

Planning and Rights of Way Panel

Tuesday, 31st October,
2023
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Savage (Chair)
Councillor Windle (Vice-Chair)
Councillor J Baillie
Councillor Beaurain
Councillor Mrs Blatchford
Councillor Cox
Councillor A Frampton

Contacts

Democratic Support Officer
Ed Grimshaw
Tel: 023 8083 2390
Email: ed.grimshaw@southampton.gov.uk

Head of Transport and Planning
Pete Boustred
Email: pete.boustred@southampton.gov.uk

PUBLIC INFORMATION

ROLE OF THE PLANNING AND RIGHTS OF WAY PANEL

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

PUBLIC REPRESENTATIONS

Procedure / Public Representations

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

Southampton: Corporate Plan 2022-2030

sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time.

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

MOBILE TELEPHONES:- Please switch your mobile telephones or other IT to silent whilst in the meeting.

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

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

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

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

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

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

Dates of Meetings: Municipal Year 2022/2023

2023	
6 June	19 September
27 June	10 October
11 July	31 October
1 August	21 November
22 August	12 December

2024	
23 January	16 April
20 February	
12 March	

CONDUCT OF MEETING

TERMS OF REFERENCE

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

BUSINESS TO BE DISCUSSED

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

RULES OF PROCEDURE

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

QUORUM

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

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

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:
Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (iii) Any contract which is made between you / your spouse etc (or a body in which you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
- (iv) Any beneficial interest in land which is within the area of Southampton.
- (v) Any license (held alone or jointly with others) to occupy land in the area of

- Southampton for a month or longer.
- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council, and the tenant is a body in which you / your spouse etc has a beneficial interests.
- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:
- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
 - b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

OTHER INTERESTS

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

PRINCIPLES OF DECISION MAKING

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

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

In exercising discretion, the decision maker must:

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

AGENDA

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

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

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

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

3 STATEMENT FROM THE CHAIR

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

To approve and sign as a correct record the Minutes of the meetings held on 22 August 2023 and to deal with any matters arising.

CONSIDERATION OF PLANNING APPLICATIONS

5 PLANNING APPLICATION - 23/01158/FUL - FIREHOUSE, VINCENTS WALK (Pages 9 - 54)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

6 PLANNING APPLICATION - 23/01111/FUL - REAR OF 174 MANOR ROAD NORTH (Pages 55 - 104)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

7 PLANNING APPLICATION - 23/01099/FUL - 39 MEADOWMEAD AVENUE (Pages 105 - 116)

Report of the Head of Transport and planning recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

8 PLANNING APPLICATION - 22/01503/FUL - 9A-10A SHIRLEY HIGH STREET
(Pages 117 - 128)

Report of the Head of Transport and planning recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

Monday, 23 October 2023

Director – Legal, Governance and HR

PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 22 AUGUST 2023

Present: Councillors Savage (Chair), Windle (Vice-Chair), J Baillie, Beaurain, Mrs Blatchford, Cox and A Frampton

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

RESOLVED: that the minutes for the Panel meetings on 27 June and 11 July 2023 be approved and signed as a correct record.

19. **PLANNING APPLICATION - 23/00617/FUL - 112 UPPER SHAFTESBURY AVENUE**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved subject to criteria listed in the report

Erection of a first floor rear extension, hip to gable extension and rear dormer.

Simon Hill (applicant), and Councillor M Bunday (ward councillor) were present and with the consent of the Chair, addressed the meeting. Additionally, the Panel noted that statements had been received, circulated and read by the Panel and posted online from Barbara Claridge (on behalf of the Highfield Residents Association) and Mr and Mrs Pearce (Neighbours)

The presenting officer reported that amendments to the conditions were required, as set out below.

The Panel then considered recommendation that the application be conditionally approved subject the amended conditions as set out below. Upon being put to the vote the recommendation as amended was carried unanimously.

RESOLVED that planning permission be approved subject to the amended conditions as set below

Changes to conditions

01. Full Permission Timing (Performance)

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

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

02. 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

03. Materials to match (Performance)

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

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

04. Noise Insulation

Prior to first occupation of bedroom 6 as shown on the approved plans a scheme for noise insulation of floor to ceiling height of the party wall in the existing roof space, shall be installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be maintained for the lifetime of the development.

REASON: to protect the amenities of neighbouring properties in accordance with saved Policy SDP16 of the City of Southampton Local Plan Review (2015).

20. **PLANNING APPLICATION - 23/00619/FUL - 112 UPPER SHAFTESBURY AVENUE**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved subject to the criteria listed in the report.

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

Simon Hill (applicant), and Councillor M Bunday (ward councillor) were present and with the consent of the Chair, addressed the meeting. Additionally, the Panel noted that statements had been received, circulated and read by the Panel and posted online from Barbara Claridge (on behalf of the Highfield Residents Association) and Mr and Mrs Pearce (Neighbours)

The presenting officer reported some amendments the conditions as set out below.

The Panel then considered recommendation that the application be conditionally approved subject to conditions as amended Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that planning permission be approved subject to the amended conditions set out within the report

Changes to conditions

01. Retention of communal spaces & number of occupiers (Performance)

The room labelled kitchen/dining/lounge on the ground floor plan, together with the external amenity areas, shall be made available for use by all occupants of the property for the lifetime of the development and shall be retained and available for communal purposes when in use as a HMO. The number of occupiers within the property, when in HMO use, shall not exceed 6 persons.

REASON: To ensure that suitable communal facilities are provided for the residents, and in the interests of protecting the amenities of local residents.

02. Dwelling House and House in Multiple Occupation Dual Use (Performance)

The dual Use Class C3 (dwelling house) and/or Use Class C4 (House in Multiple Occupation) use hereby permitted shall be for a limited period of 10 years only from the date of this Decision Notice. The use that is in operation on the tenth anniversary of this Decision Notice shall thereafter remain as the permitted use of the property.

REASON: In order to provide greater flexibility to the development and to clarify the lawful use hereby permitted and the specific criteria relating to this use

NOTE: Before the building can be occupied as a single dwelling any HMO license may need to be revoked

03. Cycle Storage and Bin Storage (Occupancy Condition)

Prior to first occupation of the extended property, bin and cycle storage shall have been implemented in accordance with details that have first been submitted to and approved in writing by the local planning authority, Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the lifetime of the development.

REASON: To encourage non-car based modes of transport in accordance with Policy CS18 of the City of Southampton Core Strategy (2015).

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INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 31st October 2023

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
Approximate start time 4:00 pm				
5	AG	DEL	15	23/01158/FUL Firehouse, Vincents Walk
Approximate start time 5:15 pm				
6	CM	DEL	5	23/01111/FUL R/o 174 Manor Road North
Approximate start time 5:45 pm				
7	RS	CAP	5	23/01099/FUL 39 Meadowmead Avenue
Approximate start time 6:15 pm				
8	TB	CAP	5	22/01503/FUL 9A-10A Shirley High Street

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Case Officers:

AG Andy Gregory
 RS Rob Sims
 CM Craig Morrison
 TB Tom Barnett

Southampton City Council - Planning and Rights of Way Panel

Report of Head of Transport & Planning

Local Government (Access to Information) Act 1985

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

Background Papers

1. Documents specifically related to the application
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. Statutory Plans
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Connected Southampton 2040 Transport Strategy (LTP4) adopted 2019.
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)
 - (g) Bassett Neighbourhood Plan (Adopted 2016)

3. Statutory Plans in Preparation

4. Policies and Briefs published and adopted by Southampton City Council
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)

- (n) Itchen Valley Strategy (1993)
- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (2013)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (revised 2016)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

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

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Cycling Strategy – Cycling Southampton 2017-2027
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) Department for Transport (DfT) and Highways England various technical notes
- (i) CIHT's Manual for Streets and Manual for Streets 2
- (j) Bus Service Improvement Plan (BSIP) 2021.

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (February 2019)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

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

Planning and Rights of Way Panel 31st October 2023
Planning Application Report of the Head of Transport and Planning

Application address: The Firehouse Vincents Walk and 10 - 12 Pound Tree Road, Southampton			
Proposed development: Redevelopment of the site. Erection of a purpose-built student accommodation, up to 13 storeys in height, including 139 studios, a gym, study area, laundry room, communal space, staff room, reception office and associated bin storage and cycle parking, following demolition of the existing buildings.			
Application number:	23/01158/FUL	Application type:	FUL
Case officer:	Andrew Gregory	Public speaking time:	15 minutes
Last date for determination:	06.12.2023	Ward:	Bargate
Reason for Panel Referral:	Five or more letters of objection have been received.	Ward Councillors:	Cllr Bogle Cllr Noon Cllr Paffey
Applicant: Danehurst Developments Limited		Agent: ROK Planning	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023). "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H2, H7 and H13 of the City of Southampton Local Plan Review (Amended 2015) Policies CS3, CS4, CS5, CS7, CS13, CS16, CS18, CS19, CS20 and CS25 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and AP5, AP9, AP16 and AP17 of the City Centre Action Plan (2015) and the National Planning Policy Framework (2023).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Design Advisory Panel comments 28.07		

1	Habitats Regulation Assessment	2	Development Plan Policies
3	Design Advisory Panel comments 28.07		

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 & Planning to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
 - iii. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education be permitted to occupy the development;
 - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
 - vi. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones;
 - vii. Submission, approval and implementation of a 'Student Intake Management Plan' to regulate arrangements at the beginning and end of the academic year; and
 - viii. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners (if required).

- ix. Either a scheme of measures or a financial contribution towards Solent Disturbance Mitigation Project 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. In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Head of Transport and Planning will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.
4. That the Head of Transport and Planning be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Background

On 26.02.2019 the Planning and Rights of Way Panel resolved to grant Planning Permission for the demolition of the Firehouse and erection of a 9-13 storey building comprising 39 flats (11 x 2-bedroom and 28 x 1-bedroom) together with 160 sq.m of commercial floorspace. This planning permission was issued on 25.10.2019 and expired on 25.10.2022 without being implemented. The previous applicants and site owners, Terramek Developments Ltd, were unable to bring this development forward and have since sold the Firehouse site to the current applicant, who has also included 10-12 Pound Tree Road in a larger application site and are now seeking redevelopment for purpose-built student accommodation.

1. The site and its context

- 1.1 The Fire House is a three-storey premises located at the corner of Pound Tree Road and Vincent's Walk. The building comprises a public house with ancillary accommodation on the upper floors. 10-12 Pound Tree Road is an adjoining three-storey building and comprises 2 commercial units (1 vacant) at ground floor with 4 apartments (3x2-bed and 1x1-bed) above. The buildings have a flat roof design and are finished in red face brick, which is typical of buildings to the rear of Above Bar Street. A rear service yard with gated access is located to the south side of the Firehouse. The Firehouse fronts the central bus interchange with a small green located adjacent to the site and listed Houndwell Park beyond.
- 1.2 Given the city-centre location of the site, the surrounding uses are predominantly commercial and varied in character. The adjoining Precinct buildings are locally listed and to the west of the site, Portland Street contains a number of listed buildings. An 11-storey residential student block (Vincent Place) is located further south. Existing parking controls are in force within Vincent's Walk and adjoining city centre streets.

2. Proposal

- 2.1 The proposal seeks approval for the redevelopment of the site with the demolition of

the Firehouse and 10-12 Pound Tree Road, and the erection of a part 13 / part 8-storey tall building for purpose-built student accommodation. The building would comprise communal amenity facilities at ground floor with a gym and lounge/study area along with a reception and staff facilities. There is also an additional communal lounge proposed on the 8th floor. The upper floors would comprise 139 self-contained studio apartments with each studio offering a private kitchen and washing facilities. A basement level, with platform lift, would provide bicycle and bin storage, laundry and plant facilities. Additional secure bicycle storage is located in the external yard area which has secure gated access.

- 2.2 The proposed tower has a contemporary external appearance and has been designed with a vertical emphasis. The elevations are finished in a mix of reconstituted stone cladding, anodised black cladding panels and ventilation louvers behind brise soleil.
- 2.3 The schedule of accommodation and facilities is as follows:

Units	Net Area
132 no. Standard Studios Apartments	16.5-23.5sqm in area
7 no. Accessible Studios	25sqm in area
Communal amenity space	190sqm
Bicycle storage	80 bikes (57% provision)
Bin Storage	9 Euro Bins

3. **Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. **Relevant Planning History**

- 4.1 Planning permission was granted in 1951 for a licensed premises and accommodation (Ref 984/18).
- 4.2 On 25.10.2019 unimplemented planning permission was granted for redevelopment of the Firehouse site. Demolition of the existing building and the erection of a 9-13 storey building comprising 39 flats (11 x 2-bedroom and 28 x 1-bedroom) together with 160 sq.m of commercial floorspace (Ref 18/01820/FUL).

5. Consultation Responses and Notification Representations

- 5.1 The applicant's undertook their own public consultation ahead of the submission. 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 (08.09.2023). At the time of writing the report **29 objections** have been received from surrounding residents and patrons of the Firehouse public house.

An objection has also been received from Ward Cllr Bogle.

Planning issues raised include:

Southampton city centre doesn't need any more student accommodation.

Officer Response – Student housing is recognised as contributing towards housing supply within the city centre. The Firehouse and 10-12 Pound Tree Road are located within secondary retail frontage and policy AP5 supports residential development in this location. The proposed purpose built student accommodation comprises self-contained studio apartments, which are considered by the Local Planning Authority to fall within use class C3 as self-contained dwellings, however a student occupancy clause is required in the S106 legal agreement lieu of an affordable housing contribution. The application is supported by a student needs assessment in accordance with policy H13 of the Local Plan, which evidences ongoing need for student accommodation.

In order to demolish and rebuild, the developers are evicting 4 apartment tenants, a shop owner and a pub landlord.

Officer Response – The existing buildings are not safeguarded, and the loss of the existing commercial floor space and apartments needs to be considered as part of the overall planning balance and weighed against the merits of the scheme and contribution towards the need for purpose built student accommodation in the city. Permission has previously been granted for the loss of the pub and circumstances haven't changed in terms of the Development Plan and related Planning balance (as set out below). The applicants took the decision to acquire 10-12 Pound Tree Road and put together a land assembly to provide improved viability and deliverability of a tall building on this site. A decision taken by a landowner to give tenants notice of eviction is a private civil matter and is not a material planning consideration.

Loss of Firehouse Public House as a live music venue

Officer Response – The loss of the Firehouse premises was accepted in principle when the previous planning application for redevelopment was approved (ref 18/01820/FUL). This venue has not been nominated or listed as an Asset of Community Value. The development plan does not safeguard pubs in the city centre because there are alternative venues to meet the day to day needs of the community, including other live music venues (such as 1865, The Joiners, Heartbreakers, The Platform Tavern and the Loft).

The leaseholder of the Firehouse has no objection to the development, and was supportive of the previous application for redevelopment. The leaseholder has confirmed that they are seeking to relocate the pub and music venue to a more

suitable and viable location. They have advised that the premises is much larger than they now need, and they are paying rent for a large 3 storey building and they only really use the ground floor. They no longer use the large kitchen space on the first floor to prepare and serve food and haven't for a number of years. With no outside areas for seating their trade in the summer suffers significantly as they cannot compete with neighbouring pubs offering outdoor spaces. During the past decade they have experienced significant and costly maintenance issues with the venue which is to be expected of a building of this age and lack of previous investment. The leaseholder also advises that the interior of the building is considerably run down and to bring the premises into a modern pub requires an investment which their trade and profits cannot support or justify. They advise that relocation to a smaller, more viable venue with external spaces to support trade all year round would benefit them greatly.

They advise that both the applicants, and Savills, have been assisting them in finding an alternative location and from the outset Danehurst have maintained regular and close dialogue with the Leaseholder and pub manager. They are continuing to assess more suitable venues in the city and aim to make a decision in the new year and hope to be operational in time for next summer.

Comments in relation to the effect on wildlife, loss of light, overlooking overdevelopment, impact on trees are covered by the specialist consultee comments and within the considerations section below.

Cllr Sarah Bogle

I would like to register some concerns re these proposals and an objection on the grounds of overdevelopment.

- 1) The proposal would involve the loss of a music venue, which affects the cultural offer of the city;
- 2) There are residents living in the flats above who are in a precarious position and need to ensure their needs are considered;
- 3) The most pressing housing issue the city is facing is the lack of affordable housing so if this is used for housing, would prefer it was used for that purpose rather than student accommodation, something the Universities should be able to provide/commission;
- 4) The site overlooks our central parks so am concerned about over-development in a location that is only sustainable with no or very limited car use as this is a major bus thoroughfare - considerations of transport and design need a thorough review.

Officer Response – A response to points 1 and 2 is already covered in this report. The site has been acquired by Danehurst Ltd who are seeking to bring the site forward for purpose-built student accommodation. The site is not safeguarded for affordable housing development.. The application has evidenced need for student housing and as such the development is policy compliant and will contribute towards housing supply within the city centre.

13-storey scale development was previously found to be acceptable in this location. This proposal does not create any new impacts and remains compliant with the Tall Building Policy AP17 in the City Centre Action Plan and no objection has been raised by Heritage Consultees in relation to the setting of the listed Central Parks.

Consultation Responses

5.10

Consultee	Comments
SCC Highways DM	<p>No objection subject to planning conditions and/or obligations securing the following:</p> <ol style="list-style-type: none"> 1) Servicing management plan 2) Student intake management plan 3) Waste management plan 4) Construction management plan <p>In addition, site specific highway mitigation is under negotiation.</p>
SCC Urban Design Manager	<p>No objection.</p> <p>The scheme has taken on board the observations of the Urban Design Manager and recommendations of the Design Review Panel made at pre-application stage. Subject to materials and build quality, the proposed development has the makings of a positive new building in the city centre.</p>
SCC Historic Environment Officer	<p>No objection</p> <p>The submitted Heritage Statement is comprehensive in scope. It has identified all the heritage assets in the vicinity of the site that would be affected by the proposals and concludes that no heritage assets (designated or non-designated) would be physically or directly affected by the development. By analysing the findings of the Townscape and Visual Assessment, the Statement also concludes that no protected views through to the Bargate would be adversely affected and although there would be some harm to the setting of the adjacent locally listed buildings and Palmerston Park (a registered park & garden) by virtue of altering this part of the street's post-war context, the level of harm would be considered 'less than substantial harm'.</p> <p>It would be difficult to disagree with these findings. Although the new building would rise up and loom over these nearby assets, it would be located in an area that has changed over time and where it would be set back some distance from the park boundary and in a location where the principle of introducing well-designed tall buildings fronting the park is accepted. Similarly, although the elevational treatments have been revised when compared with the previous scheme, the use of stone cladding, brise soleil, and terracotta recesses would go some way to introduce articulation into the facades to ensure that it would not jar or appear stark and detrimental to the character of this part of the street and in the view westwards from Portland Terrace.</p> <p>As such, given that the building would not appear too dissimilar to the previously approved scheme in terms of its height, mass, and appearance, and should it be demonstrated that the public</p>

	benefits of the provision of student housing would offset the level of harm identified above, it would be considered difficult to refuse the scheme from a conservation perspective on this basis – subject to attaching condition/s requesting full working details and samples of all the external materials and finishes to be employed along with details of the proposed associated lighting and signage mechanisms.
SCC Environmental Health	No objection subject to the following conditions: <ul style="list-style-type: none"> • Noise Impact Assessment be submitted prior to commencement showing the design of any noise mitigation measures (e.g. windows) to be installed following additional noise measurements, which must be completed over a weekend. The newly submitted NIA must also consider internal noise and noise mitigation measures to prevent noise affecting flats on level 1 directly located above the gym on the ground floor; • Demolition Statement; and • Construction Environment Management Plan.
SCC Flood	No objection subject to a condition to secure the sustainable drainage features as outlined within the Drainage Strategy are secured by condition.
SCC Sustainability	No objection subject to conditions to secure a BREEAM rating of 'Excellent', sustainability measures as set out within the Energy Strategy and Carbon Management Plan and to secure the green roof specification.
SCC Archaeology	No objection subject to conditions to secure archaeological investigation
SCC Contamination	No objection subject to investigation of contaminated land risk and any necessary remediation.
SCC Ecology	No objection subject to conditions to secure ecological mitigation, protection of nesting birds and lighting design.
SCC Housing	No objection subject to evidence of student housing need and providing any approval is subject to a student occupancy clause.
Historic England	Please defer to the advice of the Council's specialist conservation and archaeological advisors. <i>Officer Response – Please note that Historic England raised no objection to the previous 13-storey building on the Firehouse site and advised that the significance of the registered park would not be adversely affected by a tall building in this location and the principle of some taller buildings on the perimeter of the park is accepted.</i>
Save Britain's Heritage	Objection on the following grounds: 1. The total and irreversible loss of the Firehouse and adjoining buildings at 10 and 12 Pound Tree Street which SAVE considers to be positive contributors to the historic environment due to their scale, massing and materiality. Their total

	<p>loss would be unnecessarily harmful and disproportionate to their collective significance. When weighing this application under this policy test, SAVE considers that this proposal should be refused.</p> <p>2. The height of the proposed building would be harmful and have an adverse impact in this context, particularly on the setting of the locally listed Hanover Buildings. This development would be highly visible in the background of these buildings when viewed from Above Bar Street and the corner of Pound Tree Road and be equally visible from within the Central Parks.</p> <p>3. This application does not consider the viable and practicable possibility of the re-use of these buildings.</p> <p><i>Officer Response – No objection has been raised by the Council’s Sustainability and heritage officers to the redevelopment of this site following demolition of the existing buildings. Furthermore, Historic England have not raised an objection to the demolition.</i></p>
Southern Water	<p>No objection subject to a condition’s regarding sewer diversion, and foul and surface water disposal. Informatives also requested regarding connection to the public sewer.</p>
The Gardens Trust	<p>Objection Increased shadowing and impact on the setting of the central parks</p> <p><i>Officer Response – The proposal creates no increased shading impacts over those agreed with the previously consented 13-storey building. The application is supported by a shadowing assessment which shows only a modest increase in shading to the small green to the front of the Firehouse and the margins of Houndwell and Palmerston Parks. This is deemed to be acceptable.</i></p>
Natural England	<p>Objection 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> <p><i>Officer Response – The Council has committed to an interim position which allocates CIL funding to mitigate against New Forest Recreational Disturbance. 4% of CIL receipts are ringfenced for Southampton based measures and 1% is 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.”</i></p>

Airport Safeguarding	No objection Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within CAP 1096 the Guidance to crane users on the crane notification process and obstacle lighting and marking.
Hampshire Constabulary	No objection but recommend some advisories to improve security within the building.
Hampshire Fire and Rescue	No objection and provide advisories in relation to road access to fire appliances.
Health and Safety Executive	Request that the service risers are moved from out of the corridor adjacent to the firefighting lift to the other side of the building on all levels. <i>Officer Response – The applicants have agreed to address this and the plans are being amended to ensure the service risers are moved from out of the corridor adjacent to the firefighting lift to the other side of the building on all levels.</i>
City of Southampton Society	In general we support this application on the basis that planning permission had already been granted for a 13-storey block of 67 residential flats (18/01820/FUL) on this site. We do however have 3 concerns: 1) Although an Overshadowing Assessment has been provided, there are no diagrams showing the extent of shadowing at different times of day in winter, spring and summer and how these shadows would impact the Central Parks. We suggest that there is a planning condition requiring the submission of such a document. 2) Whilst we approve the overall design of the proposed building we suggest a planning condition about the quality of the external materials used. The cladding on the nearby student accommodation is already showing signs of wear and tear. A higher quality of materials are required for this building 3) We recommend some form of Planning Condition or suitable clause in the section 106 agreement that provides the Council with options in the event of building work starting but not being completed. A repeat of the situation that has developed at The Bargate cannot be allowed to happen again. <i>Officer Response – The planning system cannot impose conditions that require a development to be completed.</i>
SCAPPS	SCAPPS objects to the development proposed in this application because of visual impact on the grade II* registered Central Parks. SCAPPS vigorously opposed a previous application on this site, 18/01820, for a 13-storey redevelopment of this site. The same reasons for objection apply to this revised proposal for development in this sensitive location. The character of the historically important Central Parks is being gradually eroded by granting of permissions for tall buildings on

sites adjacent to the Parks. The present planning policy, regrettably in SCAPPS view, accepts a limited number of tall buildings (that is, of height that would be seen rising above the tree line in views from within the Parks) on the periphery of the Parks but there was agreement that care should be taken to avoid tall buildings in close proximity one to another, resulting in appearing as a 'wall' of tall buildings from viewpoints in the Parks. Unfortunately, policy wording is inadequate, and SCAPPS looks forward to revised wording in the Draft Local Plan. In considering this new application, SCAPPS asks careful attention is given to views expressed by Historic England on the previous proposal on this site, that it is 'timely to raise a concern for the future in that too many tall buildings around the park would have an adverse impact as they would create a 'walled' effect, restricting views out and undermining the visual connectivity between the parks and the wider townscape'. This application would result in another tall building too close to the 11-storey Vincents Place student block and risk this walled effect.

The applicant's own assessment (Design and Access Statement 2.2) is that this site is a prominent location on the edge of Houndwell Park, and a 13-storey building on the site would be visible from many points in the Parks. Visual images supplied show just how intrusive it would be in views from within Palmerston Park. It's a nonsense to claim it may be 'partially hidden' by foliage when the images provided show how much it rises above the tree line in sensitive views from within the Parks. SCAPPS particularly objects to the concept that a tall building on this site would introduce 'an orientation point'; no, it introduces yet another visually over-assertive intrusion into the setting of the Parks.

And that is a further reason for objection -- the 'look-at-me', attention-grabbing design. The present Firehouse building is unassuming in design; by materials, height and massing it unassumingly 'fits' into the context of facing the now separated part of Houndwell Park which has the appearance of a small town square separated by a road from the main body of the Park. SCAPPS urges consideration of retention of the present building and taking the same approach as on the opposite side of Poundtree Road (on the corner of Sussex Road) where it is proposed to secure additional accommodation by adding a light-weight 2-storeys to the retained existing buildings. Retention of existing buildings, avoiding demolition, has less carbon impact.

SCAPPS challenges conclusions in the Overshadowing Assessment. The detached part of Houndwell Park is already shaded by the 11-storey Vincents Place building to the south. Replacing the 3-storey Firehouse on the west side of the

detached part of the Park with a 13-storey building will undoubtedly increase overshadowing and shading, especially in winter months.

Officer Response - Policy AP17 of the City Centre Action Plan supports individually designed tall buildings adjoining the Central Parks that contribute positively to their setting and respond to the scale of the parks. The proposal represents an individually designed tall building and no objection has been raised by the Design Advisory Panel or Historic England.

6.0 Planning Consideration Key Issues

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

- the principle of the development
- design and heritage impact;
- residential environment;
- Impact on neighbouring properties;
- highways; and
- Impact on protected sites & the Habitats Regulations.

Principle of Development

6.2 The principle of additional housing is supported. The site is not allocated for additional housing, but the proposed dwelling(s) 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.

6.3 The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs and Government has advised that student housing can be included in the land supply. 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:

- (i) 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
- (ii) 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"]

- 6.4 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). 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.
- 6.5 Whilst the site is not identified for development purposes, the Council's policies promote the efficient use of previously developed land to provide housing. Policy AP9 of the City Centre Action Plan supports residential development in the city centre through the conversion or redevelopment of other sites as appropriate. Similarly, CS1 of the Core Strategy supports significant residential growth in the city centre to assist in addressing the city's housing need.
- 6.6 Policy CS16 of the Core Strategy confirms that *"in response to concern about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the provision of suitable, affordable accommodation for students to relieve the pressure on housing markets"*. This policy confirms the Council's dual approach of delivering purpose built student accommodation whilst simultaneously managing the conversion of existing family housing to HMOs to relieve the pressure on local markets. Since the application proposes purpose-built accommodation for students, it would be consistent with this approach. In addition to this, 'saved' Local Plan Policy H13 supports the delivery of student accommodation in locations accessible to the Universities and where there is an identified need. The location of the site, in the city centre, with excellent public transport links to Southampton University and, approximately 0.3 miles walking distance to the Solent University, is appropriate for student accommodation.
- 6.7 The application is accompanied by a detailed student Housing Needs Assessment (CBRE July 2023). This advises that, when taking into account existing purpose built accommodation, development within the pipeline and, the number of students within the city, there is an unmet demand of 9,300 full time students seeking purpose built student accommodation. It is however recognised that not all full time students choose to live in purpose built accommodation and some students live within the private rental sector or in their own/parental home. The submitted needs assessment nevertheless demonstrates a student housing need and provision of purpose-built student accommodation would reduce demand for the private rental sector and may assist in reducing the growth of HMOs in areas with existing high concentrations.
- 6.8 The site is located within a defined secondary retail frontage under policies RE14 of the Local Plan and AP5 of the City Centre Action Plan, which support ground floor commercial uses and those offering a direct service to the public and residential on the upper floors. The proposed site redevelopment would result in the loss of a public house, 2 commercial retail units and 4 apartments.

- 6.9 National planning policy indicates that pubs can be considered as community facilities and that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (see paragraph 92 of the National Planning Policy Framework). However it is often difficult to resist planning applications for the loss of pubs in the city centre because there remains a choice of alternative facilities available in the city centre, including live music venues, to meet the day to day needs of the community.
- 6.10 This venue has not been nominated or listed as an asset of community value. Pubs are not safeguarded in the city centre because there are alternative venues to meet the day to day needs of the community. The existing tenants of the Firehouse have confirmed that they are actively looking for alternative premises because the building no longer meets their needs in terms of size, building condition and because the pub has no dedicated outdoor space. It would not be practical to re-incorporate a bar into the redevelopment because of the noise impacts in relation to residents above.
- 6.11 It is recognised that the proposal would result in the loss of commercial units within this secondary shopping street, one of which is currently vacant. However, given the wider challenges facing the retail sector and town centres more broadly, ground floor ancillary spaces serving residential schemes can be used to activate streets and will not adversely harm and would contribute towards the vitality and viability of the City Centre. The loss of the 4no. existing apartments is a shortcoming of the scheme, and the eviction of existing tenants is disappointing and understandably distressing and unsettling for those tenants involved. However, ultimately a decision by the freeholder to give existing tenants notice is a private civil matter. The loss of 4 no.2-bed apartments has to be weighed against the benefits of providing densification of the site with 139 student bed spaces to meet the needs of the student housing sector
- 6.12 Policy CS5 of the Council's Core Strategy (2015) indicates that development will only be permitted which is of an appropriate density for its context. The site is located within an area of high density where net density levels of over 100 dwellings per hectare can be supported. The proposal has a density of 2,527 dwellings per hectare. The proposed scheme comprises 139 student studio flats with shared communal facilities is suitable and in keeping with the character and density of the city centre. It is accepted that the site doesn't easily lend itself to family housing.

Design & Heritage Impact

- 6.13 The proposed design approach has evolved following thorough pre-application discussions and an assessment of the building's relationship with nearby heritage assets, which include the Grade II* Registered Parks, the adjoining Locally Listed Buildings on Above Bar Street, Listed Buildings on Portland Street as well as the Bargate Scheduled Ancient Monument (within Old Town North Conservation Area). In addition to this, the applicant has engaged with and incorporated the advice of the Southampton Design Review Panel (advice attached at **Appendix 3**). The development proposal has also had regard to previous advice from Historic England in relation to building scale and materiality.

- 6.14 Policy AP17 of the City Centre Action Plan indicates that tall buildings of 5-storeys or more can be permitted as individually tall buildings to provide variety adjoining the central parks with active frontages that contribute positively to their setting and respond to the scale of the parks. The architecture has been designed to give the building verticality and relief within the elevations. The materiality of the scheme would respect nearby heritage assets with the use of reconstituted stone cladding (light grey). A condition is recommended to secure roof drainage details to reduce the likelihood of water staining to the stone cladding. The proposed ground floor communal spaces will provide active frontage to Pound Tree Road and Vincents Walk.
- 6.15 The statutory tests for the heritage impact of the proposal, as set out in sections 16 (Listed Buildings), 66 (Listed Buildings) and 72 (Conservation Areas) of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve the building, its setting or, any features of special architectural or historic interest (Listed Buildings) and; whether the proposal would preserve or enhance the character or appearance of the Conservation Area. The NPPF requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.16 Paragraph 194 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. NPPF Paragraph 202 confirms that where less than substantial harm is caused to the designated heritage asset this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 203 confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application
- 6.17 The application is supported by a visual impact assessment to demonstrate the proposed tall building will not impact on key strategic views, the setting of nearby heritage assets which include the central parks, the Bargate Scheduled Ancient Monument, Portland Street Listed Buildings and Above Bar Locally listed buildings. The Council's Historic Environment Officer raises no objection and is satisfied the impacts of this building on nearby heritage assets will have less than substantial harm. Historic England have previously raised no objection to a 13-storey building on this site and advised that the significance of the registered park would not be adversely affected by a tall building in this location and the principle of some taller buildings on the perimeter of the park is accepted.

- 6.18 The scale and layout of the development will not prejudice the future development of adjoining sites. It is unlikely that further clustering/ excessive massing of tall buildings would be supported in this area in order to protect the skyline, key views and setting of the parks. The adjoining sites could be developed to a height of 5-storeys with a full blank gable provided on the south elevation and a blank gabled to a height of 5-storey on the west elevation.
- 6.19 The neighbouring buildings on the eastern side of Above Bar Precinct are locally listed, and in the event they are subject to future redevelopment the height of any replacement buildings would likely be restricted to 4/5-storeys to protect the setting of the Grade I Bargate Scheduled Ancient Monument.
- 6.20 The proposal is supported by a Daylight and Sunlight assessment which demonstrates this tall building will not lead to adverse shadowing of the parks and surrounding streets, taking 21st March as the average circumstance. The shadowing analysis shows minor increased shadowing around the margins of the park between the hours of 2-5pm. Unfortunately, the size of the plot does not allow for any landscape enhancements along the site frontage. However, a condition will be applied to secure a Green Roof. The application is also supported by a microclimate analysis which demonstrates the wind conditions around the proposed 13-storey tall building would remain safe for pedestrians.
- 6.21 **Residential Environment**
The proposed living environment is considered acceptable for student city centre living with all habitable rooms receiving genuine outlook and day lighting. Evidence has been provided by the architects to demonstrate that the lower first and second floor accommodation facing into the rear courtyard will also be provided with sufficient daylighting. The Council's Environmental Health Officer has requested that a further noise assessment be carried out prior to commencement of development to inform appropriate noise mitigation for the building.
- 6.22 The proposed studio apartments range in size from 16.5-25sqm in area are comparable to other consented student schemes in the city centre and this size of unit is suitable given the transient nature of students. Furthermore, there is sufficient communal spaces within the building for students to meet and interact. External outside roof terraces or balconies are not encouraged on student development for safety reasons. As such the scheme is considered to be compliant with saved Local Plan Policy SDP1(i)
- Impact on neighbouring Occupiers**
- 6.23 The adjoining precinct buildings do not contain residential accommodation and therefore there will be no adverse impact to neighbouring buildings. The adjacent side of Pound Tree Road contain apartments on the upper floor and there would be a moderate daylighting impact on those properties, but not to an extent that is harmful, having regard to the character and density of the neighbourhood. Furthermore, the window to window separation distance across Pound Tree Road will not lead to harmful overlooking given the windows face onto a public street. The submitted daylight and sunlight assessment also demonstrates there will no adverse shadowing to neighbouring residential apartments. As such the scheme is considered to be compliant with saved Local Plan Policy SDP1(i).

Highways

- 6.24 The Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The proposed development would be a 'car free' scheme without any on-site car parking provision (as was the case with the earlier permission). Having regard to the nature of the proposed use and the city centre location of the site, this approach is considered to be appropriate. There are existing on-street car parking restrictions in the area and as such, the proposal would be unlikely to generate significant over-spill car parking on surrounding streets. A student in-take management plan will need to be secured through the S106 agreement to manage transport demands at peak times at the start and end of terms, to include measures such as an online booking system and arranging arrivals to be staggered.
- 6.25 Bins are located in the basement with access via a service lift. A waste management plan will be required to ensure waste will be moved to street level on collection days. Frequency of collection will need to be adjusted to suit demand to avoid waste overflow. Cycle parking is provided and although not all spaces are horizontal stands, over 50% provision is being provided as an amendment which is now considered acceptable, and evidence has been provided to support this level of cycle storage provision for city centre student developments.

Habitat Regulations

- 6.26 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 2. 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. The development is also required to mitigate against its nitrogen load of 44.03kg/TN/yr and a condition is recommended to secure appropriate mitigation as set out within the Habitats Regulations Assessment.

7 Summary

- 7.1 Residential redevelopment with active ground floor communal facilities is supported in principle within this secondary shopping street. The loss of the existing public house will not reduce the community's ability to meet its day-to-day needs as there are alternative drinking establishment's and music venues available in the city centre. The loss of the existing 4 no. apartments do not outweigh the benefits of providing additional modern residential floor space to meet an identified student housing need.

7.2 The proposed 8-13 storey building will enhance the city centre skyline and the scheme has been through the Design Review Process and no objection is raised by the Design Advisory Panel or the Council's Design Officer. Policy AP17 of the City Centre Action supports individually designed tall buildings adjacent to the Central Parks. Planning conditions are recommended to secure a high quality design and materials.

7.3 The application is supported by a visual impact assessment to demonstrate this tall building will have minimal impact on the significance of nearby heritage assets and the central parks. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area.

8 **Conclusion**

The principle of new residential development is 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 dwelling(s), and their subsequent occupation, as set out in this report. Taking into account the benefits of the proposed development, and the [limited harm] arising from the conflict with the policies in the development plan 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 conditional approval, subject to the completion of a S106 legal agreement.

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

Andrew Gregory for 31.10.23 PROW Panel

PLANNING CONDITIONS to include:

01. Full Permission Timing Condition (Performance)

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

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

02. Details of building materials to be used (Pre-Commencement Condition)

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, to accord with the materials palette as shown on the elevation plans hereby approved, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

03. Details of external appearance (Pre-commencement)

No development shall take place (excluding site set up and demolition, archaeology, site investigations, services and diversions) until detailed drawings to a scale of 1:20 showing a typical section of glazing, parapet detailing and roof construction and roof drainage has been submitted to and approved in writing by the Local Planning Authority. The roof design shall incorporate mansafe fall protection and not railings. The development shall be implemented in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure satisfactory design of the building and to reduce the risk of staining to the stone cladding.

04. Hours of work for Demolition / Clearance / Construction (Performance)

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

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

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

05. Noise Assessment (Pre-Commencement)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until a further Noise Assessment to include further environmental noise measurements, as recommended in the report by Hanna Tucker Associates dated 22 August 2023, has been submitted to and agreed in writing with the Local Planning Authority. The further noise assessment shall include design of any noise mitigation measures (e.g. windows) to be installed following additional noise measurements, which must be completed over a weekend. The further noise assessment must also consider internal noise and noise mitigation measures to prevent noise affecting flats on level 1 directly located above the gym on the ground floor. The development shall proceed only in accordance with the agreed details, which shall be fully installed ahead of 1st occupation of the development hereby approved.

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

06. Demolition Statement (Pre-Commencement)

Prior to the commencement of the development hereby approved, precise details of the method and programming of the demolition of the existing property, including measures to provide satisfactory suppression of dust during demolition, shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the scheme. The demolition shall be carried out in accordance with the agreed details.

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

07. Construction Management Plan (Pre-Commencement)

Before any development works are commenced, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) details of cranes and other tall construction equipment (including the details of obstacle lighting)
- (d) details of temporary lighting
- (e) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (f) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (g) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (h) details of construction vehicles wheel cleaning; and,

(i) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, and the character of the area and highway safety.

08. Piling (Pre-Commencement)

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

Reason: In the interest of residential amenity.

09. Euro Bin Storage (Performance)

Before the development hereby approved first comes into occupation, the bin store shall be provided in accordance with the plans hereby approved and shall include the following, unless otherwise agreed in writing:

- Details of ventilation;
- Level threshold access via the platform lift;
- A lock system to be operated by a coded key pad;
- Internal lighting; and
- Facilities for cleaning and draining the store.

The store shall thereafter be retained and made available for use at all times for the lifetime of the development.

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.

10. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles and platform lift access to the basement shall be provided and made available for use in accordance with the plans hereby approved with storage for a minimum of 80 bicycles. The storage and platform lift shall thereafter be retained as approved.

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

11. Delivery and Servicing Management Plan (Pre occupation)

Prior to first occupation of the development hereby approved a Delivery and Servicing Management Plan shall be submitted and agreed in writing with the Local Planning Authority. The plan shall include details of bin management and private bin collection arrangements to ensure bins are not stored on the public highway. Furthermore the

plan shall set out delivery and servicing arrangements for the retail units to prevent harmful obstruction to the footway and carriageway. The development shall be retained in accordance with the agreed Delivery and Servicing Management Plan.

Reason: In the interests of highway safety and the visual amenities of the area

12. Hard Landscaping (Pre occupation)

The proposed hard landscaping shall be constructed to adoptable standards and installed prior to first occupation with details to be first submitted to and agreed in writing with the Local Planning Authority and thereafter retained as agreed.

Reason: To ensure the proposed paving abutting the public footway is constructed in accordance with standards required by the Highway Authority.

13. Telecommunications Equipment

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any other Order revoking or re-enacting this Order) no external telecommunications equipment shall be installed on the roof of the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the appearance of the building.

14. Archaeological damage-assessment [Pre-Commencement Condition]

No development shall take place within the site until the type and dimensions of all proposed groundworks have been submitted to and agreed by the Local planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

Reason: To inform and update the assessment of the threat to the archaeological deposits.

15. Archaeological evaluation investigation [Pre-Commencement Condition]

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

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

16. Archaeological evaluation work programme [Performance Condition]

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

Reason: To ensure that the archaeological investigation is completed.

17. Archaeological investigation (further works) [Performance Condition]

The Developer will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

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

18. Archaeological work programme (further works) [Performance Condition]

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

Reason: To ensure that the archaeological investigation is completed.

19. Sustainable Drainage (pre-commencement)

No development shall take place until full detailed details of the Drainage Strategy have been submitted and approved by the Local Planning Authority. The Drainage Strategy should include the final detailed design drawings showing all components that form part of the surface water drainage system, supported by cross sections drawings, locations of all inlets, outlets and flow control structures and appropriate drainage calculations. Confirmation of the final point of discharge (with written approval to connect if required) and management and maintenance plan identifying who will be responsible for the maintenance over the design life.

Reason: To secure inclusion of sustainable drainage to manage surface water on site, meeting the requirements of the National Planning Policy Framework and Policy CS20 of the Southampton Core Strategy (amended 2015)

20. Sustainable Drainage Verification Report (pre-occupation)

Prior to the first occupation of the development, a Drainage Verification Report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations) with as built drawings and photographs showing that the key components have been installed (i.e. surface water attenuation devices/areas, flow restriction devices and outfalls etc). The full details of the appointed management company or person(s) who will be responsible for the ongoing management and maintenance of the drainage system should also be included, with appropriate evidence for example a letter or contract agreement.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and will be maintained appropriately over the lifetime of the development.

21. APPROVAL CONDITION - BREEAM Standards

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 at minimum an overall score Excellent, against the BREEAM Standard , in the form of a design stage report, is submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

22. APPROVAL CONDITION - BREEAM Standards [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum an overall score of Excellent in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

REASON:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

23. APPROVAL CONDITION - Sustainability statement implementation [Pre-Occupation Condition]

Prior to the first occupation of the development hereby granted consent, written documentary evidence proving that the development has implemented the approved sustainability measures as contained in the report FIREHOUSE, VINCENTS WALK AND 10-12 POUND TREE ROAD, SOUTHAMPTON ENERGY STRATEGY AND CARBON MANAGEMENT PLAN dated August 2023 shall be submitted to the Local Planning Authority for its approval. Technologies that meet the agreed specifications must be retained thereafter.

Reason

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

24. Approval Condition - Green roof specification

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until a specification for the green roof is submitted and agreed in writing with the Local Planning Authority. The green roof to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter by a qualified maintenance company.

Reason: To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 and CS23, combat the effects of climate change through mitigating the heat island effect and enhancing energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22, contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13, improve air quality in accordance with saved Local Plan policy SDP13, and to ensure the development increases its Green Space Factor in accordance with Policy AP 12 of City Centre Action Plan Adopted Version (March 2015)

25. Approval Condition- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

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

1. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in the Desk Study/ Preliminary Risk Assessment report) to be assessed.

2. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (2) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

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

26. Use of uncontaminated soils and fill (Performance)

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

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

Unsuspected Contamination (Performance)

27. Unsuspected Contamination

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

28. Ecological Mitigation Statement (Pre-Commencement)

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, as set out within the Ecological Appraisal by Syntegra Consulting Ltd July 2023 (Ref: 18-4414), which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

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

29. Protection of nesting birds (Performance)

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason: For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

30. External Lighting Scheme (Pre-Occupation)

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

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

31. Public Sewer protection (Performance)

The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Reason: In order to safeguard the public sewer.

32. 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 have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

33. APPROVAL CONDITION - Active Ground Floor Frontage

The ground floor windows shall retain clear glazing along the length of the shop frontages hereby approved (without the installation of window vinyl or equivalent).

Reason: In the interests of retaining a lively and attractive streetscene without obstruction and to improve the natural surveillance offered by the development.

34. APPROVAL CONDITION - Details of a Student Management Plan [Pre-Occupation Condition]

Notwithstanding the information provided as part of the application, a management plan setting out measures for the day to day operation of the building shall be submitted to and approved in writing by the Local Planning Authority before the building is first occupied. The management plan shall include details of staffing levels, measures for mitigating noise and disturbance which might affect the amenities of neighbours.

The development shall operate in accordance with the approved management plan for the lifetime of the use of the site for student residential accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To satisfy the Council that the operation of the site would not be to the detriment of the residential amenities of neighbouring occupiers. To provide a safe living environment for students.

35. APPROVAL CONDITION - Provision and retention of facilities (Performance Condition)

The ancillary facilities for the student accommodation as shown on the approved plans, to include the ground floor gym and social study/area and lounge on the 8th floor, shall be provided before the residential accommodation is first occupied and retained thereafter for the duration of the use of the building as student accommodation.

Reason: In the interests of the amenities of future occupiers of the building.

36. Nitrates

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from 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.

37. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

Habitats Regulations Assessment (HRA)

Application reference:	23/01158/FUL
Application address:	The Firehouse Vincents Walk and 10 - 12 Pound Tree Road Southampton
Application description:	Redevelopment of the site. Erection of a purpose-built student accommodation, up to 13 storeys in height, including 139 studios, a gym, study area, laundry room, communal space, staff room, reception office and associated bin storage and cycle parking, following demolition of the existing buildings.
HRA completion date:	8 September 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:
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**

- Solent and Dorset Coast Special Protection Area (SPA)
- Solent and Southampton Water SPA
- 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

Is the project or plan directly connected with or necessary to the management of the site (provide details)?

No – the development is not connected to, nor necessary for, the management of any European site.

Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

- 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)

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.

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.

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.

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 (44.03kg/TN/yr) 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:

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.

POLICY CONTEXT

Core Strategy - (Amended 2015)

CS3	Town, District and Local Centres, Community Hubs and Community Facilities
CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (Amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
HE3	Listed Buildings
HE4	Local List
HE5	Parks and Gardens of Special Historic Interest
HE6	Archaeological Remains
H2	Previously Developed Land
H7	The Residential Environment
H13	Student Housing

City Centre Action Plan March 2015

AP5	Supporting Existing Retail Areas
AP9	Housing Supply
AP16	Design
AP17	Tall Buildings

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards 2011

Other Relevant Guidance

The National Planning Policy Framework (2023)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Please ask for: Darren Shorter
Direct dial: 07393143789
Email: darren.shorter@southampton.gov.uk
Our ref: DAP/25/07/23_SDAP_FH

Sent on behalf of:

The Southampton Design Advisory Panel – CONFIDENTIAL for PREAP

28th July 2023

Panel Members: Darren Bray, Stuart Randle, Mark Johnson, Dominic Gaunt

For the attention of Joshua Reay

Dear Joshua

THE FIREHOUSE PUBLIC HOUSE, SOUTHAMPTON
Review of the presentation to the Design Advisory Panel, 25th July 2023

On behalf of the Southampton Design Advisory Panel and the city council we would like to thank you for your attendance at the Panel along with members of the design team and your client. The thorough presentation given and information provided beforehand allowed for a constructive and engaging dialogue to take place.

As with previous submissions for this site the Panel remains supportive of the design evolution that has taken place and the detailed analysis that has informed the design of this important corner site in the city centre.

The Panel make the following observations for you to consider:

The Panel felt that the changes made to the scheme since the previous review, particularly in respect of the park elevation were a substantial improvement. The only concern the panel had was whether the recess is sufficiently deep enough between the two volumes, as in some of the 3d views this distinction appeared lost. The panel felt that either pushing back the narrower section of the elevation, or dropping one floor would make a much better visual distinction.



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The Panel felt that the changes shown in the presentation for the two volumes worked well together. The eight-storey elevation to Pound Tree Road being below the tree line in the parks worked well to express the contrasting elevations of the taller element in the critical view from the diagonal pathway through the listed park. It also improved views from the precinct.

The Panel felt that within the view down Portland Street, more work is needed on the articulation of the blank elevation of the lower volume, given the number of listed buildings within this view. Perhaps this elevation would be a good site for a mural as looking around the area the Panel were concerned that this blank elevation may become a target for unsightly graffiti.

The Panel supports the view that the materiality of this building should be distinct from the other nearby student development. Although supportive of the material choice, the extensive use of reconstituted stone cladding on the north elevation of the tower will need to be carefully considered from a weathering perspective. The dirt and water streaking that has blighted the otherwise good Police Headquarters must be avoided given the buildings relationship to the listed park, so parapet detailing is critical.

The Panel felt that more work is required on the plinth of the building as the disparity of solid and void between ground and first floor currently felt awkward with the first floor feeling too heavy relative to the more glazed ground floor.

Although the panel accepted that the entrance is private not a public, it still felt a bit lost and that some gesture to define it a little more obviously to the street would be welcome.

In conclusion, if the matters raised in this letter can be addressed the Panel is of the view that the building would represent a good building and a positive landmark particularly when viewed from the listed parks.

Please note that as the Panel's remit is to advise the city council on matters of design, no direct communication can be entered into with the Panel outside of the meeting. If you have any queries or require greater clarification regarding the contents of this letter, please do not hesitate to contact me.

The city council reserves its right to accept or reject, in whole or part consultee advice in the exercise of its statutory planning duty.

Yours sincerely



Darren Shorter

Urban Design Manager – Liaison Officer to the SDAP

Cc *Andrew Gregory, SCC – Regeneration Planning Manager*



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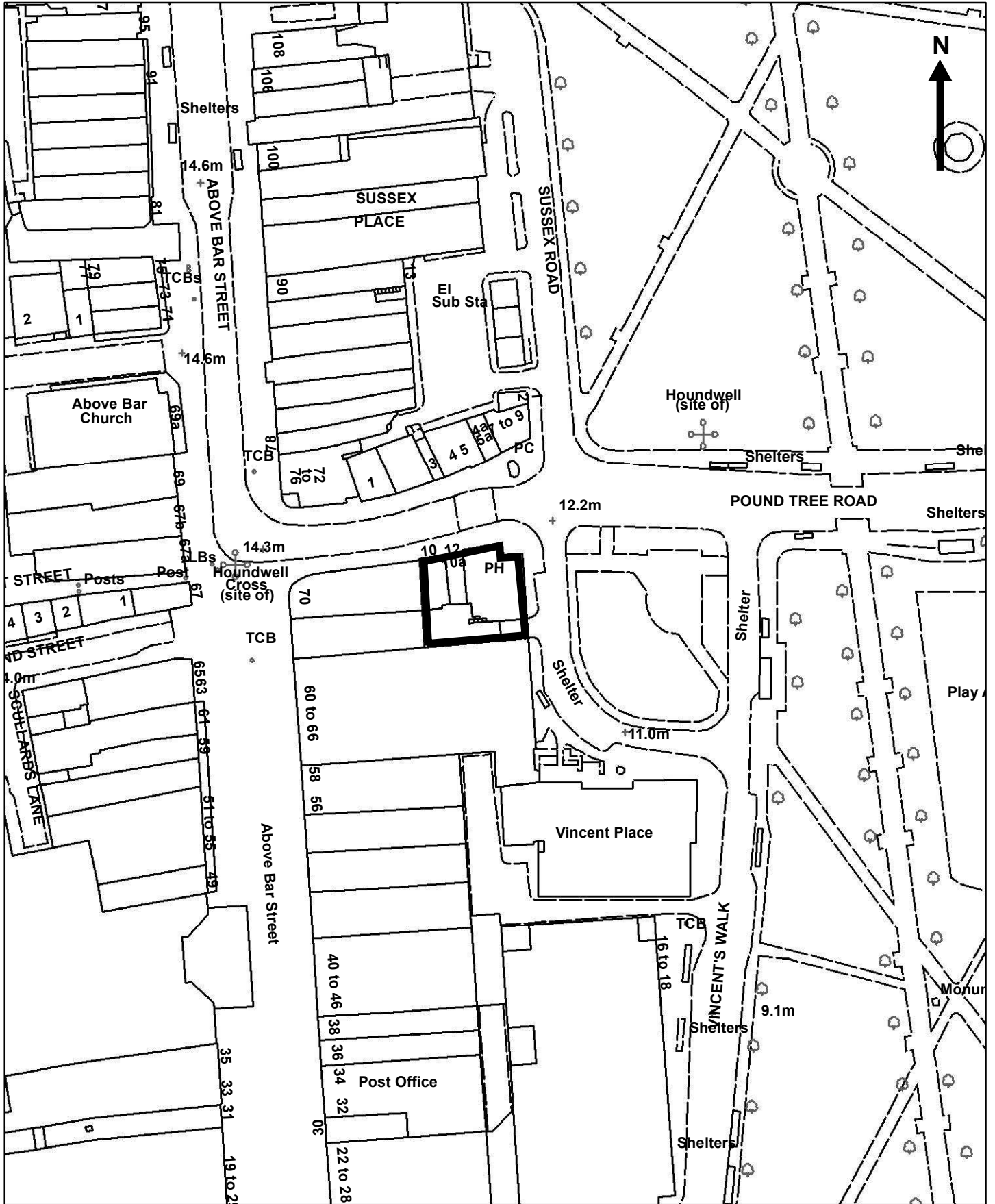


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Agenda Item 5

23/01158/FUL



Scale: 1:1,250

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Planning and Rights of Way Panel 31st October 2023
Planning Application Report of the Head of Transport and Planning

Application address: Rear of 174 Manor Road North, Southampton			
Proposed development: Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing garage			
Application number:	23/01111/FUL	Application type:	Full
Case officer:	Craig Morrison	Public speaking time:	5 minutes
Last date for determination:	20.10.2023	Ward:	Peartree
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Alex Houghton Cllr Eamonn Keogh Cllr Simon Letts
Applicant: Mr Gurdeep Singh		Agent: David Windsor	

Recommendation Summary:	Delegate to the Head of Transport and Planning to conditionally approve subject to securing a contribution towards The Solent Disturbance Mitigation Partnership
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023).

Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, H1, H2, and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached

1	Habitats Regulation Assessment	2	Development Plan Policies
3	Relevant Planning History	4	16/00132/FUL Decision Notice
5	16/00132/FUL PROW Minutes	6	15/01111/FUL Appeal Decision

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 and:
 - i. 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 relevant parts of conditions as necessary.

1. Background

1.1 This application follows a previous refusal for the same scheme under application ref.15/00111/FUL. An appeal against this decision was dismissed on a technicality regarding the Solent Disturbance Mitigation Project (SDMP) and the Inspector found the proposed built development and use to be acceptable in all regards.

1.2 A further application for an identical scheme was submitted in 2016 and was conditionally approved by the Planning and Rights of Way panel on the 7th June 2016 having addressed the SDMP concerns. This permission lapsed so the applicant has reapplied for the same scheme again. The planning history is a significant material consideration in this case and the Panel need to reflect on the previous Inspector's appeal decision, especially as there hasn't been any significant change to the Development Plan or material planning considerations since the previous approvals, rather than seeking to start afresh with these proposals.

2. The site and its context

2.1 The application site comprises land to the rear of 174 Manor Road North which is occupied by a single-storey workshop building and forecourt fronting Wodehouse Road. The building is of masonry construction with a flat roof. The site is situated adjacent to a service road running between properties fronting Manor Road North and Ludlow Road. The site abuts the gardens of 174 and 176 Manor Road North. A narrow access footpath is located to the side of the site, providing access to the rear gardens of several properties along Manor Road North.

2.2 The surrounding area is predominantly residential in character primarily consisting

of 2 storey Victorian dwellings and some more modern infill developments in similar plots to that subject to this application.

3. Proposal

- 3.1 Full planning permission is again sought for the construction of a 2 storey building on land to the rear of no.174 Manor Road North. At present, there is a single storey garage on this site positioned adjacent to a rear access (unadopted highway) serving the properties along Manor Road North and Ludlow Road and, at present, the site is fenced off from view from the public and adjacent unadopted highway. The proposed two storey building, albeit with the first floor accommodation located in the roofspace, would have a total height of approximately 6.6m with an eaves height of approximately 4m. The proposed block would have a dual pitched dormer window at roof level within the front elevation in addition to a porch canopy at ground floor level.
- 3.2 The first proposed flat would be located at ground floor level and would comprise a lounge / kitchen / dining area, bedroom and bathroom. It would have a floorspace of approximately 45 sq m. This unit would have access to its own private amenity space of approximately 15 sq m.
- 3.3 The second proposed flat would be located at first floor level and would comprise a lounge / kitchen / dining area, bedroom and bathroom. It would have a floorspace of approximately 55 sq m. This unit would have access to its own private amenity space of approximately 16 sq m.
- 3.4 Two parking spaces would be provided to the front of the property along Wodehouse Road (one for each flat). Each of these would measure approximately 5m x 2.4m. A bin storage area and bike store would also be provided to the front of the property in addition to a private bin store within the amenity area for the first floor unit only and a bike store on the ground floor for the first floor unit.

4. Relevant Planning Policy

- 4.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at ***Appendix 1***.
- 4.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

5. Relevant Planning History

- 5.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.
- 5.2 This scheme is identical to the previously refused scheme under application ref.15/00111/FUL and this scheme was supported at appeal. A copy of the Planning Inspector's decision is attached at **Appendix 6**.
- 5.3 The proposal also matches that approved by application 16/00230/FUL which was approved by the Planning and Rights of Way Panel.

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 the 1st September 2023. At the time of writing the report **5 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2 Detrimental Impact on Neighbouring Amenity

Response

Residential amenity did form a reason for refusal for the identical 2015 scheme. However, at the appeal stage, the Inspector concluded that the scheme would not be detrimental to the residential amenities of the occupiers of these neighbouring properties (paragraph 4, 5, 6 and 7 of the PINS decision attached at Appendix 1). As this appeal decision forms a significant material consideration in the determination of this scheme, residential amenity should not form a reason for refusal in this instance and the impacts have been found to be acceptable by an independent body.

5.3 Impact on Parking in the Surrounding Area

Response

1 off-street car parking space is provided for each 1 bedroom property thereby meeting the maximum parking standard as set out within the Parking Standards SPD. This was deemed to be acceptable previously and circumstances and the use of maximum parking standards haven't changed.

5.4 Impact on Property values

Response:

This is not a material planning consideration and cannot be taken into account in making a decision on this planning application.

5.5 The visibility splay for vehicles would require the removal of the neighbours fence

Response

The walkway between the application site would be retained leaving a gap of approximately 1.3 metres, at the required angle of 45 degrees from the highway

the fence of 174 Manor Road North would remain outside of the visibility splay and therefore not require neighbouring fences to be removed. This was deemed to be acceptable previously and circumstances haven't changed.

5.6 Out of Character with the local area

Response

The design of the proposed development was deemed to be appropriate during the previous planning application. None of the reasons for refusal related to 'inappropriate design'. As the scheme being considered under this application is identical to this previous scheme, it is considered that the design is still appropriate and adding a fresh reason for refusal now would be regarded as unreasonable behaviour on the part of the Local Planning Authority.

5.7 Neighbouring Outbuildings attached to walls that need to be demolished

Response

This is a civil matter and the developer would need to separately agree with any affected land and property owners if any walls attached to neighbouring buildings is required.

Consultation Responses

5.4

Consultee	Comments
Cllr Eamonn Keogh	The development in my opinion will have an overbearing impact on neighbouring properties on Manor Road North and in particular numbers 176 to 180. The height of the property at nearly 7 metres is likely to be oppressive especially when viewed from properties 176 to 180a. I would also suggest the amenity space for the two one bed properties is too small and does I believe fall below what is consider a national minimum. The amenity spaces provided are adjacent to the neighbour properties at 176 and 178 and could harm the ability of these residents to enjoy their garden spaces. Whilst there are two parking spaces provides it may be the case that only one could be used given the tight turning circle that would be required if one space is occupied given its location at the junction with Manor Road North. This increases the risk of additional on street parking. It is likely given the lack of a good bus service in the area that occupiers may have more than the two-car anticipated. I am presuming any windows overlooking neighbouring properties will have obscure glass to protect the amenity of neighbours. The outlook for any occupiers of these properties will in my opinion be poor. So, for the reasons of height, scale, parking, amenity space and outlook are sufficient in my opinion for this application to be refused. I would be willing to support a one-story development that did not impact on neighbouring

	<p>properties as this would increase the amount amenity space available for the occupiers and provide more off-road parking should they have two cars. If officers are mindful to approve, I would recommend that the application is delegated to the planning and rights of way committee for final approval.</p>
Archaeology	<p>The site is in Local Area of Archaeological Potential 16 (The Rest of Southampton), as defined in the Southampton Local Plan and Core Strategy. However on current evidence and given the relatively small scale of the development, no archaeological conditions need to be attached to the planning consent if granted.</p>
CIL Officer	<p>The development is CIL liable as there is a net gain of residential units. With an index of inflation applied the residential CIL rate is £110.94 per sq. m to be measured on the Gross Internal Area floorspace of the building. Should the application be approved a Liability Notice will be issued detailing the CIL amount and the process from that point.</p> <p>If the floor area of any existing building on site is to be used as deductible floorspace the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.</p>
Lindsay McCulloch - Ecology	<p>I have no objection to the proposed development.</p>
Sam Guppy - Contamination	<p>This department considers the proposed land use as being sensitive to the affects of land contamination.</p> <p>Records maintained by SCC - Regulatory Services do not indicate that any potentially contaminating land uses have existed on or, in the vicinity of the subject site. However, these records are not authoritative and reference to them alone is not sufficient to confidently determine the presence of any risk. In view of the sensitive nature of the proposal a more thorough assessment of the potential land contamination hazards would be prudent</p> <p>Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.</p>

<p>SCC Highways</p>	<p>The proposed development is considered acceptable however, there are some concerns which will need to be addressed.</p> <p>There are concerns whether the frontage is wide enough to accommodate 2 parking spaces as well as the ability to secure the 2mx 2m visibility splays for pedestrian sightlines. It is also important to note that the sightlines proposed appear to be outside the site boundary.</p> <p>There is an existing wall to the Northeast which would need to be removed/amended to provide the sightlines and maybe to provide sufficient width for the parking. As the wall also provides a security gate for the neighbouring property(s), it would be good to get clarification if this is achievable.</p> <p>Furthermore, with where the bins are located, space is tight with not much circulation space. This may result in bins being relocated by residents especially to avoid risk of damages to the cars. With little forecourt space and the site being adjacent to a shared access road, there is danger of the bins being left on the public footway. The footway here is narrow and can be a safety concern caused by obstruction - especially for wheelchair users.</p> <p>As such, I would like to request that the scheme should only contain one parking space or even car-free. This would allow for the sightlines to be achieved solely/mostly within the site boundary and provide more circulation space for the bins and cycle.</p> <p>Lastly, the shared access road is a highway (not maintained by the public's expense) and therefore no doors or windows should open outwards and encroach over it.</p> <p><u>Officer Response</u> <i>These issues are considered fully in the Planning Considerations section of this report; with reference to the planning appeal and Inspector's conclusions.</i></p>
<p>Environmental Health</p>	<p>I have looked at the application form and associated documentation and I can confirm that the Environmental Health Neighbourhoods Team have no objections in principal to this application. However during construction and demolition any noise, dust and vibration should be minimised throughout and working hours should be restricted to standard hours. This is to minimise the likelihood of nuisance to neighbours</p>

Sustainability	The design and access statement states that the development incorporates water harvesting, air source heating and solar thermal. However I cannot see these on the plans. These should be incorporated into the design so that position of the units can be considered and compatible heating appliances such as underfloor heating, or larger radiators should be specified. It is highly recommended that these points are addressed before any approval. However, If the case officer is minded to approve the application, the following conditions are recommended in order to ensure compliance with core strategy policy CS20
Natural England	<p>OBJECTION</p> <p>Natural England objects to this proposal. As submitted we consider it will:</p> <ul style="list-style-type: none"> • have an adverse effect on the integrity of the New Forest Special Area of Conservation (SAC) Special Protection Area (SPA) and Ramsar • damage or destroy the interest features for which the New Forest Site of Special Scientific Interest has been notified. <p>Officer Response</p> <p><i>This objection can be overcome by applying the tests and mitigation as set out in the supporting Habitats Regulations Assessment</i></p>
Southern Water	Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

7.0 Planning Consideration Key Issues

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

- The principle of development;
- Other material planning considerations previously considered including:
 - Quality of the residential environment
 - Design
 - Residential amenity
 - Highway safety
 - Impacts upon protected sites and the Habitats Regulations

7.2 Principle of Development

7.2.1 The principle of development has been established by the granting of planning

permission for an identical scheme in June 2016 (16/00132/FUL). The 2016 permission does not appear to have been implemented and, therefore, would not be extant at this time. While the permission has expired it remains a material consideration and supports the grant of permission for an identical scheme unless the material planning considerations upon which it was considered have changed – which in this case they haven't.

7.2.2 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”]

7.2.3 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). 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.

7.2.4 Core Strategy Policy CS4 (Housing Delivery) states that: 'An additional 16,000 homes will be provided within the City of Southampton between 2006 and 2026. This proposal would make good use of previously developed land on the edge of the city centre to provide 6 much needed additional homes and is, therefore, considered to be acceptable in principle.

7.2.5 Saved Local Plan policy H2 advises that: 'The maximum use of derelict, vacant and underused land for residential development will be made provided that: (ii) the land is not safeguarded as being for non-residential use; (iii) the location of any development would not have a significantly detrimental effect on the amenity of occupiers of adjoining land; (iv) the site is not unfit for development by reason of its location close to dust, fumes, hazards or nuisance created by nearby industrial or commercial activity; (v) the land has not been subject to tipping, and is therefore not capable of redevelopment in the short term; and (vii) the land does not support significant wildlife / nature conservation interests. Significant wildlife / nature conservation interests are defined as those sites which meet SINC criteria or sites supporting habitats or species identified in national or local biodiversity action plans'. This scheme would make effective use of previously developed land and would therefore, comply with this policy.

7.2.6 Core Strategy Policy CS5 (Housing Density) outlines density levels for new residential development which will be acceptable in different parts of the city. This property is located within an area of moderate accessibility (Band 3) to Public

Transport where density levels between 50 and 100 dph are considered to be acceptable. The site area is approximately 0.0125 ha and the creation of two new dwellings on this site would result in a density of approximately 160 dph. This is significantly greater than the recommended density levels for this area but the previous reasons for refusal which were based on the symptoms of over-intensive use were not supported by PINS.

7.2.7 The principle of new residential development within the city is considered to be acceptable in accordance with Core Strategy Policy CS4.

7.3 Quality of the Residential Environment

7.3.1 Saved policy SDP1 of the City of Southampton Local Plan Review 2010 states that: 'Planning permission will only be granted for development which: (i) does not unacceptably affect the health, safety and amenity of the City and its citizens'.

7.3.2 Saved policy H7 of the City of Southampton Local Plan Review 2010 states that: 'Planning permission will only be granted for residential development provided that the highest standards of quality and design are applied'.

7.3.3 Section 2.2 of the Residential Design Guide SPD expands upon this. Paragraph 2.2.1 states that: 'New housing development, extensions and modifications to existing homes should ensure that access to natural light, outlook and privacy is maintained for existing occupants and their neighbours in their homes and private gardens as well as for the intended occupants of new habitable rooms'. Paragraph 2.2.10 goes on to state that: 'The design, layout and detail of new housing development should also aim to minimise problems such as noise, fumes and vibration from neighbouring roads and sites that can spoil the enjoyment and privacy of housing and garden areas'.

7.3.4 No issues relating to the quality of the residential environment were raised during the determination of the previous scheme by the Local Planning Authority. Furthermore, the Inspector was satisfied with the quality of the residential environment for the proposed flats at the appeal stage. As such, it is considered that an adequate residential environment would be provided for future residents in accordance with the policies outlined above.

7.3.5 Paragraph 4.4.1 of the Residential Design Guide SPD states that: 'All developments should provide an appropriate amount of amenity space for each dwelling to use'. Approximately 15 sq m of private amenity space would be provided for the ground floor flat whilst approximately 16 sq m would be provided for the first floor flat. These amenity areas are both marginally smaller than the 20sq m requirement which applies for amenity areas serving flats in suburban areas of the city. It is however, acknowledged that the amenity areas proposed would be sufficiently private and usable given their regular square shape. Concern about the size of the proposed amenity areas was not raised during the lifetime of the previously refused scheme and previous Inspectors have commented that reduced garden sizes may be appropriate for smaller (single bedroom) flats. Having regard to this, and the appeal decision which raised no objection regarding the quality or quantity of amenity space proposed, it is considered that the amenity

areas would be sufficient to meet the needs of future occupiers.

7.3.6 It is considered that the proposed units would provide an acceptable residential accommodation for future occupiers and the scheme therefore complies with saved Local Plan Policy SDP1(i).

7.4 Design

7.4.1 The surrounding area is characterised by two storey, terraced dwellinghouses. Roofslopes are predominantly hipped and properties are typically constructed of brick with tiled roofs. Windows tend to comprise UPVC frames and there are a number of bay windows at ground floor level. Properties within the surrounding area have small front forecourts, many of which have been converted to driveways to provide off road parking. A number of similar sites within the surrounding area have previously been redeveloped.

7.4.2 It is noted that inappropriate design did not form a reason for refusal for the previous scheme when it was determined by the Local Planning Authority. Furthermore, the design of the previous scheme was also considered to be appropriate by the Planning Inspector during the determination of the appeal. As the design has not changed, it is again considered to be acceptable for its context.

7.5 Residential Amenity

7.5.1 The earlier scheme was refused by the Local Planning Authority because of its impact on the neighbouring properties of no.174, 176 and 178 Manor Road North. The subsequent appeal Inspector did not however, raise this as an issue, resolving that residential amenity was not harmed.

7.5.2 Paragraph 2.2.1 of the Residential Design Guide states that: 'New housing development, extensions and modifications to existing homes should ensure that access to natural light, outlook and privacy is maintained for existing occupants and their neighbours in their homes and private gardens as well as for the intended occupants of new habitable rooms'.

7.5.3 The application site is positioned to the rear of the residential properties along Manor Road North. The properties closest to the site are no.174, 176 and 178 Manor Road North.

7.5.4 The following separation distances between the proposed building and neighbouring gardens would be retained:

- Approximately 5m between the proposed building and the rear boundary of the garden at no.174.
- Approximately 1.5m between the proposed building and the rear boundary of the garden at no.176.
- Approximately 1.5m between the proposed building and the rear boundary of the garden at no.178.

7.5.5 The existing building has a flat roof of approximately 3m in height and is considered to be relatively modest in scale. The eaves of the roofslope facing the

rear of the residential properties along Manor Road North would measure approximately 4m in height whilst the ridge would have a height of approximately 6.6m in height. The recent appeal decision resolved that the impact of the scheme in terms of residential amenity was acceptable and due regard in relation to this planning application must be afforded to this. Paragraph 5 of the Inspector's decision states that:

'While some of the existing terraced houses may lose some sunshine during the morning, I am satisfied that the additional building bulk would not have a significantly harmful effect on the living conditions of these houses and their gardens by causing undue loss of natural light or outlook. In terms of the gardens, the plan and cross-section show the difference in visual terms between the existing single storey form of the workshop building and the top of the two storey pitched roof and I judge the difference not to be a material one.'

7.5.6 As such, the impact of the scheme on residential amenity should not constitute a reason for the refusal in this case.

7.6 Highways Safety, Car and Cycle Parking and Refuse Storage

7.6.1 The previous scheme was refused by the Local Planning Authority because of its impact on highway safety. Specifically, this related to the insufficient size of the parking spaces proposed and the failure to provide adequate sightlines. The subsequent appeal Inspector did not however, raise this as an issue, resolving that highways safety was not harmed.

7.6.2 The Parking Standards SPD outlines maximum car parking standards for new residential development within Southampton. In accordance with these standards, 1 space per new dwelling is required. This scheme provides 2 spaces, 1 for each flat and is therefore, considered to comply with the Parking Standards SPD.

7.6.3 Paragraph 9 of the appeal decision states that:

'The two parking spaces shown on the submitted layout plan do not have a dimension of their length specified but appear marginally short of the recommended standard. Nevertheless, I should also take into consideration that the present workshop building appears to have a parking and/or loading facility in the same space and enclosed by walls, together with a dropped kerb. Therefore, users of the footpath are likely to have had restricted visibility of vehicles leaving the existing workshop premises.'

7.6.4 Paragraph 10 continues:

'The submitted layout plan also shows the 2m splays and although these are not within the application site, on the one side the splay utilises the rear access track which is an open area and likely to remain so. On the other side, much of the splay is formed by the open pedestrian rear access to the adjacent houses. As such, although the Council supplementary guidance does not require such splays, in practice the movements of vehicles into and out of the spaces would be visible to most users of the pavement.'

7.6.5 Paragraph 12 is also relevant:

'Overall, on this issue, given that the proposal is for the replacement of an existing workshop building, I do not consider that the slight shortfall in the length of the parking spaces necessitates the rejection of the scheme, and I am satisfied that the circumstances of the site mean that the proposal would not be harmful to pedestrian safety.'

7.6.6 Having regard to the appeal decision, the inclusion of appropriate sightlines and the increased length of the car parking spaces, this scheme is now considered to be acceptable in terms of highways safety, overcoming the previous reason for refusal.

7.6.7 The Parking Standards SPD also outlines minimum cycle parking standards for new residential development within Southampton. In accordance with these standards, 1 long stay cycle parking space would be required for each flat. The submitted documents indicate that a total of 4 cycle spaces would be provided, 2 in a cycle enclosure to the front of the property and 2 within a cycle enclosure within the amenity area of the first floor flat. The proposed scheme would therefore, satisfy the requirements of the Parking Standards SPD.

7.6.8 Paragraph 9.2.2 of the Residential Design Guide advises that for households with less than 6 residents, 2 x 240 litre wheeled bins should be provided. The submitted plans indicate that the ground floor flat would have an open bin storage area to the front of the property whilst an enclosed bin store would be provided for the first floor unit to the side of the property. Refuse storage for the ground floor unit has been amended in response to comments from the Highways Team. This is considered to be sufficient to meet the requirements of the Residential Design Guide SPD.

7.7 Solent Disturbance & Impact on Habitat Regulations

7.7.1 ⁴ The 2015 scheme was refused by the Local Planning Authority for its failure to provide a scheme of mitigation for the Solent Disturbance Mitigation Project (SDMP). The subsequent 2016 scheme was then approved following the payment of the SDMP. Providing this issue is again sorted via the suggested recommendation above then the scheme is again fully compliant on this issue.

7.7.2 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of

recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £443 per 1 bedroom unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and the payment has been made. It meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.7.3 Since the previous permissions the issue of nitrates has arisen, whereby all overnight accommodation has been found to have an impact on the water quality being discharged into our local watercourses that are of protected status. The 'harm' caused can be mitigated by ensuring that the development complies with the principles of 'nitrate neutrality', and a planning condition is recommended to deal with this as explained further in the attached Habitats Regulations Assessment, as set out at **Appendix 1**.

7.7.4 The Recommendation for this application is to delegate to the Head of Transport and Planning to secure a financial contribution towards the SDMP either via a direct payment prior to the issue of the decision or via a S106 agreement.

8. Summary

7.1 A material consideration for this scheme is the outcome of the appeal against the refusal of application ref.15/00111/FUL for an identical scheme. This appeal was dismissed solely on the grounds that no contribution to the SDMP had been provided. Paragraph 16 of the appeal decision advises that:

'...while I have found that the local impact of the development on the environment of the site is acceptable, the proposal does not properly mitigate the wider effects of additional development on the sensitive habitats around the Solent. This conflicts with the specific policy of the development plan'.

8.2 In paragraph 15 of this appeal decision, the Inspector advises that:

'Bringing together my conclusions on the main issues, I have found that the redevelopment of the existing warehouse with a two storey building comprising two small flats would not materially harm the living conditions of the occupiers of adjacent terraced properties by loss of natural daylight and outlook including the use of their gardens. The proposal would also improve the appearance of the area by the demolition of a building which is vacant and in decay. As such I have found that the nature of the proposed development reasonably meets the requirement of the relevant policies in the development plan. Although the parking spaces are slightly below standard, with conditions regulating the enclosure of these spaces, I am satisfied that their use would be unlikely to be harmful to highway safety and especially the safety of pedestrians on the pavement'.

8.3 The issues relating to residential amenity and highways safety in the reason for refusal by the Local Planning Authority were not deemed to be appropriate by the Inspector. The only reason for the dismissal of the appeal related to the lack of a

contribution to the SDMP. The recommendation is therefore for approval subject to securing the requisite contribution towards the SDMP scheme.

- 8.4 The principle of new residential development is 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 dwelling(s), and their subsequent occupation, as set out in this report. Taking into account the benefits of the proposed development, and the limited harm arising from the conflict with the policies in the development plan 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.

9. Conclusion

- 9.1 It is recommended that conditional planning permission be granted subject to securing mitigation of recreational impacts on European Designated Sites via a contribution towards the SDMP.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer Craig Morrison PROW 31.10.23

PLANNING CONDITIONS to include:

01. Full Permission Timing Condition (Performance)

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

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

02. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

03. Details of building materials to be used (Approval 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 above damp proof course level 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 including ridge tiles. 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.

04. APPROVAL CONDITION - Sightlines

The sightlines shown on the approved plans (M.R.01.) shall be provided prior to first occupation and retained thereafter for the lifetime of the development. Any physical obstructions within the approved sightlines must not exceed 600mm in height at any time.

Reason: In the interests of highways safety.

05. Parking

The parking and access shall be provided in accordance with the approved plans (M.R.01) and shall be surfaced using a non-migratory material before the development first comes into occupation. The parking area shall thereafter be retained for the lifetime of the development.

Reason: In the interests of highway safety.

06. Condition 7: Refuse and Recycling

The storage for refuse and recyclable materials shown on the submitted plans (M.R.01.) shall be made available prior to the first occupation of the residential units hereby permitted. The doors to the refuse store for the first floor flat shall be inward opening at all times and an additional access gate shall be provided along the eastern boundary to ensure that access to the refuse store for the ground floor flat is possible when both car parking spaces are occupied. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved for the lifetime of the development.

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.

07. Cycle storage facilities

The cycle storage facilities shown on the approved plans (M.R.01) shall be made available prior to the first occupation of the residential units hereby permitted. The storage shall be thereafter retained as approved.

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

08. Demolition/Construction Management Plan (Pre-Commencement)

Before any development works are commenced, a Demolition/Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) details of cranes and other tall construction equipment (including the details of obstacle lighting)
- (d) details of temporary lighting
- (e) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (f) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (g) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (h) details of construction vehicles wheel cleaning; and,

(i) details of how noise emanating from the site during construction will be mitigated.

(j) details of temporary fencing including height, type, and timings of installation and removal.

The approved Demolition/Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, and the character of the area and highway safety.

09. Hours of work for Demolition / Clearance / Construction (Performance)

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

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

10. Bonfires (Performance Condition)

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

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

11. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

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

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

12. Use of uncontaminated soils and fill (Performance)

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

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

13. Unsuspected Contamination (Performance)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

14. Water & Energy [Pre-Commencement]

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.

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).

15. Water & Energy [Performance]

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.

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).

16. APPROVAL CONDITION: Obscure Glazing.

The windows within the eastern elevation as shown on approved plan (M.R.01) shall remain obscure glazed and non opening up to 1.8m at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

17. Residential - Permitted Development Restriction (Performance Condition)

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

Class A (enlargement of a dwelling house), including a garage or extensions,
Class B (roof alteration),
Class C (other alteration to the roof),
Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

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

18. Nitrates Mitigation (Pre-Occupation)

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from 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.

Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability 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:
<http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx> or contact the Council's CIL Officer.

Southern Water

Southern Water requires a formal application for a connection to the public foul or surface water sewer to be made by the applicant or developer. The applicant is advised to discuss this matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel:0330 303 0119) or www.southernwater.co.uk.

The planning application makes reference to drainage using sustainable urban drainage systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of SUDS. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details should submitted to the Local Planning Authority should:

- (a) Specify the responsibilities of each party for the implementation of the SUDS scheme.

- (b) Specify a timetable for implementation.
- (c) Provide a management and maintenance plan for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Due to changes in legislation that came into force on the 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties it serves and potential means of access before any further works commence on site.

The applicant is advised to discuss this matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW ([Tel:0330 303 0119](tel:03303030119)) or www.southernwater.co.uk.

Habitats Regulations Assessment (HRA)	
Application reference:	23/01111/FUL
Application address:	Rear of 174 Manor Road North Southampton SO19 2DY
Application description:	Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing garage
HRA completion date:	5th October 2023

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council lindsay.mcculloch@southampton.gov.uk

Summary
<p>The project being assessed is as described above.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The findings of the initial assessment concluded that significant effects were possible. A detailed appropriate assessment was therefore conducted on the proposed development.</p> <p>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.</p>

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, ie. 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 full workings have been provided by the applicant as part of the planning application submission. The calculations conclude that there is a predicted Total Nitrogen surplus arising from the development. This is based on the additional population from the residential units using 110litres of wastewater per person per day. Due to the nature of the site, and the surrounding urban environment, there are no further mitigation options on site. At present strategic mitigation measures are still under development and it is therefore proposed that a record of the outstanding amount of nitrogen is made.

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.
- 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.

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APPENDIX 2

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
CLT7	Provision of New Public Open Space
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)
Bassett Neighbourhood Plan (July 2016)

Other Relevant Guidance

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

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APPENDIX 3

Relevant Planning History

Case Ref	Proposal	Decision	Date
1556/E45	ERECTION OF A WORKSHOP AT THE REAR OF 174 MANOR ROAD NORTH APPEAL DISMISSED	Application Refused	12.06.1979
1568/E25	ESTABLISHED USE CERTIFICATE FOR BUILDERS WORKSHOP AND STORE AT THE REAR OF 174 MANOR ROAD NORTH APPEAL ALLOWED 29.06.82 5239/D/80/82	Application Refused	03.06.1980
1611/E3	ERECTION OF A WORKSHOP AT THE REAR OF 174 MANOR ROAD NORTH APPEAL ALLOWED 29.06.82 03408/G3	Application Refused	02.02.1982
E06/1653/174	ERECTION OF A TWO STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION TO BOTH RESIDENTIAL ACCOMMODATION AND OFFICES AT 174 AND 176 MANOR ROAD NORTH	Conditionally Approved	27.11.1984
15/00111/FUL	Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing work shop.	Application Refused	29.04.2015
16/00132/FUL	Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing work shop (resubmission 15/00111/FUL)	Conditionally Approved	13.06.2016

Appendix 4 – Decision Notice 16/00132/FUL Land Rear of 174 Manor Road No

16/00132/FUL/7517



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town & Country Planning (Development Management Procedure) (England) Order 2015

MDT Design
Matthew Tate
The Studio
1A Portsmouth Road
Fishers Pond
Eastleigh
SO50 7HF

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

FULL APPLICATION - **CONDITIONAL APPROVAL**

Proposal: **Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing work shop (resubmission 15/00111/FUL)**

Site Address: **174 Manor Road North, Southampton, SO19 2DY**

Application No: **16/00132/FUL**

Subject to the following conditions.

01.Full Permission Timing Condition (Performance)

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

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

02.Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

03.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.

04. APPROVAL CONDITION - Sightlines

The sightlines shown on the approved plans (ref.02 E) shall be provided prior to first occupation and retained thereafter for the lifetime of the development. Any physical obstructions within the approved sightlines must not exceed 600mm in height at any time.

Reason:

In the interests of highways safety.

05. Parking

The parking and access shall be provided in accordance with the approved plans (ref.02 E) and shall be surfaced using a non-migratory material before the development first comes into occupation. The parking area shall thereafter be retained for the lifetime of the development.

Reason:

In the interests of highway safety.

06. Refuse and Recycling

The storage for refuse and recyclable materials shown on the submitted plans (ref.02 E) shall be made available prior to the first occupation of the residential units hereby permitted. The doors to the refuse store for the first floor flat shall be inward opening at all times and an additional access gate shall be provided along the eastern boundary to ensure that access to the refuse store for the ground floor flat is possible when both car parking spaces are occupied. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved for the lifetime of the development.

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.

07. Cycle storage facilities

The cycle storage facilities shown on the approved plans (ref.02 E) shall be made available prior to the first occupation of the residential units hereby permitted. The storage shall be thereafter retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

08. Demolition - Dust Suppression (Pre-Commencement)

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason: To protect the amenities of users of the surrounding area.

09. Hours of work for Demolition / Clearance / Construction (Performance)

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

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

10. Bonfires (Performance Condition)

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

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

11. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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

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

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

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

12. Use of uncontaminated soils and fill (Performance)

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

Reason:

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

13. Unsuspected Contamination (Performance)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

14. Energy & Water (Pre-Commencement)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

15. Energy & Water (performance condition)

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

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

16. APPROVAL CONDITION: Obscure Glazing.

The windows within the eastern elevation as shown on approved plan ref.02C shall remain obscure glazed and non opening up to 1.8m at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of residential amenity.

17. Residential - Permitted Development Restriction (Performance Condition)

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

- Class A (enlargement of a dwelling house), including a garage or extensions,
- Class B (roof alteration),
- Class C (other alteration to the roof),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,
Class F (hard surface area)

Reason:

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

Reason for Granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. This scheme has fully satisfied the previous reason for refusal for the reasons given by the Inspector during the previous appeal. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, H1, H2, and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability 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: <http://www.southampton.gov.uk/planning/community-infrastructure-levy/default.aspx> or contact the Council's CIL Officer.

Note to Applicant - Drainage

Southern Water requires a formal application for a connection to the public foul or surface water sewer to be made by the applicant or developer. The applicant is advised to discuss this matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel:0330 303 0119) or www.southernwater.co.uk.

The planning application makes reference to drainage using sustainable urban drainage systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of SUDS. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details should submitted to the Local Planning Authority should:

- (a) Specify the responsibilities of each party for the implementation of the SUDS scheme.
- (b) Specify a timetable for implementation.
- (c) Provide a management and maintenance plan for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Due to changes in legislation that came into force on the 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an

16/00132/FUL/7517

investigation of the sewer will be required to ascertain its condition, the number of properties it serves and potential means of access before any further works commence on site.

The applicant is advised to discuss this matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel:0330 303 0119) or www.southernwater.co.uk.



Samuel Fox
Planning & Development Manager

13 June 2016

If you have any further enquiries please contact:
Laura Grimason

IMPORTANT NOTE TO APPLICANT

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings:

Drawing No:	Version:	Description:	Date Received:	Status:
02 E		Proposed Plans	27.01.2016	Approved

Appendix 5 Planning and Rights of Way Panel 16th July 2016 Minutes – Land Rear of 174 Manor Road North.

Minutes:

The Panel considered the report of the Planning and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Erection of a two-storey building containing 2 x one bed flats with associated parking, amenity space and cycle and bin stores following demolition of existing work shop (resubmission 15/00111/FUL).

Mrs Littlecott (local residents/ objecting), and Councillors Lewzey and Keogh (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that Conditions 6 and 7 needed to be amended to read as to pre-occupation conditions. It was noted that paragraph 3.4 of the report incorrect detailed the size of the parking bays however the correct dimensions now matched the policy requirements. During the meeting, members of the Panel requested condition 6 (refuse and recycling) to be amended to require the side access gates to the refuse store to be inward opening.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes-Andrews, Coombs, Denness, Mintoff

AGAINST: Councillors Claisse, L Harris Wilkinson

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

Amended Conditions:

Condition 7: Refuse and Recycling

The storage for refuse and recyclable materials shown on the approved plans (ref.02 E) shall be made available prior to the first occupation of the residential units hereby permitted. The doors to the refuse store for the first floor flat shall be inward opening at all times and an additional access gate shall be provided along the eastern boundary to ensure that access to the refuse store for the ground floor flat is possible when both car parking spaces are occupied. The storage shall be provided

in accordance with the agreed details before the development is first occupied and thereafter retained as approved for the lifetime of the development.

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.

Condition 6: Cycle storage facilities

The cycle storage facilities shown on the approved plans (ref.02 E) shall be made available prior to the first occupation of the residential units hereby permitted. The storage shall be thereafter retained as approved.

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

Appendix 6 Appeal Decision 15/00111/FUL – Land Rear of 174 Manor Road North.



Appeal Decision

Site visit made on 2 February 2016

by **David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 March 2016

Appeal Ref: APP/D1780/W/15/3137227

Land to the rear of 174 Manor Road North, Southampton, SO19 2DY.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Watts against the decision of Southampton City Council.
 - The application Ref.15/00111/FUL, dated 10 January 2015, was refused by notice dated 29 April 2015.
 - The development proposed is the erection of a two storey building containing 2 one bedroom flats with associated parking, amenity space, and cycle and bin stores following demolition of the existing workshop.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the living conditions of the occupiers of the neighbouring properties fronting Manor Road North; the effect on highway safety and whether the proposal mitigates the effects of the additional housing on the Special Protection Areas of the Solent Coastline.

Reasons

Background

3. The appeal site comprises an 'L' shaped single storey workshop building which is vacant at the moment and which lies to the rear of properties fronting Manor Road North and also alongside an un-metalled track that provides rear access to garages in this road and a neighbouring one. The track has access to Wodehouse Road. It is proposed to demolish the workshop building and erect a two storey building covering a slightly smaller footprint and provide two small amenity areas for the flats. It is also proposed to have two parking spaces located between the flats and Wodehouse Road.

Effect on living conditions

4. At my site visit I considered the relationship of the proposed flat building with the rear aspect of the existing housing and took into consideration the orientation of the site and the likely effects of overshadowing from the new building. I also noted that many of the properties in the terrace comprising 174 to 180 (even No's) in Manor Road North appeared to have been extended and

that a number of windows at first floor level appeared to light bathrooms as the windows were glazed with obscure glass.

5. The submitted plan 1693/09 02B reasonably shows the cross section between the existing terraced houses and the rear gardens and the flats building. While some of the existing terraced houses may lose some sunshine during the morning, I am satisfied that the additional building bulk would not have a significantly harmful effect on the living conditions of these houses and their gardens by causing undue loss of natural light or outlook. In terms of the gardens, the plan and cross-section show the difference in visual terms between the existing single storey form of the workshop building and the top of the two storey pitched roof and I judge the difference not to be a material one. In assessing this I have borne in mind the general setting of the site in an area characterised by a fairly dense pattern of terraced houses. The demolition of the existing warehouse and the erection of the new building would also be an improvement to the appearance of the area as the existing building is showing signs of decay.
6. Overall on this issue, I am satisfied that the new replacement flats would accord with the requirements of saved policies SDP7 and SDP 9 of the City of Southampton Local Plan Review, and generally accord with policy CS13 of the Council's Core Strategy (2015) on 'design', and the development would not be materially at odds with the Council's Residential Design Guide SPD.
7. I have noted the other appeal decisions referred to by the Council but these do not seem to involve the same circumstances as apply at the appeal site and I have considered this proposal on its individual merits and from my observations at my visit.

Effect on pedestrian safety

8. In terms of the effect on pedestrian safety, the Council considers that the two parking spaces shown on the layout plan do not meet the standard of 5m by 2.4m set out in the Parking SPD (2011). Further the Council also says it seeks a splay of 2m by 2m on each side of the parking bays, which although not currently part of the local standards, the Council says such a splay is used by other specified Councils to provide a safe environment for pedestrians.
9. The two parking spaces shown on the submitted layout plan do not have a dimension of their length specified but appear marginally short of the recommended standard. Nevertheless, I should also take into consideration that the present workshop building appears to have a parking and/or loading facility in the same space and enclosed by walls, together with a dropped kerb. Therefore, users of the footpath are likely to have had restricted visibility of vehicles leaving the existing workshop premises.
10. The submitted layout plan also shows the 2m splays and although these are not within the application site, on the one side the splay utilises the rear access track which is an open area and likely to remain so. On the other side, much of the splay is formed by the open pedestrian rear access to the adjacent houses. As such, although the Council supplementary guidance does not require such splays, in practice the movements of vehicles into and out of the spaces would be visible to most users of the pavement.

11. I have also taken into consideration that the site lies in a sustainable location and the proposal makes provision for secure cycle parking for each flat.
12. Overall, on this issue, given that the proposal is for the replacement of an existing workshop building, I do not consider that the slight shortfall in the length of the parking spaces necessitates the rejection of the scheme, and I am satisfied that the circumstances of the site mean that the proposal would not be harmful to pedestrian safety.

Effect on Special Protection Areas

13. The effects from new development on the recognised habitats of the Solent are dealt with by Policy CS22 of the Council's Core Strategy. It is established policy and practice that the effects of development on the Special Protection Areas can be mitigated by a specified contribution from the developer to the Solent Disturbance Mitigation Project.
14. The original appeal documents include a written agreement signed by the appellant that he will make the specified contribution towards the costs of measures to mitigate the impact of the residential development on the Solent Special Protection Areas in accordance with the above policy. However, at the time of finalising my decision on this appeal, the Council has confirmed that no payment has been received nor is there any other formal mechanism before me to secure such a contribution. I therefore have to find that the proposal does not make reasonable provision for the mitigation of the adverse effects on the Solent Special Protection Area and accordingly the proposal conflicts with this policy in the development plan.

Planning balance

15. Bringing together my conclusions on the main issues, I have found that the redevelopment of the existing warehouse with a two storey building comprising two small flats would not materially harm the living conditions of the occupiers of adjacent terraced properties by loss of natural daylight and outlook including the use of their gardens. The proposal would also improve the appearance of the area by the demolition of a building which is vacant and in decay. As such I have found that the nature of the proposed development reasonably meets the requirement of the relevant policies in the development plan. Although the parking spaces are slightly below standard, with conditions regulating the enclosure of these spaces, I am satisfied that their use would be unlikely to be harmful to highway safety and especially the safety of pedestrians on the pavement.
16. Nevertheless, while I have found that the local impact of the development on the environment of the site is acceptable, the proposal does not properly mitigate the wider effects of additional development on the sensitive habitats around the Solent. This conflicts with the specific policy of the development plan.
17. Although new housing would be created by the redevelopment of previously developed land in a built up area, I find that the proposal does not meet the environmental dimension to sustainable development as defined in the National Planning Policy Framework. I therefore conclude that the conflict with the development plan and the main adverse effect are not outweighed by any other consideration.

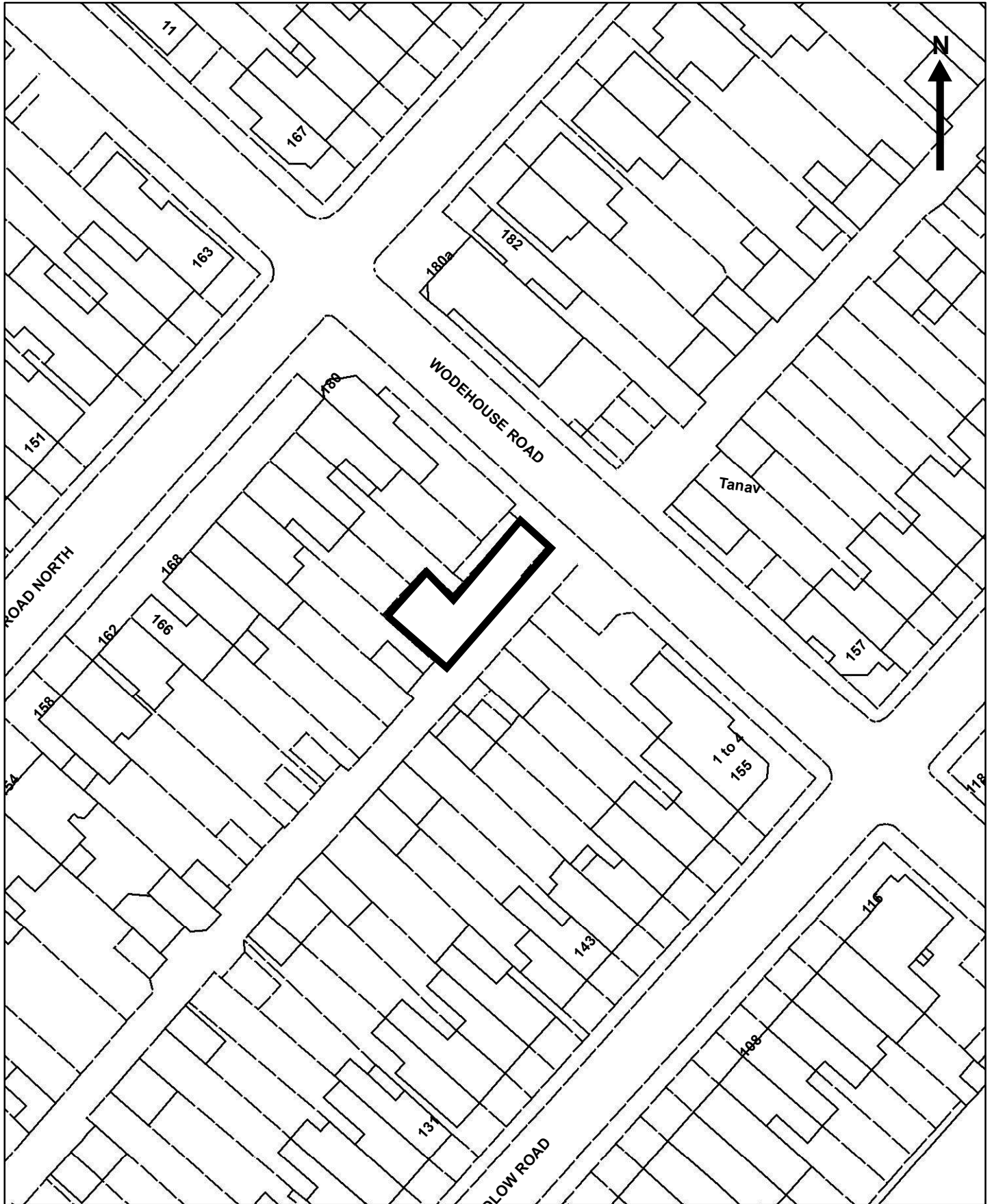
Conclusions

18. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR

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**Planning and Rights of Way Panel 31st October 2023
Planning Application Report of the Head of Transport and Planning**

Application address: 39 Meadowmead Avenue Southampton			
Proposed development: Erection of a part two-storey, part single storey side/rear extension, single-storey front extension, and a hip to gable roof enlargement and provision of rear dormer facilitating loft conversion.			
Application number:	23/01099/FUL	Application type:	FUL
Case officer:	Rob Sims	Public speaking time:	5 minutes
Last date for determination:	03.11.2023	Ward:	Millbrook
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr J Moulton Cllr C Cox Cllr S Galton
Applicant: Mr Mohammed Shamim		Agent: Mr David Windsor	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not Applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (revised 2023).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site contains a semi-detached, two storey family dwelling house. The property is located in a residential area with predominantly detached dwelling houses and a suburban character.

2. Proposal

- 2.1 The proposals seek planning permission erect single storey side, front and rear extensions and two storey side and rear extensions. In addition, the proposals involve hip to gable roof enlargements with the provision of rear dormer facilitating loft conversion.
- 2.2 This application is a resubmission of 20/01532/FUL, which was granted planning permission in March 2021 for the same description of the proposals. Amendments to that permission are now sought with the current application.
- 2.3 The differences between the previous (extant) permission and this application are:
- Changes to the roof design of the single storey front and side extensions
 - Increase in the height of the single storey rear extension (from 2.7m to 2.9m)
 - Reduction to the depth of the rear extension (from 5.8m to 4.7m)
 - Change in design of the rear dormer
 - Alterations to fenestration arrangement
 - Retention of chimneys

These changes should be assessed in the knowledge of the originally approved fallback.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full

material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.
- 4.2 This application is a resubmission of 20/01532/FUL, which granted planning permission in March 2021 for the same description as these proposals.

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, at the time of writing the report **5 representations** have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 The scale and nature of the redevelopment is unprecedented and establishes a worrying precedent of overdevelopment for the area.

Response

Overdevelopment and impact on the character and appearance of the area will be considered in the assessment section below

- 5.3 Loss of light and outlook to No.41. overlooking of north side window/study. Overbearing impact on 37 – height and siting of the extension is obtrusive and results in overlooking.

Response

Impacts on neighbouring properties and amenity will be considered in the assessment section below.

- 5.4 Many houses in Meadowmead Avenue have 3 or more cars or larger vehicles and parking is already becoming a problem so even with the conversion of the front garden and drive parking would still be an issue. The extensions adds to the infilling of driveway spaces and incremental terracing over of the Avenue.

Response

Impact on parking and amenity will be considered in the assessment section below.

- 5.5 Other Matters

- Further damage to adjoining properties during building
- Further loss of quality of life and right to good use of adjoining properties

- during building
- The chimneys are not included on the existing elevation plans
- Problems of non compliance with planning application (see enforcement notice)
- Construction of elevated patio to rear of rear single storey extension beside 'garden store' (trenching and infilling of garden already undertaken)
- Future application for use of property as HMO (information and design of property)
- Loss of value of adjoining properties and other properties in Meadowmead Avenue.

Response

- **Damage to neighbour properties during construction is a third party issue**
- **Chimneys are shown on the amended plans.**
- **Amended plans have been received reducing the depth of the garden storey**
- **The application does not propose a change of use to a HMO which would in itself require permission**
- **Loss of property value is not a material planning consideration.**

Consultation Responses

5.4	Consultee	Comments
	Cllr Jeremy Moulton	I would like to object to this application, due to overdevelopment and the impact it will have on the neighbouring property, No.37. See the photo in the attached email.

6.0 Planning Consideration Key Issues

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

- The principle of development;
- Design and effect on character;
- Residential amenity;
- Parking highways and transport

6.2 Principle of Development

6.2.1 The application seeks erection of a two storey side extension, part single/part two storey rear extension and single storey front extension and hip to gable roof enlargement and provision of rear dormer primarily to create 4 bedrooms and a bathroom at first floor. The existing loft has already

been made habitable, however the proposed hip to gable extension and rear dormer would enlarge this space and provide internal access through a first floor staircase. During the course of the application, amended plans have been secured which reduced the depth of the first floor side extension and the single storey rear extension. In particular the rear extension proposed to join the garden store, which would have resulted in a substantial single storey addition to the rear. The separation of the rear extension from the store significantly improves the proportions of the ground floor footprint and avoids overdevelopment of the plot. Likewise the amendments to the size of the first floor extension reflect the siting and size of the extension previously approved. The differences between this application and the previously approved scheme (still extant) are:

- Changes to the roof design of the single storey front and side extensions
- Increase in the height of the single storey rear extension (from 2.7m to 2.9m)
- Reduction to the depth of the rear extension (from 5.8m to 4.7m)
- Change in design of the rear dormer
- Alterations to fenestration arrangement
- Retention of chimney

6.3 Design and effect on character

6.3.1 The officer's report that considered the previous application concluded that:

The proposed one and two storey side extensions would infill the gap between the side elevation and the side boundary. A key consideration is whether the side extension would creating a terracing affect on the street and impact negatively on the character and appearance of the area. Paragraph 2.3.3 of the Residential Design Guide states that: 'Extensions to the side of a house should avoid creating a terracing effect, in areas characterised by semi or detached housing.' The RDG goes on to state in para 2.3.5: 'where building up to the boundary is unavoidable, then the front of the extension should be set back to a level in keeping with the character of the existing house and wider area. Extensions should not project the beyond the existing building line of the house (this does not include porches or bay windows)'. In this instance, although the proposed two storey side extension infills the gap between the side elevation and the boundary, the two storey element is set well back from the front elevation and is kept to single storey. This enables differentiation between the front of the two storey properties and enables the extensions to be read more sympathetically within the street scene. It also follows the example of a two storey side extension at No. 45 Meadowmead Avenue (16/00523/FUL), where a similar extension was approved. On this basis the siting, size and design of the proposed two storey extension is considered to be acceptable.

6.3.2 The proposed changes do not significantly differ from those previously approved under the extant scheme. The changes proposed represent an improvement to the design of the individual elements of the scheme and are

considered to help integrate them with the existing property and the street scene. On this basis it is not considered that they would result in a harmful impact on the character and appearance of the existing property or its relationship within the street scene, or result in an overdeveloped plot. As such, the current application is considered to conform to the Development Plan's design policies as supported by the RDG.

6.4 Residential amenity

6.4.1 The key issues in this respect is whether the proposal would impact on neighbouring houses and gardens in terms of:

- The level of daylight and sunlight currently enjoyed;
- The level of privacy and;
- The outlook.

The previous assessment of application 20/01532/FUL concluded that: *'it is not considered that the amended proposals would have a particularly harmful impact on the amenities of neighbouring properties either side of the host dwelling.'*

Prior to securing amendments on this application, the proposals sought a longer and deeper first floor extension and sought to combine the rear single storey extension with the garden store building. Concerns were raised that these enlargements would be harmful to neighbour amenity and the character and appearance of the street scene. Amended plans have now been secured to reduce the depth of the first floor rear extension and to separate the single storey extension from the existing store outbuilding. This separation now avoids an elongated addition along the side boundary.

In addition, the proposed single storey extension is shorter in depth (4.7m) than the previously approved 5.8m extension. Whilst the proposed extension would be higher than previously approved (2.9m), the reduction in depth and previous conclusion that the proposals would not breach a 45° line taken from the quarter-point of the neighbouring window (at No. 41, who also has had a rear extension), would ensure there would be no further impacts on neighbour amenity than previously considered. Likewise the impacts from the two storey additions would remain acceptable. Concern was raised regarding the position of the ground floor high level window in the northern elevation. A condition will be imposed to ensure this window is obscured glazed and non opening in order to avoid overlooking. Conditions are also imposed to ensure there is no additional windows and first floor windows are restricted to obscure glazed only.

On this basis, subject to conditions the proposals are considered to be acceptable in terms of its impacts on neighbouring properties and their amenity and the scheme therefore accords with saved Local Plan Policy SDP1(i).

6.5 Parking highways and transport

6.5.1 The proposed works would result in a 5 bedroom dwelling – four bedrooms at first floor and a bedroom in the loft, which would normally require 3 parking spaces if the application were for a new dwelling. The existing driveway is only laid out to provide one car parking space due to the single width access point. However the site looks capable of providing more car parking spaces and the wider site appears capable of accommodating one more off road parking. Meadowmead Avenue is not subject to Traffic Regulation Order and there appears to be various spaces along the road to accommodate on street parking. The requirement for an additional parking space on site could be secured through a planning condition, with the additional parking space being capable of being absorbed into the wider street. Subject to compliance with this condition the proposals are considered to be acceptable in terms of car parking.

8.0 Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer **Rob Sims** PROW Panel 31.10.2023

PLANNING CONDITIONS

1) Full Permission Timing Condition (Performance)

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

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

2) Materials to match (Performance Condition)

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

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

3) Obscure Glazing (Performance Condition)

All windows in the side elevations, located at first floor level and above, and in the ground floor northern elevation of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor

level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

4) 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.

5) Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

6) Parking

No part of the development hereby permitted shall be first occupied until a minimum of two off road car parking spaces have been constructed and laid out on the front driveway. The extended driveway shall be constructed with porous materials. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of ensuring sufficient car parking on-site to meet the needs of the development.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13	Fundamentals of Design
CS19	Car & Cycle Parking

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

SDP1	Quality of Development
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP16	Noise

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)

Relevant Planning History

Case Ref	Proposal	Decision	Date
20/01512/PLDC	Application for a Lawful Development Certificate for a proposed outbuilding.	Approved	18.12.2020
20/01532/FUL	Erection of a two storey side extension, part single/part two storey rear extension and single storey front extension and hip to gable roof enlargement and provision of rear dormer.	Conditionally Approved	14.05.2021
21/00906/FUL	Erection of a two-storey side extension and part two-storey and single-storey rear extension and erection of front porch with associated roof works(hip to gable roof enlargement) and installation of rear dormer	Withdrawn	29.07.2021
23/00967/NMA	Non-material amendment sought to planning permission ref 20/01532/FUL for an increase in height of rear extension from 2.2m to 2.9m.	Withdrawn	16.08.2023



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Agenda Item 8

Planning and Rights of Way Panel 31st October 2023 Planning Application Report of the Head of Transport and Planning

Application address: 9A-10A Shirley High Street, Southampton			
Proposed development: Retention of a single storey rear extension to restaurant for storage purposes.			
Application number:	22/01503/FUL	Application type:	FUL
Case officer:	Tom Barnett	Public speaking time:	5 mins
Last date for determination:	28.12.2022	Ward:	Freemantle
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Pan Kenny Cllr Christe Lambert Cllr Dave Shields
Applicant: MR TEKIN TEYMUROGLU		Agent: SRS INTERIOR DESIGN	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Not applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2021).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

Conditionally approve

1.	<u>The site and its context</u>
1.1	The application site consists of a “Turkish kitchen” restaurant located in Shirley Town Centre. The surrounding area is primarily made up of a wide range of different commercial businesses as well as residential units on the first floor above commercial shops.
1.2	The application site primarily boundaries the attached neighbouring dwellings 2-6 and 8a Shirley High Street. The buildings either side of the application site have residential use on the first-floor with commercial usage on the ground floor. The application site extends across an existing service access, although planning permission was granted in 2007 for the existing extension that fettered free access across this shared track.
2.	<u>Proposal</u>
2.1	The proposal is for the retention of a single storey rear extension to the existing Turkish restaurant for storage purposes – linked to the previously constructed 2007 permission. The extension has been constructed and, therefore, these works are retrospective. The extension has a depth of 4.7 metres, a width of 9 metres and is 2.53 metres high with a flat roof.
2.2	The original application ownership certification suggest that the applicant owned the land (Certificate A). It became clear that this was incorrect. This has now been corrected and – as the full extent of the site ownership is unknown due to the shared nature of the rear service access – the correct certification (Certificate D) has now been served for 21 days. In addition, an amended location plan for the site has been secured, and a further round of public consultation on the amended plan has been carried out.
3.	<u>Relevant Planning Policy</u>
3.1	The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 1 .
3.2	The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
4.	<u>Relevant Planning History</u>
4.1	A schedule of the relevant planning history for the site is set out in Appendix 2 of this report.

4.2	The site had a conditionally approved rear extension under the 07/00222/FUL proposal, which has been constructed on site.	
5.	<u>Consultation Responses and Notification Representations</u>	
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. At the time of writing the report <u>5 representations</u> . The following is a summary of the points raised:	
5.2	The following is a summary of the 5 Objections raised by neighbours:	
5.3	<p>Inaccurate location and block plans don't correlate with the 07/00222/FUL proposal (as well as red line area). The floor plans don't reflect the retrospective proposal, with an incorrect certificate being issued (should be certificate B). The 2007 proposal 07/00222/FUL shows an incorrect red line area and the new proposal blocks access and causes congestion.</p> <p>Officer Response Plans have been amended to address the inaccurate red line boundary, with certificate D being issued. The red line area and the track behind the application site (according to SCC records) is not a public right of way and having visited the site the plans do appear to reflect the retrospective nature of the proposal. From as far back as 2008 this track has been restricted / blocked with an extension approved in the same location.</p>	
5.4	<p>The blocked access has had a negative impact on parking. A lot of rubbish at the back of the property causing a rat problem. The extension would be a fire risk to its attached neighbours.</p> <p>Officer Response The access has been restricted / blocked by the previous approved extension for a number of years, and the new extension would not result in further restrictions to parking than that previously experienced. The rubbish issue would not be classed as a material planning consideration.</p>	
	<u>Consultation Responses</u>	
5.4	Consultee	Comments
	Urban Design Manager	No objection From what I can see from Google Street View this back lane was built over at least as long ago as 2008, so in terms of the single storey structure I don't really have an issue with it. Had I have seen it prior to this retrospective application I probably would've suggested that the building was brick rather

		than render, but there are other buildings in the passageway that are rendered so it's not untypical of the area.
	Highways DM	No objection It appears the extended shop storage area was built over a shared access route. As there is also access from Emsworth Road, access is maintained to the rear of neighbouring properties. Ideally this should be maintained with access from both sides to the rear of neighbouring properties and shared access routes should not be developed over.
6.0	<u>Planning Consideration Key Issues</u>	
6.1	The key issues for consideration in the determination of this planning application are: <ul style="list-style-type: none"> - Residential amenity; and - Design and effect on character. 	
6.2	<u>Residential amenity</u>	
6.2.1	The application site is bordered by neighbouring dwellings 2-6 (on the northern boundary) and 8a Shirley High Street (on the southern boundary). The other immediate neighbour in the proximity who has the potential to be impeded by the extension would be 1 Mayflower Road, who's rear garden is adjacent to the extension.	
6.2.2	In terms of overlooking and overshadowing, the rear extension would not impede the amenity of any neighbouring dwelling to the North (2-6 Shirley High Street) and the Southern boundary (8a Shirley High Street). This is due to the rear extension not being situated in a location that has the potential to impact on loss of light, privacy or overshadowing to the attached neighbouring dwellings. The only other neighbour in the proximity that may potentially be impeded by the rear extension would be 1 Mayflower Road. The rear extension would not impede key amenity areas of this neighbouring property as the extension is located adjacent to the very rear of their rear garden.	
6.2.3	Specific concerns have been raised with regards to parking congestion and blocking access to the rear of neighbouring properties. Although it is acknowledged that the rear extension would mean that the access between Mayflower Road and Emsworth Road would continue to be impassable, this access is not a public right of way and is an unadopted road. The access has been blocked for at least a period of 15 years due to the presence of a previous extension at the rear of the application site. The material differences between that approved extension and this extension is limited to a small infill squaring off the form of the addition. This extension does not lead to further blockage or impediment of this rear service yard than	

	currently experienced and previously approved. Furthermore, the rear of these neighbouring properties can still be accessed and serviced from the north and south from either side of the extension. On this basis the loss of uninterrupted access from north to south along this rear service yard would not constitute material harm or a justifiable reason for refusal.
6.3	<u>Design and effect on character</u>
6.3.1	The proposal would not cause any detrimental impact to Shirley High Street given that the proposal is situated to the rear of the property. A rear extension of this scale is common and would not be significantly out of character for a residential and commercial area. The rear extension would be visible from Mayflower Road but is set well back from the street scene. Furthermore the extension is not significantly larger in terms of footprint and height than the previous structure. On this basis the design and appearance of the extension is considered to be acceptable.
6.3.2	The external materials used do not cause any detrimental impact upon the existing property or surrounding area. On this basis, the proposals are considered to be acceptable and would comply with the requirements of the relevant Development Plan policies listed above, and guidance contained within Section 12 of the NPPF.
6.4	<u>Other Matters</u>
6.4.1	Concerns have also been raised with regards to parking issues. The previous extension covered the full width of the access road and the extension marginally increases its footprint and form. The retention of this extension would not lead to any further parking problems than could have been previously encountered. On this basis impact on parking and amenity would not be worsened through this approval of this application.
6.4.2	The majority of the concerns from third parties relate to the obstruction of the access. Under application 07/00222/FUL planning permission was granted for a single storey extension to the premises. This had the effect of restricting full access along the service road between Mayflower Road and Emsworth Road. The ownership of this service road is not known and the applicant has submitted the required certificate and notification. Whilst the application proposals consolidate the blocking of the access, they do not alter the status quo or make the situation worse. This is ultimately a private matter between any interested parties and businesses. The material planning merits are considered acceptable and therefore the further consolidation of the blocked access is not a justified reason for refusal.
7.	<u>Summary</u>
7.1	Overall, the application is considered to be acceptable in terms of its siting, size and design and would not result in significant impacts on neighbour amenity and servicing arrangements which would warrant a refusal of

	planning permission. The existing service track was legitimately blocked in 2008 following the grant of planning permission and this application does not cause additional harm as all properties fronting Shirley High Street maintain rear access despite the development. On this basis, despite the objections received, the application can be supported.
8.	<u>Conclusion</u>
8.1	It is recommended that planning permission should be granted subject to conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer **Tom Barnett** PROW Panel 03.10.2023

PLANNING CONDITIONS

Condition 1 - 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

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design
CS19 Car & Cycle Parking

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

SDP1 Quality of Development
SDP5 Parking
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)

Relevant Planning History

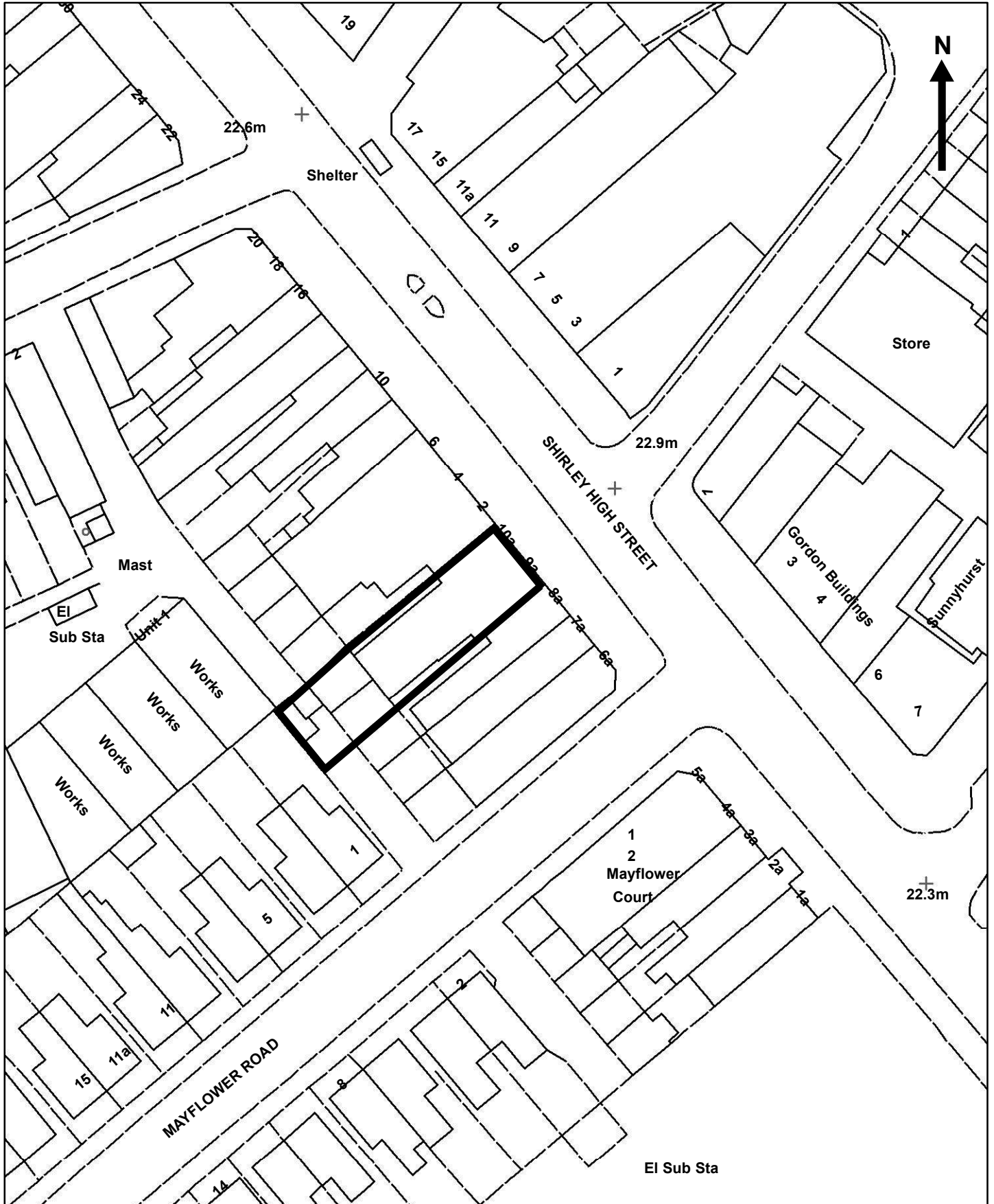
Case Ref	Proposal	Decision	Date
02/01341/FUL	New shopfront	Conditionally Approved	27.11.2002
901663/WA	9A-10A SHIRLEY HIGH STREET FREEMANTLE WARD SHIRLEY SOUTHAMPTON INSTALLATION OF ILLUMINATED FASCIA AND PROJECTING SIGNS 'WIMPY'		18.01.1991
901664/W	9A-10A SHIRLEY HIGH STREET FREEMANTLE WARD SHIRLEY SOUTHAMPTON ERECTION OF A SINGLE STOREY REAR EXTENSION INSTALLATION OF A NEW SHOPFRONT AND ELEVATIONAL ALTERATIONS	Conditionally Approved	12.03.1991
07/00222/FUL	Single storey rear extension (retrospective).	Conditionally Approved	10.04.2007
21/00232/FUL	Alterations to existing shopfront (Submitted in conjunction with 21/00233/ADV)	Conditionally Approved	14.04.2021
21/00233/ADV	Installation of 1x internally illuminated fascia sign (Submitted in conjunction with 21/00232/FUL)	Conditionally Approved	14.04.2021
21/00234/FUL	Installing of extraction flue	Conditionally Approved	14.04.2021
21/00547/FUL	Installation of decking/seating area to front of restaurant	Conditionally Approved	16.06.2021
21/01746/CON SUL	SCC Licensing Consultation - New Premises Licence	No Objection	19.01.2022
22/00181/FUL	Erection of a single storey front extension.	Conditionally Approved	23.05.2022
891131/W	change of use from retail to restaurant	Conditionally Approved	14.07.1989
882281/W	change of use from retail to estate agents	Application Refused	04.01.1989

1497/W6	Installation of a new shopfront at 9A - 10A Shirley High Street	Conditionally Approved	23.09.1975
1492/W8	The erection of 2 external staircases at the rear of 9a and 10a Shirley High Street	Conditionally Approved	03.06.1975
1477/W3	Installation of a new shopfront, and the construction of a ground floor	Conditionally Approved	02.07.1974
1453/103	Installation of a new shopfront	Conditionally Approved	27.02.1973
1452/P24/1	Installation of a new shopfront on the existing premises	Conditionally Approved	27.02.1973
1181/1	The use of existing first floor rooms as a residential unit	Conditionally Approved	26.07.1960
1157/16	Carrying out of alterations and erection of a store shed	Conditionally Approved	29.06.1959
1105/46	`New shopfront	Conditionally Approved	19.03.1957

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Agenda Item 8 22/01503/FUL

Appendix 1



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