

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

Application address: University of Southampton, Salisbury Road, Southampton			
Proposed developments: 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	15/02461/FUL	Applications type	FUL
Case officer	Stephen Harrison	Public speaking time	5 minutes
Last date for determination:	Planning Performance Agreement	Ward	Portswood
Reason for Panel Referral:	More than 5 letters of objection have been received	Ward Councillors	Cllr M Claisse Cllr L Norris Cllr P O'Neill
Referred by:	N/A	Reason:	N/A

Applicant: University Of Southampton	Agent: Turnberry Planning 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	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 proposed public realm enhancements have been considered by the Council's Planning and Rights of Way Panel (12th April 2016) where the merits of the proposals on 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 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) as supported by policies SDP1,

SDP4, SDP5, SDP7, SDP8, SDP9, SDP12, SDP13, SDP15, SDP16, SDP17, SDP22, NE4, HE5 and L7 of the City of Southampton Local Plan Review (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 conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - 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). These works to include all land up to the boundary with the Common; with the improvements between the red line application site and the Common either being undertaken by the applicant or by the Council following a financial contribution. To include a contribution (if required) to cover the cost of any necessary Traffic Regulation Orders;
 - ii. 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 agreement is not completed or progressing within a reasonable timeframe after 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, unless an extension of time agreement has been entered into.
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.

Background

In March the Planning and Rights of Way Panel were 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) was 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). The Panel

resolved to grant planning permission for this new teaching building subject to the completion of a S.106 legal agreement.

Unfortunately, the second application (LPA ref: 15/02461/FUL) was deferred at the meeting as interested third parties had not been correctly invited to attend the meeting. This application is now ready for a Panel determination and comprises 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 This planning application relate to Salisbury Road between University Road and the Common at the University of Southampton's main Highfield campus. There are no immediate residential neighbours; the nearest are located on the northern side of Burgess Road some 120 metres away.
- 1.2 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.

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

1.3 are covered by the TPO).

2.0 Proposal

2.1 The proposed works to Salisbury Road 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.

2.2 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.

2.3 The alterations to Salisbury Road - and the proposed footprint of the building approved at the March planning panel - 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 The application site is located within the defined University Campus and Policy L7 is, therefore, relevant. The main campus is also safeguarded under LDF Core Strategy Policy CS11, which states that *'the development of new inspirational, high quality education and related facilities which encourage community use of their facilities will be promoted...'*

3.3 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.
- 4.3 15/02460/FUL – Resolution to Grant Planning Permission subject to s.106
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.

5.0 Consultation Responses and Notification Representations

- 5.1 The University undertook their own pre-application public engagement prior to the formal submission of their planning application. This involved two 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 (15/01/2016) and erecting a site notice for both applications (12/01/2016).
- 5.3 At the time of writing the report **9 representations** have been received from surrounding residents and local amenity/residents' groups including the Southampton Cycling Campaign. The following is a summary of the points raised:
- 5.4
- 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.

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 objections from the Council's Highways Officer 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 and the principle of undertaking these improvement works were approved by the Planning Panel when they considered the application for the new teaching block and associated works under LPA ref: 15/02460/FUL.

- 5.5 **Highfield Residents Association (HRA)** – Objection raised to linked applications. 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).
- 5.6 **Southampton Common And Parks Protection Society (SCAPPS)** – Objection 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.
- 5.7 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.
- 5.8 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.
- 5.9 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.

5.10 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'.

5.11 Response

Since this objection was raised the University have agreed to extend the physical works affecting Salisbury Road up to the boundary with The Common. The above s.106 recommendation will secure these additional works.

5.12 **Consultation Responses (to both 15/02460/FUL and 15/02461/FUL)**

5.13 **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.

5.14 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.

5.15 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.

5.16 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.

5.17 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.

5.18 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.

5.19 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.

5.20 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.

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

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

- 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.

5.22 **SCC Tree Team** – No objection

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.

5.23 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.

5.24 **SCC Heritage** – No objection

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.

5.25 **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. 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.

5.26 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.

5.27 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. 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.

6.0 Planning Consideration Key Issues

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

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

6.2 Design & Impact upon the Southampton Common

6.3 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.

6.4 The proposed landscape design, both around the approved 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 extent of the works have been extended through the proposed s.106 up to road's boundary with The Common. 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).

6.5 Highways

6.6 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.

6.7 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. The Council now has a duty to determine whether or not those works are acceptable.

6.8 In short, the proposed enhancements to Salisbury Road will benefit the setting of both the approved and existing buildings, they will enhance the appearance of the road and improve highway safety. There are no highway safety objections to the scheme, 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.

6.9 S.106 Mitigation Measures

6.10 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 the legal agreement will secure the final details of this proposal, following the outcome of the stopping up process, whilst retaining public access along Salisbury Road as a permissive route.

7.0 Summary

7.1 In March the Planning and Rights of Way Panel gave their approval for a new teaching block with associated landscaping, subject to the completion of a s.106 legal agreement which is still being drafted. Unfortunately this application for a detailed landscaping scheme to support the building project couldn't be considered at the same time and was deferred. This application gives further details of the proposed physical works around the approved building and includes enhancement works to Salisbury Road.

- 7.2 If approved the University intend to seek further approval(s) from the National Planning Casework Unit (on behalf of the Secretary of State) to de-adopt Salisbury Road and retain it as a permissive route for public use. This would allow them to implement a scheme of works to a higher specification that the Council may not wish to adopt and maintain.
- 7.3 The applications were split to enable the building works to be undertaken without incurring any potential delays caused through the de-adoption procedures. The Panel are not being asked to consider the merits of de-adopting Salisbury Road, but are being asked to consider the proposed landscape changes and resurfacing of Salisbury Road.
- 7.4 Officers do not consider that the landscaped setting to the site will be compromised by these proposals and, despite the loss of trees proposed across the wider 'red line' application boundary, 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 and Design teams. The scheme is considered to meet the requirements of the Development Plan and are supported by officers.

8.0 Conclusion

- 8.1 The planning application for 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 12.04.16 PROW Panel

PLANNING CONDITIONS to include:

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;
- iv. a landscape management scheme.
- v. A Biodiversity Enhancement and Mitigation Plan

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.

POLICY CONTEXT

LDF Core Strategy - (as amended 2015)

CS11	An Educated City
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS25	The Delivery of Infrastructure and Developer Contributions

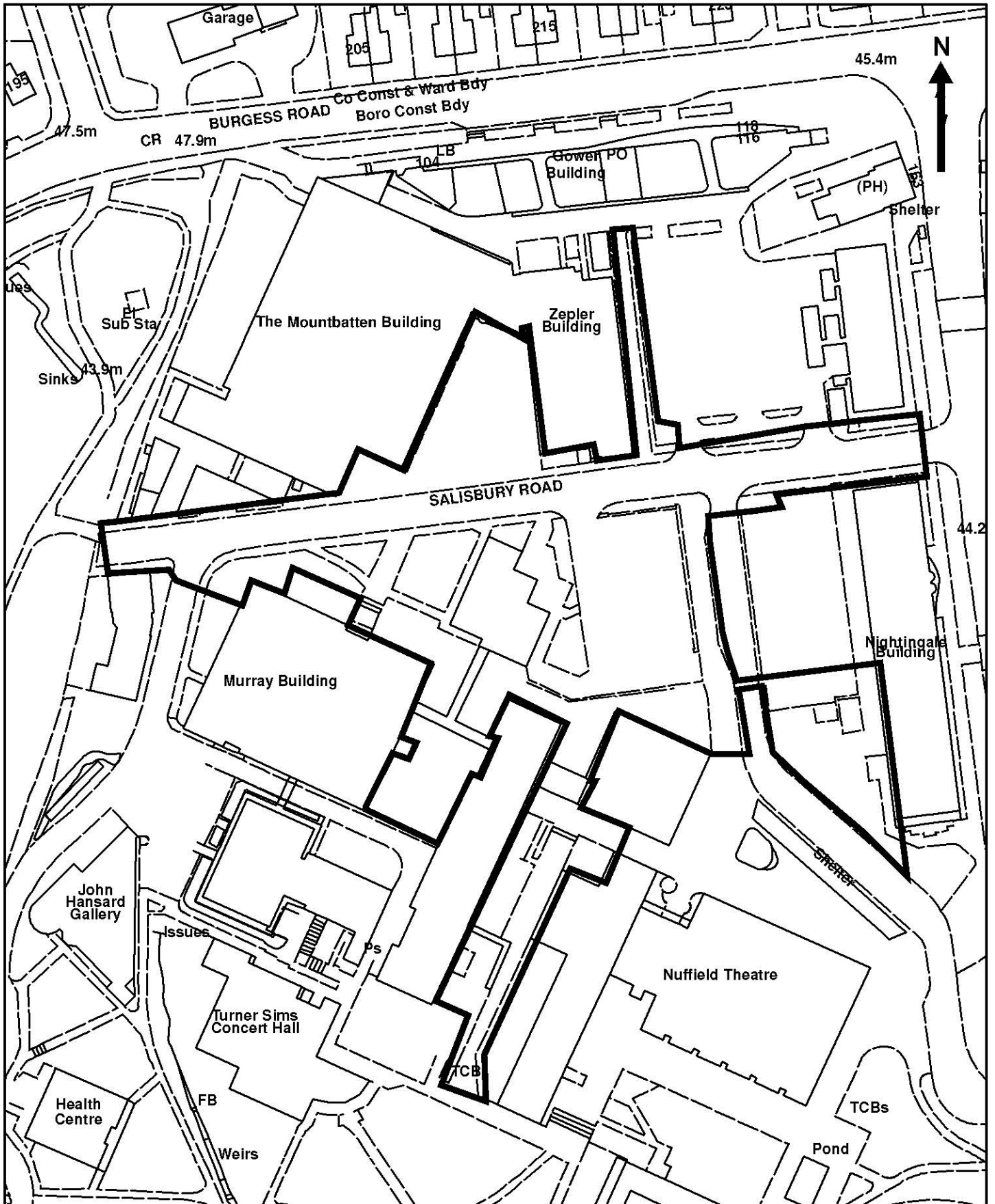
City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP8	Urban Form & Public Space
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE4	Protected Species
L7	The University of Southampton
HE5	Parks and Gardens of Special Historic Interest

Other

National Planning Policy Framework (NPPF – 2012)

15/02461/FUL



Scale: 1:1,250

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