

Planning and Rights of Way Panel 24th August 2021
Planning Application Report of the Head of Planning & Economic Development

Application address: Rear of 5-7 Rose Road			
Proposed development: Erection of a single storey detached 5-bed residential block to provide supported living			
Application number:	21/00920/FUL	Application type:	FULL
Case officer:	Anna Lee	Public speaking time:	5 minutes
Last date for determination:	19.08.2021 (ETA)	Ward:	Bevois
Reason for Panel Referral:	Request by Ward Member	Ward Councillors:	Cllr Denness Cllr Kataria Cllr Rayment
Referred to Panel by:	Cllr Denness	Reason:	Concerns from local residents
Applicant: The Society of St James		Agent: Studio B.a.d - Architects	

Recommendation Summary	Delegate to the Head of Planning & Economic Development 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 39-42 and 46 of the National Planning Policy Framework (2021). Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, H1, H2, H7 and HE6 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS13, CS16, CS18, CS19, CS20, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Relevant Planning History		

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Head of Planning and Economic Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 or S.111 Legal Agreement to secure either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Head of Planning & Economic Development be granted delegated powers to add, vary and /or delete conditions as necessary, and to refuse the application in the event that item 2 above is not completed within a reasonable timescale.

1. The site and its context

- 1.1 The properties at 5 and 7 Rose Road two-storey, semi-detached, Victorian era buildings that are currently managed by the Society of St James and provide accommodation for approximately 9 previously homeless tenants. This application relates to the rear curtilage of these properties which currently contains a garden area, two car parking spaces and an office building associated with the specialist accommodation on site.
- 1.2 The site is located in an area that is residential in nature and is neighboured by a two-storey residential property at 3 Rose Road and to the south, a community centre that is separated from the site by a vehicular access. To the rear of the site, along Cambridge Road, are also residential properties. The site is located close to Lodge Road where there are various amenities that provide day-to-day services within walking distance.

2. Proposal

- 2.1 The application seeks to provide accommodation for 5 homeless persons that will be managed by the Society of St James, in conjunction with the existing accommodation at 5-7 Rose Road. The Society of St James is a Southampton-based homelessness charity which provides a range of supported living services within the local area.
- 2.2 The proposal seeks to provide a single-storey building to the rear of 5 and 7 Rose Road which will be 3.3 metres in height, 24m in length and 5 metres in width, widening to 8 metres adjacent to the rear site boundary. The existing office will be demolished to accommodate the new building. The layout of the building comprises a shared kitchen and lounge and five bedrooms each served by an en-suite. When taking into account the existing accommodation within nos. 5-7, the proposal will result in 14 occupants across the whole site. The building spans full depth of the garden adjacent to no 3 Rose Road.

2.3 In terms of design, the proposed would take the appearance of a light-weight, timber structure, with a flat sedum roof and large elements of glazing. The layout of the development is designed to create a courtyard style development to complement the Victoria era properties to the front of the site.

2.4 The proposal seeks to retain the existing two car parking spaces at the rear of the site and provides a more formalised communal rear garden which includes an area for growing fruit and vegetables.

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 All 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) was revised in July 2021. Paragraph 219 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.

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 (02.07.2021). At the time of writing the report **4** representations have been received from surrounding residents and a request from the local Ward Councillor for the application to be determined at Panel. The following is a summary of the points raised:

5.2 ***Concerned about further anti-social behaviour, additional rubbish being left within neighbouring gardens, additional noise spillage from further accommodation and overall security issues given the increase in occupiers and the existing problems with the current number of occupier and the management.***

Response

Noted and a condition securing a management plan is suggested and further information regarding the management of the site will be provided verbally at Panel

following a request for further information on this aspect.

5.3 ***A number of large mature trees have been removed from site recently resulting a loss of habitat.***

Response

The trees on site that were not protected and so did not require consent to be removed. That said, a condition is suggested to secure a detailed landscaping scheme, to include new tree planting and bird nesting boxes.

5.4 ***Increase in House in Multiple Occupation (HMO)***

Response

The use of the site is not altering but intensifying. The use is not an HMO but a specialised housing facility.

5.5 ***Contradictions regarding the proposed materials for the outdoor areas and linkages with the living areas. Concern over construction materials and potential noise emanation during the lifetime of the development and during construction.***

Response

Conditions are suggested to require further details of materials, compliance with energy standards and a standard hours of construction condition is imposed.

5.6 **Consultation Responses**

Consultee	Comments
Housing Needs and Welfare Support Manager	At pre-application stage advised that the Housing Needs Team support the efforts by the Society of St James to increase the amount of accommodation for this vulnerable group and particularly at the moment as we are under extra pressure to provide for this client group due to the pandemic and to find longer term accommodation to prevent them from going back to the street. SSJ have a long history of this type of work and experience of working with these clients so they are very well placed to understand how the change in property proposed will work best.
Highways development management	No objection. Supports the use of a condition to ensure the use remains as homeless accommodation. A condition to secure cycle storage is required. The level of development does not trigger the requirement for off-site highway mitigation.

Archaeology	No objection subject to conditions. Development here threatens to damage potential archaeological deposits, and an archaeological investigation will be needed to mitigate this. In this case, the appropriate form of archaeological investigation is a watching brief on the groundworks with provision to excavate if archaeological deposits are uncovered.
CIL Officer	The development is CIL liable.
Environmental Health	No objection subject to the following conditions: <ul style="list-style-type: none"> • Demolition plan required to ensure that nuisance from dust, noise and odour is minimised; • Construction working hours condition standard; • No fires (not included as can be dealt with under separate legislation); • Glazing condition as need to consider the potential for glare to the occupants of existing properties; • Refuse storage details; and • Details required of plant and equipment including any extraction flues - although it is noted that there will be no air conditioning.
Sustainability	No objection subject to conditions to ensure compliance with Policy CS20 which relate to energy and water efficiency measures.

6. 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 effect on character;
- Effect on neighbouring residential amenity;
- Quality of residential environment and;
- Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 The Council's Homelessness Prevention Strategy 2018-2023 sets out that, in Southampton, 2.5 people per 1000 households are homeless (compared with 2.4 people per 1000 households nationally). Furthermore, there are 9,800 applicants in housing need requiring social housing currently on the Southampton Housing Register. A key aim of the Homelessness Prevention Strategy is to maximise access to affordable and appropriate homes in the city. Core Strategy policy CS4

sets out the overall need for additional homes within the city and CS16 confirms the importance of providing a range of accommodation types to meet this need.

6.2.2 As set out, the existing properties on site are already in use as accommodation for the homeless, managed by the Society of St James. The provision of additional accommodation on this site would meet an identified need for longer-term accommodation for the homeless whilst enabling a managed approach by the charity from a single site.

6.2.3 The principle of development is, therefore, considered to be acceptable and the delivery of accommodation to fulfil a specialist housing need is welcome.

6.3 Design and effect on character

6.3.1 Notwithstanding that the existing parking and office building on site, it is accepted that the application would result in a relatively intensive form of development. In particular, the amount of built form and hardstanding be greater than 50% of the site area, contrary to the guidance set out in the Residential Design Guide (RDG). That said, the surrounding area does have a relatively dense and built-up character. The neighbouring community centre is a 100% developed site, as are many of the properties that front Lodge Road. As such, the loss of space to the rear of the existing building is not considered to be unduly out-of-keeping with the site context.

6.3.2 Furthermore, a considered approach has been taken to the design of the development and the indicative landscaping information demonstrates that a high-quality and functional garden space can be provided for occupants. Currently, the garden area, whilst larger, does not provide a positive recreational space for occupants and whilst the proposed garden area will be smaller, securing a high-quality landscape design and management plan for this space can provide improvements in the visual quality of the space. In addition, there is great potential to improve the biodiversity value of the site. As such, overall the erosion of space to the rear of the site is considered to be acceptable.

6.3.2 The proposed building itself would be low-rise with a sedum roof and timber walls to enable it to assimilate into its context and not appear intrusive when viewed from the surroundings. It's position to the rear, means that there would be limited views on the structure from public vantage points. The large window openings assist in providing the impression of a light-weight garden structure. The appearance of the structure would be modern but would complement the Victorian properties to the front of the site with its subordinate appearance and courtyard layout. Overall, the submitted drawings provide the impression of a high-quality development and conditions will be used to secure design details to deliver the quality of finish indicated in the submission.

6.4 Effect on neighbouring residential amenity

6.4.1 The proposed height of the building is 3.3 metres, which will be 1.5 metres taller than the existing boundary treatment on site. Having regard to the scale of the structure the key consideration is the effect on the garden and ground floor accommodation at no. 3 Rose Road. A single storey extension at no 3 Rose Road

is located within close proximity to the proposed siting of the building. The outlook from the window would be impacted by the proposal and in addition the amount of light being received would reduce too. However, due to the low height of the proposal, separation distance and the orientation of the proposed building the impact would not be detrimentally harmful to the amenities of the neighbouring occupiers.

6.4.2 To the rear of the site, the properties at Cambridge Road are approximately 10 metres away so although their outlook and light received to their gardens will alter the impact would not be sufficient to cause detrimental harm to the occupiers. The siting of the building adjacent to the boundaries would provide a barrier from the proposed amenity space and the neighbours. A sound proofing condition is proposed to limit the impact of the proposed occupiers in terms of noise.

6.4.3 The building is designed with windows facing the internal courtyard to ensure the privacy of neighbouring residents is not adversely affected.

6.5 Quality of residential environment

6.5.1 In terms of the external amenity space, the Council has no specific amenity space standards for specialist housing accommodation. In total, a garden of 110 sq.m is provided. With respect to the existing occupiers of the site, it is noted the amount of area provided for the occupiers to sit out and socialise has reduced but, as set out, the design of the space would provide a positive external environment for both existing and future occupants of the site.

6.5.2 The building is positioned to enable habitable room windows within nos. 5-7 to still enjoy a good level of outlook and daylight, with no habitable room windows being directly obscured by the new structure.

6.5.3 In terms of the new accommodation, the five occupants would share a communal living space of 20sq.m and each en-suite bedroom would enjoy a good level of outlook and daylight through the large fenestration, over the garden area. All but one of the bedrooms would benefit from a southerly aspect. Overall, the quality of the residential environment for both existing and future occupants is considered to be acceptable.

6.5.4 Crucial to the acceptability of the scheme is the nature of the accommodation and the manner in which it will be linked to the existing use at nos. 5-7. As such, a condition is suggested to retain the use proposed and the management link with the existing property.

6.6 Parking highways and transport

6.6.1 The site is situated in a sustainable location, just beyond the city centre boundary, and there are numerous residential uses in the area as well as local amenities for day to day living. The nearby streets are subject to Traffic Regulation Order which manages on-street car parking and the residents/employees of the development would not be eligible for car parking permits, as such it is not considered that the development would lead to harmful overspill car parking. In addition to the above, it

is understood the occupiers are unlikely to have access to a car.

6.6.2 No objection has been raised to the proposal from the Highways Development Management Team. Refuse and cycle storage, as well as parking on site, can be achieved. Therefore, on this basis the proposal is considered to address the concerns relating to parking and highway safety.

6.7 Likely effect on designated habitats.

6.7.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

7. Summary

7.1 Whilst the proposal results in the loss of garden space the proposal provides longer term accommodation for a vulnerable group of people which is welcome. The proposal has been well-designed to balance the need to maximise the use of the site whilst appearing as an attractive and subordinate addition within the surrounding area.

8. Conclusion

8.1 Subject to the conditions laid out further below, the application is recommended for 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) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

ARL for 24/08/2021 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. Restricted Use (Performance)

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only in connection with the use of the host buildings at 5 and 7 Rose Road to house previously homeless tenants and not for any other purpose, including any other use within Use Class C3. Furthermore, no more than 5 occupiers shall reside in the approved building unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interest of the amenities of neighbouring occupiers.

03. Residents Management Plan (Pre-Occupation)

Prior to occupation of the development hereby approved, details of on-site management of the accommodation shall be submitted to and be approved by the Local Planning Authority. The use of the building hereby approved shall operate in accordance with the approved management plan, unless otherwise agreed in writing by the Local Planning Authority. The operation of the residential use hereby approved shall adhere to this management plan for the duration of the use on site.

Reason: In order to protect the amenity of neighbouring residents, and the character of the area.

04. 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.

05. No other windows or doors other than approved (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 windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residential properties.

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

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

- i. proposed finished ground levels, hard surfacing materials, structures and ancillary objects (raised beds etc);
- ii. planting plans; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of two-for one replacement for the removed trees unless circumstances dictate otherwise and agreed in advance;
- iv. details and location of bat and bird boxes
- v. details of any proposed boundary treatment, including retaining walls and;
- vi. 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 with the exception of boundary treatment which shall be retained for the lifetime of the development.

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.

07. Archaeological watching brief investigation (Pre-Commencement Condition)

No below-ground disturbance 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.

08. 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.

09. Energy & Water (Pre-Construction)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve a minimum 19% improvement over current Building Regulation part L Target Emission Rate requirements and 105 Litres/Person/Day internal water use. 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 (Amended 2015).

10. Energy & Water (Performance)

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 current Building Regulations Target Emission Rate (TER) requirements and 105 Litres/Person/Day internal water use 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 Adopted Core Strategy (Amended 2015).

11. Amenity Space Access (Pre-Occupation)

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.

12. 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.

13. 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.

14. Public Sewer protection (Performance)

Prior to the commencement of development, details of the measures to protect the public sewer from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason: In order to safeguard the public sewer.

15. Demolition Statement (Pre-Commencement)

Precise details of the method and programming of the demolition of the existing office building shall be submitted to and approved by in writing by the Local Planning Authority prior to the implementation of the scheme. The agreed scheme shall be carried out to the details as specified in the demolition programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of adjacent residential properties.

16. Noise & Vibration (external noise sources) (Pre-Commencement)

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

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

17. Noise - plant and machinery (Pre-Commencement)

The use hereby approved shall not commence until details of measures to minimise noise from plant and machinery associated with the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved.

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

18. Refuse & Recycling (Performance)

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

Reason: In the interest of visual and residential amenity.

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

19. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

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

20. 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, the character of the area and highway safety.

21. 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.

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.

**Application 21/00920/FUL
APPENDIX 1**

Habitat Regulation Assessment (HRA)
Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA completion date:	See Main Report
Application reference:	See Main Report
Application address:	See Main Report
Application description:	See Main Report
Lead Planning Officer:	See Main Report
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017.	

Stage 1 - details of the plan or project

European site potentially impacted by planning application, plan or project:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. New Forest SAC, SPA and Ramsar site.
Is the planning application directly connected with or necessary to the management of the site (if yes,	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.

Applicant should have provided details)?	
Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?	<p>Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area.</p> <p>Concerns have been raised by Natural England that residential development within Southampton, in combination with other development in the Solent area, could lead to an increase in recreational disturbance within the New Forest. This has the potential to adversely impact site integrity of the New Forest SPA, SAC and Ramsar site.</p> <p>The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.</p>

Stage 2 - HRA screening assessment

Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Solent SPAs

The proposed development is within 5.6km of the collectively known European designated areas Solent SPAs/Ramsar sites. In accordance with advice from Natural England and as detailed in the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with

other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

The New Forest

The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. (Footprint Ecology.), indicates that 40% of visitors to the area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.

The report states that the estimated number of current annual visits to the New Forest is predicted to increase by 1.05 million annual visits by 2026 based on projections of housing development within 50km of the Forest, with around three quarters (764,000) of this total increase originating from within 10km of the boundary (which includes Southampton).

Residential development has the potential to indirectly alter the structure and function of the habitats of the New Forest SAC, SPA and Ramsar site breeding populations of nightjar, woodlark and Dartford warbler through disturbance from increased human and/or dog activity. The precise scale of the potential impact is currently uncertain however, the impacts of recreational disturbance can be such that they affect the breeding success of the designated bird species and therefore act against the stated conservation objectives of the European sites.

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

Solent SPAs

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs and in accordance with the findings of the Solent

Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

Within Southampton the Council will promote biodiversity through:

1. Ensuring development does not adversely affect the integrity of international designations, and the necessary mitigation measures are provided; or the development otherwise meets the Habitats Directive;

In line with Policy CS22, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

Southampton City Council formally adopted the Solent Recreation Mitigation Strategy (SRMP) in March 2018. The SRMP provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Solent SPAs arising from new residential development. This strategy represents a partnership approach to the issue which has been endorsed by Natural England.

As set out in the Solent Recreation Mitigation Strategy, an appropriate scale of mitigation for this scheme would be:

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£361.00
2 Bedroom	£522.00
3 Bedroom	£681.00
4 Bedroom	£801.00
5 Bedroom	£940.00

Therefore, in order to deliver the adequate level of mitigation the proposed development will need to provide a financial contribution, in accordance with the table above, to mitigate the likely impacts.

A legal agreement, agreed prior to the granting of planning permission, will be necessary to secure the mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. Providing such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

New Forest

The project being assessed would result in a net increase in dwellings within easy travelling distance of the New Forest and a permanent significant effect on the New Forest SAC, SPA and Ramsar, due to an increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy

Partial Review, which states that,

Within Southampton the Council will promote biodiversity through:

1. Ensuring development does not adversely affect the integrity of international designations, and the necessary mitigation measures are provided; or the development otherwise meets the Habitats Directive;

In line with Policy CS22, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

At present, there is no scheme of mitigation addressing impacts on the New Forest designated sites, although, work is underway to develop one. In the absence of an agreed scheme of mitigation, the City Council has undertaken to ring fence 5% of CIL contributions to fund footpath improvement works within suitable semi-natural sites within Southampton. These improved facilities will provide alternative dog walking areas for new residents.

The proposed development will generate a CIL contribution and the City Council will ring fence 10% of the overall sum, to fund improvements to footpaths within the greenways and other semi-natural greenspaces.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

In conclusion, the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European and Internationally protected sites. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Solent Recreation Mitigation Strategy.

The authority's assessment is that the application coupled with the contribution towards the SRMS secured by way of legal agreement complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

In the absence of an agreed mitigation scheme for impacts on the New Forest designated sites Southampton City Council has adopted a precautionary approach and ring fenced 10% of CIL contributions to provide alternative recreation routes within the city.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2012.

Natural England Officer: Becky Aziz (email 20/08/2018)

Summary of Natural England's comments:

Where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
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
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
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
HE6	Archaeological Remains

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 (2021)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

Case Ref	Proposal	Decision	Date
7 Rose Road			
07/01942/FU L	Single storey portakabin building to provide temporary office accommodation for 5 years.	Application Refused	04.02.2008
06/00444/FU L	Change of use of existing detached outbuilding to plant cultivation laboratory/greenhouse (Use Class B1b) (Retrospective).	Conditionally Approved	04.08.2006
5 Rose Road			
1534/M15	Use as group house for ex-psychiatric patients (personal use)	Conditionally Approved	08.02.1978
1520/M7	Change of use to rest home for people with learning difficulties (personal use)	Conditionally Approved	15.03.1977