

Planning and Rights of Way Panel 23rd January 2024
Planning Application Report of the Head of Transport & Planning

Application address: Glyn Court, 37 Archers Road, Southampton SO15 2NB			
Proposed development: Proposed fourth storey extension to existing building to create 2 additional 2 bedroom flats with associated parking and bin and bike storage.			
Application number:	22/01094/FUL	Application type:	FULL
Case officer:	Anna Coombes	Public speaking time:	5 minutes
Last date for determination:	27.01.2024 (ETA)	Ward:	Banister and Polygon
Reason for Panel Referral:	More than 5 letters of objection have been received	Ward Councillors:	Cllr Leggett Cllr Windle Cllr Evey
Applicant: Mr Donald Wilson		Agent: Wildern Architecture Ltd	

Recommendation Summary	Delegate to Head of Transport and Planning to grant planning permission subject to criteria listed in report
-------------------------------	--

Community Infrastructure Levy Liable	Yes
---	-----

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The departure from the Development Plan is, therefore, considered to be acceptable and 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. Policies – CS4, CS6, CS13, CS16, CS18, CS19, CS20 and CS22 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, CLT3, H1, H2, H6 and H7 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Comparison of plans	4	Panel Meeting Minutes 14.03.2017

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.

2. Delegate to the Head of Transport and Planning 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 Transport and Planning be given 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 application site comprises a 3 storey block of 6x 2 bedroom flats located on the northern side of Archers Road. This property was constructed in 1956 (ref.1083/37) alongside a block of 6 lock up garages to the rear (ref.1086/38). Four allocated car parking spaces serving the neighbouring flats at 39 Archers Courts are located to the front of the building. The front elevation of this property is set back from the public footpath at a distance of approximately 26m, behind a front garden, front driveway and low boundary wall. Site access is taken from Archers Road.
- 1.2 The surrounding area is predominantly residential in character. The neighbouring site to the east (19 Archers Road) is occupied by three-storey terraced housing, the adjoining site to the west is occupied by a 3-5 storey flatted block fronting Northlands Road (Simco Court). The opposite side of Archers Road is made up of the rear garden boundaries of three-storey terraced housing facing Berkley Close, with St Marks Church further to the west. Larger flatted blocks are located nearby on Archers Road, including 9-storey Overdell Court.
- 1.3 Parking controls are in place on Archers Road with either no parking at any time or no parking Monday-Saturday 8am-6pm. Northlands Road has parking restrictions on its eastern side with no parking Monday-Saturday 8am-6pm, the western side contains unrestricted parking with the exception of 2hr waiting outside Tudor Wood flats.

2. Proposal and Background

- 2.1 A previous scheme for an additional storey comprising 2 additional 2-bed flats was approved by the Planning Panel on 14th March 2017 (planning permission reference 16/00328/FUL). This permission was not implemented and has now lapsed. The current application is almost identical to that previously approved scheme in terms of the size, position and scale of the additional storey, however there are changes to the internal layouts of the flats to locate the proposed living spaces above existing living spaces of the flats below to reduce potential noise transfer to bedrooms. There are also minor changes to the external materials and amended proposals for bin storage, cycle storage and parking. A side-by-side comparison of the previously approved scheme and the

currently proposed scheme is included as **Appendix 3**.

- 2.2 The proposal again seeks to extend the building with an additional storey comprising 2 additional 2-bed flats. The additional storey would have a flat roofed design and would be set-back from the front and rear of the building with raised parapet in order to provide roof terraces to the front and rear. The existing chimneys will be retained and extended upwards, continuing to serve flats 1-6. The additional floor would be finished in matching brick cladding with aluminium capping to the flat roof and render finish to the raised parapet and side walls. The flats would continue to be served by the existing side entrance and stair core.
- 2.3 The resultant building would have 4-storeys with a total of 8 flats and a ratio of 1:1 car parking provision. Two of the existing parking spaces to the front of the building are now proposed to be allocated to the 2 new flats. Previously, two new parking spaces were approved towards the rear of the building, however further site surveys have found that this would not provide sufficient vehicular manoeuvring space. The 2x informal visitor parking spaces are now to be retained as existing.

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 2**.
- 3.2 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 2023. Paragraph 225 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 In 1956, planning permission was granted for the existing building comprising 6 flats, known as ‘Glyn Court’ (ref 1083/3) and also the garage court at the rear (ref.1086/38).
- 4.2 The neighbouring site to the west comprises a 3-5 storey flatted block (Simco Court) allowed on appeal 26.07.2012 (ref 11/01336/FUL). This approved scheme comprises 20 flats (7 x 1-bedroom, 7 x 2-bedroom and 6 x 3-bedroom) served by 10 on-site car parking spaces.

4.3 As set out in section 2 above, an almost identical scheme for a fourth storey containing two additional two-bed units was approved by Panel in 2017 (reference 16/00328/FUL). Panel meeting minutes can be found at **Appendix 4** of this report.

4.4 Most recently, retrospective planning permission was granted in 2022 for minor changes to the front elevation of the building under ref: 22/01125/FUL. This application comprised replacing the existing ground floor front window with a combination of window and French doors, and the addition of external timber steps.

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 on 23.09.2022. More recently, a re-consultation was undertaken on 21.12.2024 to consult on amended plans. This re-consultation period closed on 04.01.2024. At the time of writing the report **9 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2 Overshadowing, loss of privacy and visual impact to neighbouring properties **Response**

The proposed south-western side facing windows are limited to only 2x smaller, high-level bathroom windows, which would not offer direct views out, and privacy screens have been provided to the roof terraces to prevent overlooking towards Simco Court. The separation distance to the facing habitable room windows of Durban Court is approximately 29m. As such, the design and scale of the proposed 4th floor extension is not considered to result in significantly harmful impacts for neighbouring properties in terms of overbearing, overshadowing or overlooking. The impacts of a similar proposal were found to be acceptable by the Council in 2017 and circumstances and the Development Plan and associated guidance remain the same.

5.3 Reduction in value of property **Response**

Planning is concerned with land use in the public interest, and therefore the protection of purely private interests such as the impact of a development on the value of a neighbouring property is not a material consideration, as set out within National Planning Practice Guidance.

5.4 Impact of noise, dust and disruption during construction **Response**

Construction noise and disruption are an unfortunate symptom of development and cannot be used as a reason to refuse planning permission. Environmental controls can be put in place through planning conditions to control the hours of work and to secure dust control measures through a construction environment management plan to minimise the impact of noise, dust and disturbance to

existing occupiers.

- 5.5 ***Insufficient parking provision. Front parking spaces have been leased to Simco Court, not available to residents.***

Response

The existing car parking provision will not change. The provision of 1 space per new 2 bed flat accords with the Council's maximum car parking standards. The maximum would be 2 spaces per dwelling. The proposal does not result in the loss of parking provision for existing residents.

The site is located within an accessible location, in close proximity to public transport services, places of work and amenities within the city centre which reduces car reliance. Existing parking controls within Archers Road and adjoining streets will prevent any parking overspill from prejudicing highway safety. See 'Planning Considerations' below for further discussion on this point.

- 5.6 ***The proposed car parking spaces would compromise the existing parking and vehicle turning space to the rear of the site. The existing visitor spaces are disputed; parking in front of Flat 2 would compromise privacy and amenity for this flat.***

Response

The plans have been amended to show the available space on site correctly and to relocate the allocated parking spaces for the new flats into 2 of the 4 existing parking bays at the front of the building. The rear parking area is therefore no longer impacted. The existing informal visitor parking bays are unchanged from the existing situation.

- 5.7 ***Residents have not been notified of this application.***

Response

There was a slight delay between the application being made valid and neighbour consultation letters being sent out. This comment was made in the intervening period. Officers have confirmed that a notification letter was sent to the resident under the standard neighbour consultation process, and the Council has exceeded its statutory obligations in respect of notification.

- 5.8 ***The garden is privately owned by Flat 5, it is not communal. No agreement has been made between the applicant and leaseholders for use of the garden. The garden was made smaller without the permission of the leaseholder.***

Response

The correct ownership certificate has been signed on the application form, listing all other parties with an interest in the land. If permission is granted, it will be the responsibility of the applicant to negotiate any required land agreements or party wall agreements before they can then implement their permission. The previously imposed condition requiring that the garden space be shared (see condition 13 on the Panel Minutes attached at **Appendix 4**) will not be reimposed as part of this recommendation.

- 5.9 ***The extra parking spaces may lead to vehicles reversing out onto Archers Road.***

Response

The proposed parking spaces for the new flats have been relocated to occupy 2 of the existing 4 bays to the front of the property. Existing vehicle manoeuvring space to the rear is now unchanged from the existing situation.

- 5.10 ***Additional flats will exacerbate existing traffic congestion within Archers Road and impact on local services.***

Response

No objection has been raised by Highways Development Management. The impact of 2 additional flats would not have a sufficiently harmful impact on the highway network to substantiate a reason for refusal. Furthermore, the site is situated within a sustainable location which will encourage walking / cycling. The proposal will generate a contribution towards CIL, which is used to support local services and infrastructure.

- 5.11 ***The applicant requires consent from leaseholders to construct in the airspace above the building. Existing TV roof top antennas will no longer be accessible by ladder, a rooftop hatch is required.***

Response

If permission is granted, it will be the responsibility of the applicant to negotiate any required land / air space agreements or party wall agreements before they can implement their permission. The applicant will also need to negotiate the re location of rooftop antennas and access arrangements with leaseholders. There are alternatives to a rooftop hatch available, and this is not a significant material Planning matter.

- 5.12 ***Scaffolding could compromise parking and access. No compensation has been offered to residents during construction. Access to flats 5 and 6 would be compromised during construction. Is a temporary roof covering required during construction? Will residents of flats 5 and 6 be rehoused during construction? Where is the contractor's storage / compound?***

Response

Details of scaffolding, temporary roofing, safe access arrangements, and appropriate contractor's storage can be secured via a construction environment management plan condition. Compensation for construction disturbance and provisions for relocation during construction works are matters to be negotiated between the applicant and leaseholders.

- 5.13 ***The existing sheds are privately owned, they are not bike storage.***

Response

The existing sheds provide existing residents with the opportunity for bike storage, if needed, in addition to their existing garages. This arrangement will not change. 2 new sheds are proposed to provide appropriate bike storage for the 2 new flats in accordance with Local Authority requirements.

- 5.14 ***Extra soundproofing should be required between new and existing flats.***

Response

The development will need to meet the soundproofing requirements under part E of the Building Regulations. It would be unreasonable for the Council to

require a higher specification and it didn't in 2017 when the previous scheme was approved.

5.15 ***Potential late-night disturbance arising from the two additional flats that could accommodate up to 8 persons***

Response

Whilst some increase in noise and disturbance is to be expected as a result of 2 additional flats, the impact of these additional comings and goings are not considered to be significantly harmful to the amenity of occupiers. Anti-social late-night noise disturbance can be controlled by separate environmental health legislation.

5.16 ***Balconies will cause problems to the flats below in terms of water ingress. It is unclear if there is sufficient space to accommodate the stair height or for large furniture to be delivered to flats 7 & 8. How is rainwater managed?***

Response

The roof terraces will be required to meet current Building Regulations in relation to water tightness. Similarly, the detailed stair design and access will be assessed at building regulations stage. A condition is recommended to secure details of surface water management.

5.17 ***The building is not strong enough to support an additional floor. Request the addition of lintels to existing windows to accommodate the additional loading***

Response

Structural loading calculations assessed under Buildings Regulations will determine if any measures are required to support and enhance the existing building.

5.18 ***The drawings are incorrect.***

Response

Numerous items are disputed and the full comments are available to view on Public Access, via the Council's website, but they are not repeated here in the interests of brevity. The plans have been reviewed in light of neighbour comments and discussion with officers, and where corrections have been required, the drawings have been amended, for example including the flowerbeds around the building and ground floor patio doors and steps to Flat 1 have now been added. Any remaining discrepancies do not prevent the Panel from making an informed decision on this application.

5.19 ***The existing chimneys should be re-provided within the new scheme.***

Response

The amended plans now show the existing chimneys to be re-provided on the new roof top.

Consultation Responses

5.19	Consultee	Comments

<p>Cllr David Shields</p>	<p>I have a number of concerns with this proposed development relating (1) to inadequate and potentially unsafe additional car parking (2) questions over the ownership of the communal grounds and (3) the potential harm to health and wellbeing of existing residents (including families) in an apartment block which is relatively tranquil at present</p>
<p>Highways Development Management</p>	<p>No objection raised No changes are proposed to the access from the highway. The additional bike storage units and bins are acceptable.</p> <p>Two additional parking spaces are provided (one for each proposed additional unit) which is acceptable. However, there are concerns that the existing garages are no longer usable for existing parking due to their size. The Parking Standards SPD states garages only count towards parking provision if they are at least 6m x 3m. The current garages fall below this at 2.5m wide. Therefore, as evidenced by google aerial view, some cars are parked outside the garages on the forecourt space. This would impact on the available forecourt space for reversing on site and leaving in a forward gear, which is requirement for this busy classified road.</p> <p>The plans show that even if all the garage users parked their vehicle in front of the garages, there would still be sufficient reversing space available (over 6m) for vehicles to turn on site and exit in a forward gear. The available space measured in the forecourt area is on the basis that this is intended for use as forecourt space. If the space is deemed to be amenity (garden) space then there would not be sufficient space for vehicles reversing, and highways would object to the proposals on this basis. It would then be necessary to reassess the available parking space and potentially remove the garages and provide a new parking space arrangement within the remaining space.</p> <p>In summary, there needs to be 6m reversing space for vehicles to reverse on site and exit in a forward gear. If some of the rear space is intended as amenity space, then there will not be sufficient space due to the existing sub-standard garages meaning existing users are likely parking in front of the garages.</p> <p><i>Officer note: A subsequent site survey has shown there to be insufficient space to provide both the proposed 2 new parking spaces and the necessary vehicle manoeuvring space to the rear of the site, so amended plans have been submitted which now re-allocate 2 of the existing 4 spaces at the front of the site to the 2 new flats.</i></p>

Sustainability Team	<p>No objection raised</p> <p>It is recommended that the following guidance is followed: Southampton City Council Energy Guidance for New Developments 2021-2025. The following conditions are recommended in order to ensure compliance with core strategy policy CS20:</p> <ul style="list-style-type: none"> • Water & Energy [Pre-Construction] • Water & Energy [Performance]
Trees Officer	<p>No objection raised.</p> <p>There does not appear to be any impact to trees on site by the development itself. There are protected trees on site at the South/West corner, but these are incorporated into an enclosed garden and at a lower level. Request condition to ensure protection from site storage and traffic:</p> <ul style="list-style-type: none"> • No storage under tree canopy <p><i>Update following amended plans 29.12.2023:</i> The new plan has no affect on the trees and so the previous comments are still valid.</p>
Community Infrastructure Levy (CIL)	<p>No objection raised</p> <p>The development is CIL liable as there is a net gain of residential units. The residential CIL rate is currently £110.94 per sq. m, to be measured on the Gross Internal Area floorspace of the extension. The residential CIL rate from 1st January 2024 will be £119.06 per sq. m. Should the application be approved a Liability Notice will be issued detailing the CIL amount and the process from that point.</p>
Natural England	<p>Objection raised</p> <p>As submitted, we consider it will have an adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site through increasing visitor numbers.</p>
Southern Water	<p>No objection raised</p> <p>The existing building lies over a public foul sewer. If the works will alter the existing foundation line or depth, or the structural load applied on the sewer, it will be necessary for the applicant to contact Southern Water.</p> <p>The exact position of the public surface water sewer must be determined on site by the applicant in consultation with Southern Water before the layout of the development is finalised.</p> <p>Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.</p>

	<i>Officer note: conditions are recommended to secure details of public sewer protection measures and for details of foul sewer and surface water management.</i>
--	---

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;
- Residential amenity;
- Parking highways and transport;
- Impact on protected trees and landscaping;
- Air quality and the green charter and;
- Mitigation of direct local impacts and likely effect on designated habitats.

6.2 Principle of Development

6.2.1 The principle of additional housing is fully supported. The site can accommodate a more intensive form of residential development (in principle). The site is not allocated for additional housing but the proposed dwellings would represent windfall housing development. The LDF Core Strategy identifies the Council's current housing need, and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The NPPF and our saved policies, seeks to maximise previously developed land potential in accessible locations.

6.2.2 The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs. Set against the latest Government housing need target for Southampton (using the standard method with the recent 35% uplift), the Council has less than five years of housing land supply. This means that the Panel will need to have regard to paragraph 11(d) of the NPPF, which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, it should grant permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

[the so-called "tilted balance"]

6.2.3 It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new dwelling(s), and their subsequent occupation, and these are set out in further detail below to enable the Panel to determine 'the Planning Balance' in this case.

6.2.4 Whilst the site is not identified for development purposes the NPPF requires planning decisions to promote an effective use of available land, and the Council's policies promote the efficient use of previously developed land to provide housing.

6.2.5 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in high accessibility locations such as this, density levels should generally exceed 100 d.p.h, although caveats this in terms of the need to test the density in terms of the character of the area and the quality and quantity of open space provided. The proposal would achieve a residential density of 76 d.p.h (based on an estimated site area of 1056sq.m) which, whilst slightly below the range set out above, would be appropriate in the context of the existing site. The development also needs to be tested in terms of the merits of the scheme as a whole and the wider character of the area. This is discussed in more detail below.

6.3 Design and effect on character

6.3.1 The existing building is set back from the Archers Road frontage adjacent to a 3-5 storey flatted block to the west (Simco Court) and garages and residential gardens to the east. The increase in building height from 3 to 4-storey will not have a harmful impact on the visual amenities of the area having regard to the building set back and height of adjacent buildings.

6.3.2 The proposal is very similar to the previously approved scheme from 2017, with a flat roofed design with an eaves overhang. The existing chimneys are to be retained and extended to project above the new flat roof. The incorporation of front and rear set-backs to provide roof terraces provides a degree of subservience to the existing building. The proposed extension will be finished in brick cladding to closely match the existing brickwork with render banding incorporated to the raised parapet to provide a transition material between the existing and new brickwork courses. The proposed form and choice of external materials is considered in keeping with the character and appearance of the area and therefore comply with our current design policies and guidance as listed at **Appendix 2**.

6.4 Residential amenity

6.4.1 The starting point to assess the quality of the residential environment for future occupants is the minimum floorspace set out in Nationally Described Space Standards (NDSS) (2 bed, 3 bedspaces = 61sqm) and the minimum garden sizes of 20sqm per flat, set out in the Council's Residential Design Guide (RDG) (para 2.3.14 and section 4.4).

	Proposed floorspace	Nationally Described Space Standards	Compliance
Flat 7			
Gross internal floor area	54m ²	61m ² (2 bed 3 person)	X
Bedroom 1	11m ²	11.5m ² Double	X
Bedroom 2	8m ²	7.5m ² Single	✓
Flat 8			

Gross internal floor area	54m ²	61m ² (2 bed 3 person)	X
Bedroom 1	12.5m ²	11.5m ² Double	✓
Bedroom 2	11.m ²	7.5m ² Single	✓

NDSS - [Title \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

- 6.4.2 Whilst the GIA floorspaces of both proposed flats and the size of Bedroom 1 of Flat 7 fall slightly below the NDSS minimum sizes outlined above, the overall benefits of providing additional residential accommodation in a highly sustainable location are considered to outweigh the minor shortfall in internal space standards. 54sq.m remains a reasonable sized flat and exceeds the minimum of 37sq.m for a single occupancy that was introduced after the 2017 permission was granted. Whilst the previous 2017 permission has lapsed, it is also noted that the proposed internal layout and flat sizes remain as they were previously approved and that each new flat is provided with extensive views and access to daylight, alongside a small private roof terrace, which is an improvement over the existing flats which have no access to communal amenity space, except for Flat 5 with its own private amenity space.
- 6.4.3 The proposed windows within the south-western side elevation of the extension facing Simco Court are limited to only 2x smaller, high-level bathroom windows, which would not offer direct views towards this neighbouring property. Privacy screens have also been added to the roof terraces to prevent overlooking. The design and scale of the proposed 4th floor extension is not considered to create a significantly overbearing form of development for neighbouring properties.
- 6.4.4 The separation distance to the facing habitable room windows of Durban Court is approximately 29m. This exceeds our minimum back-to-back separation distance of 21m as given in the RDG SPD. At this distance, the design and scale of the proposed 4th floor extension is not considered to result in significantly harmful impacts for neighbouring properties in terms of overbearing, overshadowing or overlooking.
- 6.4.5 The separation distance to the facing habitable room windows of 20 Ranelagh Gardens is approximately 20m. This is slightly below our minimum back-to-back separation distance of 21m as given in the RDG SPD, however officers also note that there are existing side facing bedroom windows at ground, first and second floors on this elevation, so the proposal is not considered to present a significantly more harmful impact than the current situation.
- 6.4.6 In terms of impacts on the existing occupiers of the building, the internal layout of flats 7 & 8 has been rearranged to stack the living rooms above the living rooms of the flats below, likewise bedrooms above bedrooms, to reduce noise transfer. Building regulations will set appropriate minimum requirements for sound insulation between floors. A condition is recommended to secure a construction environment management plan and working hours, to control and mitigate the impacts of dust, noise and disturbance on existing occupiers during construction, and to ensure safe access is provided.

6.4.7 Overall, it is considered that the development is designed to provide a good-quality environment for future residents whilst ensuring a harmonious relationship with existing occupiers and adjacent residential properties. Therefore, the proposal does not warrant a reason for refusal on residential amenity grounds in terms of amenity space, outlook, loss of light and/or privacy and accords with Local Plan Review saved Policy SDP1(i).

6.5 Parking, highways and transport

6.5.1 The Council's Highways officers have no objection to the proposal. The widened site access to allow vehicles to pass at the entrance remains 4.5m wide, as shown on the previously approved plans under the 2017 scheme, in order to prevent obstruction to the footway and flow of traffic along Archers Road. Officers note, however, that a wider entrance of 5m was sought at the previous panel meeting via an amended condition. As such, the same condition is recommended again further below.

6.5.2 The car parking layout has been amended to relocate both of the proposed parking spaces to the existing 4 spaces at the front of the building to ensure that the existing parking spaces for Flats 1-6 in front of the garages to the rear, and the vehicle manoeuvring space, will not be compromised.

6.5.2 The provision of 1 car parking space per 2-bed dwelling accords with the Council's maximum standards and is considered appropriate in this highly sustainable edge of city centre location with a high PTAL accessibility rating. This parking ratio remains as previously approved and there have been no national or local policy changes relating to parking in the intervening period.

6.5.3 It is also noted that existing parking controls within Archers Road and adjoining streets will prevent any parking overspill from prejudicing highway safety.

6.5.4 Individual wheelie bins are shown for each flat on the submitted plans. A condition is recommended to secure euro bin storage and an appropriate collection point near the road. Each of the new flats is provided with a secure store in the garden for bikes in line with our standards.

6.6 Impact on protected trees.

6.6.1 There are protected trees within the sunken garden area to the front of the site, which will require appropriate protection measures for the duration of works to widen the site entrance. Therefore, a pre-commencement condition is recommended to secure tree retention and safeguarding to prevent harm to the protected trees.

6.7 Air Quality and the Green Charter

6.7.1 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards.

6.7.2 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive.

6.7.3 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive-up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m³. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:

- Reduce pollution and waste;
- Minimise the impact of climate change
- Reduce health inequalities and;
- Create a more sustainable approach to economic growth.

6.7.4 The application site is not within an Air Quality Management Area and, as such, an Assessment is not required. The application has addressed the effect of the development on air quality and the requirements of the Green Charter by using an existing developed site to provide housing units in a highly sustainable area with cycle storage to promote cycling as an alternative form of transport. A construction management plan has been secured and as the scheme complies with the above requirement, no objection to the scheme is raised on these grounds.

6.8 Mitigation of likely effect on designated habitats

6.8.1 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.

6.8.2 When the legal agreement is signed and actioned, this application will have complied with the requirements of the SDMP and met the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

6.8.3 In order to comply with the provisions of the Habitat Regulations regarding nutrient neutrality, and to ensure that development does not adversely affect the integrity of a European designated habitat, new development which leads to a net increase in residential units must be subject to an appropriate

assessment to demonstrate how mitigation measures will be implemented to achieve nitrogen neutrality. This appropriate assessment forms part of the Habitat Regulations Assessment (HRA) at **Appendix 1**.

- 6.8.4 In order for the Council to conduct an appropriate assessment, the applicant has submitted a nitrogen budget and has confirmed that they will secure mitigation through the purchase of sufficient nitrates credits from the Eastleigh Borough Council Nutrient Offset Scheme. The HRA concludes that, provided the specified mitigation is secured prior to first occupation of the development, then the development will not adversely affect the integrity of the European designated sites. Condition 12 (further below) applies.

7. Summary

- 7.1 This application follows a very similar planning permission for 2 flats that has since expired ahead of being implemented. The principle of new residential development is once again considered acceptable. It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new flats, and their subsequent occupation, as set out in this report.
- 7.2 Taking into account the benefits of the proposed development, and the limited harm arising from the development as set out above, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, consideration of the tilted balance would point to approval. In this instance it is considered that the above assessment, alongside the stated benefits of the proposal, suggest that the proposals are acceptable. Having regard to s.38(6) of the Planning and Compulsory Purchase Act 2004, and the considerations set out in this report, the application is recommended for approval.
- 7.3 Overall the scheme is acceptable and will not result in an adverse impact on the amenities enjoyed by surrounding occupiers nor the character and appearance of the area. The proposed layout and density provide an acceptable residential environment for future occupiers. The increase in development will not lead to harmful levels of traffic, congestion or overspill parking having regard to the Council's maximum car parking standards. Furthermore, significant weight is given to the merits of housing delivery on this site and the previous permission, which was determined within a very similar Development Plan context. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to the conditions set out below and 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

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) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer Anna Coombes for 23.01.2024 PROW Panel

PLANNING CONDITIONS to include:

1.Full Permission Timing Condition (Performance)

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

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

2. 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.

3. Hours of work for Demolition / Clearance / Construction (performance condition)

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 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.

4. 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.
- h) details of how safe access for existing residents will be secured during construction.

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.

5. Parking and access (Pre-Occupation Condition)

The proposed parking allocations shall be clearly identified and made available for use, and the works to the front boundary affecting access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Notwithstanding the approved amended plan, the site access on site from Archers Road shall be widened to provide a minimum width of 5 metres at the back edge of pavement with the affected gate post removed and rebuilt to match the existing gate post in order to mark this position. These access works shall be implemented in full prior to the first occupation of the development and shall thereafter be retained as approved.

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

6. Refuse & Recycling (Pre-Commencement)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

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

Note: 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.

7. Cycle storage facilities (Pre-Occupation)

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

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

8. Water & Energy (Pre-Construction Condition)

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 maximum 100 Litres/Person/Day internal water use. 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. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the design and current Building Regulations will be met.

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).

9. Water & Energy (Performance Condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved 100 Litres/Person/Day internal water use in the form of a final 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. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the construction and current Building Regulations have been met.

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).

10. Public Sewer protection (Pre-commencement)

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: To safeguard the public sewer.

11. Surface/Foul Water Drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

12. Nitrate Mitigation

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from the Eastleigh Borough Council Nutrient Offset Scheme for the development has been submitted to the council.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

13. Tree Retention and Safeguarding (Pre-Commencement)

Prior to the commencement of the development hereby approved, including site clearance and demolition, details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be provided in accordance with the agreed details before the development commences and retained, as approved, for the duration of the development works. No works shall be carried out within the fenced off area. All trees shown to be retained on the plans and information hereby approved and retained pursuant to any other condition of this decision notice, shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period

14. No storage under tree canopy (Performance Condition)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

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

15. 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.

16. Privacy Screens and Chimneys

The privacy screens serving the roof terraces, and the chimneys as shown on the approved plans shall be fully installed prior to first occupation of the flats hereby approved and thereafter retained as agreed.

Reason: In the interests of the residential amenities of neighbouring occupiers and to secure a satisfactory form of development

17. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

NOTES TO APPLICANT

1. Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

2. Community Infrastructure Liability

Please note that the development is liable to pay the Community Infrastructure Levy (CIL) under The Community Infrastructure Levy Regulations (2010) (as amended), a Liability Notice will be sent to you separately providing further information. Please ensure that you assume CIL liability and submit a Commencement Notice to the Council prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <https://www.southampton.gov.uk/planning/community-infrastructure-levy/community-infrastructure-levy-process> or contact the CIL Officer: cil@southampton.gov.uk

Habitats Regulations Assessment (HRA)

Application reference:	22/01094/FUL
Application address:	Glyn Court 37 Archers Road Southampton
Application description:	Proposed fourth storey extension to existing building to create 2 additional 2 bedroom flats with associated parking and bin and bike storage.
HRA completion date:	21 December 2023

HRA completed by:

Lindsay McCulloch
Planning Ecologist
Southampton City Council
lindsay.mcculloch@southampton.gov.uk

Summary

The project being assessed is as described above.

The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The site is located close to protected sites and as such there is potential for construction stage impacts. It is also recognised that the proposed development, in combination with other developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.

In addition, wastewater generated by the development could result in the release of nitrogen and phosphate into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.

The findings of the initial assessment concluded that significant effects were possible. A detailed appropriate assessment was therefore conducted on the proposed development.

Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that **the significant effects, which are likely in association with the proposed development, can be adequately mitigated and that there will be no adverse effect on the integrity of protected sites.**

Section 1 - details of the plan or project

European sites potentially impacted by plan or project:	<ul style="list-style-type: none"> ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA
--	---

<p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website</p>	<ul style="list-style-type: none"> ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development is not connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq. m of office floorspace and 462,000 sq. m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.</p> <p>Southampton aims to provide a total of 15,610 net additional dwellings across the city between 2016 and 2035 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of this site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulations 62 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are clear that the assessment provisions, i.e. Regulations 63 and 64 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, as required under Regulation 63 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- **This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 63(1) (a) of the Habitats Regulations.**

The proposed development is located close to the Solent and Dorset Coast SPA, Solent and Southampton Water SPA and Ramsar site and the Solent Maritime SAC. As well as the River Itchen SAC, New Forest SAC, SPA and Ramsar site.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be both temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built.

The following effects are possible:

- Contamination and deterioration in surface water quality from mobilisation of contaminants;
- Disturbance (noise and vibration);
- Increased leisure activities and recreational pressure; and,
- Deterioration in water quality caused by nitrates from wastewater

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 63(1)(a) of the Habitats Regulations.

The project being assessed is as described above. The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The site is located close to European sites and as such there is potential for construction stage impacts. Concern has also been raised that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site. In addition, wastewater generated by the development could result in the release of nitrogen into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.

Overall, there is the potential for permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives
The analysis below constitutes the city council's assessment under Regulation 63(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess

whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152>.

The conservation objective for Special Areas of Conservation is to, *“Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.”*

The conservation objective for Special Protection Areas is to, *“Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.”*

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION PHASE EFFECTS

Mobilisation of contaminants

Sites considered: Solent and Southampton Water SPA/Ramsar site, Solent and Dorset Coast SPA, Solent Maritime SAC, River Itchen SAC (mobile features of interest including Atlantic salmon and otter).

The development site lies within Southampton, which is subject to a long history of port and associated operations. As such, there is the potential for contamination in the site to be mobilised during construction. In 2016 the ecological status of the Southampton Waters was classified as ‘moderate’ while its chemical status classified as ‘fail’. In addition, demolition and construction works would result in the emission of coarse and fine dust and exhaust emissions – these could impact surface water quality in the Solent and Southampton SPA/Ramsar Site and Solent and Dorset Coast SPA with consequent impacts on features of the River Itchen SAC. There could also be deposition of dust particles on habitats within the Solent Maritime SAC.

A range of construction measures can be employed to minimise the risk of mobilising contaminants, for example spraying water on surfaces to reduce dust, and appropriate standard operating procedures can be outlined within a Construction Environmental Management Plan (CEMP) where appropriate to do so.

In the absence of such mitigation there is a risk of contamination or changes to surface water quality during construction and therefore a significant effect is likely from schemes proposing redevelopment.

Disturbance

During demolition and construction noise and vibration have the potential to cause adverse impacts to bird species present within the SPA/Ramsar Site. Activities most likely to generate these impacts include piling and where applicable further details will be secured ahead of the determination of this planning application.

Sites considered: Solent and Southampton Water SPA

The distance between the development and the designated site is substantial and it is considered that sound levels at the designated site will be negligible. In addition, background noise will mask general construction noise. The only likely source of noise impact is piling and only if this is needed. The sudden, sharp noise of percussive piling will stand out from the background noise and has the potential to cause birds on the inter-tidal area to cease feeding or even fly away. This in turn leads to a reduction in the birds' energy intake and/or expenditure of energy which can affect their survival.

Collision risk

Sites considered: Solent and Southampton Water SPA, Solent and Dorset Coast SPA

Mapping undertaken for the Southampton Bird Flight Path Study 2009 demonstrated that the majority of flights by waterfowl occurred over the water and as a result collision risk with construction cranes, if required, or other infrastructure is not predicted to pose a significant threat to the species from the designated sites.

PERMANENT, OPERATIONAL EFFECTS

Recreational disturbance

Human disturbance of birds, which is any human activity which affects a bird's behaviour or survival, has been a key area of conservation concern for a number of years. Examples of such disturbance, identified by research studies, include birds taking flight, changing their feeding behaviour or avoiding otherwise suitable habitat. The effects of such disturbance range from a minor reduction in foraging time to mortality of individuals and lower levels of breeding success.

New Forest SPA/Ramsar site/New Forest SAC

Although relevant research, detailed in Sharp et al 2008, into the effects of human disturbance on interest features of the New Forest SPA/Ramsar site, namely nightjar, *Caprimulgus europaeus*, woodlark, *Lullula arborea*, and Dartford warbler *Sylvia undata*, was not specifically undertaken in the New Forest, the findings of work on the Dorset and Thames Basin Heaths established clear effects of disturbance on these species.

Nightjar

Higher levels of recreational activity, particularly dog walking, has been shown to lower nightjar breeding success rates. On the Dorset Heaths nests close to footpaths were found to be more likely to fail as a consequence of predation, probably due to adults being flushed from the nest by dogs allowing predators access to the eggs.

Woodlark

Density of woodlarks has been shown to be limited by disturbance with higher levels of disturbance leading to lower densities of woodlarks. Although breeding success rates were higher for the nest that were established, probably due to lower levels of competition for food, the overall effect was approximately a third fewer chicks than would have been the case in the absence of disturbance.

Dartford warbler

Adverse impacts on Dartford warbler were only found to be significant in heather dominated territories where high levels of disturbance increased the likelihood of nests near the edge of the territory failing completely. High disturbance levels were also shown to stop pairs raising multiple broods.

In addition to direct impacts on species for which the New Forest SPA/Ramsar site is designated, high levels of recreation activity can also affect habitats for which the New Forest SAC is designated. Such impacts include trampling of vegetation and compaction of soils which can lead to changes in plant and soil invertebrate communities, changes in soil hydrology and chemistry and erosion of soils.

Visitor levels in the New Forest

The New Forest National Park attracts a high number of visitors, calculated to be 15.2 million annually in 2017 and estimated to rise to 17.6 million visitor days by 2037 (RJS Associates Ltd., 2018). It 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, Liley et al (2019), indicated that 83% of visitors to the New Forest were making short visits directly from home whilst 14% were staying tourists and a further 2% were staying with friends or family. These proportions varied seasonally with more holiday makers (22%) and fewer day visitors (76%), in the summer than compared to the spring (12% and 85% respectively) and the winter (11% and 86%). The vast majority of visitors travelled by car or other motor vehicle and the main activities undertaken were dog walking (55%) and walking (26%).

Post code data collected as part of the New Forest Visitor Survey 2018/19 (Liley et al, 2019) revealed that 50% of visitors making short visits/day trips from home lived within 6.1km of the survey point, whilst 75% lived within 13.8km; 6% of these visitors were found to have originated from Southampton.

The application site is located within the 13.8km zone for short visits/day trips and residents of the new development could therefore be expected to make short visits to the New Forest.

Whilst car ownership is a key limitation when it comes to be able to access the New Forest, there are still alternative travel means including the train, bus, ferry and bicycle. As a consequence, there is a risk that recreational disturbance could occur as a result of the development. Mitigation measures will therefore be required.

Mitigation

A number of potential mitigation measures are available to help reduce recreational impacts on the New Forest designated sites, these include:

- Access management within the designated sites;
- Alternative recreational greenspace sites and routes outside the designated sites;
- Education, awareness and promotion

Officers consider a combination of measures will be required to both manage visitors once they arrive in the New Forest, including influencing choice of destination and behaviour, and by deflecting visitors to destinations outside the New Forest.

The New Forest Visitor Study (2019) asked visitors questions about their use of other recreation sites and also their preferences for alternative options such as a new country park or improved footpaths and bridleways. In total 531 alternative sites were mentioned including Southampton Common which was in the top ten of alternative sites. When asked whether they would use a new country park or improved footpaths/ bridleways 40% and 42% of day visitors respectively said they would whilst 21% and 16% respectively said they were unsure. This would suggest that alternative recreation sites can act as suitable mitigation measures, particularly as the research indicates that the number of visits made to the New Forest drops the further away people live.

The top features that attracted people to such sites (mentioned by more than 10% of interviewees) included: Refreshments (18%); Extensive/good walking routes (17%); Natural, 'wild', with wildlife (16%); Play facilities (15%); Good views/scenery (14%); Woodland (14%); Toilets (12%); Off-lead area for dogs (12%); and Open water (12%). Many of these features are currently available in Southampton's Greenways and semi-natural greenspaces and, with additional investment in infrastructure, these sites would be able to accommodate more visitors.

The is within easy reach of a number of semi-natural sites including Southampton Common and the four largest greenways: Lordswood, Lordsdale, Shoreburs and Weston. Officers consider that improvements to the nearest Park will positively encourage greater use of the park by residents of the development in favour of the New Forest. In addition, these greenway sites, which can be accessed via cycle routes and public transport, provide extended opportunities for walking and connections into the wider countryside. In addition, a number of other semi-natural sites including Peartree Green Local Nature Reserve (LNR), Frogs Copse and Riverside Park are also available.

The City Council has committed to ring fencing 4% of CIL receipts to cover the cost of upgrading the footpath network within the city's greenways. This division of the ring-fenced CIL allocation is considered to be appropriate based on the relatively low proportion of visitors, around 6%, recorded originating from Southampton. At present, schemes to upgrade the footpaths on Peartree Green Local Nature Reserve (LNR) and the northern section of the Shoreburs Greenway are due to be implemented within the next twelve months, ahead of occupation of this development. Officers consider that these improvement works will serve to deflect residents from visiting the New Forest.

Discussions have also been undertaken with the New Forest National Park Authority (NFNPA) since the earlier draft of this Assessment to address impacts arising from visitors to the New Forest. The NFNPA have identified a number of areas where visitors from Southampton will typically visit including locations in the eastern half of the New Forest, focused on the Ashurst, Deerleap and Longdown areas of the eastern New Forest, and around Brook and Fritham in the northeast and all with good road links from Southampton. They also noted that visitors from South Hampshire (including Southampton) make up a reasonable proportion of visitors to central areas such as Lyndhurst, Rhinefield, Hatchet Pond and Balmer Lawn (Brockenhurst). The intention, therefore, is to make available the remaining 1% of the ring-fenced CIL monies to the NFNPA to be used to fund appropriate actions from the NFNPA's Revised Habitat Mitigation Scheme SPD (July 2020) in these areas. An initial payment of £73k from extant development will be paid under the agreed MoU towards targeted infrastructure improvements in line with their extant Scheme and the findings of the recent visitor reports. This will be supplemented by a further CIL payment from the development with these monies payable after the approval of the application but ahead of the occupation of the development to enable impacts to be properly mitigated.

The NFNPA have also provided assurance that measures within the Mitigation Scheme are scalable, indicating that additional financial resources can be used to effectively mitigate the impacts of an increase in recreational visits originating from Southampton in addition to extra visits originating from developments within the New Forest itself both now and for the lifetime of the development.

Funding mechanism

A commitment to allocate CIL funding has been made by Southampton City Council. The initial proposal was to ring fence 5% of CIL receipts for measures to mitigate recreational impacts within Southampton and then, subsequently, it was proposed to use 4% for Southampton based measures and 1% to be forwarded to the NFNPA to deliver actions within the Revised Habitat Mitigation Scheme SPD (July 2020). To this end, a Memorandum of Understanding between SCC and the NFNPA, which commits both parties to,

“work towards an agreed SLA whereby monies collected through CIL in the administrative boundary of SCC will be released to NFNPA to finance infrastructure works associated with its Revised Habitat Mitigation Scheme SPD (July 2020), thereby mitigating the direct impacts from development in Southampton upon the New Forest’s international nature conservation designations in perpetuity.”

has been agreed.

The Revised Mitigation Scheme set out in the NFNPA SPD is based on the framework for mitigation originally established in the NFNPA Mitigation Scheme (2012). The key elements of the Revised Scheme to which CIL monies will be released are:

- Access management within the designated sites;
- Alternative recreational greenspace sites and routes outside the designated sites;
- Education, awareness and promotion;

- Monitoring and research; and
- In perpetuity mitigation and funding.

At present there is an accrued total, dating back to 2019 of £73,239.81 to be made available as soon as the SLA is agreed. This will be ahead of the occupation of the development. Further funding arising from the development will be provided.

Provided the approach set out above is implemented, an adverse impact on the integrity of the protected sites will not occur.

Solent and Southampton Water SPA/Ramsar site

The Council has adopted the Solent Recreation Mitigation Partnership's Mitigation Strategy (December 2017), in collaboration with other Councils around the Solent, in order to mitigate the effects of new residential development on the Solent and Southampton Water SPA and Ramsar site. This strategy enables financial contributions to be made by developers to fund appropriate mitigation measures. The level of mitigation payment required is linked to the number of bedrooms within the properties.

The residential element of the development could result in a net increase in the city's population and there is therefore the risk that the development, in-combination with other residential developments across south Hampshire, could lead to recreational impacts upon the Solent and Southampton Water SPA. A contribution to the Solent Recreation Mitigation Partnership's mitigation scheme will enable the recreational impacts to be addressed. The developer has committed to make a payment prior to the commencement of development in line with current Bird Aware requirements and these will be secured ahead of occupation – and most likely ahead of planning permission being implemented.

Water quality

Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site

Natural England highlighted concerns regarding, *“high levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites.”*

Eutrophication is the process by which excess nutrients are added to a water body leading to rapid plant growth. In the case of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site the problem is predominately excess nitrogen arising from farming activity, wastewater treatment works discharges and urban run-off.

Features of Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site that are vulnerable to increases in nitrogen levels are coastal grazing marsh, inter-tidal mud and seagrass.

Evidence of eutrophication impacting the Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site has come from the Environment Agency data

covering estimates of river flow, river quality and also data on WwTW effluent flow and quality.

An Integrated Water Management Study for South Hampshire, commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities, examined the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty in some locations as to whether there will be enough capacity to accommodate new housing growth. There is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether the upgrades to wastewater treatment works will be enough to accommodate the quantity of new housing proposed. Considering this, Natural England have advised that a nitrogen budget is calculated for larger developments.

A methodology provided by Natural England has been used to calculate a nutrient budget and the calculations conclude that there is a predicted Total Nitrogen surplus arising from the development as set out in the applicant's submitted Calculator, included within the submitted Sustainability Checklist, that uses the most up to date calculators (provided by Natural England) and the Council's own bespoke occupancy predictions and can be found using Public Access:

<https://www.southampton.gov.uk/planning/planning-applications/>

This submitted calculation has been checked by the LPA and is a good indication of the scale of nitrogen that will be generated by the development. Further nitrogen budgets will be required as part of any future HRAs. These nitrogen budgets cover the specific mix and number of proposed overnight accommodation and will then inform the exact quantum of mitigation required.

SCC is satisfied that, at this point in the application process, the quantum of nitrogen likely to be generated can be satisfactorily mitigated. This judgement is based on the following measures:

- SCC has adopted a Position Statement, 'Southampton Nitrogen Mitigation Position Statement' which is designed to ensure that new residential and hotel accommodation achieves 'nitrogen neutrality' with mitigation offered within the catchment where the development will be located;
- The approach set out within the Position Statement is based on calculating a nitrogen budget for the development and then mitigating the effects of this to achieve nitrogen neutrality. It is based on the latest advice and calculator issued by Natural England (March 2022);
- The key aspects of Southampton's specific approach, as set out in the Position Statement, have been discussed and agreed with Natural England ahead of approval by the Council's Cabinet in June 2022;
- The Position Statement sets out a number of potential mitigation approaches. The principle underpinning these measures is that they must be counted solely for a specific development, are implemented prior to occupation, are maintained for the duration of the impact of the development (generally taken to be 80 – 125 years) and are enforceable;
- SCC has signed a Section 33 Legal Agreement with Eastleigh Borough Council to enable the use of mitigation land outside Southampton's

administrative boundary, thereby ensuring the required ongoing cross-boundary monitoring and enforcement of the mitigation;

- The applicant has indicated that it will purchase the required number of credits from the Eastleigh BC mitigation scheme to offset the nutrient loading detailed within the nitrogen budget calculator (Appendix 2);
- The initial approach was to ensure an appropriate mitigation strategy was secured through a s.106 legal agreement but following further engagement with Natural England a Grampian condition, requiring implementation of specified mitigation measures prior to first occupation, will be attached to the planning permission. The proposed text of the Grampian condition is as follows:

Outline PP where phased and/or unit quantum or mix unknown:

Not to commence the development of each phase unless the nitrogen budget for that phase has been submitted to and approved by the council. The development of each phase hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from the **Eastleigh Borough Council** Nutrient Offset Scheme for that phase has been submitted to the council.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from the Eastleigh Borough Council – tbc with applicant Nutrient Offset Scheme for the development has been submitted to the council.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

With these measures in place nitrate neutrality will be secured from this development and as a consequence there will be no adverse effect on the integrity of the protected sites.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

Conclusions

The following conclusions can be drawn from the evidence provided:

- There is potential for a number of impacts, including noise disturbance and mobilisation of contaminants, to occur at the demolition and construction stage.
- Water quality within the Solent and Southampton Water SPA/Ramsar site could be affected by release of nitrates contained within wastewater.
- Increased levels of recreation activity could affect the Solent and Southampton Water SPA/Ramsar site and the New Forest/SAC/SPA/Ramsar site.
- There is a low risk of birds colliding with the proposed development.

The following mitigation measures have been proposed as part of the development:

Demolition and Construction phase

- Provision of a Construction Environmental Management Plan, where appropriate.
- Use of quiet construction methods where feasible;
- Further site investigations and a remediation strategy for any soil and groundwater contamination present on the site.

Operational

- Contribution towards the Solent Recreation Mitigation Partnership scheme. The precise contribution level will be determined based on the known mix of development;
- 4% of the CIL contribution will be ring fenced for footpath improvements in Southampton's Greenways network. The precise contribution level will be determined based on the known mix of development;
- Provision of a welcome pack to new residents highlighting local greenspaces and including walking and cycling maps illustrating local routes and public transport information.
- 1% of the CIL contribution will be allocated to the New Forest National Park Authority (NFNPA) Habitat Mitigation Scheme. A Memorandum of Understanding (MoU), setting out proposals to develop a Service Level Agreement (SLA) between SCC and the NFNPA, has been agreed. The precise contribution level will be determined based on the known mix of development with payments made to ensure targeted mitigation can be delivered by NFNPA ahead of occupation of this development.
- A Grampian condition, requiring evidence of purchase of credits from the Eastleigh B C mitigation scheme prior to first occupation, will be attached to the planning permission. The mitigation measures will be consistent with the requirements of the Southampton Nitrogen Mitigation Position Statement to ensure nitrate neutrality.
- All mitigation will be in place ahead of the first occupation of the development thereby ensuring that the direct impacts from this development will be properly addressed.

As a result of the mitigation measures detailed above, when secured through planning obligations and conditions, officers are able to conclude that there will be no adverse impacts upon the integrity of European and other protected sites in the Solent and New Forest arising from this development.

References

- Fearnley, H., Clarke, R. T. & Liley, D. (2011). The Solent Disturbance & Mitigation Project. Phase II – results of the Solent household survey. ©Solent Forum/Footprint Ecology.
- Liley, D., Stillman, R. & Fearnley, H. (2010). The Solent Disturbance and Mitigation Project Phase 2: Results of Bird Disturbance Fieldwork 2009/10. Footprint Ecology/Solent Forum.
- Liley, D., Panter, C., Caals, Z., & Saunders, P. (2019) Recreation use of the New Forest SAC/SPA/Ramsar: New Forest Visitor Survey 2018/19. Unpublished report by Footprint Ecology.
- Liley, D. & Panter, C. (2020). Recreation use of the New Forest SAC/SPA/Ramsar: Results of a telephone survey with people living within 25km. Unpublished report by Footprint Ecology.

Protected Site Qualifying Features

The New Forest SAC

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) (primary reason for selection)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea* (primary reason for selection)
- Northern Atlantic wet heaths with *Erica tetralix* (primary reason for selection)
- European dry heaths (primary reason for selection)
- *Molinia* meadows on calcareous, peaty or clayey-silt laden soils (*Molinion caeruleae*) (primary reason for selection)
- Depressions on peat substrates of the *Rhynchosporion* (primary reason for selection)
- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrub layer
- (*Quercion robori-petraeae* or *Ilici-Fagenion*) (primary reason for selection)
- *Asperulo-Fagetum* beech forests (primary reason for selection)
- Old acidophilous oak woods with *Quercus robur* on sandy plains (primary reason for selection)
- Bog woodland (primary reason for selection)
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*,
- *Salicion albae*) (primary reason for selection)
- Transition mires and quaking bogs
- Alkaline fens

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- Stag Beetle *Lucanus cervus* (primary reason for selection)
- Great Crested Newt *Triturus cristatus*

The New Forest SPA

The New Forest SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Dartford Warbler *Sylvia undata*
- Honey Buzzard *Pernis apivorus*
- Nightjar *Caprimulgus europaeus*
- Woodlark *Lullula arborea*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Hen Harrier *Circus cyaneus*

New Forest Ramsar Site

The New Forest Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires

against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.

- Ramsar criterion 2: The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.
- Ramsar criterion 3: The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

Solent Maritime SAC

The Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Estuaries (primary reason for selection)
- *Spartina* swards (*Spartinion maritimae*) (primary reason for selection)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) (primary reason for selection)
- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by seawater at low tide
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- *Salicornia* and other annuals colonising mud and sand
- Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes")

Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Desmoulin's whorl snail *Vertigo moulinsiana*

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*

- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas Penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

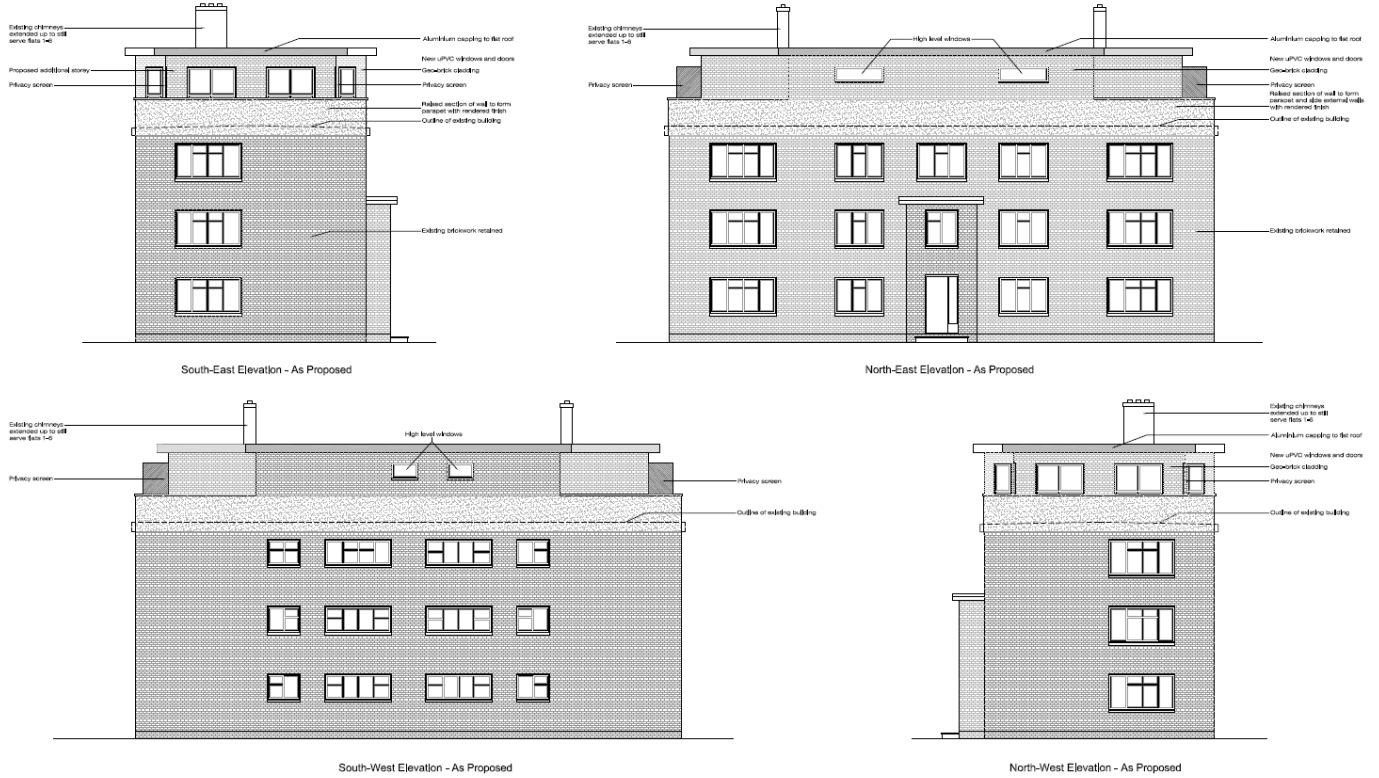
Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

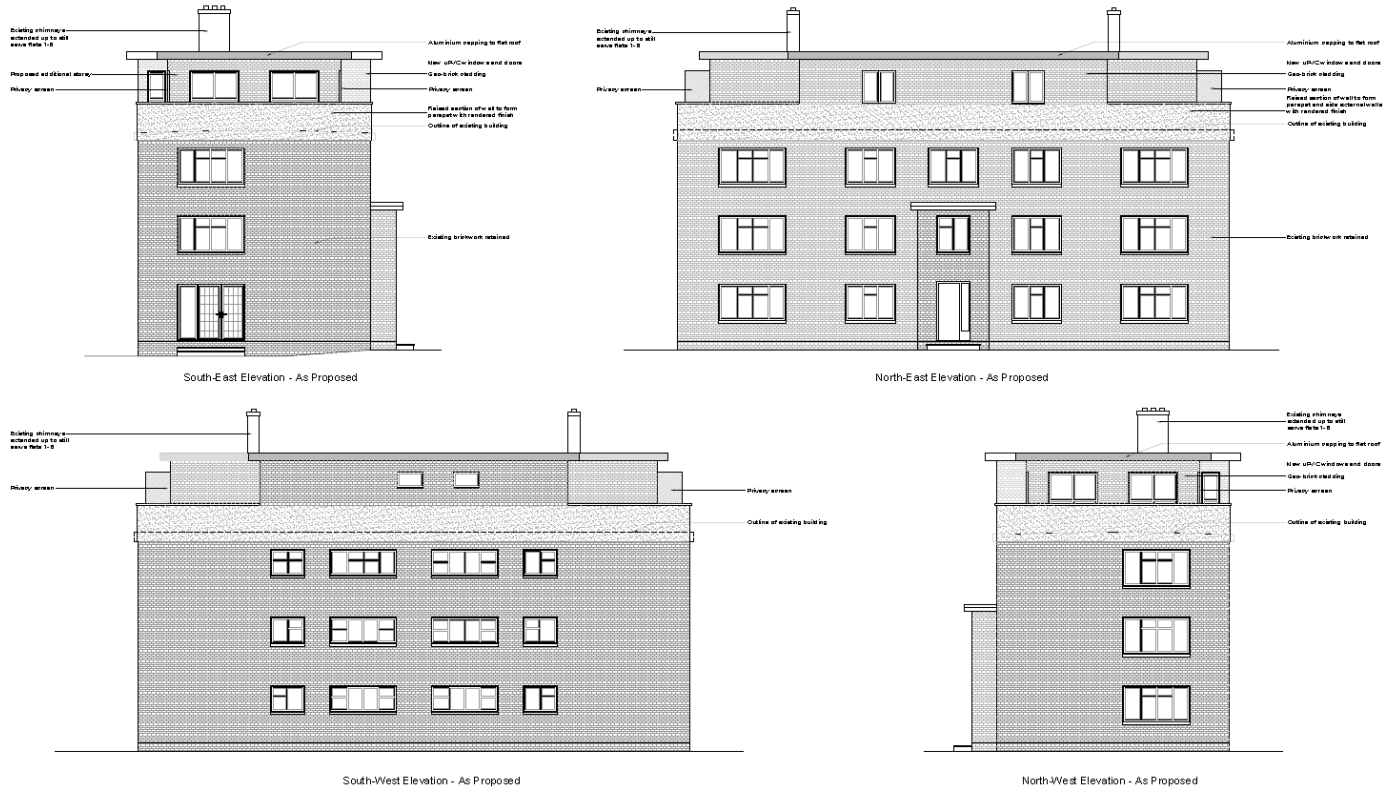
The National Planning Policy Framework (2023)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Side-by-side comparison of plans

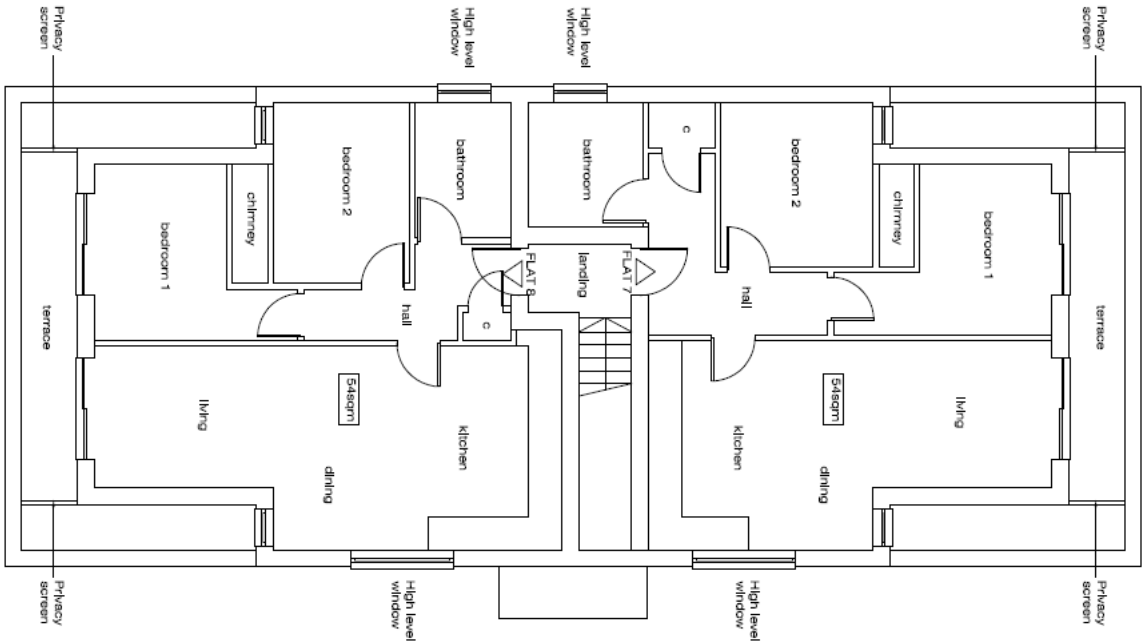
Previously Approved Elevations under 16/00328/FUL



Currently Proposed Elevations

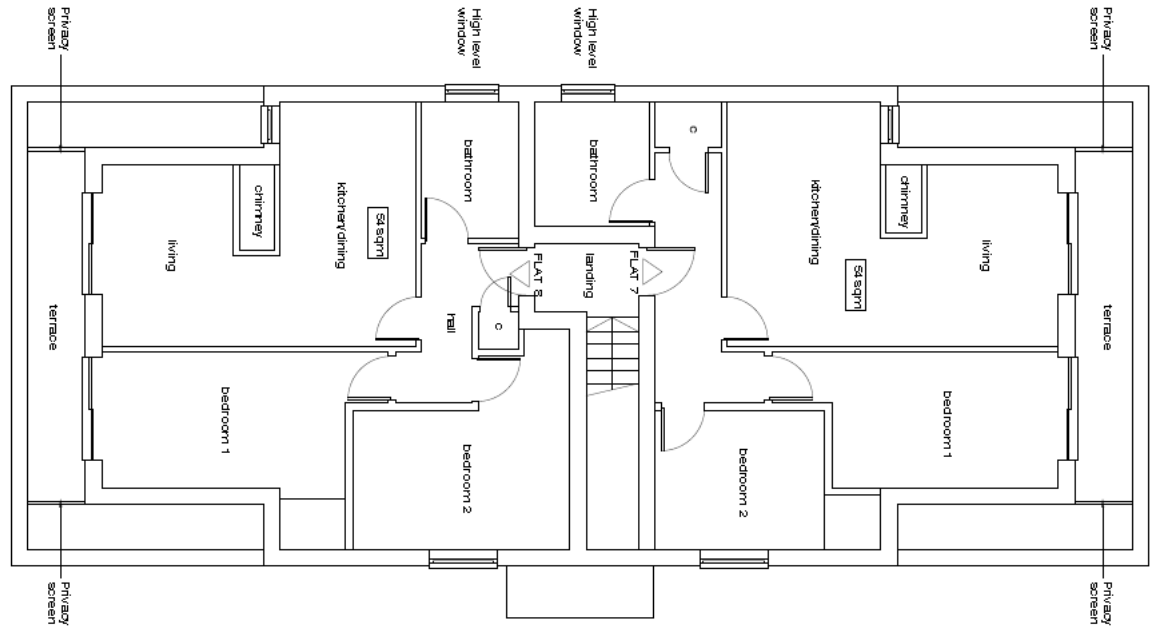


Previously Approved Floor Plan under 16/00328/FUL



Third Floor Plan - As Proposed

Currently Proposed Floor Plan



Third Floor Plan - As Proposed

PLANNING AND RIGHTS OF WAY PANEL – MEETING MINUTES 14 MARCH 2017.

80. PLANNING APPLICATION - 16/00328/FUL - GLYN COURT, 37 ARCHERS ROAD SOUTHAMPTON

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

Proposed fourth storey extension to existing building to create 2 additional 2 bedroom flats with associated parking and bin and bike storage.

John Newton (local resident objecting) and Councillors Moulton and Shields (ward councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported two further bits of correspondence had been received. A photograph showing perceived poor workmanship of neighbouring building and a suggestion that plans are not shown correctly and that amendments have been made without further consultation. Officers noted that the workmanship on the neighbouring building was not a material consideration. In regard to the measurements it was noted that highways officers had visited the site and measured the access points and driveway. It was explained that whilst it did appear that the received plans were inaccurate the principle and feasibility of the scheme would not be affected and that the addition of further conditions, as set out below, would resolve issues relating to access, parking, and bicycle storage and garden access.

Upon being put to the vote the officer recommendation to delegate authority to the Service Lead- Planning Infrastructure and Development was carried.

RESOLVED that the Panel

- (i) Delegate to the Planning and Development Manager to grant planning permission subject to the planning conditions recommended at the end of this report; any amendments agreed at the meeting; and the completion of a S.106 Legal Agreement to secure:
 - a. Financial contributions towards Solent Disturbance Mitigation Project in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (ii) In the event that financial contributions towards Solent Disturbance Mitigation Project are not completed within one month of the decision of the Planning and Rights of Way Panel, the Service Lead - Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure of the application to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline contrary to Policy CS22 of the Council's Amended Core Strategy (2015) as supported by the Habitats Regulations.
- (iii) That the Planning and Development Manager be given delegated powers to add, vary and /or delete conditions as necessary.

Amended Conditions

06 PARKING AND ACCESS (PRE-OCCUPATION)

The 2 additional parking spaces shown on the approved amended plans shall be clearly marked out as agreed before the development first comes into occupation and shall thereafter be retained as approved. Notwithstanding the approved amended plan the site access on site from Archers Road shall be widened to provide a minimum width of 5 metres at the back edge of pavement with the affected gate post removed and rebuilt to match the existing gate post in order to mark this position. These access works shall be implemented in full prior to the first occupation of the development and shall thereafter be retained as approved.

REASON: To correct the discrepancy within the plans, to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

07. 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 it shall thereafter be retained as approved. For the avoidance of doubt the bin store shall be served by a purpose made smooth pathway (rather than the loose gravel currently shown) linking it to the public highway.

REASON: In the interest of visual and residential amenity and to ensure ease of access for refuse collection.

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

08. CYCLE STORAGE FACILITIES (PRE-COMMENCEMENT CONDITION)

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

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

Note to Applicant: As shown on amended plan ref: 101a the cycle storage impinges on safe access and moving the store to the rear of the site will improve access and cycle security.

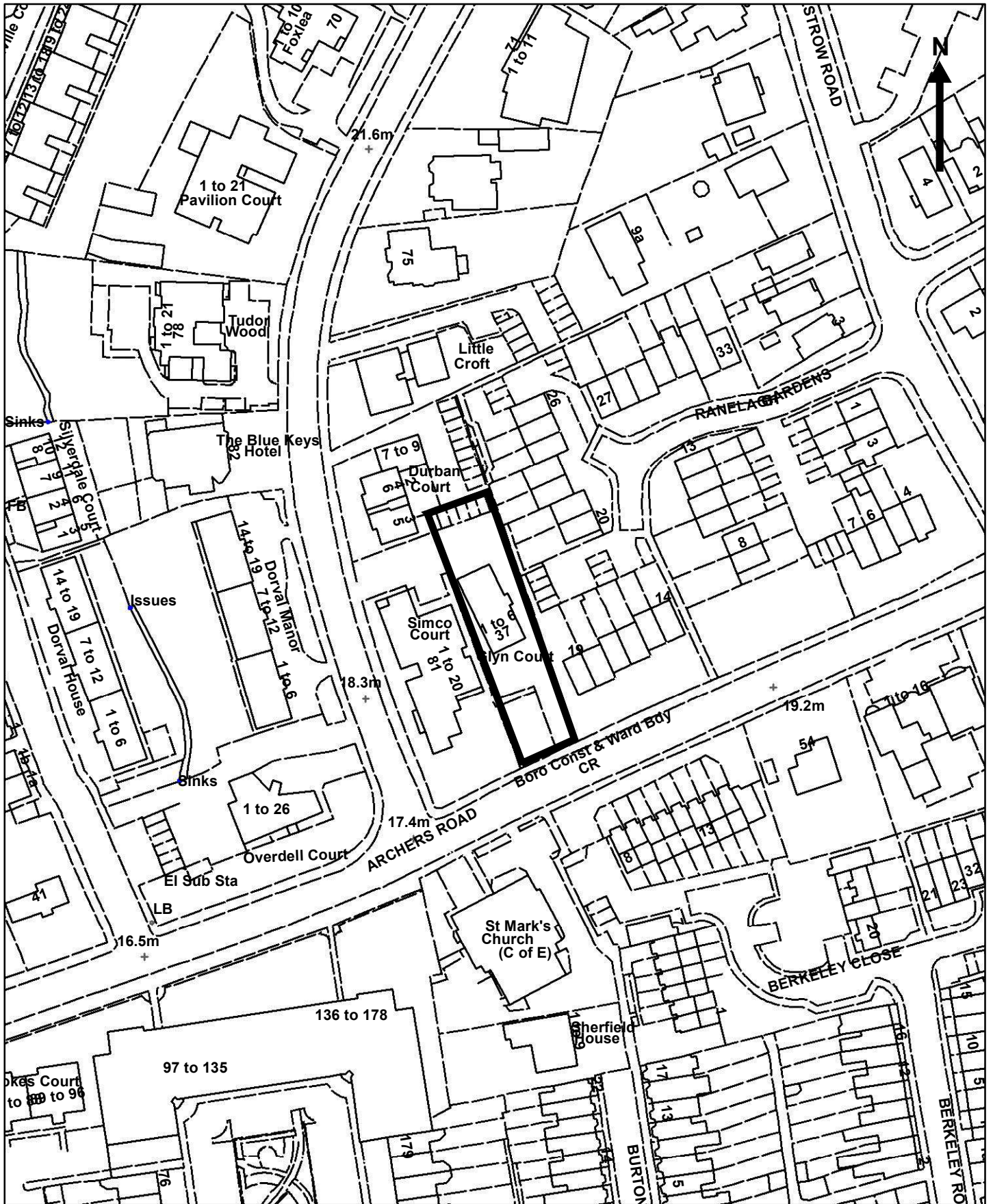
Additional Conditions

13. AMENITY SPACE ACCESS

The sunken lawned garden to the front of the site shall be maintained in an appropriate condition for its ongoing use, with unfettered access, by the residents and their visitors of the existing and approved flats (8 in total) at 37 Archers Road ('Glyn Court') for the lifetime of the development. Access to this amenity space by all affected residents shall be first made available prior to the first occupation of the development hereby approved, if not before.

REASON: To ensure that all flats within this development have unfettered access to an external amenity space that it fit for purpose following the intensification of development hereby permitted.

22/01094/FUL



Scale: 1:1,250

©Crown copyright and database rights 2020 Ordnance Survey 100019679

