

Planning and Rights of Way Panel 23rd April 2019
Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: Boldrewood Campus, University of Southampton, Burgess Road			
Proposed development: Installation of two new winches and associated enclosures, relocation of roof access stairs, existing chemical store and access door.			
Application number:	18/02308/FUL	Application type:	FUL
Case officer:	John Fanning	Public speaking time:	5 minutes
Last date for determination:	15.02.2019	Ward:	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr L Harris Cllr B Harris Cllr Hannides
Referred to Panel by:	Cllr Hannides	Reason:	Excessive noise level would have a material and adverse impact on nearby residents
Applicant: Mr Kevin Monaghan	Agent: Studio Four Architects		

Recommendation Summary	Conditionally Approve
-------------------------------	------------------------------

Community Infrastructure Levy Liable	No
---------------------------------------------	-----------

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 39-42 and 46 of the National Planning Policy Framework (2019). Policies –CS11 and CS13 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP7, SDP9 and SDP16 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full
Conditionally approve

1. The site and its context

- 1.1 The application site forms part of the Boldrewood campus of the University of Southampton. The wider site is situated in a prominent location at the junction of Bassett Avenue and the eastern side of Burgess Road, two key arterial routes into and through the city.
- 1.2 The proposal itself is set well within the site, and effectively screened from the Bassett Avenue and Burgess Road frontages. The proposals are positioned much closer to Oaklands Way, a private road which runs immediately along the north of the Boldrewood site, and Bassett Crescent East which runs around the northern eastern corner of the site.

2. Proposal

- 2.1 The application proposes a number of minor alterations to the existing building in order to facilitate the erection of single storey extensions to the eastern and western side of the building to house a winch mechanism serving the internal towing water tank within the building.
- 2.2 The original building forms part of the ongoing redevelopment of the site. Consent was originally sought for comprehensive redevelopment of the wider area of which the host building forms one part. The existing building is sizable, stretching over 140m along the northern boundary of the site with a footprint of around 2600m². The building has a flat roof but due to drops in the site's levels to the east varies between 4m and 8.5m in height.
- 2.3 The application proposes a number of alterations to the originally approved building:
 - Extension to the western end of the building (1.9m high, 3.5m wide, 9.3m deep)
 - Re-siting of roof access stairs to western end of building to accommodate extension
 - Re-siting of existing store by 5m to the south to accommodate extension
 - Extension to eastern end of the building (2.7m high, 1.8m wide, 6.5m deep)

- 2.4 The development originally sought to provide the winch mechanism internally within the building. Given the very specific nature of the proposed research use undertaken within the building individually designed components are required which have resulted in a number of amendments to the original draft designs. The University have advised it is not feasible to provide the winch mechanism internally within the building given the space available and layout of the building and as such have submitted the current application. The winch mechanisms therefore sit outside.

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) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 1.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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 A schedule of the relevant planning history for the site is set out in Appendix 2 of this report.
- 4.2 The site has recently undergone substantial redevelopment which is still ongoing. The proposal forms part of a more comprehensive scheme by the University to improve its facilities and research capabilities. The development was originally proposed under application 07/00985/OUT which provided initial outline proposals for the entire development. A subsequent application extended the time to implement this consent under application 11/00963/TIME before 12/01167/REM approved a more detailed scheme of development for the current building. A subsequent application under 14/01234/NMA made further minor amendments to the proposal.

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 (initially posted 15.01.2019 with subsequent notices posted 07.03.2019). At the time of writing the report **11** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 Concerns with inadequacies in noise report

Response

A number of specific concerns with the noise report were identified by local residents, primarily relating to concern with the noise levels looking to be secured, lack of specific detail on both noise generating equipment and acoustic enclosure, accuracy of background noise levels. This issue is discussed in more detail in section 6 however, in summary, the Council's Environmental Health team is satisfied that the submitted report provides a reasonable initial assessment of the noise impacts of the proposal and would seek to secure suitable conditions to ensure the noise impacts of the development are mitigated to a suitable degree. The background noise levels identified would appear to be relatively typical for a quiet residential environment.

5.3 Damage to nearby properties from vibration during construction

Response

The current works are relatively minor in scope and unlikely to cause problems of this nature. Any concerns that damage was done during construction of the existing building would be a private matter between the relevant land owners.

5.4 24 hour operation is unreasonable in terms of quiet residential character of surrounding area

Response

Subject to the noise concerns being satisfactorily addressed, it is not considered that the operation of the premises on a 24 hour basis for the use outlined would be substantially harmful to the character of the wider area. The University has indicated that the nature of the research requires a 24 hour operation.

5.5 Footprint exceeds that of original building which fails to reflect original plans/will be visible from nearby properties

Response

A new application has been submitted for the current proposal on the basis that it differs from the previously consented scheme. The current application should therefore be considered on its individual merits at the time of submission. It is felt that the additional massing proposed is relatively minor and will not have a substantial impact on the overall visual impact of the development for neighbouring occupiers.

5.6 Impact on residential value of nearby properties

Response

While issues such as residential amenity do form part of the assessment of the application, impact of property values is not a material planning consideration.

5.7 Contrary to provisions of Bassett Neighbourhood Plan

Response

The Bassett Neighbourhood Plan has a number of policies which identify the special nature and character of Bassett and seek to protect the quiet, verdant nature of the primarily residential ward. The proposal will be considered in the context of these aims but given the relatively minor extent of the proposed works it is not considered the proposal is contrary to the provisions outlined in the Plan.

5.8 Residents have had to put up with previous disruption associated with redevelopment/construction and should not be further inconvenienced

Response

The redevelopment included a number of conditions to minimise disruption during construction but notwithstanding this it is accepted there will always be an impact while development is taking place. It is not considered that this temporary disruption would represent sufficient justification on its own to justify refusing the current application.

5.9 Insufficient consultation

Response

While Policy BAS2 of the Bassett Neighbourhood Plan does encourage developers to engage with local residents regarding planning applications prior to submission, it is not considered that failing to do so would justify refusing planning permission. The Council has undertaken a consultation exercise which includes posting site notices and sending letters to nearby properties. Following concerns from local residents regarding the initial siting of site notices, a second set of notices were posted providing additional time for residents to comment if needed. It is considered that the Council has met its statutory obligation in terms of public consultation.

5.10 Application should secure protection of nearby hedging/vegetation which offers valuable screening and ecological benefits

Response

The current application would not appear to have any substantial impact on the nearby vegetation beyond that of the existing building.

5.11 Consultation Responses

5.12 Environmental Health - We have no objections to these proposals provided that the recommendations in Section 5.4 of the submitted noise impact assessment are fully adhered to. Furthermore we would recommend that noise readings are taken following completion of the acoustic enclosures, if the planning application is successful, to verify that the necessary sound attenuation has been achieved.

However, I do understand that residents would like to have the “not noticeable” perceptive criteria but we in Environmental Health cannot insist on this. However, it is recommended that the University commission a specialist acoustic consultancy who can design the enclosures to reduce noise levels as far as practicable to the “Not noticeable” end of the perceptive chart as detailed in **Table 1**: NPPG Noise Exposure Hierarchy page 7 of the Noise report.

5.13 **Archaeology** – No objection.

5.14 **Cllr Hannides** – Residents have expressed serious concern relating to the substantial increase in noise level created by these proposals. I support their objections and would like to draw attention to the material and adverse impact this would have on the occupants of neighbouring residential dwellings.

6.0 Planning Consideration Key Issues

The application proposes the extension of an existing building on the Boldrewood Campus of Southampton University (in close proximity to Oaklands Way). The application consists of extensions to the eastern and western side of the building. The building is currently in use as a towing tank. The extended parts of the building are proposed to house a winch mechanism to pull apparatus from one end of the building to the other.

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

- Impact from the physical extension of the building;
- Noise associated with internal use of premises

6.2 Physical extension

6.2.1 The extensions to the building are relatively small scale in the context of the larger main building. The extension to the western side is visually shielding by trees, the existing building and the neighbouring car park. The extension to the eastern side will be more exposed to the entrance from the site from Bassett Crescent West.

6.2.2 Broadly it is considered that the appearance of the extension elements will be relatively minor in the context of the overall scope of the development. A condition has been recommended to secure the final external appearance of the extension.

6.3 Noise

6.3.1 The siting of the extensions is to facilitate the installation of a winch mechanism. The building was originally constructed with the intention of these being installed elsewhere in the building, however there are few other similar sites in the country and the custom design has required subsequent amendments to the nature of the design resulting in the current application. The applicant has submitted a noise report outlining the noise mitigation measures that will be in place to reduce breakout noise. The Council's Environmental Health team have advised they are satisfied with the submitted details subject to suitable conditions to secure the outcomes identified in the report.

6.3.2 Residents have identified particular concerns with section 5.6 of the acoustic report which identifies that the proposal will likely achieve levels between LOAEL (lowest observable adverse effect level) and SOAEL (significant observable adverse effect level), while local residents would prefer the Council seek to achieve NOAEL (no observable adverse effect level). To summarise, it identifies that there will be an impact but that it falls short of intrinsically identifying significant harm.

6.3.3 Planning incorporates a presumption in favour of development except where harm is otherwise identified, balancing the impacts of development. Section 2.24 of the Noise Policy Statement for England (NPSE) identifies a general approach for

development which falls between LOAEL and SOAEL, outlining that 'all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development'. It continues to note that this 'does not mean that such adverse effect cannot occur'.

- 6.3.4 With reference to the consultation response from the Environmental Health team, the Local Planning Authority does not consider it can reasonably require that a NOAEL is sought. In cases where the noise level lies between LOAEL and SOAEL values the Council should seek to secure appropriate mitigation to ensure levels are kept to an acceptable level. The Council's Environmental Health team considers that the levels laid out in the submitted noise report are reasonable and recommend that suitable conditions are imposed to ensure that the specific criteria outlined in the report can be met.
- 6.3.5 Local residents have raised concerns that the report was not based on specific readings of the exact circumstances of the proposal. Given the unique nature of the equipment, the applicant has advised that further off site testing will take place when the machinery is available to determine the necessary acoustic shielding that will need to be installed to achieve the noise levels laid out in the submitted report and again following installation of the equipment to ensure that the levels submitted are being achieved. A condition has been recommended to secure this.

7. Summary

For the reasons outlined above it is considered that the wider impacts of the proposed development can be addressed through the use of conditions, while the immediate visual impact will be minimal in the context of the host structure. On this basis the application is recommended for conditional approval.

8. Conclusion

It is recommended that planning permission be granted subject to the conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

Case Officer Initials for 23/04/19 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

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

02. Noise (Pre-Occupation)

Prior to the first use of the extensions hereby approved a noise report shall be provided of outlining details of acoustic cladding and off-site testing of noise generation to demonstrate that the noise levels outlined in the submitted noise report can be achieved (with particular reference to section 5.4). The development shall be implemented in accordance with these details and thereafter maintained in accordance with the specifications outlined.

Reason: To protect the amenities of nearby occupiers.

03. 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.

04. 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)

CS11 An Educated City
CS13 Fundamentals of Design

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

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
SDP16 Noise

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Bassett Neighbourhood Plan (July 2016)

Other Relevant Guidance

The National Planning Policy Framework (2012)

Noise Policy Statement for England (2010)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

07/00985/OUT, Redevelopment of the site. Demolition of most of the existing buildings and erection of new buildings to provide up to 32,000 square metres gross floorspace for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works. (Outline application seeking approval for access arrangements).

Conditionally Approved, 18.06.2008

08/01097/FUL, Development of Phase One of the Boldrewood Campus to include the construction of Block A, a 6-storey building (Class B1 office accommodation and/or Class D1 university use including provision for the Maritime Institute - 10,270 square metres gross external floorspace); Block B, a 5-storey building of new University accommodation (Class D1 - 5,749 square metres gea); extensions and alterations to Block C (Class D1 - 286 square metres gea new floorspace) with a new vehicular access from Burgess Road, associated access alterations, parking and interim landscape works following demolition of the existing buildings - Description amended following validation

Conditionally Approved, 19.02.2009

10/01058/FUL, Erection of a single storey detached building to house plant and equipment for the electricity supply to the campus - Description amended following validation and receipt of amended plans

Conditionally Approved, 19.01.2011

11/00286/NMA, Application for a non-material amendment to planning permission ref: 08/01097/FUL relating to elevational details to block A, and external cladding materials for the Lloyds Register Building as part of the Boldrewood redevelopment proposals.
No Objection, 15.03.2011

11/00499/FUL, Erection of a decked car park to provide 165 car parking spaces together with the provision of a surface car park (168 spaces) for use in association with the approved uses of Block A of the Boldrewood campus redevelopment as approved under planning permission reference 08/01097/FUL, and/or in association with the Class D1 university use of the buildings and associated access roads and landscaping.

Conditionally Approved, 01.07.2011

11/00963/TIME, Extension of time to implement previous planning permission (ref 07/00985/OUT) to redevelop the site with new buildings of up to 32,000 square metres floor space for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works. (outline application seeking approval for access arrangements)

Conditionally Approved, 28.06.2012

11/01173/NMA, Application for a non material amendment to planning permission 08/01097/FUL seeking alterations to the materials and fenestration of block B together with re-location of the lift internally.

No Objection, 12.08.2011

12/01167/REM, Application for reserved matters approval of layout, scale, appearance and landscaping pursuant to Block H and associated works of the outline planning permission reference 11/00963/TIME for redevelopment of the Boldrewood campus. Note: application also seeks to discharge conditions 2 (additional detail), 11 (landscaping), 14 (arboricultural method) and 15 (tree safeguarding) of permission 11/00963/TIME.

Conditionally Approved, 26.10.2012

13/00686/FUL, Installation of 1x 3.5m and 1x 1.5m flues on the roof of block B, Boldrewood Campus

Conditionally Approved, 04.07.2013

13/01702/NMA, Application for a non material amendment to planning permission 08/01097/FUL relating to the external appearance of blocks A and B and the external podium between the buildings

No Objection, 21.11.2013

14/01234/NMA, Non material amendment sought to planning permission ref 12/01167/REM for internal and external alterations to block H including landscaping.

No Objection, 15.08.2014

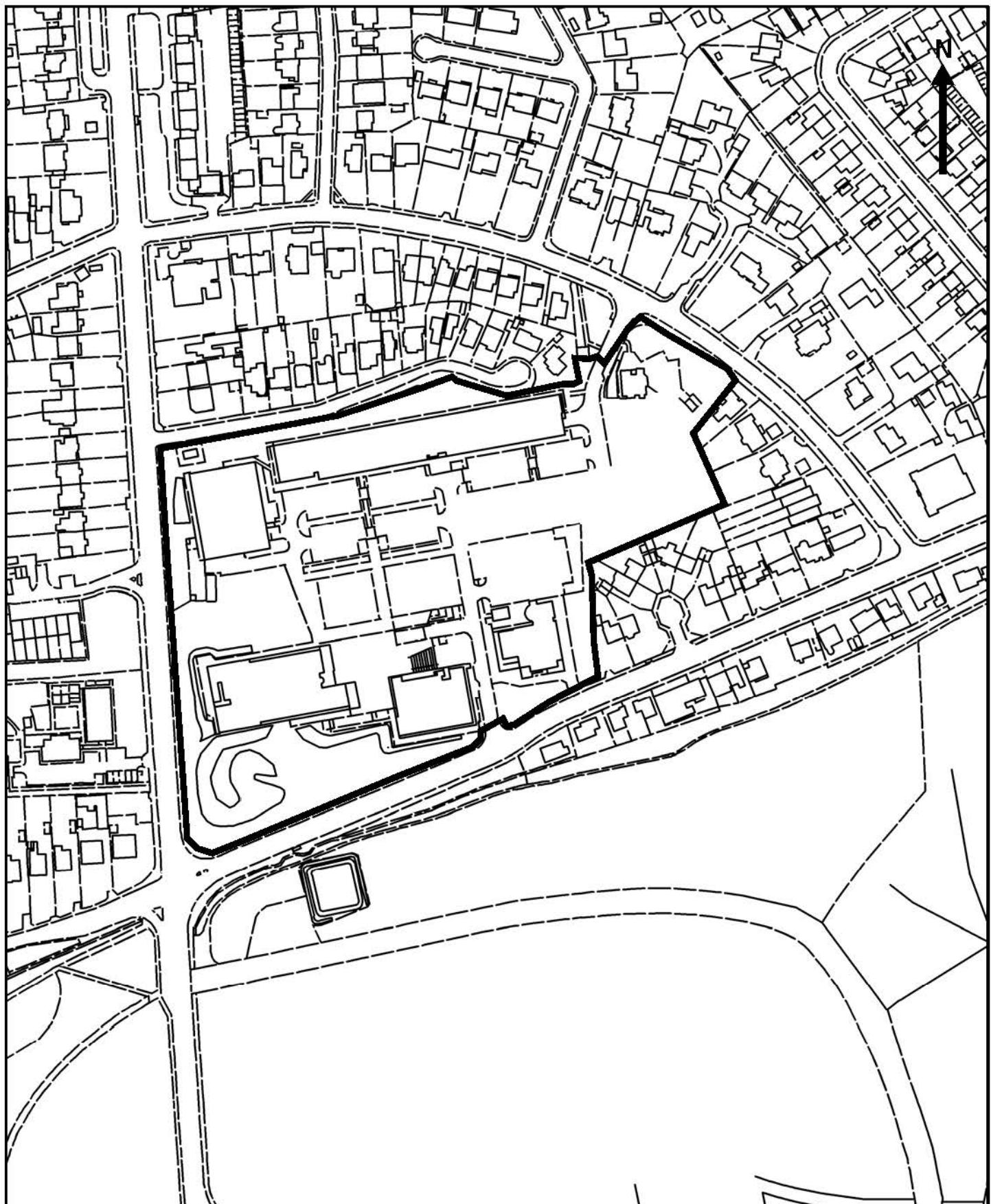
15/01025/FUL, Construction of a 4 storey building to provide 5620 square metres of floorspace for University use (Class D1) and associated surface car parking to provide 59 parking spaces, together with access, landscaping and cycle store - description amended following to increase the floorarea by 167sq.m formed within an extended basement

Conditionally Approved, 06.08.2015

16/01635/NMA, Non material amendment sought to planning permission ref: 15/01025/FUL for new teaching block comprising additional basement floorspace, increase in height to staircase and alterations to external appearance (including door, window and design changes)

No Objection, 31.10.2016

18/02308/FUL



Scale: 1:2,500

©Crown copyright and database rights 2014 Ordnance Survey 100019679

