

**Planning and Rights of Way Panel 15th October 2019**  
**Planning Application Report of the Service Lead - Infrastructure, Planning & Development**

<b>Application address:</b> Compass House, Romsey Road, Southampton			
<b>Proposed development:</b> Re-development of the site to create a three-storey hotel containing 73 rooms with associated works including 34 car parking spaces (amended description following amended plans).			
<b>Application number:</b>	19/00726/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Mat Pidgeon	<b>Public speaking time:</b>	15 minutes
<b>Last date for determination:</b>	24.07.2019	<b>Ward:</b>	Redbridge
<b>Reason for Panel Referral:</b>	Five or more letters of objection have been received	<b>Ward Councillors:</b>	Cllr McEwing Cllr Whitbread Cllr Spicer
<b>Applicant:</b> BMR Compass Ltd		<b>Agent:</b> Mr Chris Brady, Savills	

<b>Recommendation Summary</b>	Delegate to Service Lead – Infrastructure Planning & Development to grant planning permission subject to criteria listed in report
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<b>Community Infrastructure Levy Liable</b>	No
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2019). Policies – CS6, CS7, CS13, CS14, CS18, CS19, CS20, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, HE6, REI9, of the City of Southampton Local Plan Review (Amended 2015).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Accessibility Map

**Recommendation in Full**

1. That the Panel confirm the Habitats Regulation Assessment with an updated version to be provided at the Panel meeting.

2. Delegate to the Service Lead – Infrastructure, Planning & Development 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 contributions for 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. 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);
- iv. Submission and implementation within a specified timescale of a Travel Plan;
- 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. Submission and implementation within a specified timescale of a Waste Management Plan; and
- vii. The submission, approval and implementation of public art that is consistent with the Council's Public Art 'Art People Places' Strategy.

3. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

## **1. The site and its context**

1.1 The site is located centrally within the former 9.7ha Ordnance Survey site and is positioned in between Compass House and Romsey Road which borders the site to the north east. The site is currently occupied as a car park which serves Compass House. Compass House is a 4 storey purpose built office building of post war construction. Compass House is currently in use as office floor space (use class B1a), however prior approval has already been granted for the change of use of the building to residential (245 separate flats) without the need for planning permission.

- 1.2 To form the application site the existing site which contains Compass House and its associated 333 space car park has been divided into two. The division separates the site so that the car parking spaces located in front of Compass house and adjacent to Romsey Road would now form the application site. The remaining 225 car parking spaces, positioned to the south west of Compass House, would remain associated with Compass House.
- 1.3 Re-development of the wider site (other than Compass House) gained outline planning permission (reference 07/01700/OUT) in 2010 following which there have been separate applications to develop each distinct phase of the overall scheme, principally for traditional housing.
- 1.4 There are two groups of trees with Tree Preservation Orders (TPOs) applied to them within the application site (labelled: G8 and G9, TPO reference number: T2-435). This comprises of two trees on the eastern boundary of the site along Romsey Road and circa. seven trees to the north west of the site adjacent to Compass House.
- 1.5 To the north the site is bordered by part of the recently completed Taylor Wimpey residential scheme. The site is also bordered to the south by the Kier mixed use scheme, which is predominantly residential in nature, but which also includes two commercial units (a retail store and a café/hot food takeaway). To the west the site is bordered by a residential scheme constructed by Barrett Homes.
- 1.6 The area surrounding the former Ordnance Survey site is a mainly residential suburb dating from the 1930s with a more modern 1980s estate to the west and north. Older, traditional two storey housing along the north-east side of Romsey Road is directly opposite the site whilst there are a small number of retail units and local services located at the junction of Romsey Road and Rownhams Road. Millbrook Community School is located nearby to the north of the site off Green Lane.
- 1.7 The site is located along the south-western edge of Romsey Road approximately 1.5km from Shirley Town centre and 4.5km from the City Centre.
- 1.8 The residential development located on the former Ordnance Survey site, which form part of the Kier, Taylor Wimpey and Barrett's schemes have a variety of form and include two storey terraced housing, two storey semi-detached and detached housing along with flatted blocks of varied design. The flatted blocks tend to range in height between 3 and 4 storeys.
- 1.9 Vehicular access to the site from Romsey Road is shared with the adjacent residential development and commercial stores located to the south.
- 1.10 The accessibility areas map (Figure 5 of the Southampton City Council- Parking Standards Supplementary Planning Document (SPD)), (**Appendix 2**) shows that the site is within 600m of a high accessibility area.

## **2. Proposal**

- 2.1 The application seeks permission for the redevelopment of the site to form a three storey hotel fronting onto Romsey Road. Amended plans have been received since validation and public consultation in order to remove the previously proposed fourth

floor; thereby removing officer's concerns regarding design/character, impact on neighbours (shading/overbearing) and car parking pressure as a consequence of reducing the number of bedrooms within the building.

2.2 Within the building; along with 73 guest bedrooms, there would be a restaurant/lounge/reception area, cycle storage and associated back of house facilities for staff. The application provides 34 car parking spaces on site for customers and staff. The site would also be landscaped with 7 protected trees retained on site.

2.3 Servicing will take place from the rear of the site.

### **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 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.

3.3 The National Planning Policy Framework (NPPF) was revised in February 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4. Relevant Planning History**

4.1 The site has a long and complicated planning history following the relocation of Ordnance Survey. The prior approval for the change of use of Compass House from its current use as offices to 245 residential flats (use class C3) was originally approved in May 2016 (app. ref.: 16/00233/PA56). The scheme was then resubmitted with minor changes to its layout in 2017 and the application was subsequently approved in March 2017 (app. ref.: 17/00178/PA56). A further prior approval application (ref 18/01012/PA56) was submitted in 2018 to ensure that the scheme did not expire, approval was granted in September 2018.

4.2 Planning application 18/01644/FUL was recommended for approval by Planning Panel on 2<sup>nd</sup> April 2019. The application seeks the erection of an additional fourth floor to facilitate 19 flats (11x1 bed, 3x2 bed and 5x3 bed units) with associated car parking. 225 spaces would therefore be shared between 245 flats, approved under 17/00178/PA56, and the proposed 19 flats. Cycle storage is also provided.

4.3 There is also an application currently under consideration which seeks the extension of the ground floor by infilling the existing undercroft area of Compass House and flexible change of use to provide 330sqm of additional A1, A2, A3, B1(a), D1 or D2 (Gymnasium) floorspace. The commercial unit would be allocated

9 customer car parking spaces, two staff car parking spaces and a dedicated servicing area.

- 4.4 Outline planning permission was granted in relation to the wider Ordnance Survey site in December 2010 under application 07/01700/OUT. Permission was granted for the principle of access and layout for the redevelopment of the site to provide a mixed use scheme comprising refurbishment of Compass House for business use (Class B1); a new business enterprise centre (Class B1) new light/general industrial unit (Class B1/B2); new retail and food & drink use (Classes A1, A3, A4 & A5); new nursing home/clinic/surgery (Class C2/D1); open space and 495 residential units (361 flats and 134 houses).
- 4.5 The site was subsequently split into three, one of which retaining Compass House, all developments surrounding Compass House have now been completed in accordance with the following permissions:
- 4.6 In June 2012 full planning permission was granted for the 'west' sector of the former Ordnance Survey site. The planning application was made by Taylor Wimpey (11/01994/FUL) and the permission granted the redevelopment of the site to provide 193 dwellings (113 houses and 80 flats) within 2, 3 and 4 storey buildings and conversion of Crabwood House with associated access, parking and landscaping works.
- 4.7 In November 2012 planning permission was granted under application 12/01029/OUT for the redevelopment of the site to provide 179 new dwellings (90 flats and 89 houses), Offices and /or Healthcare (Class B1office - up to 1,742 square metres and Healthcare up to 836square metres), shops (Class A1), restaurants and cafes (Class A3) and drinking establishments (Class A4 - combined floor space of 1,394 square meters) Outline application seeking approval for layout and access.
- 4.8 For the southern phase of the east sector reserved matters were approved in November 2013 under application 13/00304/REM: Application for reserved matters approval (appearance, scale and landscaping) for 141 dwellings in two and three-storey buildings pursuant to outline planning permission reference 12/01029/OUT granted 6 November 2012.
- 4.9 The application was subsequently amended by application 13/00304/REM which was granted in June 2013: Application for reserved matters approval (appearance, scale and landscaping) for 141 dwellings in two and three-storey buildings pursuant to outline planning permission reference 12/01029/OUT granted 6 November 2012.
- 4.10 The final phase of the development (east sector, north phase) was granted in June 2014 (13/01789/FUL): Erection of two and three storey buildings to provide 66 dwellings (44 houses and 22 flats), a retail unit (Class A1 - 453 square metres) and a single-storey retail/café unit (Class A1/A3 - 164 square metres) with associated parking and landscaping, a new public park and new vehicle and pedestrian access from Romsey Road and a new pedestrian access from Wimpson Lane.

## **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, placing a press advertisement 03.05.2019 and erecting a site notice 26/04/2019. At the time of writing the report **34 representations** have been received from surrounding residents and ward Councillors. The following is a summary of the points raised:

5.2 ***Highway congestion and car parking pressure/insufficient car parking. Loss of car parking spaces currently on site.***

**Response:** In response to these concerns, and also partly due to concerns over the height of the building, the fourth floor has been removed and thus the number of bedrooms within the hotel have reduced from 101 to 73 (a net reduction of 28). Council Highways Officers have reviewed the transport related information submitted with the application and do not oppose the scheme on the basis of 33 car parking spaces being provided. The maximum number of spaces permissible would be 1 space per bedroom (a total of 73 spaces). The scheme therefore provides less than the maximum permissible. However the Council's Parking Standards SPD indicates that less than the maximum parking standard is permissible. The application is supported by TRICS data (evidence of parking level occupancy for hotels in comparable edge of town centre location elsewhere) and a parking survey to demonstrate that the amount of parking provided will be sufficient.

5.3 ***Poor public transport links***

**Response:** There are bus stops within close proximity to the site on Romsey Road with regular services in operation. The site is within 600m of a high accessibility area. Shirley Town Centre is 0.8miles to the south east.

5.4 ***The use is not sympathetic to the surrounding area which is characterised by family housing.***

**Response:** Planning policies do not prevent hotels being operated close to family dwellings. It is not unreasonable to site a hotel in this location especially given the employment allocation for the site and the historic commercial use of the site. Hotel and residential uses are deemed to be compatible uses which share similar impacts in planning terms.

5.5 ***Highways safety.***

**Response:** Existing parking controls are in place to prevent any overspill parking impacting on highway safety. Where necessary site specific highway works required to offset the impact of the development and maintain highways safety will be delivered through the Section 106 legal process. The proposal includes space on site to ensure that the hotel can be adequately serviced. Provided vehicle drivers behave reasonably there will be no increased potential for accidents on the highway. The proposal does not include changes to the highway or private land that would cause or increase highway danger.

5.6 ***Overshadowing properties on opposite side of Romsey Road.***

**Response:** The building height has been reduced to 3-storeys and this coupled with a separation distance of circa 20m across Romsey Road will ensure that harmful shadowing would not occur having regard to BRE daylight and sunlight standards.

5.7 ***Neighbouring privacy.***

**Response:** The distance separating the site from properties on the opposite side of Romsey Road is deemed sufficient to prevent harmful loss of privacy from

occurring. It is not uncommon for three storey properties to be positioned on the opposite side of public highways from two storey properties in urban locations.

5.8 ***Overdevelopment of the site.***

**Response:** Adequate facilities can be provided on site to accommodate and service the development; and to ensure that an acceptable environment is created without harming neighbouring amenity or the visual quality of the local environment. The proposal also results in a decrease in site coverage by hardstanding and will provide the opportunity to increase the amount of soft landscaping on the site.

5.9 ***Antisocial behaviour, noise and litter.***

**Response:** The Council must plan with reasonable behaviour in mind. Harmful noise is unlikely to be generated from the site provided that occupants behave reasonably and the site is managed by staff in a reasonable manner. Control of noise and anti-social behaviour is also covered by separate legislation managed by the police and environmental health officers.

5.10 ***Loss of trees***

**Response:** The scheme has been amended with retention of all seven of the existing protected trees and, therefore, the tree team no longer oppose the development.

5.11 ***Air pollution.***

**Response:** The site is not located within an air quality management area. The proposed scheme for a hotel and will have a negligible impact on overall air pollution within this area. There is a Separate legislation is used to control air pollution from domestic appliances and private motor vehicles. Furthermore the development proposal provides a net reduction of 72 car parking spaces on site which may reduce the levels of nitrogen dioxide in the area.

### **Consultation Responses**

5.12 **SCC Highways:** Servicing can be achieved. The data provided by the applicant within the parking survey and parking prediction data generated by the TRICS database suggest that the on-site car parking and available off site spaces will sufficiently manage to accommodate the parking of vehicles associated with hotel customers and staff. Parking numbers are therefore considered to accord with our maximum standards for hotel use. No objection subject to relevant conditions.

5.13 **SCC Employment and Skills Plan Manager:** An Employment and Skills Plan obligation will be required via the S106 Agreement.

5.14 **SCC Urban Design Manager:** No objection to the design or appearance of the hotel building. In landscape terms the preference is for at least one ultimately very large tree species to be planted within the entrance space to the south of the hotel entrance and as shown we should expect this space to have seating to allow it to be used as a public space. It is regrettable that this space still has a small number of parking spaces and I still remain of the view that this should be a unified 'public' space.

**OFFICER RESPONSE:** A balance is needed between providing car parking on site to reduce offsite car parking and public space/landscaping.

- 5.15 **SCC Planning Policy:** Sequential approach is acceptable. No objection to the principle of the development.
- 5.16 **SCC Sustainability:** No objection, apply recommended BREEAM and Zero or Low Carbon Energy Sources conditions.
- 5.17 **SCC Environmental Health (Pollution & Safety):** No objection, apply recommended conditions including hours of construction, construction environment management, control of noise (plant equipment) & refuse storage.
- 5.18 **SCC Environmental Health (Contaminated Land):** No objection, apply recommended conditions including contaminated land investigation & remediation, no import onto site of contaminated soils and unsuspected contamination.
- 5.19 **SCC Archaeology:** No objection, apply recommended conditions including archaeological investigation, evaluation and further works as necessary.
- 5.20 **SCC Flood Risk Management:** At the time of writing the appeal an objection has been raised however it is anticipated that the objection will be removed once the consultant has reviewed the additional information received from the applicant. Planning panel will be updated accordingly.
- 5.21 **SCC Trees:** Amended plans have been received which result in the retention of all seven protected trees on site albeit with pruning required. No objection subject to recommended conditions including Arboriculture methodology and protection measures.
- 5.22 **Southern Water:** No objection, apply recommended conditions and informative.
- 5.23 **SCC Ecology:** No objection in principle however, additional information is required to assist in the production of a Habitats Regulations Assessment (HRA) (nutrient loads). Should approval be granted apply recommended conditions to secure ecological enhancements. Recommend conditional approval subject to completion of HRA.
- 5.24 **Natural England:**  
As submitted, the application could have potential significant effects on Solent and Southampton Water Special Protection Area (SPA) and Ramsar site, Solent Maritime Special Area of Conservation (SAC), Hythe to Calshot Marshes Site of Special Scientific Interest (SSSI) and New Forest SPA, SAC and Ramsar. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Natural England require an ecological assessment of impacts of the operational phase of the development on potentially impacted designated sites. Without this information, Natural England may need to object to the proposal.  
OFFIECR RESPONSE: A nutrient budget calculation has been provided by the applicants and this detail will inform an updated Habitats Regulations Assessment for consideration at the Panel meeting.

## 6. **Planning Consideration Key Issues**

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



- The principle of development;
- Design and effect on character;
- Residential amenity;
- Parking highways and transport ;
- Trees and Ecology;
- Flood Risk;
- Mitigation of direct local impacts; and
- Likely effect on designated habitats.

### Principle of Development

- 6.2 Notwithstanding the existing planning consents and development across the former Ordnance Survey site; and more recent policies favouring provision of commercial floor space/employment uses in the City Centre, the policy allocation REI9 for the site remains employment. As a hotel use does provide 'employment' opportunities the scheme is considered to comply with the policy designation in principle as confirmed by SCC Planning Policy.
- 6.3 The NPPF (2018) and Core Strategy policy CS3 applies a sequential approach to main town centre uses, including hotel uses. This seeks to direct proposals to city, town or district centres if there are sites which are available, viable and suitable. The applicant has undertaken a sequential assessment for the western sector of the city. Following further dialogue the applicant has provided further evidence that indicates it's reasonable to assume a significant proportion of the hotel's custom - perhaps around 60% - will relate to demands from the western side of the city. This covers a significant population / employment base and will cover hotel stays related to for example visiting friends / wedding guests, hospital visits, and contractors (re employment estates, etc). The city and wider area cannot be separated into discreet hotel market areas, and some demands met by this hotel could no doubt be met by a city centre hotel. However the evidence provided is considered to be reasonable and indicates this proposal will, to a significant extent, meet demands relating to the more local and substantial population / employment base and general hospital, all in the western part of the city. For this reason Planning Policy agree the sequential approach did not need to consider city centre sites. It is also worth noting the proposal is on a main bus route.
- 6.4 The NPPF requires planning decisions to promote an effective use of available land. Development of the site has the potential to improve the site's appearance through building design & landscaping, increase flood mitigation by removing impermeable hard surfacing & incorporating sustainable urban drainage systems, improvements to site biodiversity and by creating employment opportunities.
- 6.5 Accordingly there are no policy reasons to oppose the development in principle.

### Design and effect on character

- 6.6 Whilst the dominant character of buildings in the area is two storey family dwelling houses the immediate surrounding context has no uniform character. On the opposite side of Romsey Road two storey family dwelling houses dominate however to the north there is a part four/part three storey residential block (1 – 41 Colby Street). To the west is Compass House which is a four storey building, although permission has been granted for an additional storey. To the south is a mixed use three storey block with another three storey block forming the corner of

Romsey Road and Wimpson Lane. Each of the developments include a mix of designs and materials adding to the varied site context.

- 6.7 The bulk, scale and mass of the proposed hotel, as amended, is now considered acceptable as the three storey height reflects the three storey height of buildings to the north and south and the proposal. Furthermore the hotel would not exceed the height of the Compass House building. The width of the hotel building is considered acceptable because it does not exceed the width of the Compass House building.
- 6.8 As there is no uniform character to the buildings within the vicinity the simple contemporary design and use of materials proposed is also considered acceptable
- 6.9 The scheme is also deemed to be a significant improvement over the existing site appearance and layout as a car park. The proposal allows the opportunity to improve the landscape character of the site. All protected trees will be retained and additional tree planting is proposed. Officer's consider this scheme represents a design improvement that accords with LDF Core Strategy Policy CS13.

#### Residential amenity

- 6.10 The development is unlikely to cause direct significant harm in terms of overshadowing, privacy or visual impact to neighbouring amenity due to the distance between the site and the closest residential properties (between 25m & 27m for the properties on the opposite side of Romsey Road and between 17.5m and 24m for the potential future dwellings within Compass House).
- 6.11 To ensure that the amenity of nearby residents is not significantly harmed during construction a Construction Management Plan is recommended by planning condition. A standard condition restricting construction hours to 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 will also be applied.
- 6.12 As such the proposal is considered to be acceptable in terms of its impact on nearby residential amenity and accordingly is deemed compliant with policy SDP1(i).
- 6.13 The pedestrian and vehicular entrances to the site, and to the hotel, will benefit from natural surveillance.

#### Parking highways and transport

- 6.14 The proposal is for a relatively small number of hotel bedrooms located within an urban area. The proposed number of hotel bedrooms are not anticipated to have a significant impact on the highway network or highways safety. Where necessary site specific highways contributions can be secured through the section 106 legal agreement to mitigate the impact of the development in highways safety terms.
- 6.15 The site is also well served by public transport and is within walking distance of a high accessibility zone leading from the junction of Romsey Road and Wimpson Lane and leading to Shirley Road.
- 6.16 As car parking is a key determinant in the choice of mode of travel high levels of car parking results in higher car ownership and usage and therefore by providing more car parking on site it is expected to lead to greater highways congestion given

that more customers are likely to choose to travel to the hotel by car. The information held within the TRICS database, which has been interrogated by the Highways Consultant working on behalf of the applicant and the Council's Highways Officer, supports this view. Not everyone will drive to this site. The TRICS Database provides trip generation analysis for developments so that informed assumptions of trip generation for proposed development can be formulated. The car parking survey also demonstrates that there is capacity for overspill parking within established streets, if necessary, however owing to interrogation of the TRICS database information it is not anticipated that overspill parking will frequently occur to a degree that will be harmful to the amenity of local residents. A summary of the submitted parking survey will form part of the officer's presentation to the Panel (and is available online).

- 6.17 Servicing can be achieved on site and tracking diagrams have been provided to demonstrate access by servicing vehicles.
- 6.18 The site is in an area with good access to public transport infrastructure with two bus stops being within 300m walk of the site and 600m from a high accessibility area.
- 6.19 Cycle storage is also provided on site for visitors, staff and customers – with staff shower facilities provided.

#### Trees and Ecology

- 6.20 The site has at present negligible intrinsic biodiversity value and the proposal provides the opportunity for biodiversity enhancements including native planting and the provision of tree mounted bird and bat boxes.
- 6.21 All 7 seven protected trees on site will also be retained and tree planting is proposed within the indicative landscaping scheme.

#### Flood Risk

- 6.22 The proposal represents an opportunity to improve drainage, flood prevention and mitigation on site by the incorporation of a sustainable urban drainage system.

#### Mitigation of direct local impacts

- 6.23 The proposed development is required to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application. The scheme triggers the need for site specific highways works.

#### Likely effect on designated habitats

- 6.24 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under

Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites. An updated Habitats Regulations Assessment, to incorporate the nutrient budget calculation, will be provided for consideration at the Panel meeting following further dialogue with the Council's Ecologist.

## **7. Summary**

- 7.1 Overall the scheme is acceptable and the level of development proposed will not result in significant material impact on the amenities enjoyed by surrounding occupiers or the character and appearance of the area. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.
- 7.2 Approval of the scheme will secure development that will increase the efficiency of this brownfield site, improve the site's appearance through building design & landscaping, increase flood mitigation by removing impermeable hard surfacing & incorporating sustainable urban drainage systems, improve biodiversity and create employment opportunities. These positive aspects of the proposal are judged to outweigh the impact on neighbouring and nearby residential amenity.

## **8. Conclusion**

- 8.1 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions set out below.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

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

**MP for 15/10/19 PROW Panel**

## **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. Approved Plans [Performance Condition]**

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

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

### **3. Restricted Use (Performance)**

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details (Hotel, use class C1) and not for any other purpose.

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

### **4. 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, balcony balustrading, the roof of the proposed building and the boundary treatment/privacy screen serving the amenity space pursuant to any other conditions listed within this decision notice. 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.

### **5. Details of external appearance**

No development shall take place until detailed drawings to a scale of 1:20 showing a typical section of glazing, roof construction and roof drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure satisfactory design of the building.

6. 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 of development hereby permitted without the prior written consent of the Local Planning Authority.

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

7. Obscure Glazing (Performance Condition)

All windows serving the accessible rooms facing west, located at first floor level and above of the hereby approved development, shall be obscurely glazed and fixed shut 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.

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

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

- i. Means of enclosure, proposed boundary treatment, retaining walls,
- ii. car parking layouts,
- iii. other vehicle pedestrian access and circulations areas,
- iv. hard surfacing materials,
- v. structures and ancillary objects (refuse bins, benches, lighting columns etc.),
- vi. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- vii. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

09. Piling (Pre-Commencement)

Prior to the commencement of development hereby approved, 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.

10. On site vehicular parking 34 spaces [Pre-Occupation Condition]

The 34 approved vehicular parking spaces (measuring at least 5m x 2.4m) and adjacent vehicular manoeuvring space (measuring at least 6m wide) shall be constructed and laid out in accordance with the approved plans prior to the first occupation of the hereby approved development. Throughout the occupation the development hereby approved the parking spaces and manoeuvring space adjacent shall not be used for any other purpose.

Reason: To avoid congestion of the adjoining highway which might otherwise occur because the parking provision on site has been reduced or cannot be conveniently accessed; and to remove confusion of occupants in the interests of discouraging car ownership by a large proportion of residents by not providing car parking spaces free for any occupant to use.

11. Security gate [Pre-Commencement Condition]

Prior to the occupation of the development the car park must be secured by an electric gate, the details of which (including its design how it will be operated) will be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details and the approved security gate shall be maintained in perpetuity.

The gates to the vehicular access shall be closed and securely locked during times of the day when the access is not in use by guests, staff or for servicing purposes.

Reason: To avoid unauthorised use by non-guests/staff/for servicing purposes, to improve security and in the interests of residential amenity.

12. Service bay restriction [Performance Condition]

Before the development hereby approved first comes into occupation, the servicing area shall be provided in accordance with the plans hereby approved and thereafter retained as approved. At all times the servicing bay shall be retained for servicing purposes only and shall not be used for alternative car parking purposes or storage uses.

Reason: To ensure that adequate space is retained on site for servicing purposes and to prevent obstruction of the highway.

13. Service bay signage [Pre-Occupation Condition]

Prior to the occupation of the hereby approved development signage and marking out of the restricted servicing area shall be installed to identify the purpose and restriction of the servicing bay in accordance with details to first be submitted to and approved in writing by the local planning authority.

Reason: To ensure that adequate space is retained on site for servicing purposes and to prevent obstruction of the highway.

14. Cycle storage facilities [Performance Condition]

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with the plans hereby approved and thereafter retained as approved. At all times 1 dedicated cycle storage space per ten employees and 1 dedicated cycle storage space per 10 beds shall be retained and made available for customers and staff and those cycle storage spaces shall be retained for that purposes thereafter in perpetuity.

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

#### 15. Refuse & Recycling [Performance Condition]

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

- The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and a lock system to comply with SCC standard lock requirements operated by a coded key pad. It must be possible to secure the doors open whilst moving the bins.
- Internal lighting must operate when doors are open.
- Tap and wash down gulley must be provided with suitable falls to the floor.
- Internal doors/walls/pipework/tap/conduits must be suitably protected to avoid damage caused by bin movements.
- The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m.
- The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used.
- A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin.
- The developer must contact the City Council's refuse team eight weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. Email [waste.management@southampton.gov.uk](mailto:waste.management@southampton.gov.uk).

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.

#### 16. 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.

#### 17. Archaeological evaluation work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with the written scheme of investigation submitted by email on 2 May 2019 and approved by the Local planning Authority.

Reason: To ensure that the archaeological investigation is completed.

#### 18. 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.

#### 19. 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.



## 20. 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 in the submitted AIN; with the application] 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.

## 21. Noise control, plant equipment. (Pre-Commencement)

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

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

## 22. Construction Management Plan [Pre-Commencement]

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of demolition and construction;
- (f) details of how noise emanating from the site during construction will be mitigated.

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

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

## 23. 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.

24. 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 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.

#### 25. 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.

#### 26. 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.

#### 27. 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

#### 28. BREEAM Standards (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 at minimum 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).

#### 29. 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 Excellent against the BREEAM Standard, 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).

#### 30. Zero or Low Carbon Energy Sources (Pre-Commencement Condition)

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO<sub>2</sub> emissions of at least 12.5% must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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).

#### 31. Tree Retention and Safeguarding (Pre-Commencement Condition)

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period. I020 - No storage under tree canopy (Performance)

### 32. Arboricultural Method Statement (Pre-Commencement Condition)

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

### 33. Arboricultural Method Statement (Performance)

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Method Statement including the tree protection measures throughout the duration of the demolition and development works on site.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

### 34. Arboricultural Protection Measures (Pre-Commencement)

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

1. Induction and personnel awareness of arboricultural matters
2. Identification of individual responsibilities and key personnel
3. Statement of delegated powers
4. Timing and methods of site visiting and record keeping, including updates
5. Procedures for dealing with variations and incidents.

Reason: To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees

### 35. Restricted use of flat roof area (Pre-commencement Condition)

The roof area of the extension hereby approved which incorporates a flat roof surface, and the flat roof of the original/existing building not proposed to be used as private roof terraces for the occupants of the hereby approved flats shall not be used as a balcony, terrace, roof garden or similar amenity area, or for any storage purposes without the grant of further specific permission from the Local Planning authority.

Reason: In order to protect the privacy of adjoining occupiers in line with Local Plan policy

### 36. Sustainable Drainage Systems (Pre-Commencement)

Prior to the commencement of development a specification for the proposed sustainable drainage system (including green roofs) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason: To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

### 37. 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.

### 38. External Lighting Scheme (Pre-Commencement)

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.

### 39. Wheel Cleaning Facilities (Performance)

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

### 40. Staff showings facilities [Performance Condition]

Before the development hereby approved first comes into occupation, show/washing/changing facilities shall be made available on site for staff to use in accordance with the approved plans and thereafter retained as approved for those purposes

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

### 41. Limited number of hotel bedrooms [Performance Condition]

The hotel hereby approved shall at no time have more than 73 bedrooms unless further planning permission is obtained.

Reason: In the interests of local residential amenity and in particular to restrict the potential for overspill car parking.

### 42. Service bay restriction [Performance Condition]

Notwithstanding the approved plans prior to the occupation of the development hereby approved details of taxi drop off and pick up points serving the hotel shall be submitted to and approved in writing by the local planning authority. Once approved the taxi drop off and pick up points within the development shall operate in accordance with the approved details in perpetuity.

Reason: To ensure that adequate space is retained on site for taxi drop off and pick up and to therefore encourage use of alternative modes of transport to the private motor car for customers and staff.