, in the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

9. Cycle storage - Pre Occupation Condition.

The building shall not be occupied in full or in part until secure, covered space has been laid out within the site for 13 bicycles to be stored for the benefit of the occupants in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

Reason: To encourage cycling as a sustainable form of transport.

10. Foul and surface water sewerage disposal - Pre-commencement Condition.

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development must be carried out in accordance with the approved details.

Reason: To ensure correct disposal of foul and surface water is achieved from the site.

11. Wheel Cleaning Facilities (Pre-commencement)

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.

12. Archaeological watching brief 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.

13. Archaeological watching brief 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.

14. 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
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
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
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
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP16	Noise
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment

City Centre Action Plan - March 2015

AP 9	Housing supply
AP 15	Flood resilience
AP 16	Design
AP 18	Transport and movement

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)

13/00969/OUT Reasons for refusal.

1. REFUSAL REASON - Unacceptable residential environment / Overdevelopment

The proposal by reason of the layout, depth of the building and provision of single-aspect units would provide an unacceptable living environment for future occupiers. In particular, the introduction of obscure glazed oriel windows to prevent overlooking would provide unacceptable limited outlook to the sole window serving the rear-facing studio and 2-bed flats. The use of obscure glazing to design out overlooking, in the manner proposed, is considered symptomatic of a site overdevelopment and inappropriate given the type of accommodation proposed. Furthermore it has not been demonstrated satisfactorily that the front-facing single-aspect basement units would receive adequate outlook and daylighting to meet the needs of the residents. As such, the proposed intensification of development over that previously consented has been assessed as contrary to 'saved' Policy SDP1 (i) of the adopted Southampton Local Plan Review (2006) and Section 2 of the Council's approved Residential Design Guide SPD (2006).

2. REFUSAL REASON - Harm to neighbouring amenities

The proposal, by reason of its layout, depth of rear projection and associated separation distances, scale, bulk and massing would result in loss of outlook, sense of enclosure and loss of daylighting to the rear ground floor (north facing) flat within the neighbouring Green Park Court. The development would therefore be harmful to the residential amenities of neighbouring occupiers and contrary to saved' Policy SDP1 (i) of the adopted Southampton Local Plan Review (2006), Section 2 of the Council's approved Residential Design Guide SPD (2006) and section 2.2 of the BRE guidance for site layout planning for daylight and sunlight.

3. REFUSAL REASON - S106 obligations

The applicant has failed to enter into a legal agreement securing a highway condition survey, site travel plan (including a student drop-off/collection management plan and a commitment that residents will not seek to secure parking permits to the Council's Controlled Parking Zones) and contributions towards site specific transportation/highway works that will mitigate the direct impacts of the development. Furthermore, the scheme does not limit occupation to students in lieu of an affordable housing contribution. In the absence of such an agreement it cannot be demonstrated that the proposal will not have an adverse impact on infrastructure or achieve a high quality development and the scheme is, therefore, contrary to policy CS15 and CS25 of the adopted Southampton LDF Core Strategy (2010) as supported by the Council's approved S.106 Planning Obligations SPD (2013).

12/01887/FUL Reasons for refusal.

1. REFUSAL REASON - Design and bulk.

The proposal by reason of its height, scale, bulk and design detailing would create an awkward form of development appearing at odds with its neighbours which would be incongruous within the street scene to the detriment of the character and appearance of the area contrary to policy CS13 of the Southampton Core Strategy (2010), policies SDP1 (i), SDP7 (iii) and (iv) and SDP9 (i), (iv) and (v) of the Southampton Local Plan Review (2006) and Section 3 of the Residential Design Guide SPD (2006)

2. REFUSAL REASON - Residential environment.

The proposal by reason of its internal layout, failure to provide amenity space and service yard access arrangements would provide an unacceptable residential environment for its proposed occupiers contrary to policy SDP1 (i) of the Southampton Local Plan Review (2006) and Section 2 of the Residential Design Guide SPD (2006).

3. REFUSAL REASON - Impact on residential amenity.

The proposal by reason of its rear projection and elevational design would achieve inadequate separation distances between the development and Central Park which would result in mutual overlooking and a loss of privacy to the occupiers of the units and would also have an enclosing impact on the rear aspect of these neighbouring units. The proposal is therefore contrary to policy SDP1 (i) of the Southampton Local Plan Review (2006) and Section 2 of the Residential Design Guide SPD (2006).

4. REFUSAL REASON - Loss of the public house.

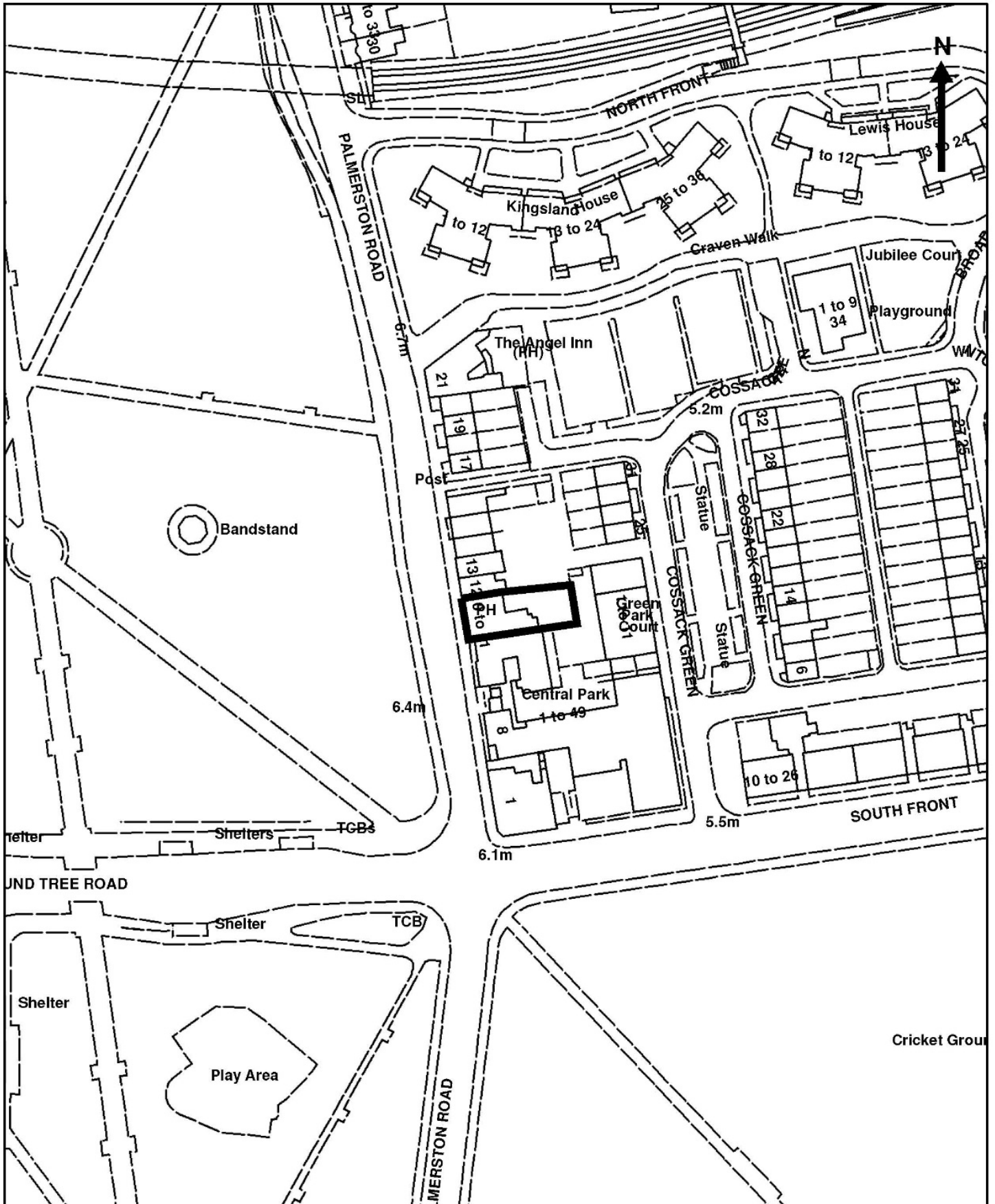
In the absence of a supporting statement it cannot be determined that the loss of the public house is acceptable in accordance with to Paragraphs 69 and 70 of the National Planning Policy Framework (2012).

5. REFUSAL REASON - Sustainability.

The proposal fails to adequately demonstrate how it will achieve BREEAM 'excellent' standard in accordance with policy CS20 of the Southampton Core Strategy (2010).

6. REFUSAL REASON - Legal Agreement.

The applicant has failed to enter into a legal agreement securing: a highway condition survey, contributions towards transportation/highways, open space and the public realm, student restrictions and a travel plan. In the absence of such an agreement it cannot be demonstrated that the proposal will not have an adverse impact on infrastructure or achieve a high quality development contrary to policy CS25 of the Southampton Core Strategy (2010).



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Agenda Item 8

**Planning, Transport & Sustainability Division
Planning and Rights of Way (EAST) Panel - 1 March 2016
Planning Application Report of the Planning and Development Manager**

Application address: 34 Albany Road			
Proposed development: Erection of a part two-storey and part single-storey building with accommodation in the roof to create 3 flats (1 x three bed and 2 x one bed) with associated cycle and refuse storage following demolition of existing building. (resubmission 15/01839/FUL)			
Application number	15/02363/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	16.02.2016	Ward	Freemantle
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr Parnell Cllr Shields Cllr Moulton
Referred by:	Cllr Moulton	Reason:	None given

Applicant: Mr G Rana	Agent: Mr Amrik Chahal
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Yes
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Reason for granting Planning 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 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). Policies - SDP1, SDP5, SDP7, SDP9, H1, H2, H6 and H7 of the City of Southampton Local Plan Review (Amended 2015); CS5, CS13, CS16, CS19, CS20, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Site history

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site is formed of a detached two-storey dwelling house located on the south-eastern side of Albany Road. It is the last house on that side of the road. To the west, the site is bounded by a car parking area which serves residents of 36-50 Albany Road (a purpose built residential block).
- 1.2 Albany Road is a cul-de-sac formed of detached and semi-detached housing. The properties vary in design but are predominately similar in proportion and scale. The surrounding area is residential in nature, with the Freemantle Arms pub situated further up the road.

2. Proposal

- 2.1 The current application proposes redevelopment of the existing plot to create a new residential dwelling comprising of 3 units (1x 3-bed and 2x one bed). The development is broadly similar to a number of previous applications submitted on the site (two refused and one approved) but increases the number of units in the property to 3.
- 2.2 The proposal consists of a single building which is internally subdivided into 3 separate units (with the 3 bed unit at ground floor level and the one bed units at first floor and in the roof space). The 1-bed units are accessed from the front while the ground floor 3-bed unit is accessed from the side of the building.
- 2.3 The amenity space for would be subdivided into 2 sections, one immediately to the rear, for the 3 bed unit to access directly, and an additional section to the rear accessed from the side of the property.

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 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 An initial application for redevelopment of the plot was submitted in 2011 under planning application reference 11/00896/FUL. This application proposed subdividing the new property to form 3 units (2x 2-bed and 1x 1-bed). This application was refused on four principle issues:
 - 1. Loss of a family dwelling (loss of a 3-bed unit with direct access to private amenity space within the site)
 - 2. Physical overdevelopment (design and character of proposal inappropriate

- and harmful to neighbouring amenity)
- 3. Poor living environment for occupiers of proposed unit (outlook and light)
- 4. Unsafe parking arrangement (proposed parking spaces overhung pavement) and inappropriate refuse arrangement

This decision was then appealed. The Planning Inspector supported the Council on these points and the appeal was dismissed.

- 4.2 Following on from this, a second application was submitted under planning application reference 12/00338/FUL. The application reduced the scale of the proposed dwelling and changed the internal layout to comprise 2 units (1x 3-bed and 1x 2-bed). This application addressed the previous reasons for refusal by inclusion of a family dwelling (as defined by CS16) together with other amendments to the internal layout to improve outlook, by reducing the scale of the proposed dwelling and removing all on-site car parking. This application was approved by the Planning Panel in 2012.
- 4.3 A more recent application was submitted in 2015 under planning application 15/01839/FUL. This application sought a number of alterations to the previously approved scheme. Primarily the main alterations were an increase in the roof form to create additional accommodation within the roof space to facilitate the use of the property at 3 units (1x 3-bed and 2x 1-bed). This application was refused on the grounds that the design of the resultant roof form would be out of character with the surrounding area.
- 4.4 Full details of the previous applications can be found in **Appendix 2**.

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 and erecting a site notice (12.01.2016). At the time of writing the report **21** representations have been received from surrounding residents. The following is a summary of the points raised:
- 5.2
 - Will exacerbate existing parking issues in surrounding area
 Response: It is important to note that the earlier planning permission for this site did not incorporate any off-street car parking and whilst the current application increases the number of flats by one, the number of bedrooms remains the same as the approved scheme. Overall, having regard to the planning history of the site and the accessibility to public transport and local facilities, the provision of no car parking is considered to be acceptable.
- 5.3
 - Development would result in the loss of a family home and be out of character with the surrounding area
 Response: The development retains a family dwelling as defined by Policy CS16 (a three bed dwelling with direct access to useable private amenity space for the sole use of the household).
- 5.4
 - 3 bed unit will not be occupied by a family but will be used as an shared occupancy dwelling
 Response: It is noted that planning permission would be needed to occupy the property as a Class C4 House in Multiple Occupation (3-6 unrelated individuals sharing). The current application has been submitted on the basis of a Class C3

use.

- 5.5 • Additional windows in the roof will overlook neighbouring property
Response: This issue is addressed in section 6 below.

- 5.6 • Additional residential intensity would be harmful to amenities of neighbouring occupiers in terms of additional noise
Response: It is noted that the number of bedrooms (5) remains the same as the previously approved scheme and, as such, it is not considered that the proposal would result in a significant increase in activity when compared with the approved scheme.

- 5.7 • Should not demolish existing building (replacement building excessive in scale and out of character)
Response: While the Local Planning Authority encourages the retention existing structures where possible, the application must be determined on its merits. The existing building is not listed building (nor is it locally listed) and its retention is not otherwise safeguarded. As such, the principle of redeveloping the site is acceptable. This is subject to the design of the replacement building being otherwise acceptable. A further assessment of the impacts of the proposed structure can be found in section 6 below.

- 5.8 • The height and width of the new dwelling would be out of character with the surrounding area
Response: It is noted that the proposed dwelling has a height of 8.4m and a width of 5.2m. The adjacent property at 32 Albany Road has a height of 8.35m and a width of 5.55m. Furthermore, the appearance of the properties within Albany Road is varied. As such, the scale and massing of the building would not appear significantly different within the street scene.

- 5.9 • There would be noise and disruption to neighbouring occupiers during demolition and construction works
Response: Conditions are recommended to mitigate the temporary disruption which would be caused by any building works.

- 5.10 • The existing road retains surface water
Response: A condition is suggested to secure details of foul and surface water disposal.

5.11 **Consultation Responses**

- 5.12 **Highways** - The proposal is similar to previous schemes and the potential difference in parking demand is difficult to differentiate (notwithstanding there will be an increase in demand from 1 to 3 units). The applicant may wish to conduct a parking survey to demonstrate there has been no change in circumstances over the last 4 years.

- 5.13 **Archaeology** – The site lies in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy. It is in Freemantle, on an area of higher ground surrounded by stream valleys to the south, east and west. No archaeological investigations have taken place in the immediate vicinity, although some burnt flints of possible prehistoric date were found during an investigation on Firgrove Road, about 175 metres to the east. Prehistoric evidence has also been found in the wider area. However on current evidence,

and given the small scale of the development, I do not require any archaeological conditions to be attached to the planning consent.

- 5.14 **Environmental Health** – No objection subject to suitable conditions controlling impact of demolition and construction works on adjoining properties.
- 5.15 **CIL** – The development is CIL liable as there is a net gain of residential units. The charge will be levied at £70 per sq m on the Gross Internal Area of the new units. If any existing floor space is to be used as deductible floor space the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.
- 5.16 **Sustainability** – No objection subject to the subject of suitable conditions in accordance with CS20 and recent government guidance.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. The principle of development;
 - ii. Design and impact on character and amenity;
 - iii. Parking and highways and;
 - iv. Impact on designated habitats.
- 6.2 Principle of Development
- 6.2.1 The previous application was refused on the grounds of the impacts of the proposed physical form of development on the overall character of the surrounding area. As such the main consideration of the current application will be if the proposal has addressed the previous reason for refusal.
- 6.2.2 The site is currently used for residential purposes. There is no principle objection to the continued use of the site for residential purposes, subject to the proposed new development being otherwise acceptable. The proposal meets the requirements of Core Strategy Policy CS4 and Local Plan Policy H2 which encourage the efficient use of previously developed sites to provide further residential development.
- 6.2.3 The property retains a 3-bed unit with direct access to private amenity space. In accordance with Policy CS16, the property therefore retains a defined family unit and, as such, is not considered contrary to policy in relation to the loss of a family home.
- 6.2.4 Given the proximity of the site to Shirley Road, the property lies within the area of defined high accessibility to public transport in accordance with the adopted Parking Standards Supplementary Planning Document. In terms of housing density and the provisions of policy CS5, the area lies within an area suitable for densities between 50-100 dwellings per hectare. The current proposal is 122 dwellings per hectare. Policy CS5 confirms that higher densities can be acceptable, subject to considering the merits of the proposal in the round.

6.3 Character and amenity

- 6.3.1 There are a number of differences between the proposed development and the previously considered schemes. Notwithstanding that all three proposals include a total of 5 bedrooms, the subdivision is different. The originally refused scheme consisted of 3 flats (2x2-bed, 1x1-bed) and the approved scheme had 2 flats (1x3-bed and 1x2-bed). The current scheme consists of 3 flats (1x3-bed and 2x1-bed).
- 6.3.2 In order to facilitate this layout the application proposes additional massing and a different roof form to allow additional accommodation in the roof. Given the position of the dwelling and relative layout of surrounding properties, the application site effectively forms a corner plot on Albany Road. Given the arrangement of surrounding land and the adjacent car parking area the property is visible on both its front and side elevations within the surrounding street scene.
- 6.3.3 The surrounding area has a mix of different roof forms and types, including a variety of different ridge and eaves heights. On this basis, no objection is raised to the overall increase in height proposed as part of the application. The previously refused scheme utilised large flat roofed sections. The roof form for the current application has been modified from the previously refused scheme to form a hipped roof, similar in overall form to the adjacent property. It is not considered that the current proposal represents significant harm to the overall character of the surrounding area and is felt to integrate into the existing style within the immediate street scene.
- 6.3.4 The property involves a number of changes in terms of physical form when compared to the existing property. No objection was raised to these elements under the previous application as it was not considered that there was a harmful impact on the amenities of neighbouring occupiers in terms of the creation of an overbearing or overshadowing form of development.
- 6.3.5 There is one window at first floor level looking towards the neighbouring property at 32 Albany Road and two windows in the roof. The first floor window serves a hallway and the roof windows serve staircases. A condition is recommended to ensure that these windows are obscured to further mitigate the potential for overlooking. There are a number of habitable room windows facing towards the property at 36-50 Albany Road, however it is noted that the set-back between the two properties is 19m (section 2.2.7 of the RDG requires a set-back of 12.5m between two-storey buildings and 15m for 3 storey buildings). As such, it is not considered that the proposal will result in significant harm in terms of overlooking.
- 6.3.6 The layout of the garden and relationship for residential outlook remains broadly similar as the previously approved scheme and most recent refused scheme. The site retains sufficient amenity space to comply with the requirements of section 2.3.12-13 of the RDG.

6.4 Parking and Highways

- 6.4.1 The Parking Standards SPD confirms that the maximum car parking provision for the proposed scheme is 4 spaces, with the application proposing no on-site parking. A lesser provision of parking can be considered acceptable, particularly in areas of high accessibility, such as the application site. It is further noted that the previously approved scheme was put forward as a car free scheme and in

terms of this issue, the policy context is substantially unchanged since the determination of that application.

- 6.4.2 While local residents have highlighted that the surrounding area already experiences significant parking constraints, given the fact that the overall residential intensity is similar to the previously approved scheme (with the same number of bedrooms), it is not felt that a reason for refusal on the grounds of a lack of on-site parking would be justified.

6.5 Impact on Designated Habitats

- 6.5.1 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 £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended). This contribution has been secured and so the proposal is considered to have addressed this requirement.

7. Summary

- 7.1 The application is similar in design to a number of schemes previously submitted on the site. The most recent application received was refused solely on the impact of the physical alterations and their impact on the character of the surrounding area. It is considered that the current proposal addresses this reason for refusal.

8. Conclusion

- 8.1 For the reasons discussed above the application is recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a)(b)(c)(d), 2(b)(d)(f), 4(f)(vv), 6(a)(b)

JF for 01/03/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

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. Details of building materials to be used

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.

03. Energy & Water

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

04. Energy & Water Implementation

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

05. Demolition - Dust Suppression

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.

06. Hours of work

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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

07. Obscure Glazing

The single first floor and two roof windows in the eastern elevation (as identified on Drawing No. 2015/01 Rev A serving a hallway and staircase) shall be obscure 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.

08. Boundary fence

Prior to the occupation of the development hereby approved, the rear garden boundary treatment shall be implemented in accordance with the submitted details (namely a 1.8m high close boarded fence as identified in Drawing No 2015/02 Rev A). The boundary treatment shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of approved dwellings.

09. Cycle and refuse storage

They cycle and refuse storage (as shown on Drawing No. 2015/02 Rev A) must be made available prior to the first occupation of the dwellings hereby approved and thereafter retained for that purpose at all times.

Reason:

To encourage cycling as an alternative form of transport and prevent storage of refuse bins on the highway in the interests of residential amenity.

10. 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.



Scale: 1:1,250

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Application 15/02363/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
H1	Housing Supply
H2	Previously Developed Land
H6	Housing Retention
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Application 15/02363/FUL

Relevant Planning History

15/01839/FUL, Erection of a part two-storey and part single-storey building with accommodation in the roof to create 3 flats (1 x three bed and 2 x one bed) with associated cycle and refuse storage following demolition of existing building.
Refused, 19.11.2015

Reason for refusal - Character and amenity of street scene

The proposed development, by means of its design and massing of the roof form, represents an unsympathetic form of development, harming the visual amenity of the existing street scene through the creation of an out of character and overbearing form of development which fails to respect the existing design and scale of properties within the surrounding street scene. The proposal thereby proves contrary to saved policies SDP1, SDP7(i)(iv) and SDP9(i) of the adopted City of Southampton Local Plan Review (March 2006) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010), with particular reference to sections 2.3.4-9 and 2.5.2 of the Residential Design Guide.

12/00338/FUL, Erection of a part 2-storey, part single storey building to create 2 dwellings (comprising 1x3-bed and 1x2-bed) with associated parking and cycle/refuse storage, following demolition of existing building (resubmission of 11/00896/FUL)
Conditionally Approved, 18.06.2012

11/00896/FUL, Erection of a part 2-storey, part single storey building to create 3 flats (comprising 2x2-bed and 1x1-bed) with associated parking and cycle/refuse storage, following demolition of existing building.
Refused, 01.09.2011
Appeal Dismissed, 03.02.2012

Reason for refusal – Loss of a family dwelling

The proposed development would result in the loss of a family sized dwelling. The retained residential accommodation provided does not meet the specification of a family home as set out in Policy CS16 of the Local Development Framework Core Strategy (January 2010) by failing to provide an appropriate number of bedrooms. As such, the proposal does not contribute an appropriate mix of housing type contrary to Policy CS16 of the adopted Local Development Framework Core Strategy (January 2010).

Reason for refusal – Loss of a family dwelling

The proposed development would result in the loss of a family sized dwelling. The retained residential accommodation provided does not meet the specification of a family home as set out in Policy CS16 of the Local Development Framework Core Strategy (January 2010) by failing to provide an appropriate number of bedrooms. As such, the proposal does not contribute an appropriate mix of housing type contrary to Policy CS16 of the adopted Local Development Framework Core Strategy (January 2010).

Refusal Reason - Poor residential environment

The Local Planning Authority is not satisfied that appropriate and satisfactory living conditions would be created for the proposed flats. This is by reason of ground floor habitable room windows being located in close proximity to the boundary fencing and car parking spaces which results in poor outlook, limited light and loss of amenity as vehicles manoeuvre onto and from the site (particularly from headlight glare in the evening). It is judged that such an arrangement is symptomatic of over development and results in an over intensive form of development with insufficient light and outlook to habitable rooms which leads to an unacceptably poor residential environment for future occupants of the site contrary to the principle of saved Policy SDP1 (i) of the City of Southampton Local Plan review (March 2006) and Policies CS13 and CS16 of the adopted Core Strategy as supported by paragraph 2.2.1 of the Residential Design Guide.

Refusal reason – Parking and Refuse Arrangements.

The proposed parking spaces do not comply with the standard dimension of 2.4m x 4.8m. This will result in vehicles overhanging the public highway to the detriment of users of that highway. Furthermore, the proposal fails to provide an appropriate refuse collection point which will encourage refuse bins to be stored on the public highway contrary to Policies SDP1 (i – with particular regards to paragraphs 5.2.3 and 9.3.1 of the Residential Design Guide [September 2006] and SDP5 of the Local Plan Review and Policy CS19 of the adopted Core Strategy.

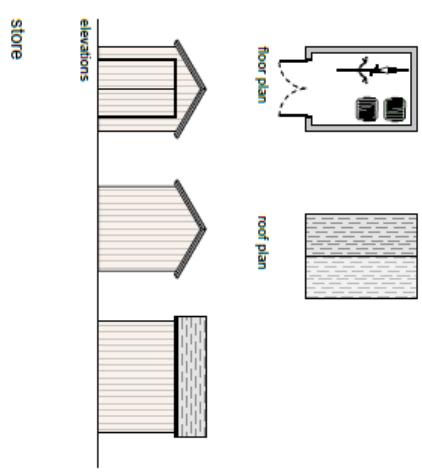
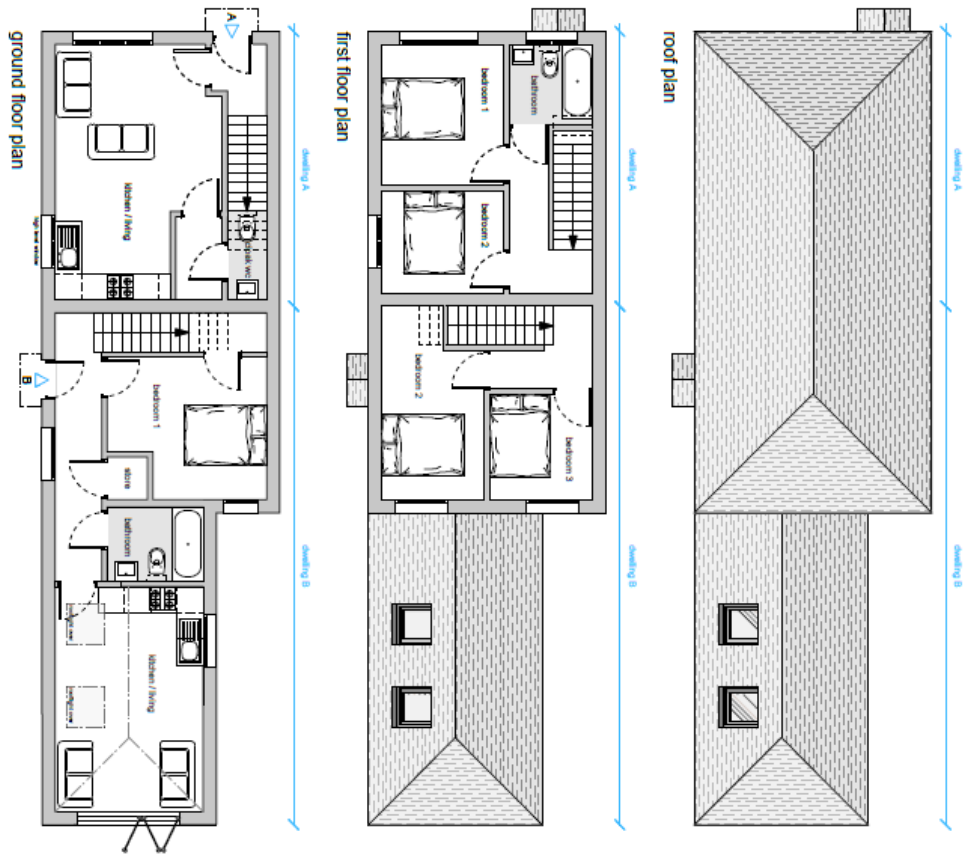
Rev	Issue	Date

Notes:

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accommodation schedule

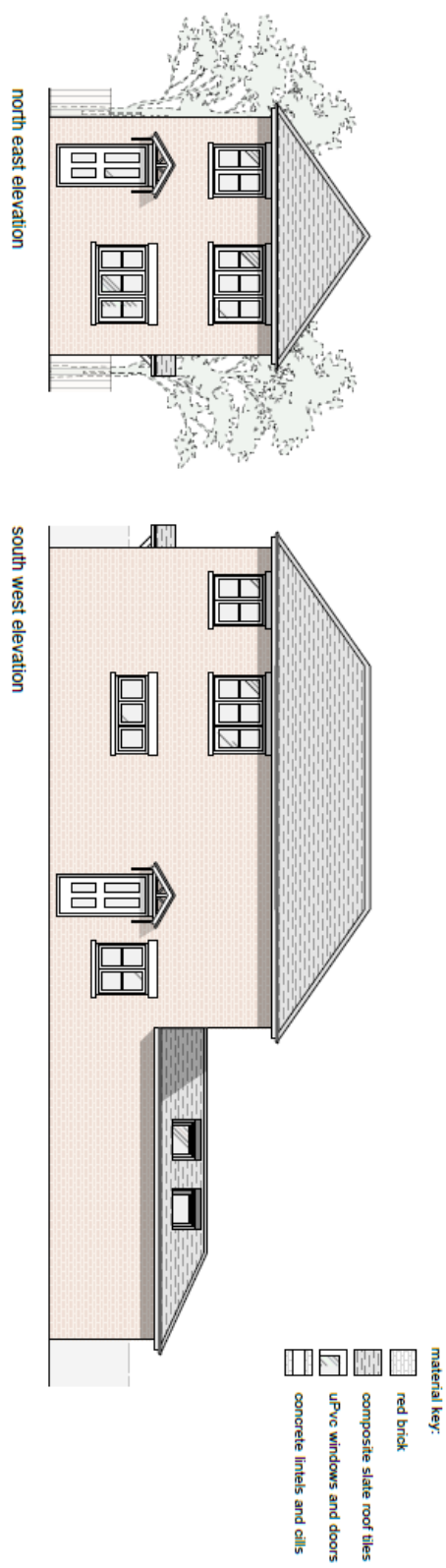
dwelling a 2 bedroom house @ 60 sqm

dwelling b 3 bedroom house @ 60 sqm

Project:	34 Albany Road	Drawn by:	RW
Drawing:	Proposed Plans	Checked by:	RW
Drawing No:	C12027.04	Revision:	*
Scale:	1:100 @ A3	Date:	Feb 2012

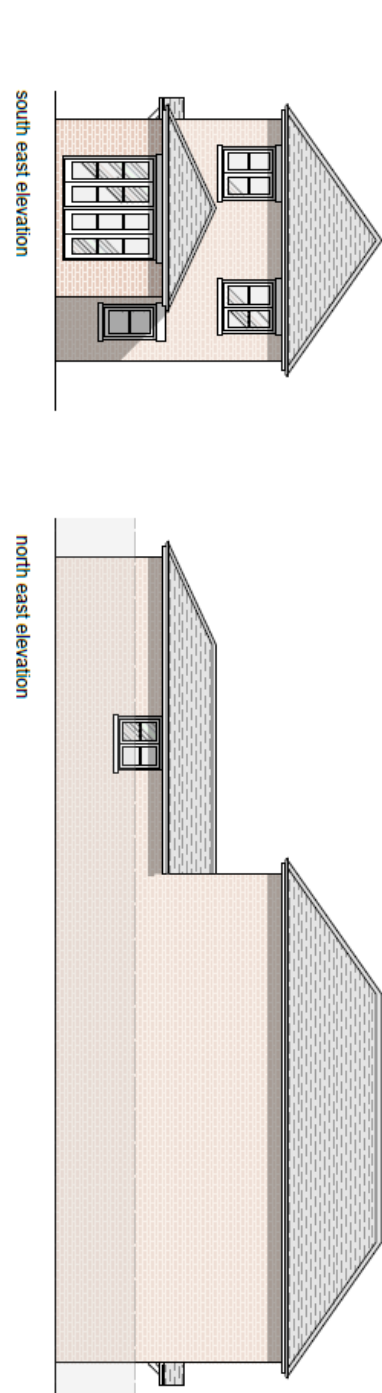
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www.conceptdp.co.uk



north east elevation

south west elevation



south east elevation

north east elevation

Rev	Note	Date

Notes:

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Project:	34 Albany Road	Drawn by:	RW
Drawing:	Proposed Elevations	Checked by:	RW
Drawing No:	C12/027.05	Revision:	*
Scale:	1:100 @ A3	Date:	Feb 2012

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11/00896/FUL (Refused)

Agenda Item 9

**Planning, Transport & Sustainability Division
Planning and Rights of Way (EAST) Panel - 1 March 2016
Planning Application Report of the Planning and Development Manager**

Application address: 70 Cobden Avenue			
Proposed development: Redevelopment of the site. Demolition of the existing building and erection of 7 x dwellings (3 x four-bedroom, 2 x three-bedroom houses, 2 x two-bed flats) with associated access, parking and landscaping (revised resubmission)			
Application number	16/00083/FUL	Application type	FUL
Case officer	Stuart Brooks	Public speaking time	5 minutes
Last date for determination:	15.03.2016	Ward	Bitterne Park
Reason for Panel Referral:	Request by Ward Member and more than five letters of objection have been received	Ward Councillors	Cllr White Cllr Fuller Cllr Inglis
Referred by:	Cllr Fuller	Reason:	Road Safety

Applicant: Southcott Homes (Fareham) Limited	Agent: Neame Sutton Ltd
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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 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 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). Policies - SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H2, H7, NE4 of the City of Southampton Local Plan Review (as amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22, CS25 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

Appendix attached			
1	Development Plan Policies	2	Application 15/01030/FUL Site Plan

Recommendation in Full

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

- i. Financial contributions towards site specific transport contributions for highway 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. Provision of affordable housing in accordance with Policies CS15, CS16 & 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);
- 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. The submission and operation of a Management Plan for the communal open space area, in the interests of local biodiversity and the character of the area;
- v. Secure contributions towards the Solent Mitigation Disturbance Project in line with Policy CS22 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

2. In the event that the legal agreement is not completed by 1st June 2016 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; and

3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. 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 site lies within the ward of Bitterne Park, fronting the south side of Cobden Avenue with the eastern part of the site adjacent to Midanbury Lane. The character of the local neighbourhood is a suburban leafy residential area with a mixed style of housing. The properties fronting Cobden Avenue are large residential properties in spacious plots, some with development in the rear garden. Historically in the local area, larger properties in large grounds have been divided up into smaller housing plots and also to create other streets, such as Tamarisk Gardens.
- 1.2 There is a large wooded area to the north on the opposite side of Cobden Avenue known as 'Deep Dene Recreation Ground'. There are significant changes to land levels within this area, where the land steeply rises to the north and east along Cobden Avenue and Midanbury Lane and also falling away to the south.

- 1.3 The site itself consists of a large two storey dwelling with a very large garden, sitting in a plot with an area of 0.4 ha. The large garden extends to the east behind the gardens of 72 to 76 Cobden Avenue and to the rear gardens of the properties in Tamarisk Gardens and Midanbury Lane to the south and east. The southern section of the site steeply slopes to the south and is densely covered by undergrowth and mature trees where this remote part of the garden has been left undisturbed to return back to nature. This area of the garden is known to have a high level of biodiversity, providing habitats for wildlife such as badgers.

2. Background and Proposal

- 2.1 This application follows the withdrawal of application 15/01030/FUL which sought to redevelop the site to provide 10 x three-bed dwellings (see the site plan attached to **Appendix 2**). The design of the proposal has since evolved in terms of reducing the number of dwellings and changing the layout of the development to respond to the physical constraints of the site, including the varying land levels, protected trees, and protected wildlife.
- 2.2 The proposal now seeks to replace the existing dwelling and redevelop the its garden with a total of seven two-storey properties (3 x four-bed, 2 x three-bed houses, 2 x two-bed flats). The main access way for the development will be formed from Cobden Avenue through the location of the original dwelling. This would allow a refuse collection vehicle to enter and turn on-site. The development will be served by 17 parking spaces.
- 2.3 The site provides two large detached four-bed dwellings (plots 1 and 2) on the frontage with Cobden Avenue served by an inset access. A total of four buildings will be built behind the Cobden Avenue frontage creating a small cul-de-sac with no access onto Midanbury Lane. On the western section of the site lies three detached properties, including one four-bed dwelling and two three-bed dwellings all served by garage parking (plots 3 to 5). A single detached building is sited on the eastern section of the site containing two two-bed flats served by four parking spaces (plots 6 and 7).
- 2.4 The undeveloped area to the southern and eastern section of the site will be retained as a natural, well-vegetated area to be maintained by a private management company. The steeply sloping land in the southern section of the site, consisting of the gardens of plots 4 and 5, will be raised up in height to provide shallower, sloping gardens and secured with a large retaining wall at the end. Extensive planting will be provided elsewhere in the site as part of a comprehensive landscaping scheme, including a landscape buffer between the boundary with 72 to 76 Cobden Avenue.
- 2.5 Since the submission of this application, the applicant will be applying the further minor improvements to the development as set out below:
- The access way has been closed off by a barrier (1m high brick wall) to the west of plot 1 across the frontage of 70 Cobden Avenue.
 - The width of the landscape buffer adjacent to the rear 72 Cobden Avenue has been widened whilst the access has been narrowed to 3.1m, although still allowing for a passing place at the entrance into the site. The planting types will be further agreed by condition to increase the level of screening between

the access way and the garden.

- The floor plans have been amended for plots 6-7 to correctly show no windows in the north elevation facing 72-76 Cobden Avenue.

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 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.3 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design.
- 3.4 Policy CS4 acknowledges that new homes will generally need to be built at higher densities. New dwellings coming forward on suitable windfall sites will contribute towards delivering the Council’s strategic target for housing supply. The opportunity to modernise an existing building whilst providing a mix of housing accommodation should be given due consideration when balancing all the other material considerations.
- 3.5 Policy CS5 acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.
- 3.6 Policy CS19 of the Core Strategy (Car and Cycle Parking) of the Core Strategy sets out the Council’s approach to car and cycle parking standards for new developments in the city, as supported by the guidance and standards set out in section 4.2 of the Parking Standards Supplementary Planning Document (formally adopted September 2012).

4. Relevant Planning History

- 4.1 This application follows the withdrawal of application 15/01030/FUL which sought to redevelop the site to provide 10 x three-bed dwellings (see the site plan attached to **Appendix 2**).

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, and erecting a site notice (26.01.2016). At the time of writing the report **8** representations (**6** objections including a referral by a local ward councillor) have been received from surrounding residents. The following is a summary of the points raised:

5.1.1 The access onto Cobden Avenue would adversely affect road safety given the number of dwellings and busy nature of the road

Response

The highway officer is satisfied that the access and parking arrangement would not adversely affect highway safety. This is subject to the minor adjustments advised by them to the layout of the main access and the circulation of the internal road layout.

5.1.2 Loss of privacy, light and outlook to neighbouring occupiers

Response

The privacy, light outlook of the neighbouring occupiers will be maintained given the separation distances achieved are in excess of the standards set out in the Residential Design Guide; the orientation of the proposed dwellings avoid direct overlooking and; the screening from the undergrowth and trees adjacent to the boundaries. The development, therefore, meets the Council's residential standards designed to protect neighbouring amenity.

5.1.3 Loss of open views across garden of the site

Response

The views are not protected and this issue does not constitute a material consideration. That said, the development retains the important amenity trees and a large natural open area, ensuring that the open and positive character of the site is not harmed.

5.1.4 Overdevelopment of the site and out of character with the surrounding area which consists of mainly larger detached homes. There is insufficient parking provision due to high level of car ownership leading to cars parking around the entrance

Response

A good balance has been struck between the level of development in response to respecting physical features, the character of the area and the relationship between the neighbouring properties. The developer has made a significant compromise in reducing the number dwellings from 10 to 7, where there will only 2 properties fronting Cobden Avenue and only 4 buildings behind the Cobden frontage itself. The layout of the development will create a spacious cul-de-sac form of development. Whilst the 4 of the properties will have less than 4 bedrooms, it is important to provide a strong mix of housing types to provide housing for all income groups in society other than those that can afford larger homes. The character in the surrounding area is mixed in terms of the size of the homes and, therefore, the smaller units would not be out of character. The

development will provide 17 parking spaces which meets the maximum parking standards for this location, providing an excess of 2 parking spaces per dwelling.

5.1.5 Loss of habitat for protected species and removal of trees and landscaping

Response

The Ecologist is satisfied that the layout of the development will preserve the habitats of protected species whilst the full ecological impacts can be mitigated using conditions. The natural area outside the main development area can be retained to serve as extensive habitat to the wildlife. There will be a number of trees removed however the Tree Officer is satisfied in principle that the most important trees in terms of visual amenity as well as the protected trees will be retained and protected.

Consultation Responses

5.2 SCC Highways - No objection subject to conditions.

Comments

The proposed development is acceptable in principle but there are some detailed design issues to be addressed.

The sightlines shown comply with standards set out in Manual for Streets standards. The access is off Cobden Avenue, which is a busy classified (A Class) highway, subject to high volume of traffic being a major link route to the city centre area. Therefore, the sightlines of 70 metres should be achieved.

The tracking for the refuse vehicles shows that with the proposed main access, the vehicle would have to cross both lanes of traffic in order to get in and out of the site. The access could be widened to allow for better manoeuvring space but this could encourage vehicles entering and exiting the site at quicker speeds. Also, it would compromise the flow and priority for pedestrians travelling along Cobden Avenue. The suggested solution would be to widen the access in terms of dropped kerbs but convert the proposed bell-mouth access to a vehicular crossover.

Also, the refuse vehicle tracking looks very tight to the parked cars within the site and also looks like it overruns the buildouts just before the shared surface/homezone area. Some additional buffer space should be provided for the refuse vehicle.

The parking spaces needs to be standard dimensions (2.4m x 5m) and some do not benefit from the required 6m aisle width or reversing space behind vehicles.

Officer Response

At the time of writing this report, the applicant is in the process of amending the plans address the highway officer's comments. The panel will be verbally updated at the meeting with regards to the changes.

5.3 **SCC Housing** – No objection

Comments

As the scheme comprises of 6 dwellings net (7 proposed and 1 existing) the affordable housing requirement from the proposed development is 20% (CS15-sites of 5-14 units = 20%). The affordable housing requirement is therefore 1 dwelling (1.2 rounded down).

5.4 **SCC Sustainability Team** – No objection subject to conditions for energy and water efficiency to ensure compliance with policy CS20.

5.5 **SCC Design** – No objection

5.6 **SCC Environmental Health (Pollution & Safety)** - No objection subject to conditions

5.7 **SCC Ecology** – No objection subject to conditions

Comments

The updated ecology report, January 2016, confirms the presence of active badger setts on the site and makes a number of recommendations in respect of mitigating impacts which I believe are appropriate.

The revised layout moves the buildings away from the vegetated bank on the southern edge and retains a significant area of amenity grassland which will help to reduce the impact on the badgers. I am therefore of the view that this, combined with the mitigation measures detailed in the updated ecology report will enable adverse impacts on the badgers to be avoided.

The ecology report also established that there are no bat roosts present within the existing buildings or trees on the site. It did, however, identify bat roosts in buildings close to the site. It is important therefore that the design of exterior lighting minimises light spill onto tree canopies.

I have concerns about the submitted landscaping proposals which appear to indicate that the shrub vegetation along the steep bank on the southern side of the site is to be removed and replaced with grass turf. This is not acceptable as it would remove all the cover from around the badger setts making them vulnerable to interference from people. The shrub and tree cover around the badger setts should therefore be retained and if necessary enhanced with native tree and shrub planting.

I am also concerned that the landscape plan fails to show the wildflower enhancements detailed in the ecology report. The landscape plan should therefore be revised to incorporate mitigation measures detailed in the ecology report.

Response: A condition is recommended to secure a revised landscape scheme to address the Planning Ecologist comments.

5.8 **SCC Trees** – No detailed comments were received at the time of writing the report, however, the tree officer is in agreement with the proposal. The panel will be verbally updated at the meeting, including any necessary conditions.

5.9 **Southern Water** – No objection

5.10 **SCC Flood Risk team** - No objection subject to conditions

Comments

The sustainable drainage proposals for the site include limiting the peak runoff rate to 5 l/s with on site attenuation provided through the use of underground cellular storage which are acceptable. A maintenance schedule has been provided for the different elements of the system but the arrangements for who will be responsible for the management of the system have yet to be fully finalised (it is indicated that it will be the responsibility of either the private homeowners or a management company).

If the case officer is minded to approve the application I would advise that a suitable condition is applied to ensure that there will be clear arrangements in place for the ongoing management and maintenance of the system over the lifetime of the development.

5.11 **SCC Archaeology** - No objection subject to conditions

Comments

The application site was formerly known as 'Stanhoe', a large Victorian house built between 1867 and 1896, and partially demolished between 1955 and 1972. The grounds were landscaped, and historic maps show that there was a tennis court, and water features within the grounds. These were presumably removed when the grounds were sub-divided to allow for the construction of Nos 72-76 Cobden Avenue.

There is limited archaeological information from the surrounding area. The Historic Environment Record contains a record of some flint tools being found in Deepdene (opposite the application site) in 1996, but the immediate area has undergone little in the way of archaeological survey, and there is the potential for archaeological material to be destroyed by the proposals.

If planning permission is granted it is recommended that the groundworks are subject to an archaeological watching brief, and that the conditions below are attached to any permission.

6. Planning Consideration Key Issues

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

- Principle of Development;
- Impact on Character and Amenity and;
- Impact on Highway Safety.

6.2 Principle of Development

6.2.1 Whilst residential gardens are not previously developed land in planning terms, the National Planning Policy Framework requires the Council to set its own policies to resist inappropriate development in rear gardens where harm is caused

to the character of the local area (para 53 refers). The Council does not have adopted policies which resist the use of gardens for new development and, therefore, the site should be assessed on the basis of the context and character of the local area and as such any inappropriate development proposals in rear gardens would be refused.

- 6.2.2 This proposal would contribute towards the delivery of housing and the provision of additional housing would meet an identified need and is, therefore, welcome. The development would achieve a residential density of 18 dwellings per hectare (dph), which is less than the range of 50 to 100 (dph) that the Policy CS5 suggests as being appropriate for medium accessibility locations such as this. Since there are no minimum density requirements, it is considered that the development strikes an appropriate balance between making good use of the site to provide further housing, whilst maintaining the lower-density character of the area and the amenities of the neighbouring occupiers. The principle of development is, therefore, acceptable.

6.3 Impact on Character and Amenity

- 6.3.1 The developable area of this site is highly constrained by extent of the sloping levels, the extensive spread of large trees and undergrowth, and the presence of badger sett. As a design solution, the developer has focused the layout of the built development along the Cobden Avenue frontage and centrally within the more open and flatter section of the site. A retaining wall is proposed to separate the gardens of plots 4 and 5 from the undergrowth and the steep slope adjacent to the southern and eastern boundary, whilst siting just one building within the eastern part of the site (plots 6-7), to leave sufficient space around the cluster of large trees to be retained and the known area of the badger habitat and foraging.
- 6.3.2 Historically in the local area, larger properties in large grounds have been divided up into smaller housing plots and also to create other streets including Tamarisk Gardens. For example, there was a backland development permitted within the rear garden at 58 Cobden Avenue (ref no. 14/01908/FUL). As such, the site is uniquely large in relation to the context.
- 6.3.3 Given the large size of the garden of the site, there is scope to make more efficient use of this residential garden to provide decent family homes for the local area whilst ensuring the new development respects the spacious character of the area. The revised layout now responds much better to the character of the surrounding context given that the density of the development has been lowered from 6 to 4 buildings and also the significant reduction in the coverage of the site in terms of the built form. Furthermore, the retention of the significant mature trees and additional landscaping, will provide a spacious cul-de-sac development and an attractive verdant setting. As such, it is considered that the proposed level of development would not be out of character with the established pattern of development in the surrounding area.
- 6.3.4 The design and appearance of the dwellings are considered to be well proportioned and respect the other dwellings along the Cobden Road frontage. The design and spacious plot widths of the replacement dwellings fronting Cobden Avenue are considered to relate well to group of the existing dwellings at 72 to 76 Cobden Avenue.

- 6.3.5 The spacing of the development from the site boundaries ensures that the amenity of the adjoining properties will not be adversely affected. The dense tree and undergrowth cover will also act as additional mitigation to the gardens of neighbouring properties. The side to gable separation distance of 15m between the north elevation of plot 6-7 and the rear of 72-74 Cobden Avenue will be adequate to protect the outlook and light of the neighbouring occupiers. The overlooking from Plot 5 will be at an oblique angle, whilst the back-to-back separation distance of 36m between Plot 4 and High Point, to the south, will adequately protect the privacy of the neighbouring occupiers. The 37m back-to-back distance between Plot 3 and 66 Cobden Avenue, and at an oblique angle, will protect the privacy of the neighbours, whilst the most useable and private area of the neighbour's garden will not be directly overlooked and will also continue to be screened by the existing large trees.
- 6.3.6 The impact on the garden of 72 Cobden Avenue from vehicles using the new access way will be further mitigated by using a brick, boundary wall. This would be a more solid and robust boundary treatment to protect the neighbours from noise disturbance. The access way can be stepped further away by 2m from the garden boundary, with overall gap of 3.3m, to form a substantial landscaping buffer. Furthermore, returning the brick wall boundary treatment to the rear gardens of 72-74 Cobden Gardens would mitigate the noise impact of the use of car parking spaces.
- 6.3.7 The proposed dwellings themselves are considered to provide a decent residential environment for the future occupiers. The main garden serving plot 3 will be partly shaded by the existing tree on the western boundary, however, the occupiers will have access to a decent sized area of garden to the rear of the property which will receive a reasonable level of direct sunlight during the mid-morning to mid-afternoon period. There will be over-shadowing of the garden serving plot 6 by the existing tree to the east, however, the occupiers will have access to the recreational space to the south as well as the large garden space serving the flats.

6.4 Impact on Highway Safety

- 6.4.1 The site relies on vehicular access onto Cobden Avenue from an established access, which will be significantly improved to be suitable for the increased vehicular activity associated with the development. The access via the dropped kerb in front of 68 Cobden Avenue will be closed off from by a 1m high brick wall. The development will provide 17 parking spaces which meets the maximum parking standards for this location, providing an excess of 2 parking spaces per dwelling for visitors. The highway officer has requested minor adjustments to the internal road layout to accommodate the on-site turning of a SCC refuse collection vehicle.
- 6.4.2 Whilst the concerns of local residents with regards to the safety of a more intensive access onto Cobden Avenue during busy peak periods are noted, the highway officer is satisfied that the access and parking arrangement would not adversely affect highway safety. This is subject to the minor adjustments to the layout of the main access and the circulation of the internal road layout.

6.5 Other Matters

- 6.5.1 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 £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 6.5.2 The contributions can be secured through the S106 agreement subject to the panel granting a resolution to support the scheme and delegating powers to officer's to complete the S106.

7. Summary

- 7.1 In summary, the proposed development has made more efficient use of the large garden at the existing property to provide decent family housing in a spacious and attractive leafy setting. The layout of the development will respect the character of the surrounding area, the amenity of the neighbouring occupiers, the important environmental and physical features of the site whilst protecting and maintaining the diverse wildlife habitat, and also providing an improved and safe access onto Cobden Avenue. The proposed development will positively contribute towards meeting city's demand for family housing.

8. Conclusion

- 8.1 In conclusion, the proposal would have an acceptable impact in accordance with the Council's policies and guidance.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), (b), (c), (d), 2 (b), (d) 6 (c), 7 (a)

SB for 01/03/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

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. Details of building materials to be used

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.

03. Cycle storage facilities

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.

04. Unsuspected Contamination

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.

05. Use of uncontaminated soils and fill

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

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

06. Protection of nesting birds

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

07. Landscaping, lighting & means of enclosure detailed plan

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, which includes:

- i. hard surfacing materials;
- ii. a scheme for external lighting;
- iii. 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;
- iv. 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 (unless circumstances reasonably dictate otherwise);
- v. The area of front boundary hedge to be removed to facilitate the widened site access shall be replaced within the next planting season by a species to be first agreed in writing by the Local Planning Authority. The remainder of the existing front boundary hedge shall be retained.
- vi. details of any proposed boundary treatment, including retaining walls, the proposed levels of the amenity spaces, and a suitable enclosure to close off the access way to the west of plot 1 leading onto Cobden Avenue;
- vii. the area of existing planting in the southern and eastern section of the site to be retained for purposes of habitat protection;
- viii. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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. Other reasons include to protect highway safety, enhance biodiversity and protect the habitats of protected wildlife species.

08. Refuse & Recycling

Prior to the commencement of development, details of storage for refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved.

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

09. Construction Management Plan

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 construction;
- (f) details of construction vehicles wheel cleaning; and,
- (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.

10. Wheel Cleaning Facilities

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.

11. Hours of work for Demolition / Clearance / Construction

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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

12. Energy & Water

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission

Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

13. Energy & Water

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

14. Amenity Space Access

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available for use of the existing and proposed dwellings in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

Reason: To ensure the provision of adequate amenity space for the existing and future occupiers.

15. Parking and Access

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. No vehicle or pedestrian access shall be formed onto Midanbury Lane at any time. Any existing vehicular access onto the public highway from the site shall be stopped up prior to the first occupation of the development hereby approved.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

16. Archaeological evaluation/watching brief investigation

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.

17. Archaeological evaluation/watching brief work programme

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

18. Residential - Permitted Development Restriction (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class F (hard surface area)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and residential and visual amenities of the area.

19. Sustainable Drainage Systems

Prior to the commencement of development a management and maintenance plan for the ongoing management and maintenance of the system over the lifetime of the development of the proposed sustainable drainage system shall be submitted to the Local Planning Authority. A sustainable drainage system in accordance with approved specification and management and maintenance plan must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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.

20. Ecological Mitigation Statement

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 submitted 70 Cobden Avenue; Extended Phase 1 & Phase 2 Chiropteran, Barn Owl and Nesting Bird Building, Chiropteran Monitoring and Badger Surveys. January 2016. Ref HEA264a2016; with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

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

21. Communal Open Space Area

The natural managed open space area to the south of the site, shall be retained as a communal area and not, at any time, be incorporated into the private residential gardens of the dwellings hereby approved.

Reason: In the interests of local ecology and biodiversity.

22. 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
CS13	Fundamentals of Design
CS19	Car and Cycle parking
CS20	Sustainability
CS22	Biodiversity
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety and Security
SDP12	Landscaping
NE4	Protected Species
H1	Housing supply
H2	Previously developed land
H7	Residential environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

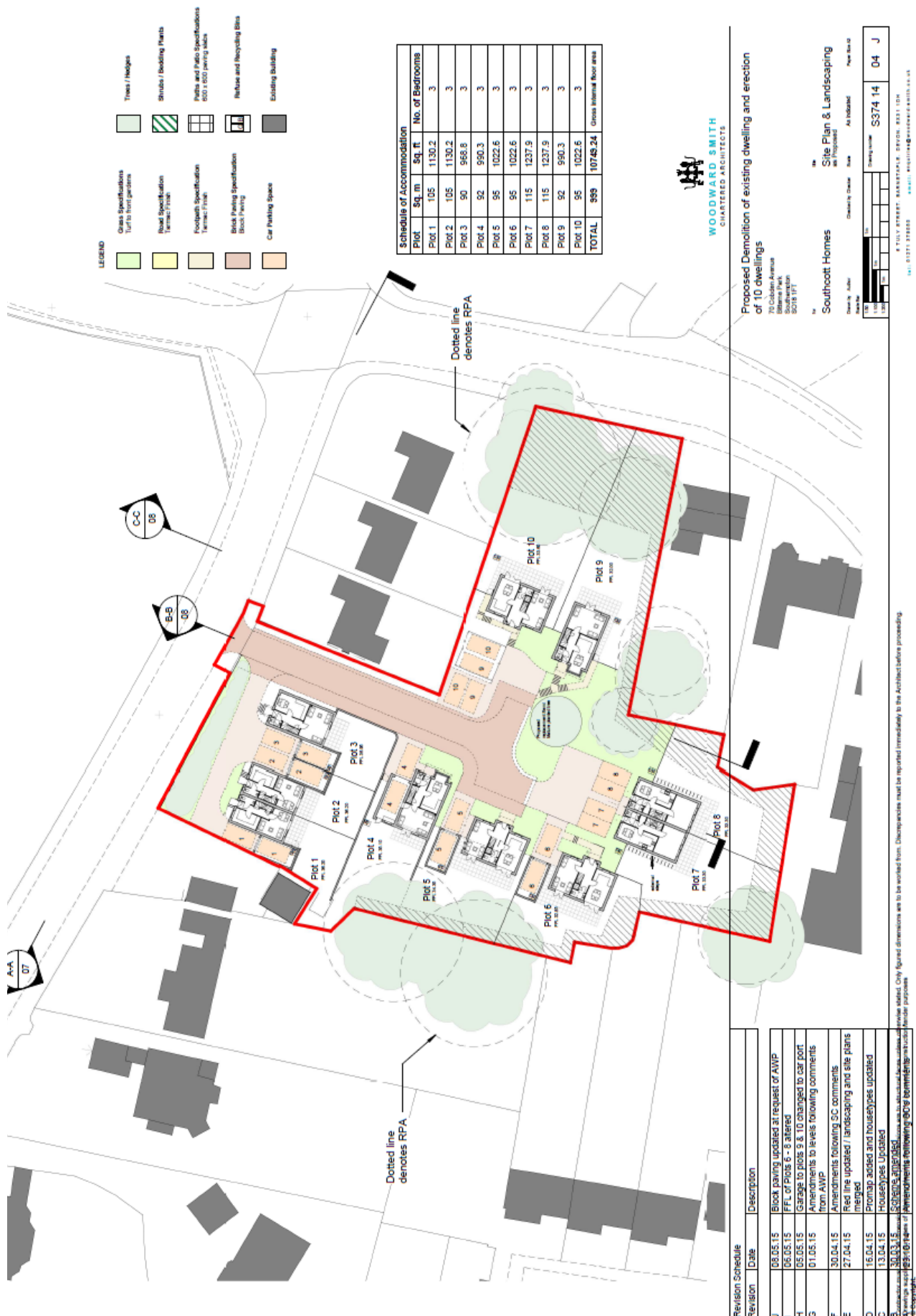
Planning Obligations (Adopted - September 2013)

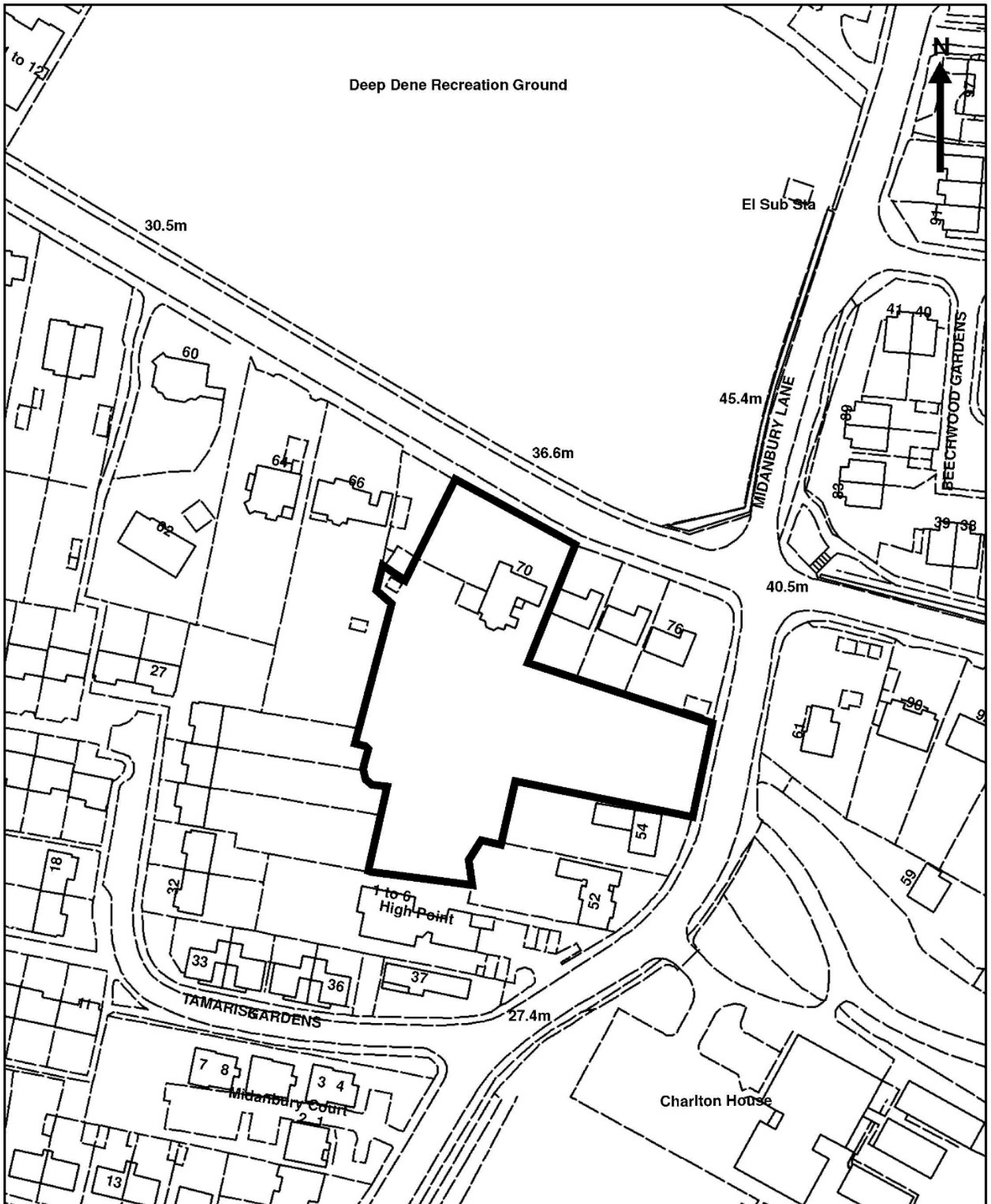
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)





Scale: 1:1,250

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Agenda Item 10

Planning, Transport & Sustainability Division
Planning and Rights of Way (EAST) Panel - 1 March 2015
Planning Application Report of the Planning and Development Manager

Application address: 36 Dell Road			
Proposed development: Erection of 2 x four bedroom houses			
Application number	15/01621/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	01.01.16	Ward	Bitterne Park
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr White Cllr Fuller Cllr Inglis
Applicant: Mr Ebrahim Sumra		Agent: Knight Architectural Design	

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 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). Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP23, H1, H2 & H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS18, CS19, CS20, CS22 & CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.111 Agreement or receipt of a satisfactory unilateral undertaking to secure contributions towards the Solent Disturbance Mitigation Project in line with Policy CS22 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

2. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 111 agreement and/or conditions as necessary; and

3. In the event that the S.111 agreement is not completed within two months of the Planning and Rights of Way Panel the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the S. 111 Agreement.

1. The site and its context

- 1.1 The application site is currently vacant following the demolition of the original house approximately 10 years ago, due to structural issues. There is a significant difference in levels across the site of approximately 11 metres, with the land banking up steeply from Dell Road towards the rear boundary. The site lies within an area of known stability risk and whilst is over-grown with vegetation, does not contain any significant trees.
- 1.2 Whilst the appearance of properties within Dell Road varies, it has a suburban character comprised of well-spaced family homes in verdant plots.

2. Proposal

- 2.1 The application seeks full planning permission to develop the site to provide a pair of semi-detached houses, which would be two-storeys in scale with accommodation in the roof served by front and rear facing dormer windows. The dwellings have a relatively traditional appearance with pitched roofs and ground floor bay windows. Two car parking spaces would be provided to the front of the dwellings, with a single point of access from Dell Road.
- 2.2 Given the challenging topography of the site, the application proposes significant ground works to achieve the development. The works involve the excavation of the site to construct the ground floor and foundations for the dwellings, together with garden areas at the rear. The application proposes contiguous piling and retaining walls to the boundaries with no. 34 and 38 Dell Road. Two amenity space terrace areas would be created to the rear of the site using crib retaining walls.

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 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 planning history for this site is extensive and a summary, including the most recent appeal decision, is provided in **Appendix 2** of this report. There have been a series of previous planning applications for residential development which includes planning permission for a pair of two-storey, semi-detached houses, although this permission has now expired (application reference 05/01707/FUL). Since this approval there have been a number of subsequent refusals for flatted schemes including two appeals which were both dismissed. The most recent application, reference 10/00454/OUT, sought outline planning permission for five flats and was determined using the current adopted Development Plan Policies. The relevant material planning considerations have not changed significantly since this time, meaning the decision is relevant to the consideration of this application.

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 and erecting a site notice (17.11.15). At the time of writing the report 6 representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.1.1 *Concern that the proposal will undermine the stability of neighbouring properties.*
Response

A detailed investigation into the ground conditions of the site has been carried out and this has informed a slope stability report together with preliminary construction design. The submitted information demonstrates that the development can be achieved without affecting the stability of neighbouring properties. This matter would also need to be fully addressed at the Building Regulations stage of the project. Furthermore, it is important to note that a similar approach was found acceptable by the Council and the Planning Inspectorate when considering planning application reference 10/00454/OUT.

- 5.1.2 *The proposed buildings project further to the rear than the neighbouring property at no. 38 and will therefore lead to a loss of light and over-shadowing to the neighbouring property.*

Response

The proposed dwellings would project approximately 3.5 metres further to the rear than the neighbouring property at 38 Dell Road. The proposed dwellings are set off of the boundary with the neighbouring property and the rearward projection is not considered to be so significant as to have a harmful effect on outlook from the neighbouring property and garden. Furthermore, given the orientation of the plot, the neighbouring property would continue to enjoy sunshine for the majority of the day. It is also important to note that the scale, massing and position of the development closely follows the last application for this site, which was not considered to be harmful in this respect.

- 5.1.3 *The application does not propose sufficient car parking to serve the development which will exacerbate existing on-street parking pressure in the area.*

Response

The development is designed to incorporate one off-street car parking space for each dwelling. This is less than the maximum car parking standards permit (3 per dwelling). However, the Parking Standards Supplementary Planning Document confirms that the provision of less spaces than the maximum can be acceptable. In this case, given the extreme physical constraints of the site, the level of car parking is considered to be appropriate.

- 5.1.4 *Previous TPO trees on the site were removed.*

Response

There is a historic TPO affecting the site (confirmed in 1976). The Planning Department's records confirm that trees were removed in 2006 since they were leaning and presented a risk. There are no remaining significant amenity trees on the site and as such, subject to the imposition of a condition to secure tree planting, the development is considered to be acceptable in this respect.

- 5.1.5 *The terraced garden areas will result in a loss of privacy to the neighbouring property at no.38 Dell Road.*

Response

Due to the excavations proposed, the amenity space terraces would be at a slightly lower level than the natural ground level. The lower terrace would be approximately 300mm lower than the adjoining garden area at 38 Dell Road and so would not result in a loss of privacy to the neighbouring property. Whilst the upper terrace would be 400mm higher than the adjoining garden land at no. 38, the levelled, useable area proposed is set 3.5 metres away from the boundary with the neighbouring property. The upper terrace would be approximately 4 metres lower than the first floor windows in the neighbouring property and as such, is not considered to give rise to harmful over-looking.

- 5.1.6 *The application site includes land not within the ownership of the applicant.*

Response

The application site area has been amended and now excludes a strip of land adjacent to the rear site boundary. The proposed development can still be accommodated with the exclusion of this land from the site.

5.2 Consultation Responses

- 5.2.1 **SCC Highways** – No objection subject to conditions.

- 5.2.2 **SCC Structural Engineers** – No objection. I have reviewed the submission and spoken with the consultant who provided the stability report. I also note that we've previously commented upon this development (though perhaps it's slightly amended since then). I would suggest that these comments should still, where relevant, stand.

Fundamentally – I do not consider that concerns regarding slope stability should prevent the scheme from proceeding. If the design and construction are undertaken in accordance with the necessary measures, then there should be no adverse stability issues. I am satisfied that the work to date is adequate for this planning stage, to demonstrate that the matter is being given the necessary level of input.

The conditions that are imposed will need to ensure that the design is developed in accordance with this earlier work, and that a suitably competent Engineer is engaged throughout both design and construction to oversee the works related to slope stability of the site.

The report from Soils Limited recommends that the analysis is re-run when the final actual loads have been determined. This should be a condition of approval.

In the temporary condition of constructing the first Permacrib wall, the drawing states that 'sheet piles are to be installed if required', this requirement is determined by the installation of monitoring stations. The designers will need to set limits for intervention.

5.2.3 **SCC Environmental Health (Pollution & Safety)** – No objection subject to conditions to minimise disruption to nearby residents during the construction process.

5.2.4 **SCC Trees** – Parts of the site are protected by The Southampton (Dell Road) TPO 1976, as such, are a material consideration within this application. In the front garden of number 34, there is a Cypress that is within G24 of the above order and is close to the site boundary. The root protection area may extend into the site, therefore consideration should be given to working in this area. From what I could see, there are no significant trees on the site and I could not see if any of the protected trees remain on site. It would appear that the protected trees along the front boundary have been removed or died over time and there are lots of self-set trees and brambles growing over the area. I could not see if the protected Holly on the Southern boundary are still growing. As no tree survey has been undertaken, I cannot give support to the application as I do not know what trees remain from the TPO and the extent of the RPA's of any important trees. I would therefore ask for a tree survey to be undertaken whilst taking in to account, the neighbouring cypress. I would also request that a landscape plan be submitted to establish trees back into the area.

Response –Tree surveys were carried out for previous applications on this site and confirmed that no trees worthy of retention remain on site. This information has been previously accepted by the Council. A condition is suggested to secure an arboricultural method statement to ensure that development does not adversely affect the neighbouring Cypress Tree.

5.2.5 **Southern Water** – No objection subject to conditions.

6. Planning Consideration Key Issues

- 6.1 The application needs to be assessed having regard to the planning history of the site and the following key issues:
- (i) The principle of development;
 - (ii) Land stability;
 - (iii) Design and impact on the character and appearance of the area;
 - (iv) Residential amenity;
 - (v) Parking and Highways and;
 - (vi) Impact on designated habitats.

6.2 Principle of Development

- 6.2.1 The proposal would bring a long-term vacant, previously developed site back into use and provide two genuine family homes. This is consistent with policies CS4 of the Core Strategy and H2 of the Local Plan. The resultant residential density of 37 dwellings per hectare is in accordance with the range of 30-50 dwellings per hectare set out by Policy CS5 of the Core Strategy as being appropriate for low accessibility locations. The principle of development is, therefore, acceptable.

6.3 Effect on Land Stability

- 6.3.1 Whilst the precise method of construction will be considered through Building Regulations, the Planning Practice Guidance confirms that it is the role of the planning system to minimise the risk and effects of land stability on property, infrastructure and the public. The Planning Practice Guidance also sets out that the planning system has an important role to play in bringing unstable sites back into productive use.
- 6.3.2 A detailed investigation of the ground conditions of the site has been carried out prior to the submission of the planning application. In addition to this, two topographical surveys has been undertaken together with a slope stability assessment that considers the effect of the development on land stability. The application is also accompanied by detailed sections, providing a clear indication of how the development could be constructed without undermining adjoining land. This level of information satisfies the requirements set out in the Planning Practice Guidance. Key measures proposed include contiguous piling along the side boundaries of the site prior to the main excavation works commencing; maintaining a maximum slope gradient adjacent to the site boundaries and; monitoring the development process by a competent person.
- 6.3.3 The development closely follows the physical form of the development proposed in the 2010 application and the information relating to land stability was considered acceptable by both the Council and the Planning Inspectorate at that time. The Council's Structural Engineer is satisfied that the development can be achieved without adversely affecting the stability of the area and conditions are suggested to secure a satisfactory approach to the development of the site. The proposal is, therefore, considered to be acceptable in this respect.

6.4 Design and Impact on the Character of the Area

- 6.4.1 The design of the proposed building has a domestic appearance and incorporates traditional design features which would help it integrate into the street scene. As the properties within Dell Road are varied in character, whilst no contextual elevations have been provided, it is considered that the development would not appear incongruous within the street scene. The development would be positioned on the same building line as the neighbour at 38 Dell Road, although well forward of the neighbour at 34, since the site constraints prevent a more equal positioning between the two neighbours.

6.4.2 Whilst 3 levels of accommodation would be provided, the building would have a 2-storey built form when viewed from Dell Road with well-designed and modest dormer windows. The design is very similar to the last application which the Planning Inspector found would “sit comfortably within the site” and not harm the character and appearance of the area. Overall it is considered that the development would represent a visual improvement on the current condition of the site which has been derelict for a considerable period of time.

6.5 Residential Amenity

6.5.1 Previous decisions for the site have found issue with the quality of the residential environment for prospective residents, particularly due to the relationship of windows with proposed retaining structures. The provision of two family homes, as opposed to a more intensive flatted development, has ameliorated these issues by allowing a conventional residential layout, with outlook from rooms either to the front or rear of the site. At the rear of the site, the gradual terracing proposes allows good quality outlook from the living rooms of the dwellings. The terracing also provides useable garden areas for residents.

6.5.2 In terms of the relationship with the neighbouring residents, the rear building line of the proposed dwellings would be positioned 1 metre behind the front elevation of no. 34, with just over 1 metre separation to the common boundary. The ridge of the proposed dwellings would be 1.5 metres lower than the eaves height of no. 34 with the eaves of the proposed dwellings being 1 metre lower than the eaves of the neighbour’s conservatory. As such, the relationship between the proposal and this neighbour is unusual. That said, the majority of the conservatory of no. 34 would continue to enjoy a good level of outlook and daylight and the pitched roof design of the development minimises the impact when viewed from front-facing windows in the main house. Furthermore, the rear garden of the neighbouring property would not be significantly affected by the development. As such, on balance the relationship with no. 34 is considered to be acceptable.

6.5.3 The levels difference between the site and the neighbour at no. 36 is less severe and, as noted above, the scale, massing and position of the dwellings on the plot is not considered to have a harmful impact on this property. Furthermore, whilst amenity space terraces are proposed, these are at a lower level than natural ground level of the site and set away from the site boundaries to avoid significant over-looking.

6.6 Parking, Access and Servicing

6.6.1 The site lies within an area of low accessibility to public transport, although the provision of one parking space for each dwelling is considered to be appropriate, having regard to the manner in which the topography creates a significant development constraint. Furthermore, the decrease in density is considered to represent a significant improvement on the previously refused scheme which proposed two car parking spaces to serve 5 flats. A single point of vehicular access is provided with on-site turning, which ensures that the proposal would not result in harm to the safety and convenience of the users of the adjoining highway.

6.6.2 The topography of the site prevents the location of cycle and refuse storage to the rear of the site and would instead be provided within purpose built stores to the front of the site. The site frontage is large enough to accommodate this.

6.7 Impact on Protected Habitats

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 £174 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Subject to securing this contribution as recommended, 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).

7. Summary

7.1 The development of this long-term vacant site to provide two genuine family houses is welcome. The proposal has over-come previous reasons for refusal and provides sufficient information to demonstrate that the development can be achieved without undermining land stability.

8. Conclusion

8.1 Subject to the imposition of the conditions set out below and the receipt of a contribution to mitigate the impact of the development on protected habitats, the proposal is considered to be acceptable

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

1 (a), (b), (c), (d), 2 (b), (d) 6 (c), 7 (a)

JT for 01/03/16 PROW Panel

PLANNING CONDITIONS

1. Full Permission Timing Condition

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)

2. Soils Analysis

No development shall commence until a further Slope Stability analysis is submitted to and approved in writing by the Local Planning Authority, following the determination of the actual loads on site. The development shall proceed in accordance with the agreed details.

Reason: In the interests of the stability of the site.

3. Piling Method

Prior to the commencement of the development hereby approved, the applicant shall submit in writing to the Local Planning Authority the proposed method of piling to be used in the construction of development within that phase. No development shall commence until the submitted details have been agreed in writing by the Local Planning Authority. Development shall be implemented and proceed only in accordance with the agreed details.

Reason: In the interests of the stability of the slope and the amenities of the neighbouring occupiers.

4. Site Levels

No development shall take place until final 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.

5. Development Monitoring

The development works hereby approved shall be monitored throughout by a suitably qualified structural engineer in accordance with the recommendations of the submitted Slope Stability Report.

Reason: Since the site lies within an area of known stability risks and the development proposes significant engineering works to the existing slope.

6. Details of building materials to be used

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.

7. Residential - Permitted Development Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the land stability and residential amenity.

8. Amenity Space Access

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available for use in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

Reason: To ensure the provision of adequate amenity space in association with the approved dwellings.

9. Landscaping

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, which includes:

- (i) 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;
- (ii) 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);
- (iii) details of any proposed boundary treatment and;
- (iv) a landscape management scheme.

The approved hard and soft landscaping scheme 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

10. Arboricultural Method Statement

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

- 1) A specification for the location and erection of protective fencing around all vegetation to be retained
- 2) Specification for the installation of any additional root protection measures
- 3) Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
- 4) Specification for the construction of hard surfaces where they impinge on tree roots
- 5) The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
- 6) An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
- 7) Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

11. Energy & Water

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

12. Energy & Water Implementation

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence

confirming that the water appliances/fittings have been installed as specified 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).

13. Surface / foul water drainage

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.

14. Refuse & Recycling

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.

15. Hours of work

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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

16. Parking

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

17. Cycle storage facilities

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.

18. Construction Management Plan

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:

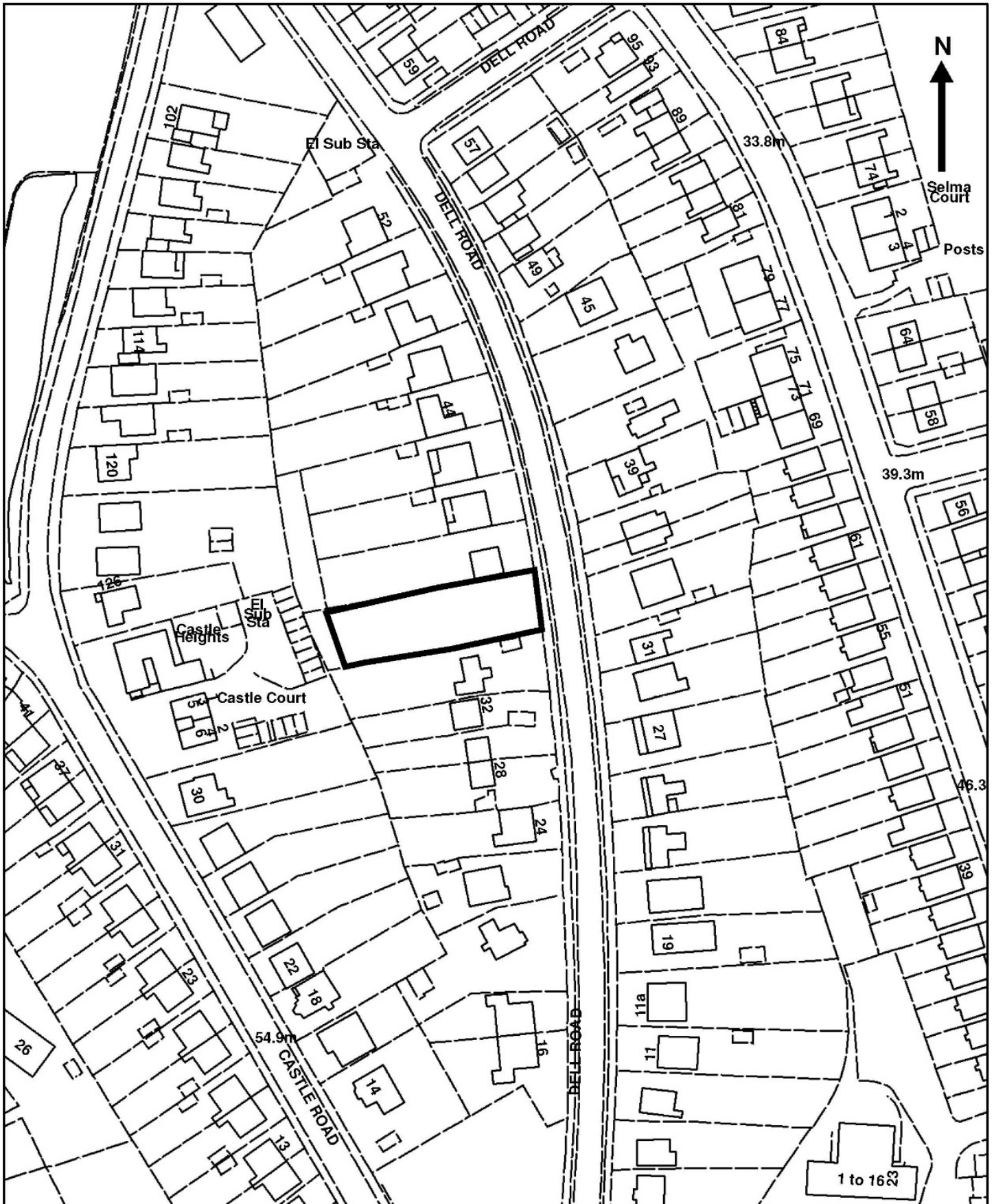
- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within 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 construction;
- (f) details of construction vehicles wheel cleaning; and,
- (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.

19. 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.



Scale: 1:1,250

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Application 15/01621/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
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
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP23	Unstable Land
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

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)

Planning Practice Guidance

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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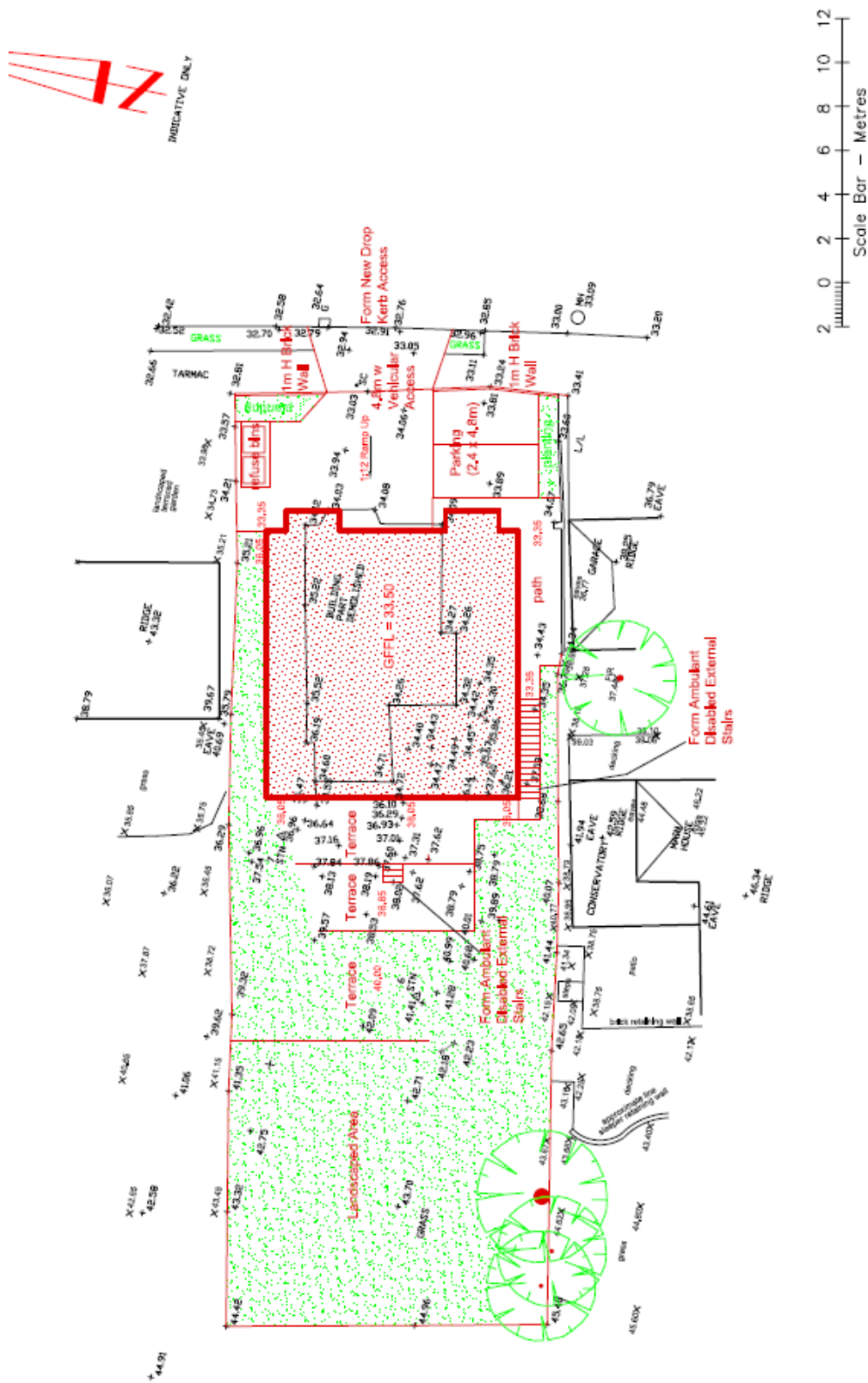
Agenda Item 10

Appendix 2

Application 15/01621/FUL

Relevant Planning History

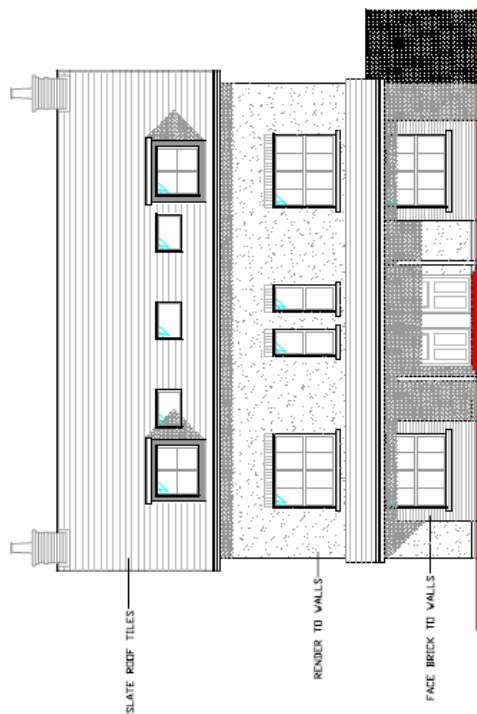
Application	Proposal	Decision	Notes
05/00950/OUT	2 x semi-detached houses	Refused 18.08.05	Reasons for refusal related to height, design and poor access
05/01707/FUL	2 x two semi-detached houses with accommodation in roof slope	Conditionally Approved 13.02.16	Similar scale massing and appearance to current proposal. Planning permission lapsed.
07/00499/OUT	6 flats (4 x 3-bed & 2x1-beds)	Refused 25.07.07	Over-development. Impact on neighbours. Poor parking design, effect on trees and failure to mitigated direct local effect of development.
07/01770/OUT	6 x 2-bed flats	Refused 13.03.08 & Appeal Dismissed 11.12.08	Reasons for refusal related to over-development, impact on character, lack of information regarding land stability & failure to complete s106 agreement. Inspector agreed with reason relating to land stability and also considered that the occupants of the development would have poor living conditions.
10/00454/OUT	5 flats (1x3-bed & 4 x 1-bed)	Refused 07.09.10 & Appeal Dismissed 20.06.11	Reason for refusal related to over-development of the site and poor living conditions due to poor outlook and insufficient useable amenity space. Inspector agreed with reasons regarding poor outlook due to relationship with retaining structures proposed.



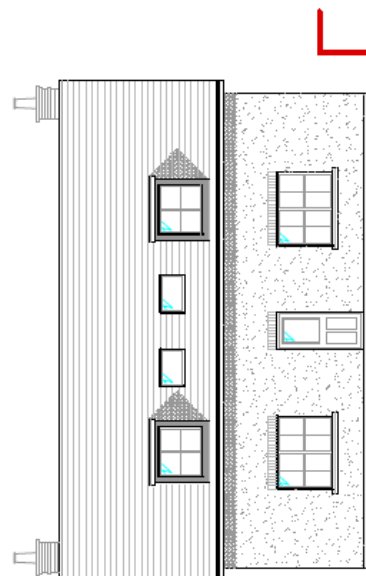
Doc Title: SITE PLAN	Doc No: 09/1519/S01
Client: Mr SUMRA	Rev: B
Location: 36 DELL ROAD SOUTHAMPTON	Scale: 1:200 (A3)
	Drawn by: JSW

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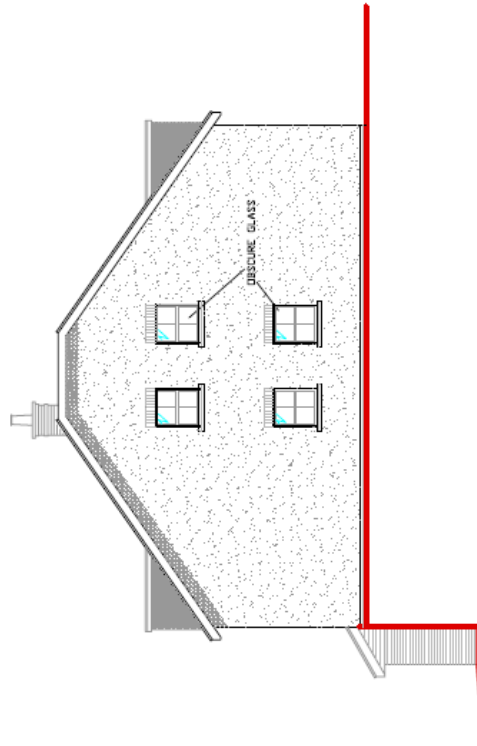
JOHN S WARWICK
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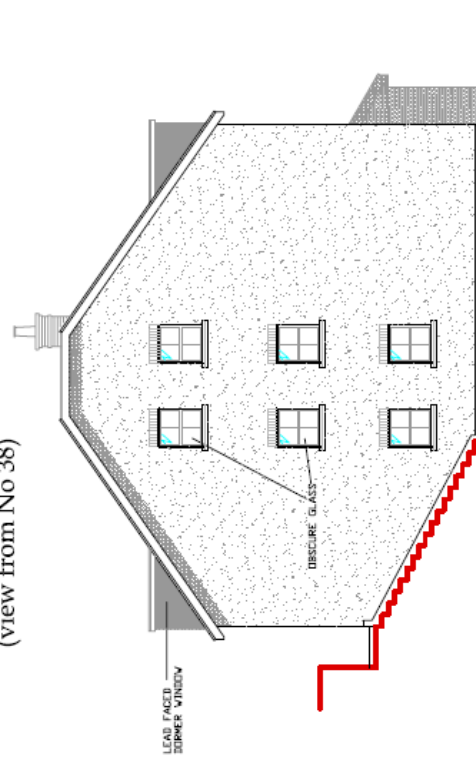
Front Elevation



Rear Elevation



Side Elevation
(view from No 38)



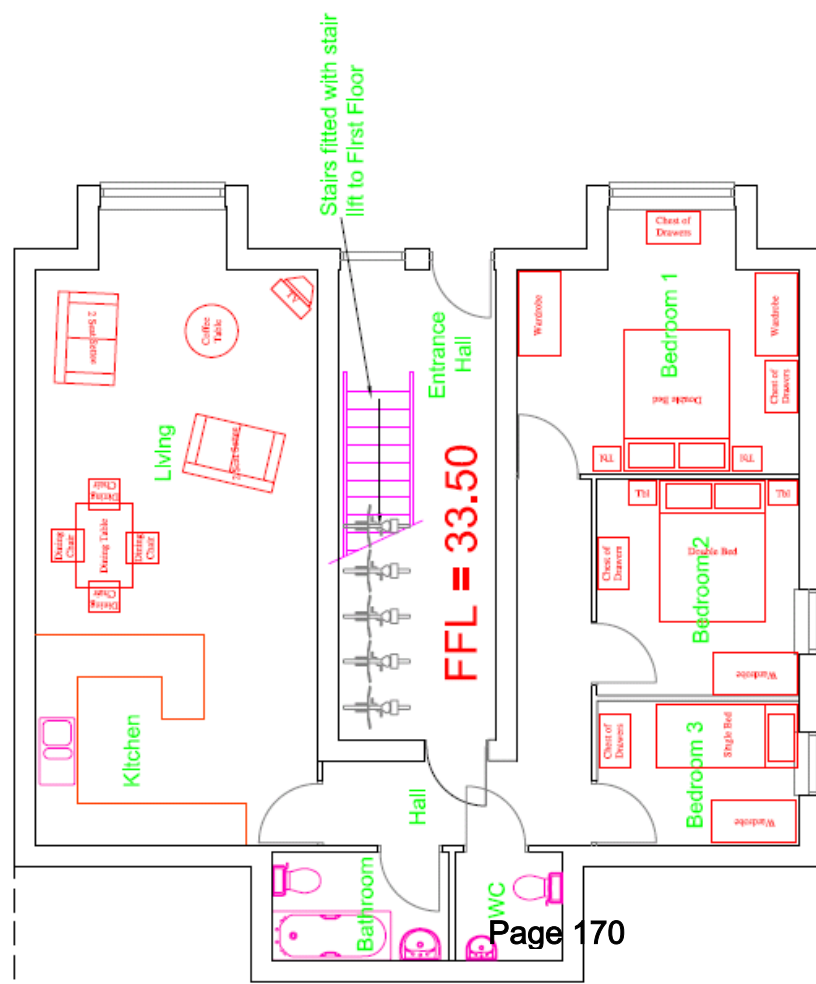
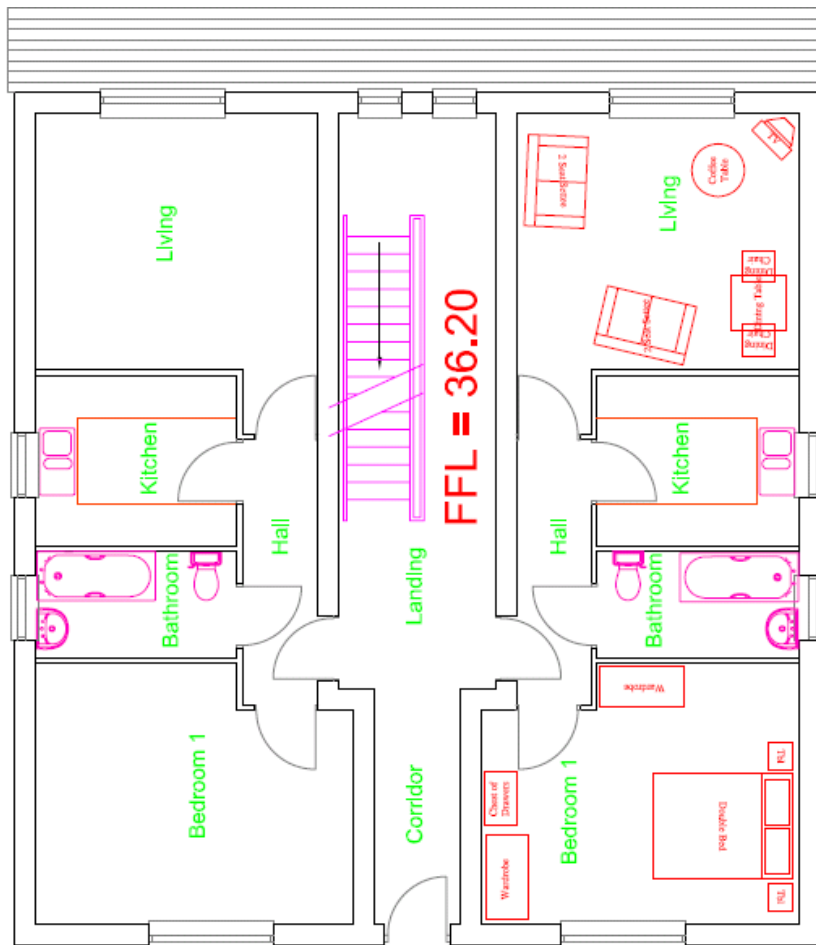
Side Elevation
(view from No 34)



Dwg No:	09/1519/P02
Rev:	A
Scale:	1:100 (A3)
Drawn by:	JSW
Client:	MR SUMRA
Location:	36 DELL ROAD SOUTHAMPTON

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Appeal Decision

Site visit made on 20 May 2011

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State for Communities and Local

Government Decision date: 20 June 2011

Appeal Ref: APP/D1780/A/11/2148090

36 Dell Road, Bitterne Park, Southampton SO18 1QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr E Sumra against the decision of Southampton City Council.
 - The application Ref 10/00454/OUT, dated 23 April 2010, was refused by notice dated 31 August 2010.
 - The development proposed is the redevelopment of site to provide 1 no. 3 bed flat and 4 no. 1 bed flats together with parking and communal amenity area.
-

Procedural Matter

1. The application was made in outline with the matter of landscaping reserved for subsequent consideration. I have determined the appeal on this basis.

Decision

2. I dismiss the appeal.

Main issues

3. The main issues in this case are as follows:
 - The effect of the proposal on the character and appearance of the local area;
 - Whether adequate living conditions would be provided for future occupiers of the proposed flats in terms of access to natural light, outlook and useable amenity space; and
 - Whether the Council's requirements relating to public open space, affordable housing, and transport infrastructure pass the tests of Circular 05/2005 and Regulation 122 of the Communities Infrastructure Levy Regulations 2010 (CIL Regulations).

Reasons

Character and appearance

4. The appeal relates to a vacant infill plot, which has previously

accommodated a dwelling. It lies within a predominantly residential area, which is home to a range of houses and bungalows in a variety of designs.

5. The proposal follows an earlier scheme which was dismissed by a colleague Inspector due to matters relating to ground stability and outlook. The building would accommodate five flats, but its scale, height, form, design and external materials would give it the appearance of a traditional pair of semi-detached houses with roof dormers. This illusion is assisted by the fact that only two car parking spaces and a refuse bin area would be sited within its frontage. Although the building would be positioned slightly further forward than the front elevation of the neighbouring dwelling, No. 39 Dell Road, this would not look out of place, as the building line within this residential road is not strictly defined.
- I am not aware of any other flatted developments along Dell Road and I am mindful that the building would have a larger footprint than the neighbouring dwellings. Nevertheless, other properties within Dell Road have large footprints. Like my colleague Inspector who considered the previous scheme which had a broadly similar but slightly narrower facade, I am satisfied that the overall density and scale of the building would sit comfortably within the site and its surroundings and it would not amount to over-development.
- In light of the above factors, I conclude that the development proposed would not harm the character and appearance of the local area. In such terms, it is compliant with policies CS5 and CS13 of the adopted Southampton City Council Local Development Framework Core Strategy Development Plan Document (DPD), saved policy SDP7 of the adopted City of Southampton Local Plan Review (LP) and the Council's adopted Supplementary Planning Document titled '*Residential Design Guide*' (SPD).

Living conditions

- The Council's SPD advises that a minimum of 20 square metres of amenity space should be provided for each flat. Whilst the total area of amenity space provided would satisfy this target, only two lower terraces, amounting to about 55 square metres, would be useable due to the topography of the site. Nevertheless, the SPD standard is simply a guideline, and the remaining steeply sloping terraces would provide visual amenity. Furthermore, not all apartment dwellers want or need a large amenity space. This is a lifestyle choice and the level of provision would be a factor to be considered by potential occupiers before any commitment to occupation. On this basis, I find the level of private amenity space within the development to be adequate.
- I do, however, share the Council's concerns that the proposed remodelling of the site means the bedroom of the northern ground floor flat would have to be served by a lightwell, whilst the bedroom window of one of the first floor flats and the living room of the other would be close to the large expanse of a tall retaining wall which would run span the majority of the width of the site. Whilst this arrangement would provide

adequate levels of natural light, it would result in a severely restricted outlook from these rooms. This would be very oppressive for future occupiers and it would be below a reasonable standard.

- I therefore conclude that although adequate levels of amenity space would be provided by the development along with satisfactory levels of natural light to the flats, the outlook from some of the rooms of several flats would be substandard. In such terms, the proposal conflicts with policy CS13 of the DPD, saved policy SDP1 of the LP and the SPD.

Requirements relating to public open space, affordable housing and transport infrastructure

- The Council's Supplementary Planning Guidance Note titled '*Planning Obligations*' (SPG) provides a template for the Council in setting and negotiating planning applications. This document was adopted in 2006 following public consultation and therefore I am able to attach significant weight to its content and requirements in reaching my decision.
- The Council carried out an audit in 2005, which identified shortfalls in the quality and quantity of open spaces within the District. The SPG explains that even small developments can impact incrementally on public open space and recreation facilities, and it therefore has implemented a formula for calculating contributions to amenity open space, children's play space and playing fields. This is based on the mix of the proposed residential development and the number of units within it. To my mind, this is a well devised and evidenced based approach and I am satisfied that the figures quoted pass the statutory tests in Regulation 122 of the Communities Infrastructure Levy Regulations 2010.
- The City Council's Housing Needs and Housing Market Survey (2005) and the South Hampshire Housing Market Assessment (2006) identify the affordability of homes across the region as a significant issue. The Council has explained that as at June 2010, over 13000 households were on the City Council's Housing Register and the average waiting time for a 3 bedroom house is currently 7 years. Consequently, the Council has adopted the target of achieving 20% affordable homes on developments of 5 to 14 units, which translates to one affordable unit to be provided within the development proposed. Against the need which has been demonstrated, and in the absence of any compelling arguments to the contrary, I consider that such a requirement would be fairly and reasonably related to the development proposed and that it passes the statutory tests.
- The Council asserts that the transport system in Southampton is under an ongoing pressure, which new developments exacerbate. It argues that new residential development should contribute to measures which will mitigate the additional cumulative impact by promoting and improving alternative methods of transport other than the private car such as cycling, walking and public transport. Accordingly, the SPG indicates that developments of 5 or more residential units should either make financial contributions or provide specific highway improvement works.

- The Council requires that the development delivers tactile and dropped crossings at Dell Road and Castle Road. No evidence has been advanced, however, to convince me that such provision would be fairly and reasonably related to the development proposed or necessary in order to make it acceptable, as required by the CIL Regulations. The Council also requires the payment of a standard charge based on the net additional trips likely to be generated by the development, with a cost applied which reflects the shortfall in funding for planned expenditure under the current Local Transport Plan. The Council has advised that the Strategic Transport Contribution would be utilised to support city wide strategic transport infrastructure projects located within the transport corridor which serves the development. I am satisfied that such a requirement would be fairly and reasonably related to the development proposed and that it passes the statutory tests.
- Finally, the Council requires a Highways Condition Survey to assess the condition of the highway within the immediate vicinity of the development site prior to work commencing with a view to ensuring that any damage arising during the course of construction work is repaired at the cost of the developer. Whilst this seems a reasonable approach in principle, any damage caused to the highway within the vicinity of the site during construction works would not necessarily be attributable to the development. On this basis, and without specific details as to how such a survey would be monitored and enforced, I am not convinced that it passes the statutory tests.
- Having disputed the need for the above requirements, the appellant subsequently instructed a solicitor to draft a planning obligation to deliver them, with the exception of the affordable housing element which is not agreed. To my mind, as the site has not occupied a dwelling for some four years or so, the scheme clearly amounts to a net increase of five units and therefore triggers the requirements outlined above.
- A completed Unilateral Undertaking has not been submitted, and in these circumstances, I consider that the proposal would undermine the requirements of the SPG and the related policies of the development plan.

Other matters

- In reaching my decision, I have considered the additional concerns raised by third parties in so far as they relate to material planning considerations. The proposal is supported by a Ground Stability and Geotechnical Assessment and in the absence of any technical evidence to the contrary, I share the view of the Council's Civil Engineering Team Leader that measures could be imposed to ensure the development would not compromise land stability. I am also satisfied that the development would not harm the living conditions of the occupiers of neighbouring properties in any way, given the scale of the building and its physical relationship to them. No trees of high amenity value would be removed to accommodate the development, and a landscaping scheme could provide enhancement.

- The proposed development would provide turning facilities to ensure that vehicles could enter the highway in a forward gear, and visibility from the proposed access would be satisfactory. Whilst only two private car parking spaces would be provided, the site enjoys a sustainable location close to a bus route and local shops, services and schools, and I am mindful that national planning policy seeks to discourage car use. Furthermore, kerbside parking is unrestricted in this part of Dell Road, and it appears to be in plentiful supply. Whilst I accept that a degree of noise and disturbance would be generated during construction works, this would be a relatively short term impact, which could be minimised by the imposition of appropriately worded planning conditions.
- The appellant has referred to other apartment developments within the local area including schemes on the former Save Service Station and Woodmill Heights on Woodmill Lane. I have little information about these developments and I do not know the planning circumstances behind them. In any event, I have considered the appeal proposal on its individual merits which is one of the fundamental principles which underpins the planning system.
- I am mindful that the scheme offers a number of benefits. It would significantly improve the appearance of an unkempt site, it amounts to the efficient use of land, it would increase the housing stock within the District and the building would incorporate the latest energy efficient technology. I also appreciate building a pair of dwellings on the site might not be financially viable due to the ground conditions, and that the Planning Officer recommended to the Council's Committee that planning permission be granted. Nevertheless, these, and all other positive aspects of the scheme neither alter nor outweigh the failings I have identified.

Overall Conclusions

- I conclude that the proposal would not unduly harm the character and appearance of the local area and the quality of the private amenity space and the level of natural light available to future occupiers of the flats would be adequate. Nevertheless, the outlook from some of the habitable rooms of a number of the flats would be oppressive as a result of the engineered solution to the topography of the site. Furthermore, the appellant has failed to address the reasonable public open space, affordable housing and transport infrastructure requirements which the development generates.
- Accordingly, the appeal must fail.

David Fitzsimon

INSPECTOR

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Planning, Transport & Sustainability Division
Planning and Rights of Way (EAST) Panel - 1 March 2016
Planning Application Report of the Planning and Development Manager

Application address: Albion Towers, Golden Grove			
Proposed development: Application for approval of details reserved by condition 2 (colouring and appearance) of planning permission ref 14/01577/R3CFL			
Application number	15/02429/DIS	Application type	DIS
Case officer	Jenna Turner	Public speaking time	N/A
Last date for determination:	10.02.16	Ward	Bargate
Reason for Panel Referral:	Referred by the Planning & Development Manager	Ward Councillors	Cllr Noon Cllr Bogle Cllr Tucker

Applicant: Southampton City Council	Agent: Capita Property And Infrastructure
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Recommendation Summary	Refuse to discharge condition
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Reason for Objection

The proposed render finish represents a significantly different appearance to the building to that approved by planning permission 14/01577/R3CFL. As such, full planning permission is required for the alteration as proposed. Notwithstanding this, the use of colour in the manner proposed would result in visually intrusive appearance to the building which would have a harmful impact on the city's skyline and would neither preserve nor enhance the setting of designated heritage assets including the Central Parks and the adjacent St Mary's Primary School. The proposal would, therefore, prove contrary to the provisions of policies SDP1, SDP7, SDP9, HE3, HE4, HE5 of the City of Southampton Local Plan Review (amended March 2015), policies CS13 and CS14 of the Southampton Core Strategy Development Plan Document (amended 2015), policies AP16 and AP36 of the City Centre Action Plan 2015 and as supported by Development Design Guide Supplementary Planning Document (2004).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

1. The site and its context

- 1.1 Albion Towers is a 16-storey residential block comprising 150 flats, located within Golden Grove, in the defined city centre. The building was constructed in 1965 and is monolithic in appearance, with a flat roof and a wide and relatively narrow form. It is currently finished in grey and white concrete panels (REEMA construction). A structural survey of the building has been carried out and confirmed that the external concrete structure is deteriorating.
- 1.2 To the east of the site is the Locally Listed St Mary's Church of England Primary

school which is a handsome, red-brick building. With the exception of this, the immediate site context is characterised by three-storey, flat roof flatted blocks constructed from buff bricks.

- 1.3 Due to the relatively low-rise nature of the neighbouring buildings, location of the site and scale and massing of the building, Albion Towers is a highly prominent building within the city centre skyline. It is apparent from a number of locations in and around the city centre, including from key vehicle, pedestrian and rail routes into the city centre as well as from the Central Parks.

2. Proposal and Background to Project

- 2.1 Planning permission was granted in November 2014 for external wall insulation and replacement windows to Albion Towers (reference 14/01577/R3CFL). Due to the deterioration of the existing concrete cladding panels, it was recognised that the new cladding would reach ground level, to be self-supporting.
- 2.2 Condition 2 of the planning permission required the final colouring and appearance of the render finish to be agreed in writing by the Planning Authority, before works commenced. This application seeks to discharge the requirements of that condition. The details submitted propose to clad the building with a mainly white render finish with vertical red stripes to the ends of the building.
- 2.3 Prior to the submission of the material details to the Planning Authority, the applicant undertook a consultation exercise with residents of the building, presenting three colour options and two design options for the application of colour. Of the 47 respondents, 35 households expressed a preference for the red and white option.
- 2.4 The works are part of a wider scheme to improve the energy efficiency of disadvantaged households and hard-to-treat homes. At the same time, five other applications have been submitted seeking to agree the material finish to five other City Council residential tower blocks. These applications propose alternative colour treatments to that proposed for Albion Towers. The works follow those successfully completed at International Way in Weston.

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 Of particular relevance to this application, SDP1 resists development that unacceptably harms the amenity of the city, whilst SDP7 requires new development to integrate into the community and SDP9 only supports new development that respect the context in terms of visual impact and the quality and use of materials. Policies HE3 and HE4 protect the setting of Listed and Locally Listed Buildings and HE5 prevents development that detracts from the setting of parks and gardens of special historic interest. Core Strategy policies CS13 and CS14 sets out the requirement for high-quality, context-sensitive development and safeguards the setting of the city’s heritage assets. The City Centre Action Plan affirms the Council’s commitment to high-quality development in the city centre. It requires the use of materials and colours that reflect the individual

characteristics of the local area and that new development in the St Mary's area respects and enhance the setting of St Marys Church and the central parks.

- 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. Relevant Planning History

- 4.1 The most relevant planning history is set out in **Appendix 2** to this report.

5. Consultation Responses

- 5.1 **SCC City Design-** I find the use of the colour on the building to be too superficial/artificial. I would suggest that the building is simply clad in white. If there is a desire to use colour I would suggest that it is confined to the recessed elements only.
- 5.2 **SCC Historic Environment** – It does not appear that a Heritage Statement was provided which assesses the impact of the proposal on designated heritage assets. The application of a render in these colours would be out of context with the local character and aggressively intrusive. Also concerned with how the render would weather. The more muted colours suggested originally would be preferred.

6.0 Planning Consideration Key Issues

- 6.1 The keys issues for consideration are the visual impact of the proposed finish on the character and appearance of the area and on the setting of designated heritage assets. Furthermore, since details reserved by planning condition are not subject to public consultation, it is also important to judge whether the submitted information is within the scope of the planning condition and the matters considered, assessed and approved as part of the original planning permission.
- 6.2 The principle of re-cladding the building to improve its thermal efficiency has been approved by the planning application. The Design and Access Statement that was submitted with the application confirmed that whilst the final colour treatment would be reserved by planning condition, the alterations would “minimise impact through use of materials and a colour palette in line with the residential environment”.
- 6.3 The indicative images that accompanied the planning application displayed a muted, cream coloured finish, with a fawn colour to the central stair core. It is important to note that, as such, the planning application was assessed on the basis of the material finish resulting in an improvement to the appearance of the building albeit not producing a significant effect on the character and appearance of the building and area. The information submitted to discharge the planning condition is significantly different to that approved and, as such, it is considered would need to be assessed as part of a fresh planning application. This would enable residents and statutory consultees to fully assess the wider effects such a significant change would have on the character and appearance of the existing

building.

- 6.4 In terms of the visual effect of the alterations, the Development Design Guide (SPD) provides specific guidance on the use of external materials and colour choices. It requires a careful analysis to be undertaken of colour in relation to the appearance of surrounding buildings and landscape in different lighting conditions. Moreover, it advises that where strong colours are used, they should be limited to restricted areas such as frames and details.
- 6.5 Red is a vibrant and bold colour and the back-drop of a neutral colour palette amplifies its striking impact. This can be positive and add fun and diversity to the built environment, however, to achieve the desired effect strong colours should be used in a controlled way and in a manner that integrates into the fabric and design of the building. As noted, the existing building is extremely prominent within the Southampton skyline and its brutalist appearance means that the building makes a poor contribution to that skyline. Similarly, when viewed from closer vantage points, the building has an imposing appearance.
- 6.6 Whilst the re-cladding of the building presents the opportunity to improve the appearance of the building, to a degree, the extent and tone of the red colour proposed, against a contrasting white render, would not achieve the desired effect. Rather, since the colour choice is unusual in this context, the amount and striped nature of the colour application would instead accentuate the poor design of the building and increase its negative prominence within the cityscape. This impact is considered to be particularly harmful to the visual quality of the city centre given that the building would be readily visible from longer-distance views and key approaches into the city, including from the train line. Similarly, it is also considered that the proposed material finish would fail to preserve or enhance the setting of the listed parks or nearby locally and listed buildings.

7.0 Summary and Next Steps

- 7.1 As noted above, if the red and white colour option is pursued, it is considered that a fresh planning application should be submitted for consideration. That said, for the reasons set out above, this approach is not encouraged due to the adverse visual impact that the colour finish would have on the city centre.
- 7.2 Options that are likely to be acceptable are a more muted finish, as indicated on the approved planning application, or a similar approach to that used for Weston Towers. If red is to be used for Albion Towers, this should be in a more considered way, for example, to the recessed sections of the stair core, or to the window panels or the ground floor plinth of the building.

8.0 Conclusion

- 8.1 The submitted information is not acceptable to discharge the requirements of condition 2 of planning permission 14/01577/R3CFL and an objection is, therefore, raised.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a)(b)(c) 2(b)(d)(e) 4(d)(f)(r)(uu)

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS1	City Centre Approach
CS3	Promoting Successful Places
CS12	Accessible and Attractive Waterfront
CS13	Fundamentals of Design
CS14	Historic Environment
CS20	Tackling and Adapting to Climate Change

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

SDP1	Quality of Development
SDP7	Context
SDP9	Scale, Massing & Appearance
HE3	Listed Buildings
HE4	Local List
HE5	Parks and Gardens of Special Historic Interest
MSA1	City Centre Design

City Centre Action Plan - March 2015

AP 16	Design
AP 33	St Mary's Road
AP 36	St Mary Street and Northam Road

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

City Centre Design Guide (2000)

The Development Design Guide (2004)

Other Relevant Guidance

The National Planning Policy Framework (2012)

Relevant Planning History

Albion Towers:

14/01577/R3CFL

Conditionally Approved 05.11.14

Addition of external wall insulation and replacement windows

Condition 2: Final colouring and appearance

The final colouring and appearance of the proposed render finish shall be agreed in writing by the Local Planning Authority prior to commencement of works and maintained as such thereafter unless otherwise agreed by the Local Planning Authority.

Reason: In order to control the appearance of the development in the interests of visual amenity.

Shirley Towers:

14/01575/R3CFL

Conditionally Approved 19.11.14

Addition of external wall insulation with render finish from 1st floor up and brick finish to ground floor. Resin coating to concrete piers. Replacement windows.

15/02428/DIS

Pending Consideration

Application for approval of details reserved by condition 3 (colouring and appearance) of planning permission ref 14/01575/R3CFL

Sturminster House:

14/01578/R3CFL

Conditionally Approved 19.11.14

Alterations including installation of external wall insulation with render finish from 1st floor upwards, brick cladding finish to ground floor and replacement windows.

15/02430/DIS

Pending Consideration

Application for approval of details reserved by condition 3 (colouring and appearance) of planning permission ref 14/01578/R3CFL

Hightown Tower:

14/01580/R3CFL

Conditionally Approved 05.11.14

Addition of external wall insulation, replacement windows and balcony infills

15/02431/DIS

Pending Consideration

Application for approval of details reserved by condition 2 (colouring and appearance) of planning permission ref 14/01580/R3CFL

Dumbleton Towers:

14/01579/R3CFL

Conditionally Approved 13.11.14

Addition of external wall insulation, replacement windows and balcony infills

15/02432/DIS

Pending Consideration

Application for approval of details reserved by condition 2 (colouring and appearance) of planning permission ref 14/01579/R3CFL

Meredith Towers:

14/01581/R3CFL

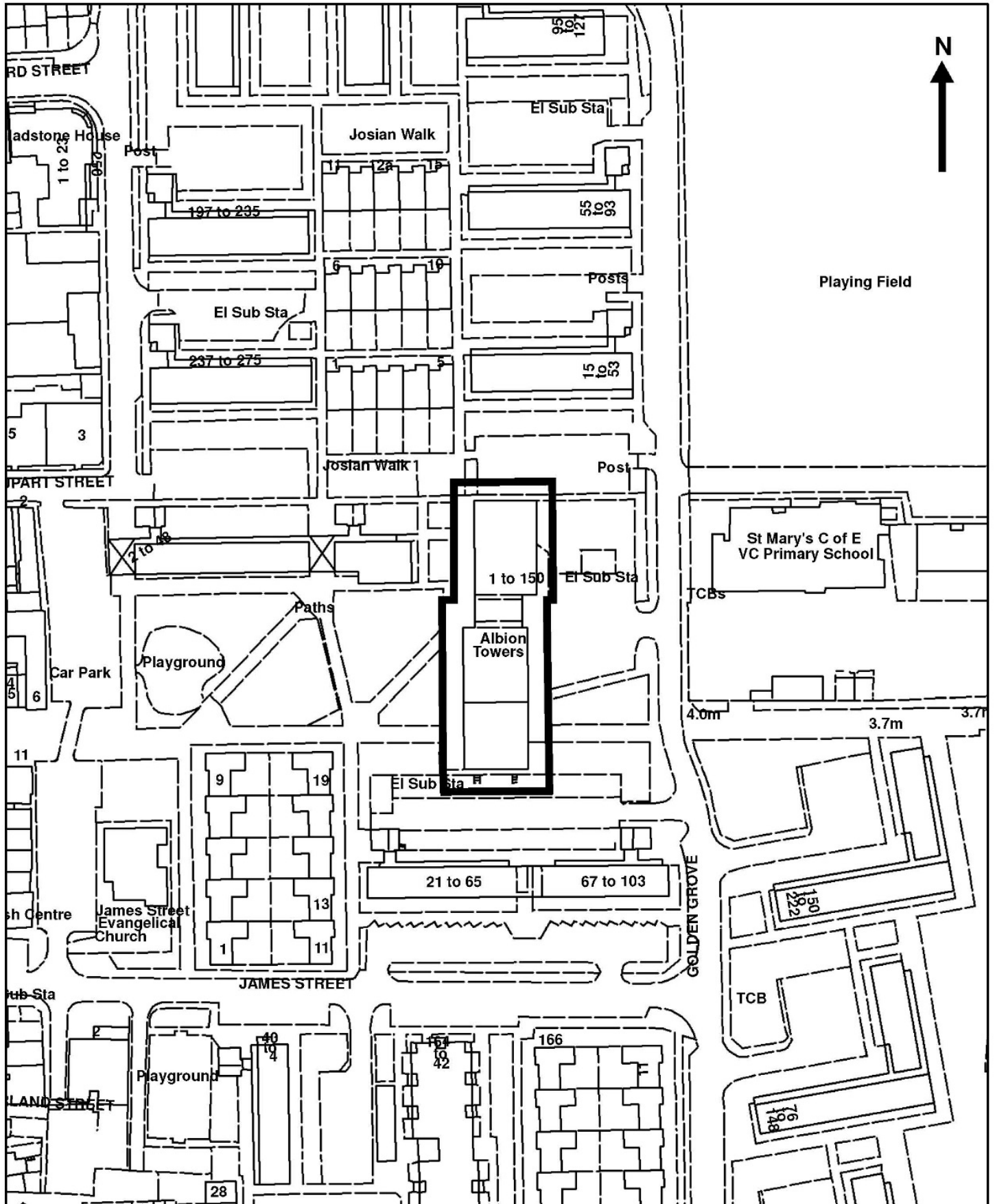
Conditionally Approved 05.11.14

Addition of external wall insulation, replacement windows and balcony infills

15/02433/DIS

Pending Consideration

Application for approval of details reserved by condition 2 (colouring and appearance) of planning permission ref 14/01581/R3CFL



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