

Planning and Rights of Way Panel

Tuesday, 2nd April, 2019
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Rooms 3 & 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Savage (Chair)
Councillor Coombs (Vice-Chair)
Councillor Claisse
Councillor L Harris
Councillor Mitchell
Councillor Murphy
Councillor Wilkinson

Contacts

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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.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

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

MOBILE TELEPHONES:- Please switch your mobile telephones 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.

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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 2017/18

2018	
29 May	11 September
19 June	9 October
10 July	13 November
31 July	11 December
21 August	

2019	
8 January	12 March
29 January	2 April
26 February	23 April

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 the 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 12 March 2019 and to deal with any matters arising.

CONSIDERATION OF PLANNING APPLICATIONS

5 PLANNING APPLICATION - 18/01644/FUL - COMPASS HOUSE

(Pages 9 - 52)

Report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

6 PLANNING APPLICATION - 18/02299/FUL - 119 HIGHFIELD LANE (Pages 53 - 98)

Report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

7 PLANNING APPLICATION - 19/00170/FUL - ADJ. 28 HILL COTTAGE GARDENS

(Pages 99 - 128)

Report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

8 PLANNING APPLICATION- 19/00116/FUL -REAR OF 40 ATHERLEY ROAD

(Pages 129 - 152)

Report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel refuse planning permission in respect of an application for a proposed development at the above address.

PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 12 MARCH 2019

Present: Councillors Savage (Chair), Coombs (Vice-Chair), Claisse, L Harris, Mitchell, Murphy and Wilkinson

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

RESOLVED: that the minutes for the Panel meeting on 26 February 2019 be approved and signed as a correct record.

63. **MARHILL COPSE FELLING LICENCE AND APPLICATION FOR WORKS SUBJECT TO A TREE PRESERVATION ORDER.**

The Panel considered the report of the Service Director - Transactions and Universal Services seeking:

- the Panels consideration in order to respond to the Forestry Commission in relation to the issuing of a felling licence to Southampton International Airport Limited for felling works at Marlhill Copse; and
- approval of content within tree work application 19/00006/TPO. The work detailed is required in order to carry out the work within the felling licence application.

Gareth Narbed (local resident objecting), Graham Linecar (Southampton Commons and Parks Protection Society) Steve Thurston (Applicant) and Councillor Fuller (Ward Councillor) were present and with the consent of the Chair, addressed the Panel.

The Panel noted that additional correspondence and information had been received including an ecologist report prepared for on behalf of objectors to the works. The Panel noted that the area known as 1D have been removed from the felling licence and that therefore the number of trees being requested to be felled was now 20.

It was explained that the main felling works subject of the proposed felling licence were part of the Airport's obstacle management strategy to remove obstructions. Officers explained that the TPO works were required in order to facilitate the main felling works. Officers advised that in the light of the correspondence and additional information received, officers had amended the recommendation, as set out below, to ensure that the Council was actively involved in the Copse's management plan. In addition the officers recommended that nursery class trees be planted along the rear of the properties and that there is an appropriate scheme of ecological mitigation.

On being put to the vote the office's amended recommendation was carried.

RECORDED VOTE:

FOR Councillors Savage, Coombs, Claisse, L Harris, Mitchell and Wilkinson

AGAINST: Councillor Murphy

RESOLVED that

- (i) To grant consent to the work as detailed within tree work application 19/00006/TPO for facilitation work at Marlhill Copse with a condition attached for a replacement tree and that it only be completed once a felling licence is received.
- (ii) To offer no objection to the Forestry Commission over the issuing of a felling licence for Southampton Airport to carry out the works at Marlhill Copse. Subject to the request that the following recommendations are applied:
 - a. The approval comes with an undertaking that the Marlhill Copse Woodland Management Plan be incorporated within any permission and that the Council be fully involved with the Plan.
 - b. Nursery standard trees be planted along the rear of the properties on a one for one basis for the felling of the 20 trees in the application. This is in addition to the 3 for 1 whip planting.
 - c. An appropriate scheme of ecological mitigation, based upon a preliminary ecological appraisal and any recommended phase two species specific surveys, is submitted to the local planning authority for approval prior to works, including site preparation, taking place.

64. **FACILITATION OF PHASE 1 OF SCN10 – A3024 BURSLEDON ROAD**

The Panel considered the report of the Service Director - Transactions and Universal Services seeking approval for the removal of Council owned trees to facilitate Phase 1 of SCN10 – A3024 Bursledon Road, and to replant with two trees for every one removed.

Lindsi Bluemel (local resident objector) was present and with the consent of the Chair, addressed the meeting.

The presenting officer explained that the report sought permission to remove an number of trees and that the Upon being put to the vote the Officer's recommendation was carried unanimously.

RESOLVED that

- (i) Remove approximately nine sycamore, two ash, two Scots pine and one willow.
- (ii) To replant two trees for every one removed.

65. **PLANNING APPLICATION - 18/02272/FUL - 182-184 BITTERNE ROAD WEST**

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

Erect three storey building (with basement) to provide replacement commercial space at basement/ground floor, either within Class A1 or dental surgery only within Class D1, with 1 No. three bedroom maisonette over, either within Class C3 or Class C4. Associated single vehicle servicing bay accessed from new dropped kerb to Athelstan Road. Integral bicycle parking and refuse storage, following demolition of existing retail premises (Resubmission of planning application 18/00358/FUL).

Linda Long, Peter Messer and Jon Searle (local residents objecting), Steve Lawrence (agent), and Councillor Keogh (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that 1 additional letter of support for the application had been received.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment. The Panel then considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) delegated authority to service Lead Infrastructure, Planning and Development to grant conditional approval subject to no fresh planning related issues being received in connection with the updated car parking survey by Wednesday 13th March 2019
- (iii) That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or conditions as necessary

66. **PLANNING APPLICATION - 18/02228/FUL - PARKER HOUSE, CENTENARY QUAY**

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

Proposed change of use of part of the building from D2 Leisure Use to B8 Storage and the creation of mezzanine floor space.

Jim Bevan (agent) was present and with the consent of the Chair, addressed the meeting.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried unanimously.

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

67. **QUARTERLY DEVELOPMENT MANAGEMENT FIGURES**

The Panel considered and noted the report of the Service Lead - Infrastructure, Planning and Development detailing the Planning Department's performance against key planning metrics.

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INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 2nd April 2019 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	MP	DEL	15	18/01644/FUL Compass House
6	AL	DEL	5	18/02299/FUL 119 Highfield Lane
7	SB	DEL	5	19/00170/FUL Adj. 28 Hill Cottage Gardens
8	SB	REF	5	19/00116/FUL Rear of 40 Atherley Road

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:

MP – Mat Pidgeon
AL – Anna Lee
SB – Stuart Brooks

Southampton City Council - Planning and Rights of Way Panel

Report of Service Lead – Planning, Infrastructure & Development

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) Local Transport Plan 3 2011-2031
 - (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 (1997)
- (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

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)

Agenda Item 5

Planning and Rights of Way Panel 2nd April 2019
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: Compass House, Romsey Road.			
Proposed development: Erection of an additional fourth floor to facilitate 19 flats (11 x 1, 5 x 3 and 3 x 2 bed) with associated car parking (225 spaces shared between 245 flats, approved under 17/00178/PA56 and the proposed 19 flats) and cycle storage (amended following validation)			
Application number:	18/01644/FUL	Application type:	FUL
Case officer:	Mat Pidgeon	Public speaking time:	15 minutes
Last date for determination:	09/04/2019	Ward:	Redbridge
Reason for Panel Referral:	Request by Ward Member/Five or more letters of objection have been received	Ward Councillors:	Cllr McEwing Cllr Whitbread Cllr Pope
Referred to Panel by:	Cllr Pope.	Reason:	Insufficient parking, overdevelopment, overlooking, road safety.
Applicant: BMR Compass Ltd		Agent: Mr Chris Brady, Savills	

Recommendation Summary	Delegate to Service Lead – Infrastructure Planning & Development to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2018). Policies – CS4, CS5, CS13, CS14, CS15, CS16, CS19, CS20 and CS25 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP11, SDP13, HE11, HE6, H2, REI9, of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	PTAL Map	4	<i>Plan of standard and high accessibility zones, June 2011 (Figure 5 Parking Standards SPD)</i>
5	DVS Viability Review Report dated 15.2.19		

**Recommendation in Full
Conditionally approve**

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

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. Affordable housing viability review clause
- iii. 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.
- 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. 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 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 formed by the Compass House building and car park positioned to its south. Compass House is a 4 storey purpose built office building of post war construction. Compass House is currently in use as office floorspace (use class B1a), however

prior approval has already been granted for the change of use of the property to residential (245 separate flats) without the need for planning permission.

- 1.2 To form the application site the existing car park (333 spaces) serving the office use at Compass House has been subdivided. The division of the site into two has resulted in 225 car parking spaces being retained within the Compass House positioned to the south and west of the building and 108 car parking spaces adjacent to Romsey Road.
- 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 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 used scheme, which is predominantly residential in nature, but which also includes two commercial units (a retail store and a cafe). To the west the site is bordered by a residential scheme constructed by Barrett Homes.
- 1.5 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.
- 1.6 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.
- 1.7 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.
- 1.8 The access to the site from Romsey Road is shared with the adjacent residential development and commercial stores located to the south.
- 1.9 The accessibility of the site can be defined in two separate ways. The public transport accessibility level (PTAL) map for Southampton (Appendix 2 of the City of Southampton Core Strategy (2015) [**Appendix 3**]) identifies that the site is positioned within a low accessibility area although it is close to the boundary defined as having a medium accessibility. The Accessibility areas map (Figure 5 of the Southampton City Council- Parking Standards Supplementary Planning Document (SPD)) however, (**Appendix 4**) shows that the site is within 600m of a high accessibility area.

1.10 There are two groups of trees with Tree Preservation Orders (TPOs) applied to them adjacent to 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.

2. **Proposal**

2.1 The proposed development comprises of the replacement of rooftop service blocks above the current building and construction of a single storey roof extension to form 19 flats: 11 x 1 bed units [each 52sqm in area]; 3 x 2 bed units [each 82sqm in area]; and 5 x 3 bed units [2 x 86sqm in area / 3 x 91sqm in area]. The application was amended following officers overlooking concerns and now proposes 19 rather than 28 flats (as submitted and consulted on).

2.2 19 car parking spaces and 19 cycle storage spaces have been defined within the site to serve the occupants of the proposed flats. Refuse provision has also been provided within the landscaped courtyard which will be accessible to all residents within the building.

2.3 Along with the communal space at ground floor level (courtyard with limited amenity value) private space will also be provide as part of the development proposal. Balconies have been incorporated into each of the flats. The following is a summary of the balcony sizes proposed:

	Balcony size (sq.m)
3 x 3 bed units	7
2 x 3 bed units	20
3 x 2 bed units	15
11 x 1 bed units	11

2.4 The proposed dwellings will utilise the refuse and recycling area situated within the undercroft at ground floor level. The area will be shared with the occupants of the flats approved under prior approval.

2.5 In combination the prior approval, the extension of the ground floor and the roof extension scheme will be allocated a total of 225 car parking spaces including 11 disabled parking bays. 19 of the car parking spaces positioned within the central courtyard will be allocated specially for the occupants of the proposed roof top extension on a basis of 1 for 1.

2.6 In total 241 cycle parking spaces are proposed for the occupants of both the prior approval scheme and the roof top extension. 180 external cycle stores are provided along with 61 spaces being provided within the basement. Within the courtyard there will be 19 dedicated cycle spaces for the occupants of the proposed roof top flats.

2.7 Outside of the commercial unit proposed under a separate planning permission (LPA reference 18/02319/FUL, ground floor extension) there would be 8 visitor cycle parking spaces.

2.8 Each entrance core is Part M compliant with wheelchair ramps and electronically opening doors. Part M compliant lifts are provided to all 4 cores and the corridors and flats to the fourth floor have all been discussed to Part M standards of minimum sized door and corridor widths.

2.9 The flats will be treated as new-build under Part L Building Regulations and will therefore be highly thermally efficient using insulation with very low U-values. Double glazing will be used along with Photo Voltaic panels on the proposed flat roof.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 2**.

3.2 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 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 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 been submitted in 2018 to ensure that the scheme did not expire, approval was granted in September 2018.

4.2 There is also an application currently under consideration (18/02319/FUL) which seeks the extension of the ground floor by reducing the undercroft area of the existing building and change of use to provide 330sqm of additional A1 and/or A2 and/or A3 and/or B1(a) and/or D1 (Medical Use) and/or D2 (Gymnasium) floorspace (amended description).

4.3 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).

- 4.4 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:
- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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 21.09.2018 and erecting a site notice 18.09.2018. At the time of writing the report 7 representations have been received from 4 surrounding residents and 2 ward Cllrs and 'Hampshire Swifts', Of the 7 representations **5** objections [including Cllr Pope] and 2 neutral comments [including Cllr Whitbread] have been received. The following is a summary of the points raised:

5.2 ***Highway congestion and car parking pressure/insufficient car parking.***

Response: The proposal is for 19 additional flats. Parking is proposed to be allocated on the basis of 1 for 1 which therefore complies with the Council's car parking standards. No objection has been raised by the Highways Team. The proposal is for a relatively small number of residential units located within an urban area. The proposed number of residential units are not anticipated to have a significant impact on the highway network. 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. 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 there providing more car parking on site would result in greater highways congestion. Note that that in accordance with the maximum parking standards set out in the Parking Standards SPD for this location (outside of a high accessibility area) the maximum car parking allowed would be 27).

5.3 ***Harmful to highways safety.***

Response: The proposal includes a space on site to ensure that servicing can still occur from the site. 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. The highway works associated with the development (site specific highways works associated with the Section 106 agreement) seek to improve highway safety. Existing parking controls are in place to prevent any overspill parking impacting on highway safety.

5.4 ***Overdevelopment of the site.***

Response: Adequate facilities can be provided on site to accommodate the development and ensure that an acceptable residential environment is created without harming neighbouring amenity or the visual quality of the local environment. The proposal represents no increased site coverage, the flats accord with the nationally prescribed spaces standards, there is no design or adverse amenity impact arising from the additional height, external balconies are provided for each flat and 1:1 parking provision is made therefore the proposal is not considered to represent a site overdevelopment

5.5 ***Overlooking neighbouring properties/privacy.***

Response: The plans have been amended in order to remove initial concerns raised regarding impact of the development on the privacy currently enjoyed by neighbouring residents. This has resulted in the loss of 9 flats since the original submission.

5.6 ***Air pollution.***

Response: The site is not located within an air quality management area. The proposed scheme for 19 flats will have a negligible impact on air pollution within this area. Separate legislation is used to control air pollution from domestic appliances and private motor vehicles.

Neutral Comment:

5.7 ***The proposal provides the opportunity to incorporate biodiversity enhancement measures including swift boxes.***

Response from the Council's Ecologist: The building is certainly high enough for swift boxes and there is suitable foraging habitat on the bank to the south-west of the site. Recommend adding a condition requiring a plan identifying location and specification of four swift nesting boxes.

- 5.8 ***Cllr Whitbread: Site specific highways contributions should be used to upgrade existing bus stops with real time bus information (RTI) to encourage future residents to use sustainable transport. 2 of 3 local bus stops on Romsey Road are not serviced by Real time information.***

Response: RTI was proposed to be included as mitigation for earlier stages of the Ordnance Survey redevelopment. The Council's Planning Agreements Officer is now, as a result of Cllr Whitbread's comments investigating and is in contact with The Council's Highways Team who have accordingly approached the relevant developer with the aim of addressing this matter and delivering the required RTI infrastructure outside of this application.

Consultation Responses

- 5.9 **SCC Highways:** No objection. The proposal represents a small extension which would be positioned above a larger residential development if the consented prior approval conversion of the existing offices to 245 residential units is implemented as is expected. This somewhat limits the amount of consideration that can be given from highways perspective. Initial concerns over waste management have been resolved by amended plans and amendments to the site access from Romsey Road is sought given that currently there the site is currently accessed by a four lane roundabout. This is now considered to be an over-engineered site entrance and accordingly site specific highways measures are required to change the priority of movement away from motor vehicles to pedestrians across the junction.
- 5.10 **SCC Employment and Skills Plan Manager:** An Employment and Skills Plan obligation will be required via the S106 Agreement.
- 5.11 **SCC Sustainability Team:** Detailed information has been submitted which demonstrates that the flats can meet the energy and water requirements - therefore only a performance condition is required. However the chosen energy solution requires photovoltaic panels and these are not shown on the roof plan. Small areas of sedum roof are also proposed which is welcome.
- 5.12 **SCC Urban Design Manager:** No objection to the additional roof extension, objection raised to the lack of landscaping. Ideally the internal courtyard would be a fully landscaped space designed to encourage social interaction by residents, not half of it retained as car parking, and the external car parks should be divided by landscaping and tree planting to help assimilate better this rather alien development form within the surrounding context.
- 5.13 **SCC Heritage Consultant:** Having looked at the details of the application and read through the Heritage Statement, the Heritage Consultant is satisfied that the proposed additional floor on Compass House will not have any detrimental effects on the setting of Crabwood House to the north which is a Grade II listed building.
- 5.14 **SCC Housing:** The scheme triggers the need for Affordable Housing. The DVS Viability Appraisal Report, in relation to the development confirms that the current

development proposal has viability issues, to the extent that the scheme cannot currently support an Affordable Housing provision.

- 5.15 **SCC Environmental Health (Pollution & Safety):** No objection, apply recommended condition regarding construction hours.
- 5.16 **SCC Environmental Health (Contaminated Land):** Apply recommended conditions.
- 5.17 **SCC Ecology:** Negligible intrinsic biodiversity value currently on site. Potential for nesting birds only. Should approval be granted apply recommended conditions (swift nest boxes and protection of nesting birds).
- 5.18 **SCC Archaeology:** No objection, no conditions required.
- 5.19 **SCC Flooding:** No objection, no conditions required.
- 5.20 **SCC Trees:** The site has a large mature Oak within the central courtyard which is covered by The Southampton (Site of Ordnance Survey, Romsey Road) Tree Preservation Order 2007. The proposal does not affect the trees canopy or impact on the RPA directly, however I would like to see the tree placed in a Construction Exclusion Zone (CEZ) to protect it from site traffic or material storage and ensure its protection during the development. Apply requested condition.

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
 - 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 office and commercial floor space in the City Centre, the policy allocation for the site (REI9) remains employment. This policy pre-dates the provision for office to residential conversion without planning permission under 'prior approval'.
- 6.3 Whilst the proposal is recognised as a departure from the current site allocation, it is considered important to acknowledge that the proposal does not seek to remove commercial or employment floor space within the building or across the wider site. Therefore employment opportunities are not removed as a consequence of the proposal. There is also extant prior approval in place to convert the existing office accommodation into flats under the provisions of Class O of the GPDO 2015 (as amended) and therefore additional residential development is considered acceptable in principle. Furthermore given the shift towards focusing commercial

development within Shirley Town Centre and Lordshill District Centre the residential scheme is considered acceptable in principle.

- 6.4 Policy H2 of the Local Plan encourages the maximum use of derelict, vacant and underused land for residential development. Policy CS5 of the Core Strategy sets a range for net density levels which development should 'generally accord with'. Those density levels are of between 35 and 50 dwellings per hectare (dph) for low accessibility areas and between 50 and 100 dph for medium accessibility areas. As the site is located within a low accessibility area but is close to the border with a medium accessibility area some flexibility is reasonable. The context of the site must however also be taken into consideration. Policy CS5 states that Housing Density must also be assessed with regard to the following criteria:
1. The need to protect and enhance the character of existing neighbourhoods;
 2. The quality and quantity of open space;
 3. Flood risk and appropriate reduction and mitigation measures;
 4. Accessibility using public transport;
 5. Adopted character or conservation area appraisals;
 6. The efficient and effective use of land.
- 6.5 With a proposed density of 17.2 dph (taking account of the fact that the prior approval scheme is yet to be implemented) the scheme fits with the guidance set out regarding density in policy CS5. If however the dwellings approved (but not yet implemented) under the prior approval scheme (245) are also taken into account the density proposed increases to 240dph.
- 6.6 Whilst the density level exceeds the recommended density set out in CS5 the character of the compass house development, when considering the density level approved via the prior approval application (222dph), would not significantly change as a result of the 19 approved flats. When considering the six other criteria of CS5 it is judged that:
1. The character of the wider neighbourhood would not be harmed as a result of the additional 19 flats.
 2. Each flat would be afforded roof terraces of suitable size.
 3. The scheme would not lead to additional flood risk and mitigation in the form of sedum (green) roof is proposed.
 4. The site is within walking distance of bus stops within a medium accessibility zone.
 5. There is no adopted character appraisal for the area and the site is not within a conservation area. The character of the area would not be significantly harmed as a consequence of the development.
 6. the City has a housing need; as detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026. The proposal would therefore further make more efficient and effective use of the land.
- 6.7 The mix of the housing units proposed (5 x 3 bed units, 3 x 2 bed and 11 x 1 bed) will also be capable of accommodating a mix of households including families and thus will maintain, enhance and respect the context of the local neighbourhood and assist with balancing the community within the building in the event that the prior

approval scheme is also implemented as is anticipated. It is noted that the mix of units approved under the prior approval scheme is 16 x Studio bedroom units, 212 x one bedroom units and 17 x two bedroom units: 17.

- 6.8 Policy CS16 of the Core Strategy requires the provision of 30% family homes within new developments of ten or more dwellings. The policy goes on to define a family home as that which contains 3 or more bedrooms with direct access to 'useable private amenity space or garden for the sole use of the household. Private amenity space or garden should be fit for purpose'. The policy confirms that the private amenity space or garden allocated to flats should be a minimum of 20sq.m.
- 6.9 The proposal incorporates 5 x 3 bedroom units with access to balconies but only two have 20 sq.m. This equates to 11% of the total proposed flats and is therefore lower than the required 30% family homes. Strict accordance with the policy is however not deemed necessary in this instance given that the amenity space provided is in the form of balconies rather than gardens and owing to the overall nature of the development on the upper floor of an existing building where there is no outside garden (communal or private) proposed. As such the scheme is not deemed to be unacceptable on balance when considering policy CS16.

Design and effect on character

- 6.10 Compass House is a rectangular shaped building with central courtyard accessed from ground floor level. The proposal, having been amended to prevent loss of neighbouring amenity therefore results in a fourth floor extension limited to the north, east and south elevations. The footprint of the roof extension has been set back from the existing parapet to reduce its visibility and so that the extension is subservient to the host building. Careful design features have also been adopted such as having the larger balconies at the corners of the building so that the visual appearance of the building is further softened. The proposal has been designed so that it is sympathetic to the design and appearance of the host building. The general palette of materials have been carefully selected in order to deliver a high quality scheme, and include a glazed balustrade set back from the existing parapet, new slate coloured window frames and metal cladding panels.
- 6.11 The principle of a fourth storey to Compass House is established through the service blocks that are currently present at this level of the building. The applicant considers that the replacement of these with an additional floor of residential accommodation would improve the architectural quality of the building and enable the building to better relate to its local surroundings. The additional floor of accommodation will however be more visually prominent in the neighbourhood as a consequence of the development and it is acknowledged that the proposed building is also one of the largest buildings within the neighbourhood currently; that said the Council's Urban Design Manager does not oppose the additional floor of accommodation in design terms. It is also noted that policy SDP9 states that tall buildings are permitted on appropriate sites and locations including major routes into and out of the city; Romsey Road is a major route into the city and the existing building is already an anomaly in the street scene.

Residential amenity

- 6.12 The development is not considered harmful in terms of overshadowing, privacy or visual impact to neighbouring amenity due to the distance between the site and the

closest residential properties and in particular owing to the amended shape proposed which has removed part of the extension previously proposed on the western flank of the building. Flat number 261 would be approximately 16m from the front corner of number 11 Wilroy Gardens. The west elevation (which does not include windows) of the extension would be approximately 37m from the east side elevation of number 61 Wilroy Gardens.

- 6.13 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.
- 6.14 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).
- 6.15 All habitable rooms within the proposed building would have access to natural light, outlook and would benefit from sufficient levels of privacy however it is acknowledged that 7 of the flats will be north facing.
- 6.16 A minimum of 20 sq.m of amenity space is required for new flats. With flatted development the amenity space can be provided in the form of a communal garden. Any amenity space should be usable and fit for purpose. In the case of the proposed scheme, all flats would have access to inset balconies of at least 7sq.m. Inset balconies are preferred to 'bolt on' balconies given that privacy is improved as is shelter from the weather.
- 6.17 The amount of amenity space provided does not accord with the space requirements recommended in the residential design guide i.e. 20sq.m per flat. This deficiency must be set against the advantages of living in the location which is close to a high accessibility area (600m) as defined by the Accessibility areas map within the Parking Standards SPD and where 1 for 1 car and cycle parking is proposed. Planning Inspectors have supported this view in the recent past where similar situations have been proposed at other sites in the city. They have also suggested that not every occupier wants a garden and flexibility can be afforded, particularly to one bedroom flats, where occupation by families is less likely.
- 6.18 The pedestrian entrances to the block will benefit from natural surveillance. The car parking area, positioned within the internal courtyard, will be controlled by a security gate and this will also discourage rough sleeping.
- 6.19 Overall, having balanced the positive and negative elements of the scheme the quality of the residential environment is considered to be acceptable.

Parking highways and transport

- 6.20 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.

- 6.21 Car parking will be secured for use by occupants of the upper floor flats only by being specifically allocated on a basis of one for one and being securely located within the courtyard space which will also include free standing cycle storage and landscaping improvements.
- 6.22 The Highways Development Management Team is satisfied that the proposal will not directly lead to a decrease in highway safety. However it is clear that the area is highly trafficked as this is one of the main objections which has resulted from the consultation exercise. Objectors raise congestion and associated highway issues within the local area (particularly at peak hours) as an issue. Along with congestion existing on street parking pressure and the associated potential impact caused by the proposal have been raised. Congestion and parking pressure are however not deemed to be sufficient reasons to justify opposing the application on planning grounds because car ownership is not necessary for potential occupants in order to gain access to facilities necessary for day to day living. Furthermore the proposal does provide parking at a level of 1 for 1 and this can be required by planning condition. In addition provided that vehicle drivers behave responsibly and drive in accordance with the highway law the safety of other highway users should not be impacted upon by the proposal.
- 6.23 Cycle storage is also proposed at a ratio of 1:1 and can also be secured by planning condition. Additionally, secure hoops will also be provided in front of the proposed commercial unit (separate application) at ground floor level which will be available for visitors to use.
- 6.24 Sufficient bin storage can also be provided. A servicing bay is also proposed to ensure that refuse vehicles can park close to the refuse store to facilitate convenient refuse collection. A tracking diagram has also been provided to demonstrate that a refuse truck will be able to turn on site again aiding convenient collection.
- 6.25 In coming to the conclusion not to oppose the scheme in highway terms officers have taken into account the location of the development which is within walking distance of public conveniences and a high accessibility area which links to Shirley Town Centre and Southampton City Centre and train station. With 19 car parking spaces proposed (to be allocated to specific occupants) and given the sites location it is not anticipated that car ownership within a development of this nature will be proportionally high. The level of parking is considered to be acceptable. In addition it is important to take into account saved policy SDP5 of the Local Plan which confirms that the provision of car parking is a key determinant in the mode of travel and the adopted Development Plan seeks to reduce the reliance on the private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling.
- 6.26 Where appropriate the Council will seek site specific highways contributions to facilitate the direct impact of the development through the Section 106 process.

Mitigation of direct local impacts

- 6.27 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 Community Infrastructure Levy (CIL), affordable housing and the need for site specific highways works

- 6.28 Policy CS15 seeks 35% affordable housing for development of 15 or more dwellings. Policy CS15 sets out that ‘the proportion of affordable housing to be provided by a particular site will take into account the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model).’ The application is accompanied by a viability assessment which sets out that the development would not be viable and able to commence should the usual package of financial contributions and affordable housing be sought. In particular, the assessment sets out that the development would not be able to meet the requirement to provide Affordable Housing on the site. The viability appraisal has been assessed and verified by an independent adviser to the Council; in this case the District Valuation Service (DVS). A copy of their report is appended to this report at **Appendix 5**.
- 6.29 The DVS report concludes that a 100% private scheme incorporating a site value of £0 with Section 106 and CIL contributions totalling £189,516 is not viable and cannot provide any contribution towards affordable housing. The appraisal shows a deficit figure of -£8,121 following a developer profit of 17.5% of Gross Development Value.
- 6.30 The benefits of redeveloping the site in this manner and the need to comply with the policy constraints outweigh the requirement for affordable housing in this case. The Panel may attach greater weight to the need for affordable housing in this part of the City but in doing so – and thereby rejecting this application – the Council would then need to defend an appeal where an independent Inspector is likely to attach significant weight to the DVS report (also independent).

Likely effect on designated habitats

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

7. Summary

- 7.1 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 proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

7.2 A suitable balance has been achieved between securing residential accommodation in a sustainable location and increasing the efficiency of this brownfield site whilst not detrimentally harming local amenity, the street scene or highway safety.

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(qq), 6(c), 7(a), 9(a), 9(b).

MP for 02/04/19 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. 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.

4.Balcony privacy screening [Pre-Occupation Condition].

Prior to the occupation of the development hereby approved details of a privacy screen to the balcony of flat no. 261, to prevent loss of privacy to neighbouring residents, in particular

those occupants of Wilroy Gardens, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the balustrade and privacy screen must be installed prior to occupation of the hereby approved flats and retained in perpetuity.

Reason: To protect the amenities of the occupiers.

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. On site vehicular parking 19 spaces [Pre-Occupation Condition]

The 19 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.

The hereby approved car parking spaces shall be allocated on the basis of one space per residential dwelling and shall be allocated to and used by specific occupants/residents of the approved flats only; on no more than one space per dwelling.

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.

7. 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 they are not in use by residents of the hereby approved development.

Reason: To avoid loitering, rough sleeping, to improve security and in the interests of residential amenity.

8. Service bay restriction [Performance Condition]

Before the development hereby approved first comes into occupation, the servicing bay 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 encourage cycling as an alternative form of transport.

9. 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.

10. Servicing vehicle tracking (Pre-Occupation Condition)

Notwithstanding the approved plans, prior to the occupation of the hereby approved development details and amended plans showing improved refuse vehicle tracking and car parking layout shall be submitted to and approved in writing by the Local Planning Authority identifying improved tracking for servicing vehicles. Once approved the development shall be carried out in accordance with the approved details.

Reason: To ensure that refuse vehicles visiting the site can achieve an efficient manoeuvre with low risk of damage to privately owner motor vehicles and in particular to improve the tight relationship with parking spaces (especially space no.25 which needs to be removed/relocated to provide more clearance and some allowance in case of unforeseen circumstances (such as real life measurements being different, informal parking and to increase the tolerance afforded to drivers on site)..

11. 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 19 dedicated cycle storage spaces shall be retained and allocated specifically for the occupants of the approved residential units and those cycle storage spaces shall be allocated on a one for one basis thereafter in perpetuity.

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

12. 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 gully 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.

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.

13. 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 Adopted Core Strategy (Amended 2015). Recommend adding a condition requiring a plan identifying location and specification of four swift nesting boxes and installation

14. 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.

15. 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.

16. 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.

17. 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.

18. Swift boxes (Pre-external elevations)

Prior to the commencement of the construction of the external fabric/elevations of the building details shall be provided to demonstrate that the potential for swift roosting bricks have been considered into the fabric of the building. Where it is shown that there is the potential to add swift boxes they shall be included within the construction of the extension hereby approved and completed prior to the occupation of the development.

Reason: In the interests of biodiversity.

19. 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

20. 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.

21. Green Roof Implementation (Pre-Commencement Condition)

Prior to the development of this major proposal commencing full details of the proposed green roof to be incorporated within the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of water and nature conservation.

22. 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

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

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

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

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. New Forest SAC, SPA and Ramsar site.
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.

<p>Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?</p>	<p>Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area.</p> <p>Concerns have been raised by Natural England that residential development within Southampton, in combination with other development in the Solent area, could lead to an increase in recreational disturbance within the New Forest. This has the potential to adversely impact site integrity of the New Forest SPA, SAC and Ramsar site.</p> <p>The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.</p>
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Stage 2 - HRA screening assessment

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

Solent SPAs

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

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

The New Forest

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

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

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

Stage 3 - Appropriate Assessment

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

Solent SPAs

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs and in accordance with the findings of the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

Within Southampton the Council will promote biodiversity through:

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

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

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

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£337.00
2 Bedroom	£487.00
3 Bedroom	£637.00
4 Bedroom	£749.00
5 Bedroom	£880.00

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

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

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

New Forest

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

Within Southampton the Council will promote biodiversity through:

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

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

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

The proposed development will generate a CIL contribution and the City Council will ring fence 5% of the overall sum, to fund improvements to footpaths within the greenways and other semi-natural greenspaces.

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

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

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

In the absence of an agreed mitigation scheme for impacts on the New Forest designated sites Southampton City Council has adopted a precautionary approach and ring fenced 5% of CIL contributions to provide alternative recreation routes within the city.

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

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

Summary of Natural England's comments:

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

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Application 18/01644/FUL

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
CS23	Flood Risk
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
H4	Houses in Multiple Occupation
H7	The Residential Environment

City Centre Action Plan - March 2015

AP 9	Housing supply
AP 12	Green infrastructure and open space
AP 13	Public open space in new developments
AP 15	Flood resilience
AP 16	Design
AP 18	Transport and movement
AP 19	Streets and Spaces

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Bassett Neighbourhood Plan (July 2016)

Other Relevant Guidance

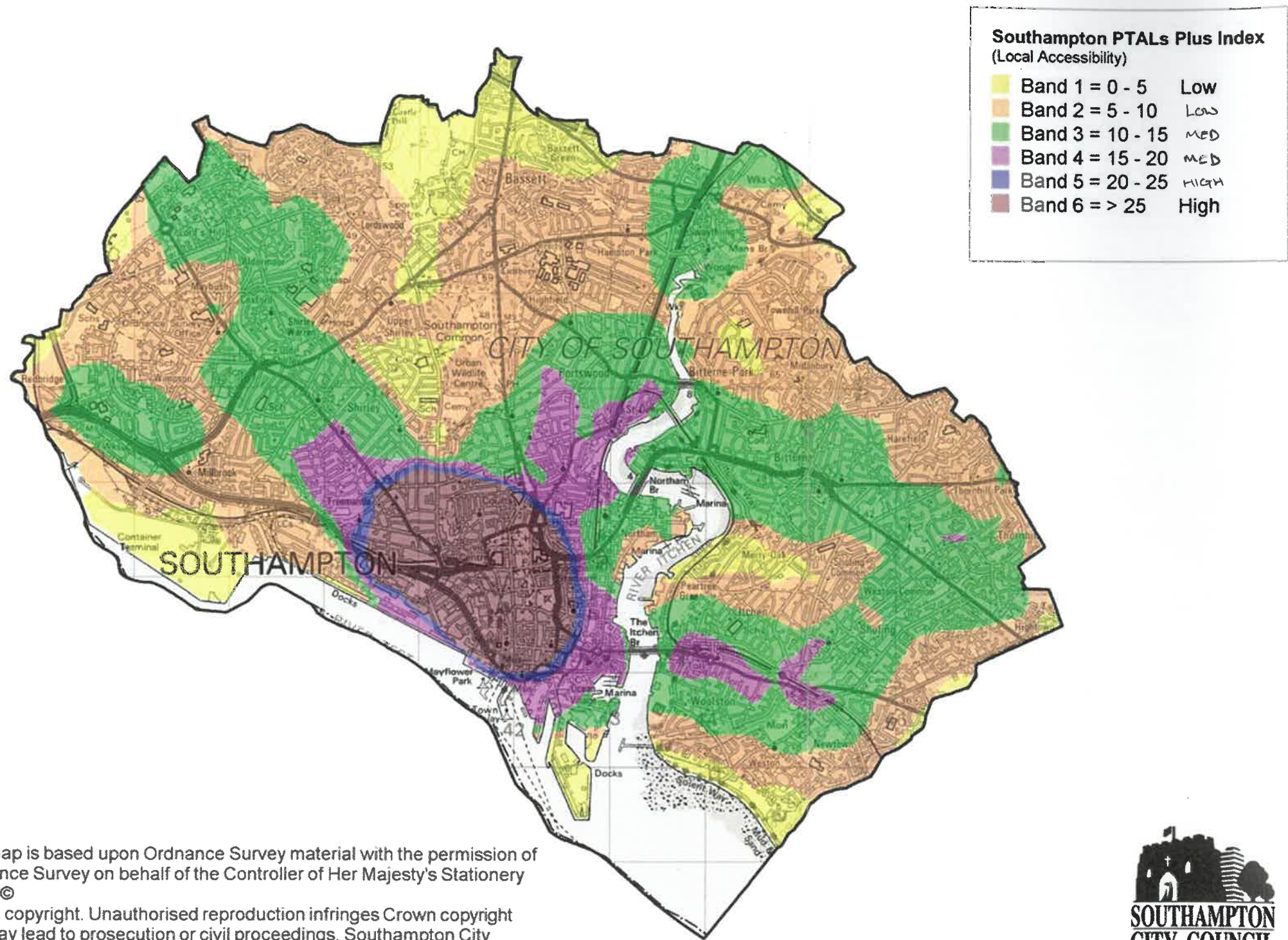
The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Appendix 2

Public Transport Accessibility Level (PTAL) Map for Southampton

Accessibility between 7 - 10 am (Morning Peak) on Monday to Sunday (from Halcrow Parking Review July 2007)



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Southampton City Council - Parking Standards Supplementary Planning Document (SPD)

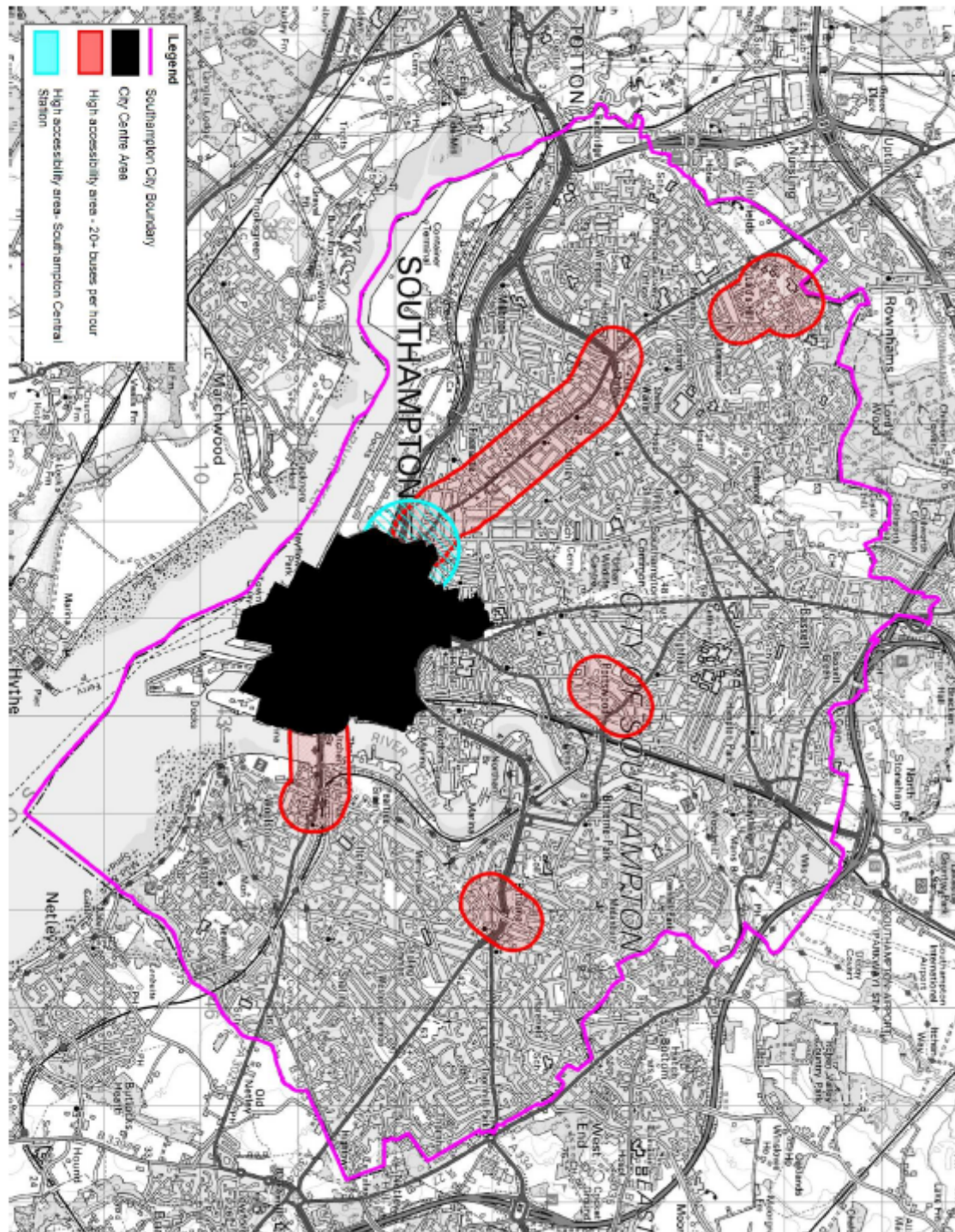


Figure 5: Plan of standard and high accessibility zones, June 2011

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Simon Mackie
Planning Agreements Officer
Infrastructure Planning and Development Service
Southampton City Council
Civic Centre
Southampton
SO14 7LY



Date : 15th February 2019

Dear Simon,

REVIEW OF DEVELOPMENT VIABILITY ASSESSMENT

ADDRESS: Compass House, Romsey Road, Southampton. SO16 4HP
APPLICATION REF: 18/01644/FUL

I refer to your email dated 4th January 2019 confirming your formal instructions for DVS to carry out a viability assessment in respect of the proposed development at the above address.

I understand that this viability assessment is required following a full planning application (ref: 18/01644/FUL) as follows:

Erection of an additional fourth floor to facilitate 19 flats (11 x 1, 5 x 3 and 3 x 2 bed) with associated car parking (225 spaces shared between 245 flats, approved under 17/00178/PA56 and proposed 19 flats) and cycle storage.

This report is not a formal valuation.

The date of assessment is 15th February 2019.

We have reviewed the assessment provided by James R. Brown and Co Ltd dated 2nd November 2018 on behalf of the applicant BMR Compass Ltd.

The assessment has been made by comparing the residual value of the proposed scheme with an appropriate benchmark figure having regard to the National Planning Policy Framework and the published RICS Guidance Note into Financial Viability in Planning.

The principal objective of our Brief and the subject of this report are to establish whether there is financial justification for any affordable housing and section 106 contributions.

General Information

It is confirmed that the viability assessment has been carried out by [REDACTED], a RICS Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the valuation competently, and is in a position to provide an objective and unbiased valuation. The assessment has also been overseen by [REDACTED].

Checks have been undertaken in accordance with the requirements of the RICS standards and have revealed no conflict of interest. DVS has had no other previous material involvement with the property.

The client will neither make available to any third party or reproduce the whole or any part of the report, nor make reference to it, in any publication without our prior written approval of the form and context in which such disclosure may be made.

You may wish to consider whether this report contains Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006.

Our assessment is provided for your benefit alone and solely for the purposes of the instruction to which it relates. Our assessment may not, without our specific written consent, be used or relied upon by any third party, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our valuation report. If we do provide written consent to a third party relying on our valuation, any such third party is deemed to have accepted the terms of our engagement.

None of our employees individually has a contract with you or owes you a duty of care or personal responsibility. You agree that you will not bring any claim against any such individuals personally in connection with our services.

This report remains valid for 3 (three) months from its date unless market circumstances change or further or better information comes to light, which would cause me to revise my opinion.

Following the referendum held on 23 June 2016 concerning the UK's membership of the EU, the impact to date on the many factors that historically have acted as drivers of the property investment and letting markets has generally been muted in most sectors and localities. The outlook nevertheless remains cautious for market activity over the coming months as work proceeds on negotiating detailed arrangements for EU exit and sudden fluctuations in value remaining possible. We would therefore recommend that any valuation is kept under regular review.

Background:

The application site comprises the rooftop of an existing (former) office building known as Compass House, which itself currently benefits from a Prior Approval consent for conversion to 245 flats (approved in March 2017 - application ref. 17/00178/PA56).

The site is located in the Maybush district of Southampton approximately 2.5 miles north-west of the city centre. It is accessed via the main through road known as Romsey Road which is a main bus route and provides easy access to the M27 motorway and the city centre.

The immediate surrounding areas are primarily residential with local amenities and larger supermarkets within 1 mile. There are a number of recently built residential schemes adjacent to the site, some contemporary, some more traditional in scale and appearance.

The applicant is stating that following their assessment, the scheme with no affordable housing but with CIL and S.106 contributions of £130,000 is not viable. Their submitted appraisal shows that the proposed scheme will produce a negative residual land value of -£540,154 on a 100% open market basis and therefore any contribution for affordable housing can only be made with substantial levels of Affordable Housing Grant.

The Scheme:

This application is seeking full planning consent to erect a single storey vertical extension to the existing building Compass House comprising 19 flats (11 x 1 bedroom, 3 x 2 bedroom, and 5 x 3 bedroom), together with associated car parking.

The schedule of accommodation is as follows:

Floor	Type	No.	Area per unit (m ²)
Fourth Floor	1 bed	11	52.0
	2 bed	3	82.0
	3 bed	2	86.5
	3 bed	3	91.0
TOTAL		19	1,264.0

In addition, the scheme will provide;

- Balcony areas for all units
- Basement bin/refuse stores and
- Basement cycle storage.

We are informed that the gross internal area (GIA) for the proposed block will total 1,532.90m² against a net saleable area of 1,264m². This equates to a net – gross ratio of approximately 82.5% which is reasonable for this type of development with a lift shaft.

Viability Assessment:

This assessment has been undertaken following our own detailed research into both current sales values and current costs. In some cases we have used figures put forward by the applicant if we believe them to be reasonable. The applicant has not provided a 'live' version of their appraisal, but we have referred to their PDF version and written report.

For the purpose of this assessment we have assumed that the areas provided by the applicant are correct.

We have used a copy of our bespoke Excel spreadsheet appraisal toolkit to assess the proposed scheme and have attached a summary at Appendix 1.

We would summarise our assessment of the scheme as follows:

1) Development Value -

a) Private Residential:

The applicant has provided a small range of comparable sales evidence of both modern and older purpose-built flats within the locality of the site to substantiate their proposed figures.

On the basis of open market values, the sales values adopted are as follows:

Unit Type	Average sales value	Average rate per sq.m
1 bed apartment	£142,000	£2,731
2 bed apartment	£210,000	£3,390
3 bed apartment	£242,600	£2,714

We have undertaken our own research and have utilised our database of land Registry transactions, as well as Rightmove, and consider the overall level of value put forward by the applicant for the 2 and 3 bedroom units to be within the range we would expect to see. However, we consider the 1 bedroom units could achieve at least £160,000 per unit as an average value.

All of the proposed flats will be top floor units and will benefit from generous floor areas, balconies and better views than the rest of the converted units within the existing block. They are therefore quite unique for the location as there is nothing directly comparable within the vicinity.

The figures put forward for the proposed 2 and 3 bedroom units appear to reflect these advantages, but we do not consider that there would be as large a disparity between the 1 bedroom and 2 / 3 bedroom units.

We have identified the following comparable sales and marketing evidence of modern nearby 1 bedroom units within purpose-built blocks:

- 11 Colby Street, Southampton, 48m², sold 24th January 2018 for £148,000. 1st floor unit with 1 parking space, very close to subject site.
- 81 Briarswood, Southampton, 51m², sold 20th December 2018 for £157,000. Ground floor unit with parking. Similar value location to subject site.
- Willroy Gardens, Southampton, 42m² approx., currently being marketed with an asking price of £140,000. Ground floor unit with parking Right next to subject site.

These sales/marketing values all reflect re-sales and so a new-build premium uplift needs to be considered for the subject units (between 5% - 10% in this instance as the comparable evidence is of modern units).

In addition, regard has to be had to the advantageous top-floor position that the proposed units will occupy. They will all have balconies and good views, and will also enjoy better privacy than the units below and these factors have factored in to our opinion of value for the proposed 1 bedroom units which we would expect to achieve at least £160,000 per unit.

b) Affordable Housing:

We understand that CS15 of the Councils Core Strategy requires new developments within the City to include 35% affordable housing, tenure split; 65% affordable rented and 35% shared ownership. This equates to 6.65 on-site units for the proposed scheme but at this stage we have not modelled any affordable housing on site.

c) Ground Rents:

On the basis that the apartments are sold on a long leasehold basis, we would expect an income from the sale of the ground rents.

The applicant has included the following ground rental income which has been capitalised using a 6% yield:

1 beds	£200 per unit per annum
2 beds	£250 per unit per annum
3 beds	£300 per unit per annum

We agree with the rents adopted but have instead capitalised these figures using a 5% yield which is approximately what would expect to see when compared with other similar schemes we have assessed in this location.

However the government announced last year that they would crackdown on unfair leasehold practices in respect of ground rents. However since no legislation has been enacted the policy of DVS is to include ground rents at this stage. If this changes it could affect this assessment.

d) Total Development Value:

Our total Gross Development Value (GDV), compared to the applicant's, is outlined below;

	Applicant	DVS
Private Residential	£3,401,500	£3,603,000
Ground Rents	£70,000	£89,000
Total	£3,471,500	£3,692,000

2) Development Costs -

a) Build Cost:

The applicant has not provided a detailed breakdown of build costs or cost estimate from a chartered quantity surveyor for this scheme but has instead referred to current BCIS guide figures for new-build flatted schemes.

On this basis they have adopted a base construction rate of £1,600 per m² which sits approximately between the current Median and Upper Quartile BCIS figures for 3-5 storey new-build apartment blocks adjusted to this location.

Given the complexity of this development, and the fact that it is an extension of an existing building which is also being converted as part of one larger scheme, we would expect to see a more detailed breakdown of build costs.

The BCIS guide for new build schemes takes account of all elements of construction including foundations and associated works which don't necessarily apply fully to this proposed extension. It is therefore a very simplistic approach to calculating build costs for this unique and complex development.

The applicant contends that, due to the nature of this roof-space scheme that the cost is likely to be greater than for a conventional new-build scheme which may be the case. However, without a detailed cost estimate it is impossible to be certain.

Therefore, in the absence of a cost breakdown we have included the BCIS Median rate of £1,453 for new-build schemes within our appraisal at this stage but should additional evidence be made available then we would need to consider this, and this may affect our assessment.

In addition an external works allowance of 5% of base build costs has been included which we consider to be reasonable here and we have therefore included the same in our appraisal.

Overall, our construction costs total £2,338,671 compared with the applicant's construction costs of £2,575,320.

b) Abnormal Build Costs:

No abnormal or over/extra costs have been included by the applicant for this scheme.

c) Build Contingency

The applicant has included for a build contingency at 5% of base build cost, including external works. Usually we would expect to see closer to 3% for a full application scheme of this size but in this instance, due to the more complex nature of this vertical extension scheme we consider 5% to be appropriate.

d) Professional Fees

The applicant has included professional fees at 8% of base build costs which is within the range we would expect to see and we have therefore included the same in our appraisal.

e) Section 106 payments and Community Infrastructure Levy (CIL)

The applicant has included CIL and S.106 contributions totalling £130,000 but you have informed us that the actual contributions required for this scheme are as follows:

Planning Obligations (Direct Cost)	Detail
Affordable Housing	35%
Highways/Transport	Works provision
SDMP	£12,436
Employment & Skills	£8,030
CIL	£169,050

We have therefore included these figures within our appraisal but if this differs then it will affect our assessment.

f) Sales and Marketing fees

The applicant has included for agent sales fees and marketing costs for the residential units totalling 2.75% of gross development value as follows:

Marketing	1.25%
Agent Sales fees	1.5%

In addition, legal sales fees of £30,000 has been included which equates to £1,579 per unit.

Whilst the marketing and agent sales fees are within the range we would expect to see (albeit towards the higher end of the range), the legal sales fees appear too high. We would expect these to be in the region of £500 - £1,000 per unit and have therefore adopted £750 per unit within our

appraisal instead. This is in line with other recent schemes we have assessed.

g) Finance costs

The applicant has adopted finance costs at a rate of 6.75% plus a finance facility fee on all costs of 1.5% which they recognise typically equates to around 7% all-in.

We have instead adopted 6.5% debit rate and 2% credit rate which reflects all fees and on the basis of 100% debt finance which is in line with other recent similar sized schemes we have assessed.

It is worth noting however that our overall finance costs total £123,364 which is slightly higher than the applicant's total costs of £110,118.

Development Programme:

No live appraisal has been provided to us but within their written report the applicant has indicated the following timeframe:

- Pre-construction/lead-in period of 3 months
- Build Period of 10 months
- Sale period of 6 months beginning upon practical completion (3.167 units per month)

We consider this to be an appropriate timescale and have adopted the same within our appraisal.

h) Developers Profit

In the current market a range of 15% to 20% of GDV for private residential, 6% of GDV for affordable is considered reasonable.

The applicant, in their appraisal, has indicated a developer profit of 22.5% on cost which equates to approximately 21.2% on GDV but we have instead adopted 17.5% on GDV in line with other recently agreed schemes in this location.

i) Land Value

Following various appeal cases it is well established that viability assessments are carried out in order to calculate the residual land value that the scheme can afford which is then compared to the existing use value (EUV) of the site plus an incentive to bring forward land for development taking account of the latest NPPF guidance and the RICS Guidance note, Financial Viability in Planning, 1st edition (Benchmark Land Value).

Within their appraisal, the applicant has included a benchmark land value of £250,000 which is based on the assumption that the existing roof space could accommodate some income generating telecommunications

aerials/masts. However, no details of how this figure has been arrived at have been provided to us.

The current NPPF rules state that the existing use value (EUUV) + seller incentive approach should be considered when arriving at an appropriate benchmark land value, and that alternative use may only be considered where there is implementable planning consent.

The planning rules surrounding rooftop mast installations are complex and are currently covered by General Permitted Development Order (GPDO) 2018. These appear to offer a route for prior approval for such installations where the necessary criteria can be met. However, in order to gain prior approval, an application of sorts will still need to be made and there will be costs involved to do this. There may also be installation/infrastructure costs to the owner of the building in order to facilitate any mobile operators.

Whilst prior approval consent is also not necessarily guaranteed, our office records show that historically there have been a number of rooftop masts in situ which were owned by major operators (Orange, T Mobile, Vodafone, Hutchinson, O2) which would support the case for future prior approval installations.

However, these installations have all now been removed, the last one being the 'O2' mast in July 2013. We understand that technology in mobile network coverage has improved and changed significantly within the past decade and it appears likely that due to other alternative (and more cost effective) options, that the former rooftop masts are no longer required.

It is therefore our opinion that, if there were sufficient demand from existing operators for rooftop telecom installations at this site, they would still be in place. We would expect to see at least one or two to still be in operation, but it appears that at the date of this report, there are no operators currently in-situ.

No evidence or proof of demand for this type of use or network coverage has been provided by the applicant and we have therefore adopted a NIL land value within our appraisal.

Overall assessment:

Following our desktop research and assessment we are of the opinion that a 100% private scheme incorporating a site value of £0 with CIL and S.106 contributions totalling £189,516 is borderline in terms of being viable but cannot provide anything a contribution towards affordable housing. Our appraisal shows an overall deficit of -£8,121 (see Appendix 1).

The applicant's submitted viability report is not particularly well evidenced and it is worth noting that their appraisal shows a negative land value of -£540,154 against a total developer profit of £736,834. This equates to a profit level well below the level generally required for the purposes of debt finance which leads us to question some of the inputs used, particularly the construction costs. It also leads us to question the sustainability and deliverability of the scheme.

Despite this, we have agreed with several of the applicant's figures with the differences being as follows:

- Gross Development Value (1 bedroom units and ground rents)
- Build costs
- Legal sales fees
- Finance costs (we are slightly higher)
- Developer profit
- Benchmark land value

Factors affecting the viability of this scheme are the average value nature of this location and complexity of construction due to this being a vertical extension of an existing building.

At this stage the construction costs for the proposed scheme are relatively unknown and no detailed cost estimate or breakdown of costs have been provided to us but should one become available it may cause us to revise our assessment.

Due to the sensitivity of the valuation appraisal, slight reductions or increases in any of the figures could have an influence on the residual value and thus impact on the viability of the scheme either on a positive or negative basis.

We consider that it would be reasonable in these circumstances to require the applicant to enter into an agreement to build the site to core and shell within 18 months. If they had not achieved this within the timeframe then a second viability assessment would take place giving the Council the opportunity to achieve a higher contribution if the viability had improved.

I trust this report deals with the issues as required but please do not hesitate to contact me if you have any queries and I would welcome the opportunity of discussing this with you in greater detail if required.

Prepared by

[Redacted signature]

Reviewed by

[Redacted signature]

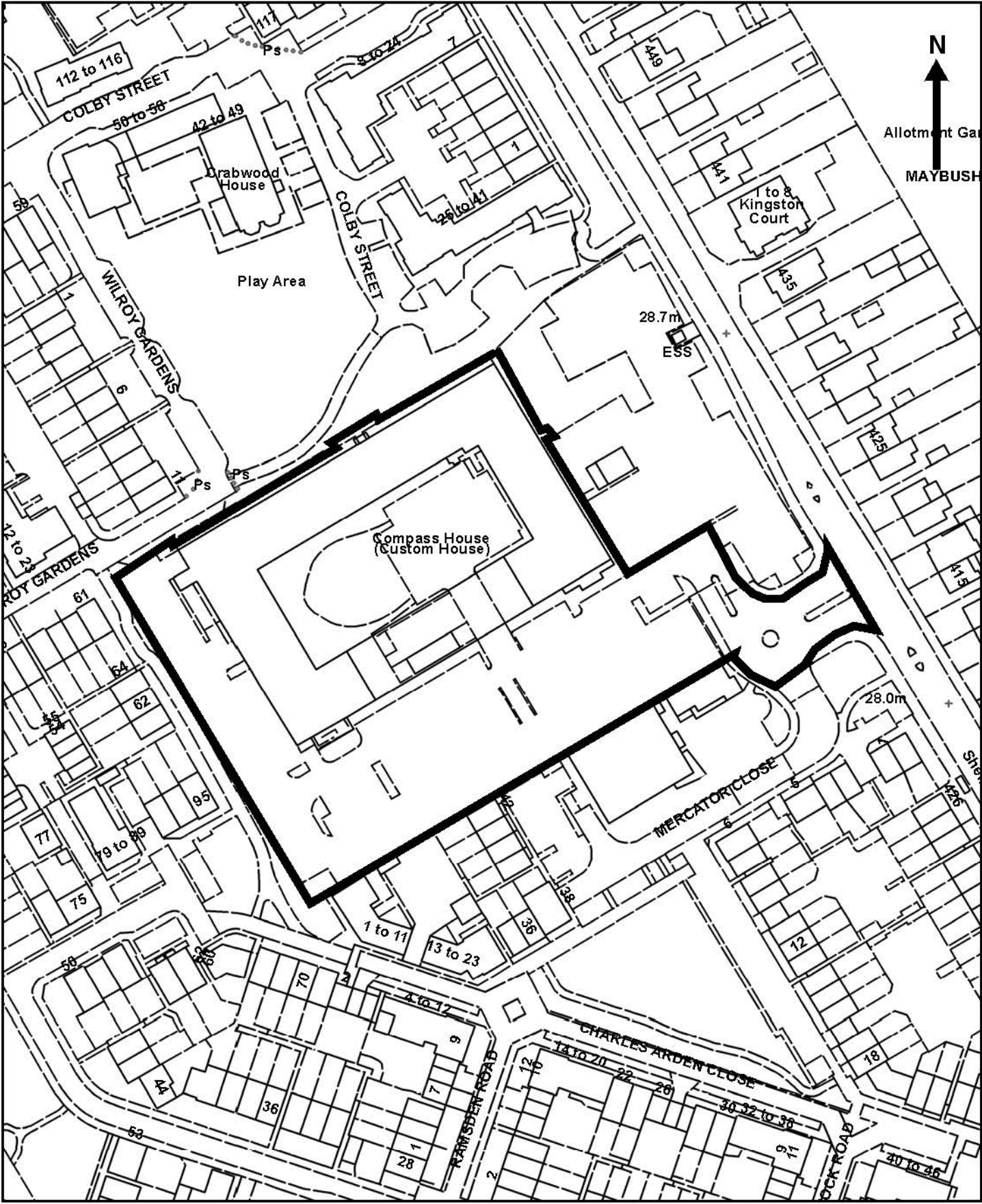
Appendices

Appendix 1 – 100% Open Market Appraisal

Agenda Item 5

18/01644/FUL

Appendix 6



Scale: 1:1,250

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Planning and Rights of Way 2nd April 2019
Planning Application Report of the Service Lead- Infrastructure, Planning and Development

Application address: 119 Highfield Lane, Southampton, SO17 1AQ			
Proposed development: Erection of 2x 3-storey extensions following part demolition and internal alterations to provide 30 additional guest bedrooms and staff room, with alterations to car park, new cycle/refuse storage and new plant equipment on roof.			
Application number	18/02299/FUL	Application type	FULL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	09.04.2019 (Extension of time agreement)	Ward	Portswood
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr Claisse Cllr Mitchell Cllr Savage
Applicant: Ashley Hotels Southampton Limited		Agent: Street Design Partnership	

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

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the partial demolition of the existing building, impact on the adjacent Portswood Residents' Gardens Conservation Area, neighbouring amenity, design, character, reduction in parking and highway safety 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 as set out in the report to the Planning & Rights of Way Panel on 2nd April 2019. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and 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). Saved policies SDP1 SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, CLT1, H2, H7 and RE17 of the City of Southampton Local Plan Review - Amended 2015, policies CS6, CS7, CS13, CS14, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy (2015), the Portswood Residents' Gardens conservation Area Appraisal and Management Plan and guidance contained within the National Planning Policy Framework 2019.

Appendix attached			
1	Development Plan Policies	2	Parking Survey
3	Site Plan		

Recommendation in Full

1. 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 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. The submission, approval and implementation of a Carbon Management Plan setting out how 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).
 - 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. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners (if required); and
 - vi. Submission and implementation of a Travel Plan.

2. That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

3. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning and 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 on a prominent corner at the junction of Highfield Lane with Shaftesbury Avenue, just outside the defined Portswood District Centre. It lies opposite to (but outside of) the Portswood Residents' Gardens Conservation Area. The immediate neighbours of the site are predominately residential in nature.

- 1.2 Highfield House Hotel currently has 71 bedrooms, including a restaurant/bar, landscaped frontages with 47 car parking spaces and is approximately 0.36 hectares in size. The hotel is mainly three storey and is surrounded by a number of trees that are protected by Tree Preservation Orders (TPO) due to their amenity value. The Shaftesbury Avenue frontage of the building is set much

closer to the road than the Highfield Lane elevation of the building. Due to the change in site levels, the floor level of the Shaftesbury Avenue elevation of the hotel is higher than the adjacent pavement level.

- 1.3 On Shaftesbury Avenue, the site is neighboured by Saxon Court, a two-storey, detached block of flats immediately north of the hotel. Avondale Court (28 flats) lies to the east of the site on Highfield Lane. Avondale Court has a four storey mass, with its top floor contained within a mansard roof. It is set in well landscaped grounds and shares a vehicular access with the Hotel from Highfield Lane. Substantial detached residential properties set in large plots lie to the south side of Highfield Lane within the Portswood Gardens Conservation Area.

2. Proposal

- 2.1 The scheme seeks to deliver an additional thirty bedrooms to the hotel within two new three storey extensions; one adjacent to Saxon Court on Shaftesbury Avenue and one to the rear (west) of the existing hotel. The erection of the extension to the north-east of the site, fronting Shaftesbury Avenue, will result in the partial demolition of the existing building. This extension will be slightly set back from the frontage and will result in the partial refurbishment of the building to provide additional twelve guest bedrooms with four on each floor. A further extension to the west part of the main building will provide eighteen additional guest bedrooms, six on each floor over three storeys. A narrow three storey link extension is proposed in order to provide the required connection. There are some fenestration changes to alter doors to windows on some elevations and an extension and cladding to the plant room is proposed but with no increase height. The application for indicates that the extension will result in an additional 821.5sq.m (Gross Internal Area) with an overall net addition – following the proposed demolition works – of 710.4sq.m (GIA).
- 2.2 The three storey element fronting Shaftesbury Avenue is a full three storey but within a flat roof. Render is proposed at ground floor with brick to the upper floors. The rear extension is linked by a three storey timber clad extension with full height windows. The bedroom extension is brick on two floors and the third floor is within a mansard roof similar to the existing hotel.
- 2.3 The resulting total number of guest bedrooms in the hotel would be 101, served by 34 car parking spaces, including three disabled spaces. In addition, 3 spaces for motorcycles and sixteen spaces for bicycles will be provided. The development will result in the removal of 13 car parking spaces from the existing car park. A new linen and refuse store is to be constructed and a separate, covered cycle store is also being provided along the shared boundary with Saxon Court.

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 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 A similar application (05/00575/FUL) was approved under delegated powers in 2005, but the rear extension was located closer to Avondale Court fronting Highfield Lane with parking in the centre of the site. It also proposed a three-storey extension to the north elevation to provide 30 additional hotel rooms it was conditionally approved on 27.06.2005. This planning permission was not implemented and has now lapsed. This was following a refusal (04/01982/FUL dated 17.02.2005) for a similar scheme. The single reason for refusal related to adverse impact on the TPO trees as insufficient information was provided to assess the impact on them.

4.2 In 2004, a change of use from the hotel bar (C1) to restaurant/bar (A3) was conditionally approved on 29.04.2004 under application 03/01552/FUL. There have been a number of extensions to the hotel over the years but none are relevant to this application, except those two applications set out above.

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 (15.01.2019). At the time of writing the report, **6 objections** have been received from third parties and a representation from the Highfield Residents Association. The following is a summary of the points raised:

5.2 Concerned about an increase to traffic and congestion

Response

SCC Highways have considered the concerns raised by residents and do not consider the proposed development would lead to a detrimental impact on traffic or congestion. A Transport Assessment has been provided that indicates during the peak hour periods the increase in traffic will be equivalent to approximately one vehicle every seven to ten minutes. It is considered that this would not be a significant impact that would result in undue congestion.

5.3 Overdevelopment of the site due to the footprint of the extensions.

Response

The proposal will result in an increase to the overall building footprint but the area for both elements is currently developed with existing building or hardstanding for the car park so there is no loss to any soft landscaped area or increase in developed area. Further to the above, the proposal results in an increase to shared landscaped areas with a communal planted area to be provided between the existing main hotel and new rear block. Therefore, although the building is extended the proposal improves its landscaped setting.

5.4 Loss of light to Avondale Court

Response

The proposal would be sited 21 metres away from Avondale Court and, due to the extensions being positioned to the west of the flats, and its lower height, the proposal will not have a detrimental impact on the light to these flats. A daylight/sunlight study has been submitted with the application which confirms this.

5.5 **Excessive height and scale**

Response

The proposed height of the two extensions is in line with the existing hotel. The extension nearest Saxon Court is a three storey flat roof to reduce the impact on the property and the rear element is three storey with a mansard roof similar to the existing hotel. Therefore the height of the proposal is in keeping with the existing building on site and also respects the height of adjacent properties.

5.6 **Concern about noise and disturbance**

Response

Environmental Health have been notified of this application and no objection has been received on these grounds. The application does not propose alterations to the existing restaurant/bar facility. There is no evidence to suggest that this scheme will exhibit unusually harmful noise levels, and if it did there are other enforcement powers that can be called upon to deal with statutory noise nuisance.

5.7 **Inadequate parking**

Response

According to our standards a maximum of 34 parking spaces is required to serve a hotel of this size in this sustainable location. The parking provided meets the Council's maximum standards, and a parking stress survey has also been provided that indicates, at worst case scenario, there could be an overspill of six vehicles. The evidence provided indicates that spaces are available on Shaftesbury Avenue to cater for the overspill. No objection has been raised by the Council's Highway Officer on these grounds and as the scheme retains 34 spaces officers cannot support a refusal on this basis, despite the reduction in on-site parking proposed.

5.8 **Parking could be provided underground**

Response

Officers are only able to comment on the scheme submitted and underground parking has not been proposed. It is important to note that the existing hotel is being retained and that parking of this nature could lead to a harmful impact on the TPO'd trees on site. Furthermore, basement car parks are expensive, require significant excavation and can result in additional expense for archaeology. It is likely that a basement car park would make the scheme unviable. The parking solution proposed is considered to be acceptable and this issue is discussed in more detail below.

Consultation Responses

5.9 **SCC Highways – No objection** subject to conditions to secure the submission of a servicing management plan; cycle storage and; a construction management plan.

5.9.1 The site is situated within a high accessibility zone and is within walking distance to many public facilities as well as public transport. The increase in 30 rooms to the hotel is considered acceptable, in principle, as the use has been established and the proposal would not be changing the nature of the site's use or environment.

- 5.9.2 The reduction of the parking spaces from 47 to 34 is also considered acceptable as 34 spaces would be policy compliant (a maximum of 34 spaces is permitted by the Parking Standards Supplementary Planning Document). The only harmful impact from this would be any potential overspill parking. The local roads do contain various parking restrictions. Due to the nature of the use, the areas of parking which could be affected by overspill are the ones where the restrictions are time based which means they would be 'vulnerable' from overspill between the hours of 18:00-08:00. Due to the hotel use, the only people who could generate overspill parking would be hotel guests who would arrive after 18:00 and will leave before 08:00. This would be unlikely but there may be some. The other would be any night time shift workers where their shifts coincide with being outside the parking restricted times.
- 5.9.3 Regardless, the impact from parking overspill would be an amenity as anyone has a right to park on the highway. Therefore it will hold limited weight in this recommendation. However, a parking survey has been provided. The methodology and survey is acceptable and Council's Highways team can agree with the 'pro-rata' approach of the parking demand. This would produce a worse-case scenario of 6 spaces being needed to be accommodated. However, the survey itself shows space to accommodate this and with such a small portion of guests arriving outside the restricted parking times, the impact from this development would seem minimal.
- 5.9.4 The only impact which is considered that could have a significant impact on the highway is any additional servicing requirements for an intensified use. However the Transport Assessment does suggest that level of servicing requirements and that all servicing vehicles operate within the site boundary and in the car park. To secure this, a servicing management plan should be conditioned to avoid any servicing taking place on the highway.
- 5.9.5 Should there be an increase in staff, then additional long stay cycle spaces should be provided. The additional 30 rooms would require 3 additional short stay spaces. The application is acceptable subject to the conditions set out above.

5.10 **SCC Tree Team – No objection** subject to conditions.

The Tree team have no objection to the proposed tree loss to facilitate this development and they are satisfied that the replacement trees identified in the landscaping plan adequately mitigate their loss.

Regarding tree pruning as specified in 3.2.2 in the Arboricultural Impact Assessment (Report No: RT-MME-129152-01 RevC) the Tree team are not convinced that a crown lift to 5.5 metres is appropriate to all trees, nor do they agree that pruning works "*are likely to be of a minor extent and of a routine nature*". As such they would ask that a detailed specification for pruning works is provided pre-commencement of development that considers each tree individually for pruning, and the possibility of tying back branches if appropriate rather than their removal. In addition to the above they would ask for the provision of the following (detailed in the Arboricultural Impact Assessment) pre-commencement of development. An arboricultural method statement containing details of:

- Suitable site access, material storage and site compound locations.
- Final protective barrier and ground protection locations and specifications.
- Pre-commencement site meeting.

- Specification for tying back branches if employed.

5.11 **SCC Employment and Skills Team - No objection** An Employment and Skills Plan obligation will be required via the S106 Agreement.

5.12 **SCC City Design – No objection** subject to a conditions securing landscaping. Overall the City Design officer raises no particular objection to the proposals, but makes the following observations:

- A condition to provide a maintenance plan to enable to control the growth of the multi-stem Amelanchier between the car parking spaces along the boundary retaining wall with the property to the north.
- A landscaped boundary in front of the proposed fence between the hotel and the adjacent property to screen the bin store from Shaftsbury Avenue and this would be preferably set back behind the frontage to the property to the north

***Officer Comment** – A landscaping condition which secures a maintenance plan is suggested and a revised landscaping plan has been provided to address the second point.*

5.13 **SCC Sustainability Team – No objection** subject to conditions securing zero or low carbon energy sources are to be secured. The design and access statement refers to 15% improvement over part L of the Building Regulations 2010. Improvement should be made on the current building regulations, which is 2013 (with 2016 amendments).

5.14 **SCC Environmental Health (Pollution & Safety) – No objection** subject to conditions securing a demolition statement will be required to ensure that noise, dust, odour etc are minimised during the demolition process. Suggest conditions to secure a noise report for the sound levels from the roof located plant; refuse storage; a construction environment management plan; no bonfires (not secured as can be dealt with under separate legislation) and; working hours.

5.15 **SCC Ecology – No objection** subject to conditions securing a native planting and protection of nesting birds.

5.15.1 The application site consists of a hotel and car park with a limited extent of landscape planting. The landscape planting consists of a number of trees running along the south-western and north-western boundaries and shrubs immediately around the building. The hotel and car park are of negligible ecological value however, the trees and shrubs are likely to provide habitat for nesting birds.

5.15.2 The building is in good condition with no obvious access points for bats and there is therefore a negligible risk of roosting bats being present.

5.15.3 The proposed development will result in the loss of a number of trees which could lead to adverse impacts on nesting birds. All nesting birds, their nests, eggs and dependent young receive protection under the Wildlife and Countryside Act 1981 (as amended). It is important, therefore, that any vegetation clearance, should either take place outside the nesting season, which runs from March to August inclusive, or after it has been checked by a suitably qualified ecologist. If active nests are found vegetation clearance must be delayed until after the chicks have fledged.

5.15.3 The submitted plan indicates that replacement planting will be provided which is positive. The Council's Ecologist would like this planting to include native

species and ornamental species of established value to wildlife. In summary, they are of the view that the proposed extension will have a negligible impact on local biodiversity and have no objection to the proposed development.

5.16 **SCC Archaeology: No objection**

The site is in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy -- LAAP 10 (Portwood, Highfield and northern St Denys). The site is on the south side of the valley of a stream which drains from The Common; although unnamed, the stream is sometimes referred to as the Highfield Stream. There are several prehistoric find spots along this valley, including Palaeolithic hand axes that were found during gravel quarrying between Church Lane and Shaftesbury Avenue. LAAP 10 also includes: an important Mesolithic site on the shore of the Itchen at Priory Avenue; part of the Roman settlement at St Denys; St Denys' Priory; Portwood village. The Highfield Stream may have been part of the water supply to St Denys' Priory. No previous archaeological work has taken place on the site. Archaeological remains, if present on the site, would be heritage assets under the National Planning Policy Framework. (Further information about the archaeological potential/heritage assets of the area is available on the Southampton Historic Environment Record.)

5.16.1 The proposed development includes a new extension to the west of the hotel, a new extension to the north-east of the hotel following partial demolition of the existing building, as well as alterations to the car park, new cycle/refuse storage and landscaping. These aspects of the proposal threaten to destroy potential archaeological deposits. (The internal alterations and alterations to the roof have no archaeological implications.)

5.16.2 In line with our recommendation for the 2005 application (05/00575/FUL), a programme of archaeological work will be needed to mitigate the threat to potential archaeological deposits, as follows:

- an initial evaluation excavation of areas to be affected by groundworks (groundworks includes all proposed level reductions, foundations, services, etc);
- further work as necessary (up to and including full archaeological excavation);and
- a watching brief on all geotechnical/ground investigation works

NB. Old foundations should not be grubbed out until after the evaluation and any subsequent excavation has taken place.

5.16.3 Written schemes of investigation (WSIs) need to be submitted to cover all aspects of the archaeological work. As no Heritage Statement has been submitted with the application, the evaluation excavation WSI will need to include the results a desk-based assessment of data in the Southampton Historic Environment Record and a historic map regression.

5.16.4 There is potential for archaeology to exist on the site and conditions are suggested to address this including archaeological investigation and assessment and an archaeological investigation. See conditions 8-11.

5.17 **Community Infrastructure Levy (CIL)-**

The application is not CIL liable as the development relates to a Class C1 Hotel use, which is £0 rated within the CIL Charging Schedule.

5.18 **City of Southampton Society – Objection**

Object for the following reasons: Much of the existing car parking space will disappear; no alternative arrangements are evident. There is a risk of over development and Avondale Court will be affected by loss of light.

6. Planning Consideration Key Issues

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

- The principle of development;
- The effect on character;
- Residential amenity;
- Parking, highways and transport;
- Impact the adjacent conservation area and;
- Impact on protected trees and landscaping.

6.2 Principle of Development

6.2.1 The National Planning Policy Framework and LDF Core Strategy Policy CS3 guides new leisure developments to designated retail centre locations (City, Town, District or Local Centres). Whilst the application lies outside of Portswood District Centre, it is within 23 metres of its boundary and, therefore, benefits from the excellent public transport links that the Centre offers. Furthermore, the site is a long-established hotel use and, as noted above, the proposed makes use of existing developed parts of the site to expand the business in a sympathetic manner. The proposal does not introduce a new or competing use which could impact on the viability of the centre and proposes a net gross internal floor area (GIA) less than 750sq.m. The proposal would assist in attracting visitors to the District Centre and the city as a whole, and will contribute to the economy in terms of creating additional jobs. As such, whilst the principle of development is not automatically acceptable due to the edge-of-centre location of the site, having regard to the policies and aims of the Development Plan as a whole and other considerations, including the location of the site, the proposed use (and further intensification) is considered to be acceptable.

6.3 Effect on character

6.3.1 The design of the main extensions are simple with a brick construction which provides a clean, crisp finish with render to the ground floor fronting Shaftesbury Avenue and a timber clad link building. The extension fronting Shaftesbury Avenue is slightly set back and stepped down to respect the adjacent property. There is sufficient space around the existing building to accommodate the proposed development without harming the spacious character of the area. The street scene will be altered by adding mass to the Shaftesbury Avenue frontage, which is already long and itself raised up from pavement level. However, the extensions are sympathetic to the appearance of the existing building in terms of scale, massing and design. Additional planting is proposed on the existing landscaped frontage to soften the street scene.

6.3.2 The northern additions to the hotel will be stepped away from Saxon Court to an acceptable degree, with a flat roof to minimise the scale and massing and relate to the appearance of the remainder of this elevation. The new block to the rear will be roughly on the front building line of Avondale Court, set back from

Highfield Lane with only a small part (the link and part of the side) visible from the street.

- 6.3.3 In terms of scale, the hotel is a three-storey building set at a higher level than the two-story adjacent property Saxon Court on Shaftesbury Avenue. The extensions would relate to this scale and a similar scheme was approved in 2005. In addition the proposal results in the overall massing of the building being moved away from the neighbouring property. The adjacent site at Avondale Court is four-storey and the proposal is lower than this. The site is currently covered in a large amount of hardstanding/building and the proposed development would improve this by providing a communal area between the existing hotel and proposed extension. As such, the scale of the development would not appear out-of-character and has not attracted an objection from the Council's Design Manager.
- 6.3.4 Overall, the development is considered to be well-designed, with adequate spacing between neighbouring buildings to enable the scale of development to be comfortably achieved.
- 6.4 Residential Amenity
- 6.4.1 The proposed side extension to the Shaftesbury Avenue frontage steps back from the Saxon Court building line providing greater separation to the neighbouring building than currently exists. It is noted that the refuse, cycle and linen store would be sited immediately adjacent to the boundary with Saxon Court although the windows facing this store appear to serve kitchens and, as such, this impact is not considered to be harmful. Furthermore, the front and rearward projection of this part of the extension is limited to ensure outlook from front and rear facing windows in Saxon Court is not adversely affected. The rear extension is located approximately 12 metres away from boundary with Saxon Court and, therefore, would not cause any significant detrimental harm to the property in terms of outlook nor light. The windows are positioned to avoid overlooking of the neighbouring sites.
- 6.4.2 The properties opposite on Shaftesbury Avenue will experience an altered outlook as a result of the development but the result will not be dissimilar to the existing situation and the separation across the street is considered to be sufficient to avoid an unduly harmful impact.
- 6.4.3 With respect to Avondale Court, the proposal will be positioned closer to this building than the existing situation. However, 21 metres separation to the building would be achieved. There are high-level windows on the side of Avondale Court, facing the application site and these do not appear to serve habitable rooms. The separation, intervening tree screening and modest height of the extension is considered to result in an acceptable relationship.
- 6.4.4 Overall, it is considered that the development is designed to provide a positive environment for future users whilst ensuring a harmonious relationship with adjacent residential properties.
- 6.5 Highway Safety and Parking
- 6.5.1 The level of car parking provided meets the Council's maximum parking standards (one space per three rooms). Notwithstanding this, the reduction in car parking spaces on site has been justified by the applicant. Overall, the submission sets out that the possibility of harm arising from overspill car parking is limited due to restrictions in the area and having regard to on-street capacity. The parking stress survey indicates that the worst case scenario is an overspill

of six vehicles, which according to the figures can be accommodated on street. The Council's Highway Engineer is supportive of the proposal. Given the location of the site, within a very sustainable location for both employment and transport, this is considered to be acceptable.

6.5.2 The site shares an access with the neighbouring Avondale Court and residents have raised concerns regarding overspill car parking onto the access. As set out above, the potential for over-spill car parking is limited since the proposal meets the Council's maximum car parking standards and is within an accessible location. Moreover, since the access is not public highway, the management of this is a civil matter.

6.5.3 Adequate refuse and cycle storage have been provided and are to be secured by condition. A detailed Transport Assessment has been submitted with the application and adequately demonstrates that the proposal will have an acceptable impact on the highway network. As such, the Council's Highways and Transport Team have raised no objection to the application and the proposal is considered to be acceptable in this respect.

6.6 Impact the adjacent Conservation Area

6.6.1 The site lies adjacent to the Portswood Residents' Gardens Conservation Area. The statutory test for the proposal, as set out in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, is whether the proposal would preserve or enhance the character or appearance of the Conservation Area. No objection has been raised by the Council's Conservation Officer on these grounds. As set out above, the extensions are sympathetic to the scale, massing and appearance of the existing building and consistent with building heights in the area. Furthermore, the extensions would not be readily visible in the context of the Conservation Area. As such, the proposal is considered to preserve its setting and the application is considered to address local and national heritage tests in this respect.

6.7 Impact on protected trees and landscaping

6.7.1 The proposal will result in the loss of six trees; two flowering cherry trees, two Chinese Juniper's, one Lawson Cypress and one Japanese Maple. These trees are not considered significant in terms of size and amenity and, as such, no objection been raised by the Council's Tree Officer. To replace these trees, seven new trees are to be planted on the boundary with Saxon Court and Shaftsbury Avenue and further planting is proposed across the rest of the site to comply with the Council's policy that two trees need to replace every individual to be removed. To secure this a landscaping condition requiring the loss of any trees to be replaced on a two for one basis is included.

7. Summary

This proposal would add to an existing hotel and, therefore, 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 the character and appearance of the area including the adjacent conservation area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning polices and the National Planning Policy Framework.

8. Conclusion

8.1 It is recommended that planning permission is granted subject to a Section 106 agreement and the attached conditions.

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(c), 2(d), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(b), 7(a), 8(a), 8(j), 9(a) and 9(b),

AL for 02/04/2019 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. Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

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

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

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme (including details of additional plants/shrubs other than shown on the approved plans) and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels or contours; means of enclosure; pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications, details of native species, schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment, including retaining walls and
- iv. a landscape management scheme.

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

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

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

4. Parking (Pre-Occupation)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

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

5. Arboricultural Protection Measures (Pre-Commencement Condition)

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 Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and shall include a detailed specification for pruning works that considers each tree individually for pruning, and the possibility of tying back branches if appropriate rather than their removal.

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

6. 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. Pre-commencement site meeting.
5. Specification for tying back branches if employed.
6. Specification for the construction of hard surfaces where they impinge on tree roots
7. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
8. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
9. 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.

7. 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.

8. Archaeological evaluation (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.

9. 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.

10. 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.

11. 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.

12. Demolition - Dust Suppression (Pre-Commencement Condition)

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.

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

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO2 emissions of at least 15% over part L of the Building Regulations 2013, is submitted and approved in writing by the Local Planning Authority. 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).

14. Zero or Low Carbon Energy Sources (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 15% over part L of the Building Regulations 2013, in the form of final SBEM calculations, 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).

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

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

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

16. 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

17. Refuse management plan (Pre-Commencement Condition)

Prior to commencement of the development hereby approved, a refuse management plan

shall be submitted to and be agreed in writing by the Local Planning Authority which sets out refuse strategy for the movement of the refuse bins from the storage to a collection point and back to the internal storage areas. The approved refuse management plan shall be implemented and adhered to at all time when the development is in hotel use.

Reason: In the interests of highway safety.

18. Refuse & Recycling (Pre-Commencement Condition)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority.

The bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. 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 to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage cause 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. Any gates on the pathway are not to be lockable, unless they comply with SCC standard coded keypad detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin. The site management must contact SCC refuse team 8 weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. E mail waste.management@southampton.gov.uk

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

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

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

19. Cycle storage (Pre-commencement Condition)

Notwithstanding the information already submitted no development shall commence until plans and elevational details of the secure, covered cycle storage for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the agreed details prior to the extensions first coming into use and thereafter retained for that purpose at all times.

Reason: To ensure an appropriate provision of cycle storage is made for future users of the development in accordance with saved policy SDP5 of the adopted Local Plan.

20. Construction Management Plan (Pre-Commencement)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Plan for the development. The 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 construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated.

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

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

21. Servicing management plan (Pre-Occupation Condition)

Prior to occupation a management plan shall be submitted to and be approved in writing by the Local Planning Authority setting out how the development will be serviced in terms of deliveries. The details set out in the management plan shall be implemented in accordance with the plans before the development first comes into occupation.

Reason: In the interests of highway safety.

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

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

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

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.

23. 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.

Note to Applicant

Informative: S106 Legal Agreement

Please note that a Section 106 agreement has been completed in relation to this site which should be read in conjunction with this planning consent. A full copy of the Section 106 Agreement is available to view on Public Access via the Southampton City Council website.

Application 18/02299/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3- Promoting Successful Places
CS6- Economic Growth
CS7- Safeguarding Employment Sites
CS13- Fundamentals of Design
CS14 Historic Environment
CS18-Transport: Reduce-Manage-Invest
CS19- Car & Cycle Parking
CS20- Tackling and Adapting to Climate Change
CS21- Protecting and Enhancing Open Space
CS22- Promoting Biodiversity and Protecting Habitats
CS23- Flood Risk
CS24- Access to Jobs
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
SDP9- Scale, Massing & Appearance
SDP10- Safety & Security
SDP11- Accessibility & Movement
SDP12- Landscape & Biodiversity
SDP13- Resource Conservation
SDP14- Renewable Energy
SDP15- Air Quality
SDP16- Noise
SDP17- Lighting
SDP22- Contaminated Land
HE6- Archaeological Remains
CLT1- Location of Development
H2- Previously Developed Land
H7- The Residential Environment
RE17- Food and Drink Uses (Classes A3, A4 and A5)

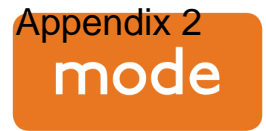
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Portswood Residents' Gardens conservation Area Appraisal and Management Plan

Other Relevant Guidance

The National Planning Policy Framework (2019)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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TECHNICAL NOTE

Highfield House Hotel, Southampton

Job Number: J323426

Date: 07 March 2019

Client: Ashley Hotels Southampton Limited

Prepared By: LCW

Approved By: ME

TN01 - Parking Survey Review

1 Introduction

- 1.1 This Technical Note (TN) has been prepared on behalf of the Ashley Hotels Southampton Limited (the 'Applicant') following comments from Southampton City Council (SCC) Planning Officers on 6th February 2019 regarding the availability of parking.
- 1.2 Whilst it is acknowledged that the hotel on-site proposals conform with adopted maximum parking standards, a parking survey has been requested to demonstrate the availability of on-street parking in the vicinity of the hotel.
- 1.3 A parking survey was undertaken on the evening of Thursday 28th of February and the morning of Friday 1st March 2019. The area of assessment was specified by SCC.

2 On Street Parking Availability

- 2.1 A review of existing Traffic Regulation Orders (TROs) was undertaken within a 250m walking distance of the site, to assess the availability of on street parking. Drawing **J32-3426-SK-001** attached in **Appendix A** presents the location and type of TROs included within the survey area. The number of available parking spaces, based on standard parking bay dimensions, has been measured, ensuring access is not restricted to private driveways.
- 2.2 Hourly surveys of parked vehicles were undertaken between the hours of 18:00 – 22:00 and 05:00 – 07:00 to assess the quantum and location of on-street parking in the vicinity of the site. The recorded availability and location of parking has been confirmed in drawings **J32-3426-SK-002** to **J32-3426-SK-009** attached in **Appendix A**. Additionally, photographic evidence was taken during the surveys which is attached in **Appendix B**.
- 2.3 **Table 2.1** provides a summary of the available parking by location and restriction for each of the surveyed times.

Table 2.1: Parking Survey Results

Location and Restriction	Total	Available Parking							
		18:00	19:00	20:00	21:00	22:00	05:00	06:00	07:00
Abbotts Way									
Residents parking permit or maximum 2 hour 8am – 6pm	44	22	23	24	25	29	34	37	37
Highfield Lane									
Prohibition of Waiting 8am – 6pm	19	19	19	19	19	19	19	19	19
Unrestricted	2	0	1	2	0	1	0	0	0
Shaftsbury Avenue									
Maximum 30 minutes 8am – 6pm	11	9	2	7	6	10	11	10	10
Prohibition of Waiting 8am – 6pm	2	0	2	2	2	1	2	2	2
Residents parking permit or maximum 2 hour 8am – 6pm	8	3	4	2	2	3	3	3	3
Richmond Gardens									
Residents parking permit or maximum 2 hour 8am – 6pm	33	10	9	11	12	11	11	12	13
Unrestricted	9	0	2	1	0	1	1	1	2
Total	128	63	62	70	66	75	81	84	86
% Available Spaces		49%	48%	55%	52%	59%	63%	66%	67%

- 2.4 The majority of on-street parking within the vicinity of the site are subject to TROs, which limit indiscriminate parking to between the hours of 18:00 – 08:00.
- 2.5 The results of the survey demonstrate that there is ample on-street parking available to accommodate any potential overspill created by the hotel, if this was to occur.
- 2.6 On the day of the survey, the overnight parking demand for the hotel on-site was 28 spaces. Factoring this up to the proposed number of rooms, the anticipated parking demand is 40 spaces. Therefore, there is potentially a shortfall of 6 spaces, without considering any reduction in parking demand due to a modal shift supported by the submitted Travel Plan.
- 2.7 It is noted that the anticipated level of overspill can be accommodated along the site boundary on Shaftsbury Avenue, in the area of parking which is not associated with residential parking.

3 Arrival/ Departure Profile

3.1 As previously noted, the comprehensiveness of TROs on the surrounding streets limits parking without a permit to between 18:00 – 08:00. Guest arrivals and departures were surveyed during this period to assess the potential for guests to park legally on local streets.

3.2 [Table 3.1](#) shows the number of arrival and departures at the Hotel during the survey period.

Table 3.1: Guest Arrival and Departures

Time	Arrivals
18:00 – 19:00	0
19:00 – 20:00	3
20:00 – 21:00	1
21:00 – 22:00	1
22:00 – 23:00	0
Departures	
05:00 – 06:00	0
06:00 – 07:00	4
07:00 – 08:00	2

3.3 Whilst the survey did not assess if specific guests arrived and departed within this timeframe, the results show a potential for 5 vehicles to arrive and depart outside of the time limits of the TROs, thereby enabling them to park on-street.

4 Summary

4.1 The review of on-street parking availability in the local area demonstrates that the majority of streets within a 250m walking distance of the hotel are covered by suitable TROs, which limit the demand for parking on local streets by hotel guests.

4.2 The arrival and departure survey of guests outside of the restricted parking times demonstrates that a limited number of guests would have the opportunity to park on-street outside of the times stipulated by the TROs.

4.3 National transport planning policy specifies maximum parking standards for 'destinations' and minimum parking standards for 'origins' in order to reduce car usage. SCC's standards identify the hotel as being in a high accessibility area due to the provision of public transport.

4.4 By complying with the maximum parking standards and providing a Travel Plan the hotel seeks to exploit the sustainable credentials of the site and encourage a mode shift away from private car use to the site, thereby reducing their impact on the surrounding road network.

Technical Note

Highfield House Hotel, Southampton

TN01 - Parking Survey Review



5 Conclusion

- 5.1 The proposed level of parking on-site is compliant with planning policy and the survey demonstrates that any overspill of parking can be safely accommodated within existing on-street parking areas. It can therefore be concluded that the proposed hotel expansion will not have a detrimental impact on the local roads and the concerns of local resident's in relation on-street parking have been addressed.

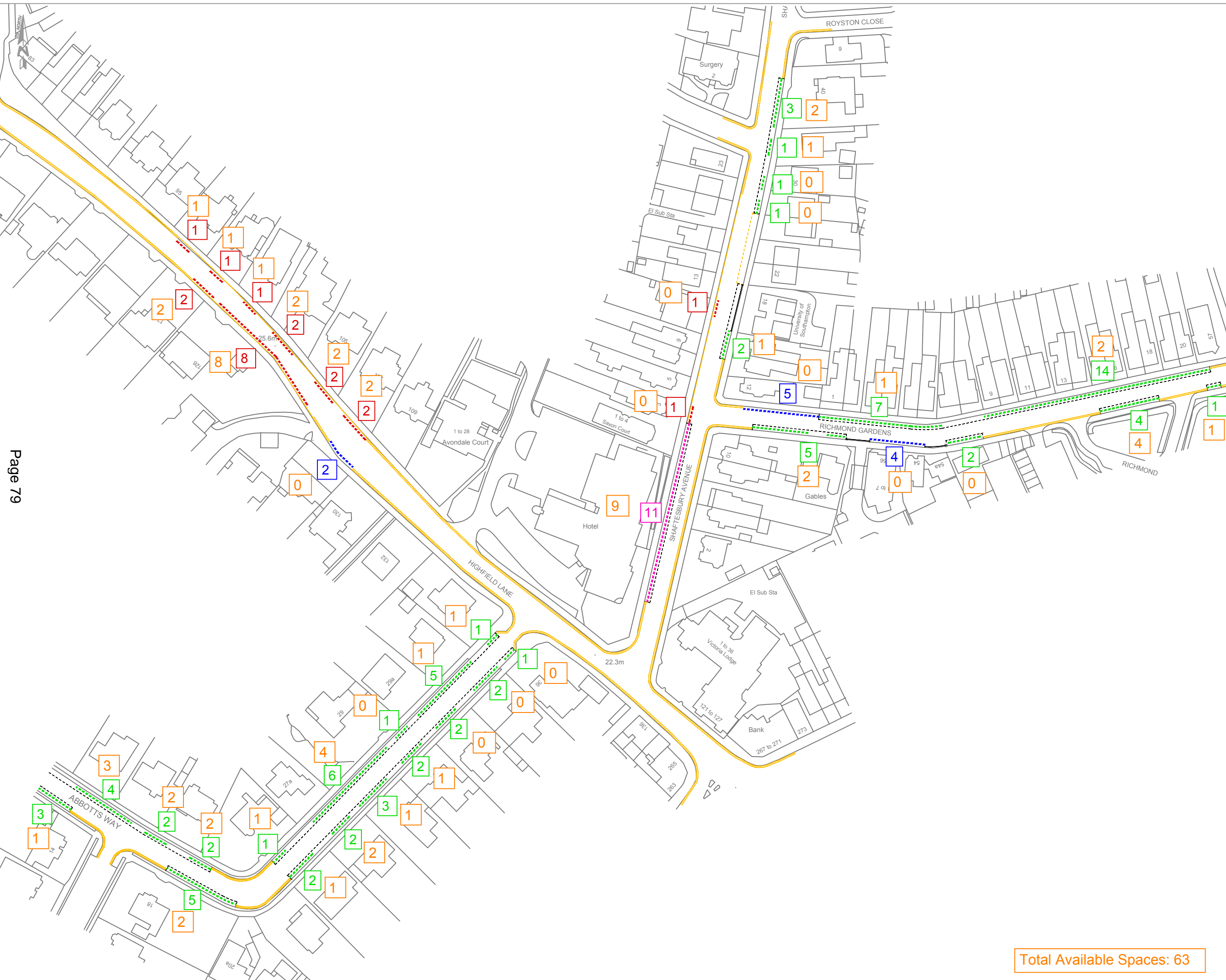
Technical Note

Highfield House Hotel, Southampton

TN01 - Parking Survey Review



Appendix A – Parking Survey Drawings



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- notes:
- prohibition of waiting 8am - 6pm
 - prohibition of waiting at any time
 - residents parking or 2 hours 8am - 6pm
 - 30 mins 8am - 6pm
 - unrestricted parking
 - potential parking location outside of prohibition of waiting hours

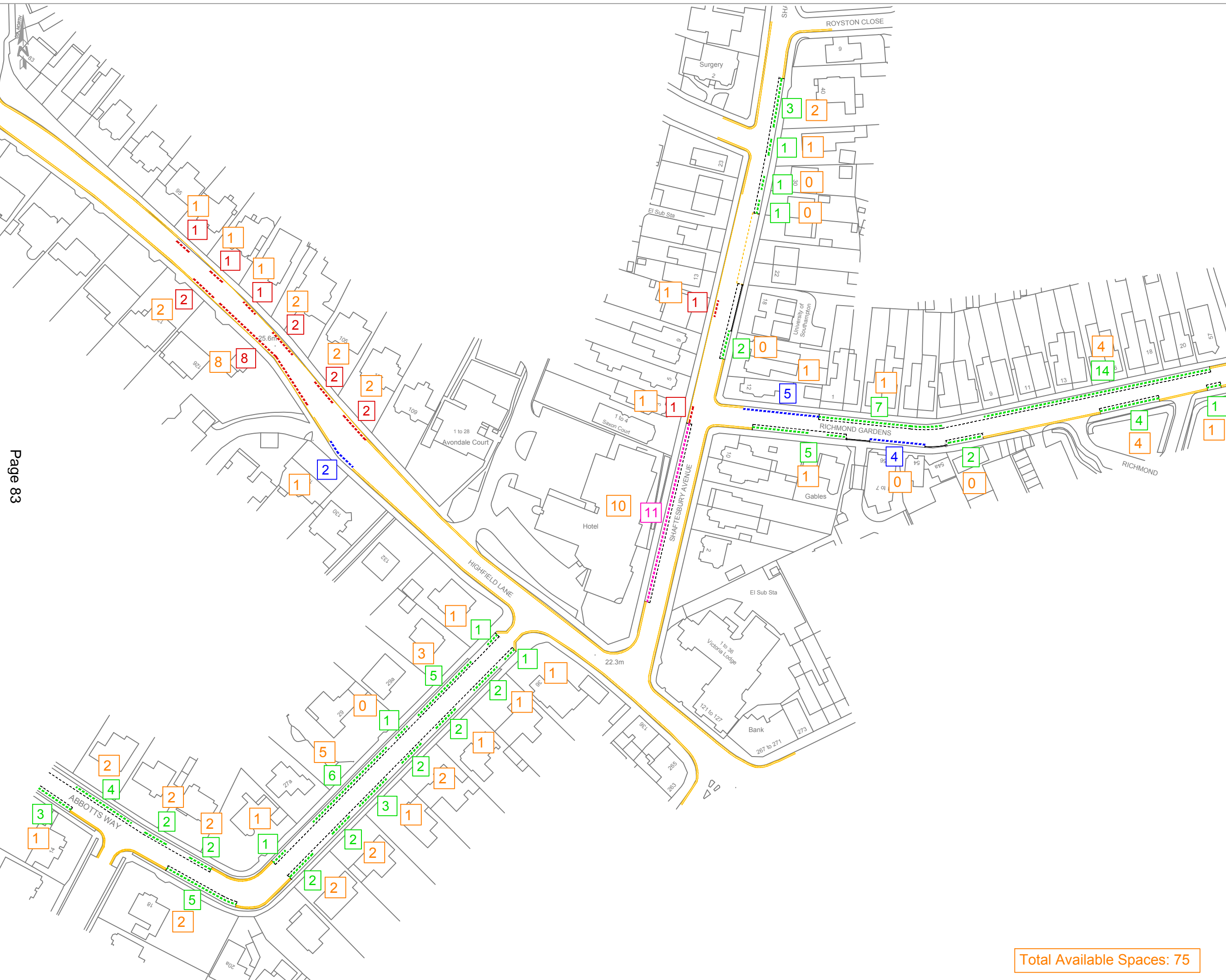
- notes:
1. this drawing is to be read in conjunction with all other relevant drawings, any discrepancies, errors or omissions to be brought to the attention of overseeing organisation.
 2. all dimensions to be checked before commencement of work on site.
 3. all dimensions in metres unless otherwise stated.
 4. the design is subject to approval of southampton city council.
 5. drawing based on os mapping.

issue/revision

nr	date	issued	description
-	04/03/2019	issued	

client: ashley hotels southampton limited
 project: highfield house hotel, southampton
 project number: J323426
 scale: 1:1250@A3
 drawing title:
 parking survey - 18:00
 drawing number:
 J32-3426-SK-002

Total Available Spaces: 63



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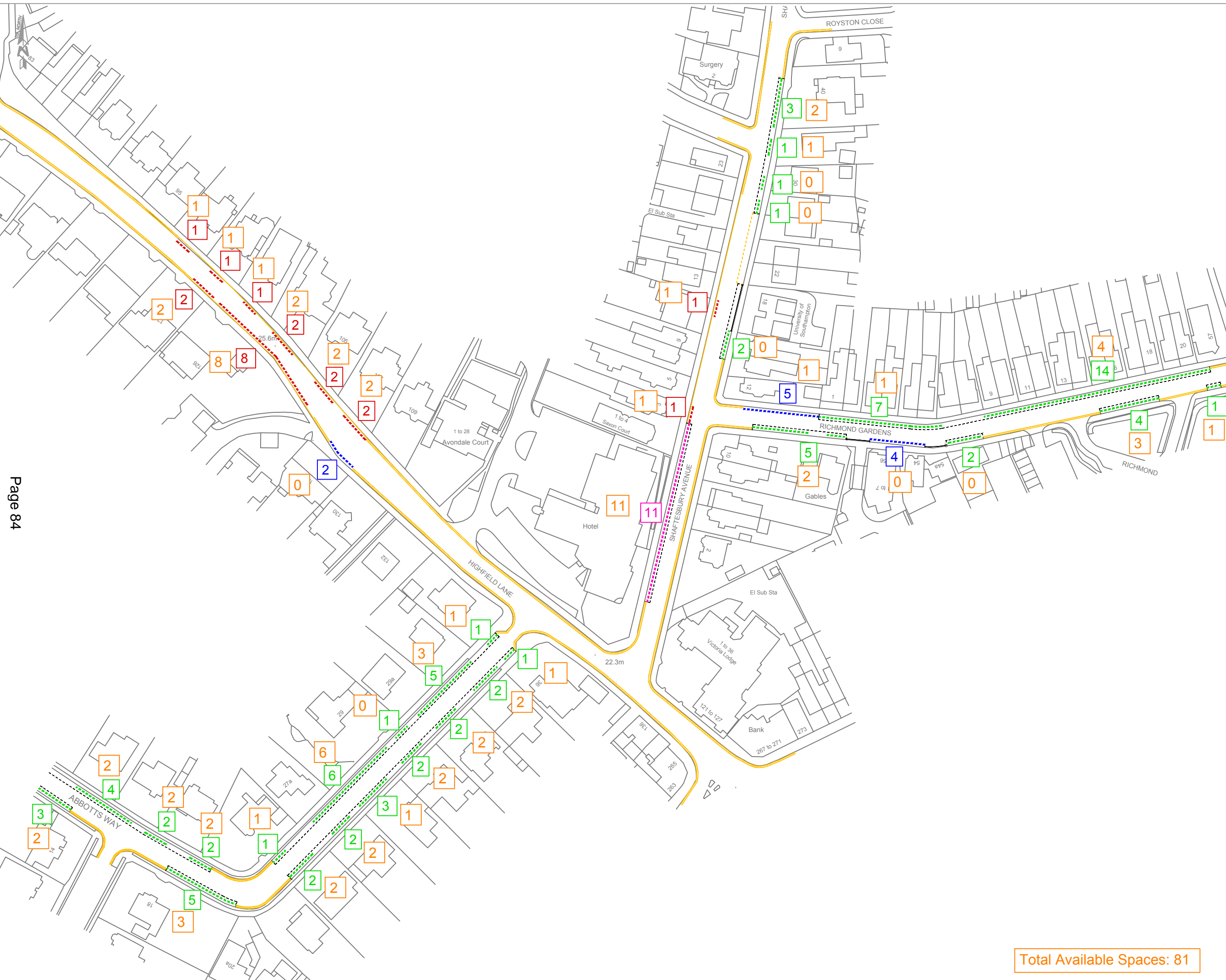
- notes:
- prohibition of waiting 8am - 6pm
 - prohibition of waiting at any time
 - residents parking or 2 hours 8am - 6pm
 - 30 mins 8am - 6pm
 - unrestricted parking
 - potential parking location outside of prohibition of waiting hours

- notes:
1. this drawing is to be read in conjunction with all other relevant drawings, any discrepancies, errors or omissions to be brought to the attention of overseeing organisation.
 2. all dimensions to be checked before commencement of work on site.
 3. all dimensions in metres unless otherwise stated.
 4. the design is subject to approval of southampton city council.
 5. drawing based on os mapping.

issue/revision	date	description
-	04/03/2019	issued
l/r		

client: ashley hotels southampton limited
 project: highfield house hotel, southampton
 project number: J323426
 scale: 1:1250@A3
 drawing title:
 parking survey - 22.00
 drawing number:
 J32-3426-SK-006

Total Available Spaces: 75



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- notes:
- prohibition of waiting 8am - 6pm
 - prohibition of waiting at any time
 - residents parking or 2 hours 8am - 6pm
 - 30 mins 8am - 6pm
 - unrestricted parking
 - potential parking location outside of prohibition of waiting hours

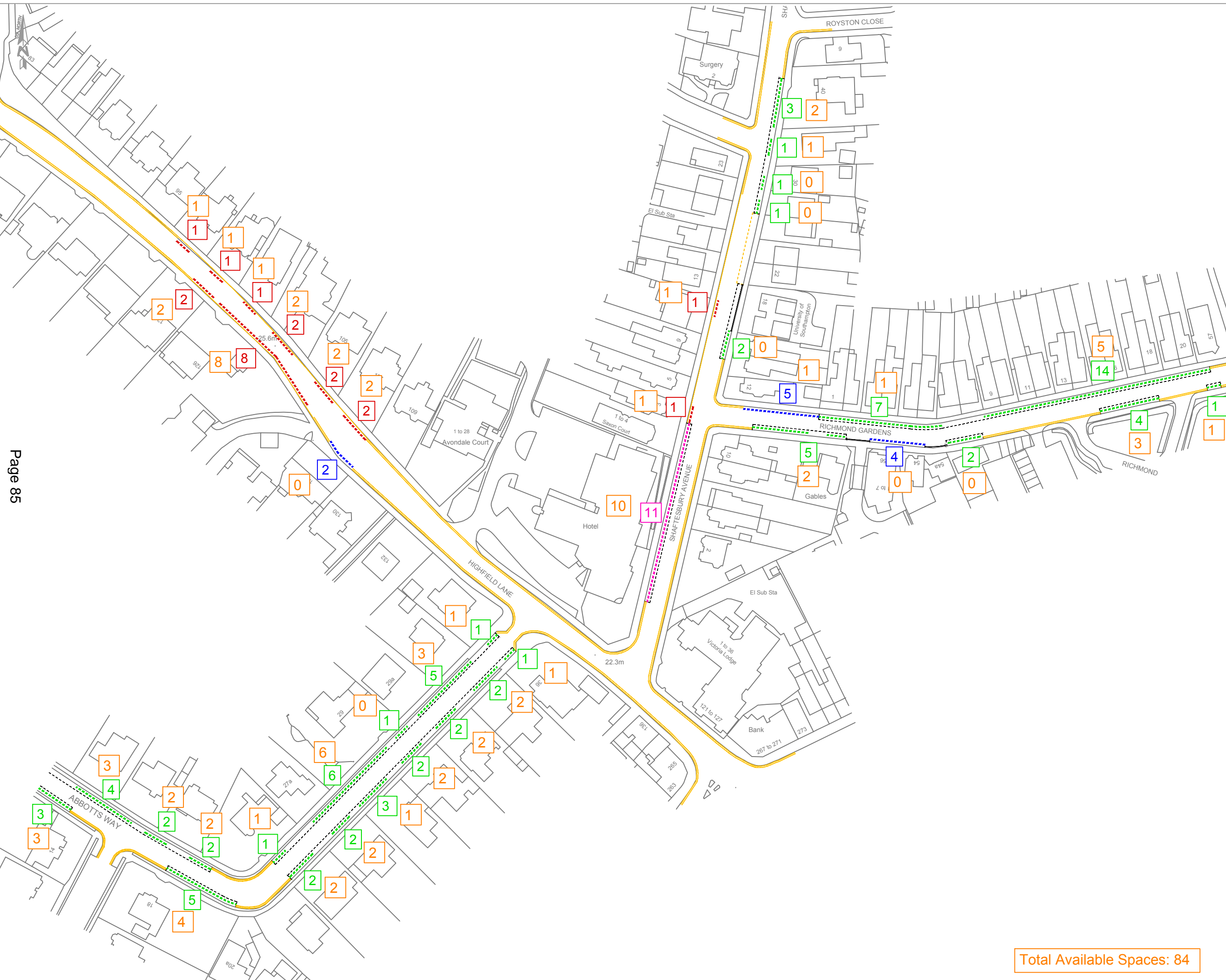
- notes:
1. this drawing is to be read in conjunction with all other relevant drawings, any discrepancies, errors or omissions to be brought to the attention of overseeing organisation.
 2. all dimensions to be checked before commencement of work on site.
 3. all dimensions in metres unless otherwise stated.
 4. the design is subject to approval of southampton city council.
 5. drawing based on os mapping.

issue/revision

nr	date	issued	description
-	04/03/2019	issued	

client: ashley hotels southampton limited
 project: highfield house hotel, southampton
 project number: J323426
 scale: 1:1250@A3
 drawing title:
 parking survey - 05:00
 drawing number:
 J32-3426-SK-007

Total Available Spaces: 81



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- notes:
- prohibition of waiting 8am - 6pm
 - prohibition of waiting at any time
 - residents parking or 2 hours 8am - 6pm
 - 30 mins 8am - 6pm
 - unrestricted parking
 - potential parking location outside of prohibition of waiting hours

- notes:
1. this drawing is to be read in conjunction with all other relevant drawings, any discrepancies, errors or omissions to be brought to the attention of overseeing organisation.
 2. all dimensions to be checked before commencement of work on site.
 3. all dimensions in metres unless otherwise stated.
 4. the design is subject to approval of southampton city council.
 5. drawing based on os mapping.

issue/revision

nr	date	issued	description
-	04/03/2019	issued	

client: ashley hotels southampton limited
 project: highfield house hotel, southampton
 project number: J323426
 scale: 1:1250@A3
 drawing title:
 parking survey - 06:00
 drawing number:
 J32-3426-SK-008

Total Available Spaces: 84

Technical Note

Highfield House Hotel, Southampton

TN01 - Parking Survey Review



Appendix B – Parking Survey Photographs

Survey Time - 18:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



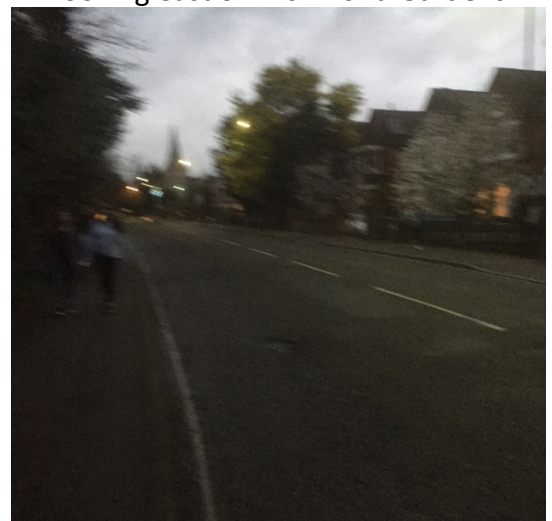
Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time - 19:00



Looking south on Abbotts Way



Looking west on Abbotts Way

Looking north on Shaftsbury Avenue

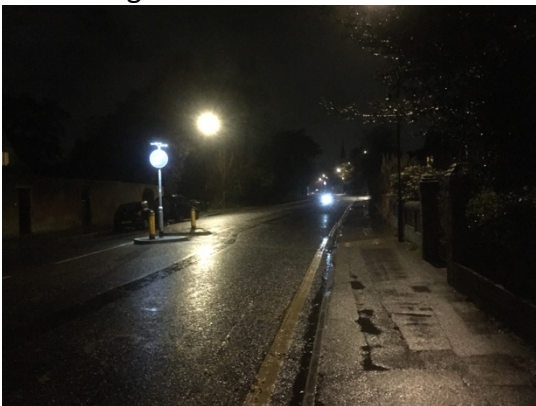


Looking east on Richmond Gardens

Looking south on Shaftsbury Avenue



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time – 20:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time – 21:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



Looking south on Shaftsbury Avenue

Looking east on Richmond Gardens



Looking west on Highfield Lane

Looking west on Richmond Gardens

Survey Time – 22:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



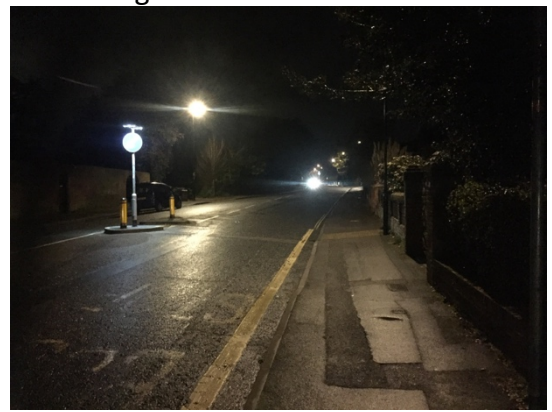
Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time – 05:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time – 06:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens



Looking west on Richmond Gardens



Looking west on Highfield Lane

Survey Time – 07:00



Looking south on Abbotts Way



Looking west on Abbotts Way



Looking north on Shaftsbury Avenue



Looking south on Shaftsbury Avenue



Looking east on Richmond Gardens

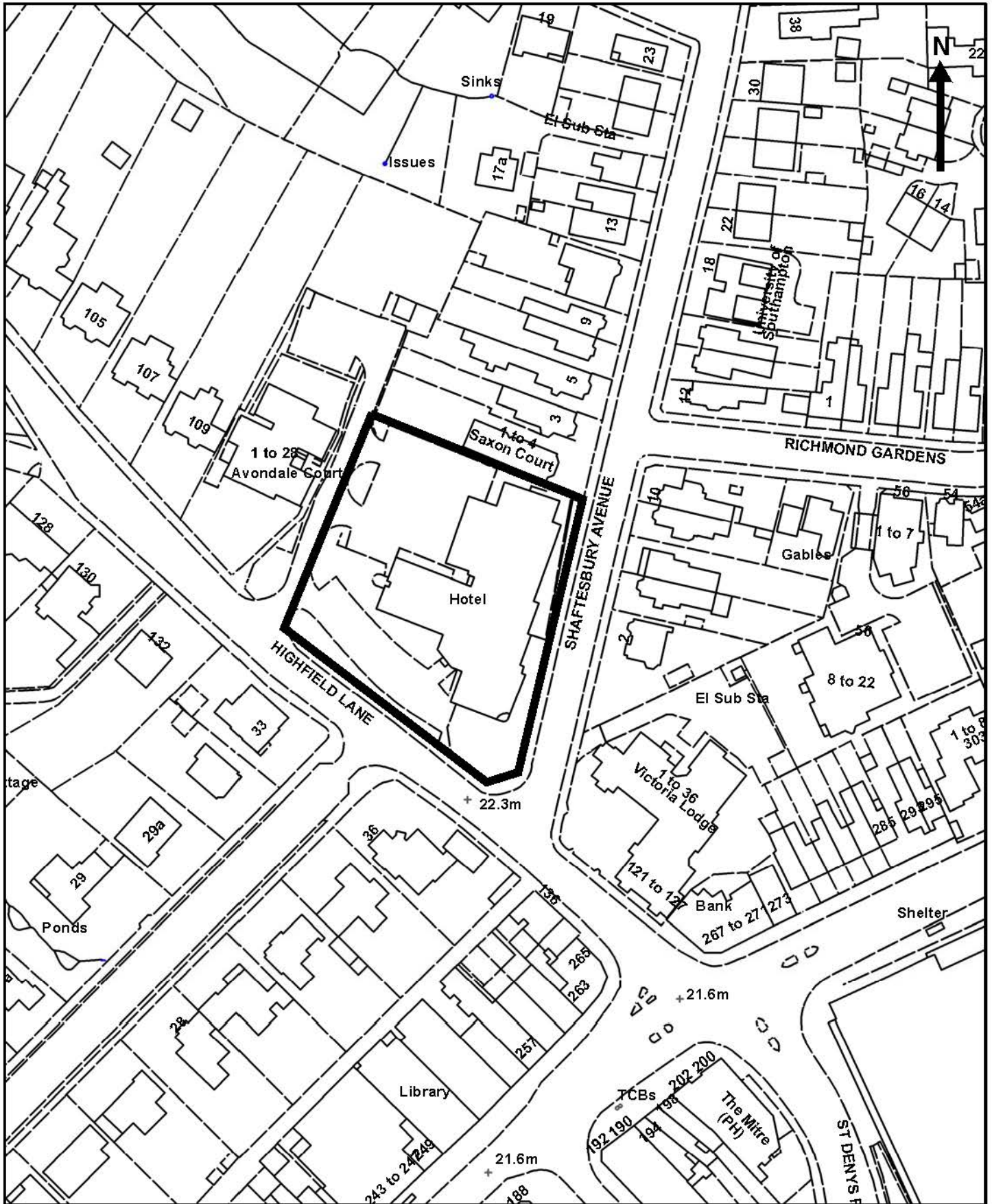


Looking west on Richmond Gardens



Looking west on Highfield Lane

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Scale: 1:1,250

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Agenda Item 7

Planning and Rights of Way Panel 2nd April 2019 Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: Land adjacent 28 Hill Cottage Gardens, Southampton			
Proposed development: Erection of 2x detached dwellings (1x 4-bed, 1x 3-bed) with associated parking and refuse storage (resubmission 18/00190/FUL)			
Application number:	19/00170/FUL	Application type:	FUL
Case officer:	Stuart Brooks	Public speaking time:	5 mins
Last date for determination:	10.04.2019	Ward:	Bitterne Park
Reason for Panel Referral:	5 or more objection letters received	Ward Councillors:	Cllr Robert Harwood Cllr Ivan White Cllr David Fuller
Applicant: Oakdene Homes		Agent: LA Hally Architect	

Recommendation Summary	Delegate to Service Lead – Infrastructure Planning & Development to refuse 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 (2019). Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP12, SDP13, SDP14, H2, H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Approved Landscaping Plan		

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the receipt of
 - (i) a plan showing tracking/revised access:
 - (ii) the planning conditions recommended at the end of this report: and
 - (iii) the completion of a S.106 Legal Agreement or Section 111 agreement to secure either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement or section 111 agreement and/or conditions as necessary.
4. In the event that the revised highways plan and/or 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 their provisions.

1. **Background**

- 1.1 The housing development at Hill Cottage Gardens was granted permission originally in 2006 (ref no. 06/00946/FUL) for 20 houses and 8 flats, with a subsequent minor material amendment granted in 2012 (ref no. 12/01311/MMA) to change the design of the houses on a number of plots and provide additional parking spaces. The landscaping proposal for the Hill Cottage Gardens development was approved under discharge of conditions for the 2012 permission (12/01754/DIS refers) and can be seen in **Appendix 3**. The approved green spaces at the entrance of Hill Cottage Gardens have now been incorporated into the gardens of nos. 1 and 28 Hill Cottage Gardens, albeit without planning permission.

2. **The site and its context**

- 2.1 The site is accessed from Mansbridge Road on the western side of Hill Cottage Gardens, located within the ward of Bitterne Park. To the north of Mansbridge Road is the administration boundary of Eastleigh Borough Council and the M27. The housing estate lies adjacent to the Itchen Valley Conservation Area to the west and Haskins Garden Centre to the east. The western edge of the site falls within flood zone 3 being within the flood plain of the River Itchen. The woodland area to the west is designated as a Site of Importance for Nature Conservation (SINC) known as Marhill Copse & Meadow (also part of the conservation area). Hill Cottage Gardens is served by a single carriageway with off-street parking serving the dwellings.
- 2.2 The site itself comprises land within the curtilage of 28 Hill Cottage Gardens and forms a frontage with Mansbridge Road and Hill Cottage Gardens. The land is enclosed by a close boarded fence and has been left overgrown, and gently slopes down northwards to the lower level of Mansbridge Road. There is an existing vehicle access from Mansbridge Road. The road opens to a double carriageway at the lower end of Hill Cottage Gardens adjacent to the site with a public footway giving pedestrian access to Mansbridge Road.

3. Proposal

- 3.1 The proposal seeks to subdivide the land to form a separate plot (700sqm) and to erect 2 detached dwellings (1x 4-bed, 1x 3-bed) with associated parking for 2 vehicles each, and refuse storage. Both properties will access their driveways directly from the lower end of Hill Cottage Gardens with a dropped kerb crossing over the existing footway.

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 2.
- 4.2 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.
- 4.3 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policies SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which respects the character and appearance of the local area. Policy H7 expects residential development to provide attractive living environments. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design. These policies are supplemented by the design guidance and standards as set out in the relevant chapters of the Residential Design Guide SPD. This sets the Council’s vision for high quality housing and how it seeks to maintain the character and amenity of the local neighbourhood.
- 4.4 Policy CS5 acknowledges that whilst there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land, however, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.

5. Relevant Planning History

See section 1 above for the history of the existing estate as built. A previous application for a similar scheme to this (ref no. 18/00190/FUL) was withdrawn by the applicant following design concerns raised by the case officer. The current application has been submitted following discussions with the Planning team to address those concerns.

6. Consultation Responses and Notification Representations

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 22.02.2019. At the time of writing the report **8 objections** have been received from surrounding residents. The following is a summary of the points raised:

- 6.1 **The development will exacerbate the danger of using the junction with Mansbridge Road by increasing obstructions and parking near the junction, and conflict between the driveway and drivers entering from the 40mph Mansbridge Road. There is only one passing point in Hill Cottage Gardens so more vehicles will have to reverse all the way up the hill to be able to pass each other, or vehicles will stop closer to the junction of Mansbridge Road. The access for refuse collection and emergency vehicles will be affected. The added access road for the new properties would add further complexity and risk of accident. Inadequate pedestrian visibility for the new driveways. The construction works will make the footpath unsafe.**

Response

The Highway's Officer has raised no safety concerns subject to an amendment to the parking layout of the plot closest to 28 Hill Cottage Gardens. The sightlines for the parking spaces are acceptable. The introduction of the dropped kerbs, this will reduce the opportunity for vehicles to park on street at the entrance of Hill Cottage Gardens. An update to show acceptable tracking or a parking amendment has been requested and an update will be provided at the Panel meeting.

- 6.1.1 **There is limited capacity for kerbside parking especially given the lack of visitor parking. The additional parking demand generated by the development would put pressure on the short availability of street parking and loss of visitor parking. The site should be used for parking to serve the existing residents of Hill Cottage Gardens.**

Response

The properties both provide 2 off street parking spaces each. The maximum parking standards is 3 spaces for the 4 bedroom dwelling and 2 spaces for the 3 bedroom dwelling. Although the full maximum parking provision will not be provided for the 4 bedroom dwelling (1 space short), this is not uncharacteristic for the parking provision of other 4 bedroom dwellings in Hill Cottage Gardens and, indeed, across the City. No parking survey has been provided to assess the capacity of street parking available in the locality, however, this would not add a significant benefit to the decision making process as the 'home zone' nature of the road design intends to provide limited street parking whilst the surrounding roads including Mansbridge Road offer limited opportunities for street parking nearby the application site. Officers feel that 2 parking spaces to serve a 4 bed dwelling is acceptable and affords greater weight to the delivery of a family home than securing a third parking space to serve it.

- 6.1.2 **The buildings proposed would block out natural light provided through the current trees which lightens up the entrance to Hill Cottage Gardens but also maintains the quality of living for the residents.**

Response

The mass and bulk of the dwellings would directly affect the access to light of the habitable areas serving the neighbouring properties. The blocking of natural light

to the entrance of the street is not afforded protection under the Council's residential standards.

- 6.1.3 **Out of character and out of scale. Overdevelopment and crammed in the street and loss of garden land. Impact on the conservation area and tree preservation orders. The land is too unstable and marshy to build on. Would potentially decrease the value of the surrounding properties.**

Response

The design of the dwellings is considered to respond sympathetically to the topography of the site and leave a sufficient gap between the wooded area and conservation area to maintain the character of the area, whilst the backdrop of the wooded area will still be visible between the gaps of the dwellings and above their roofs. The scale and layout of the properties, including their overall plot coverage, does not overdevelop or appear crammed within their respective plots. The applicant would have to apply for approval under Building Regulations to ensure that stable foundations are built depending on the nature of the ground conditions and it would not be in their interests to proceed if the building's stability could not be assured given the investment involved. The loss of property value is not a valid planning consideration.

- 6.1.4 **Loss of biodiversity and wildlife habitat and spoil the open wooded area, and loss of green space for the estate which has been imposed under condition of the original permission.**

Response

The loss of the green space at the entrance of the site is outweighed by the benefits of boosting housing supply, whilst suitable replacement tree planting (on a 2 for 1 basis) can be secured to the frontage with Mansbridge Road. The Council's Ecologist has commented that the site itself is of low ecological value and there would be no adverse impact on the sensitive ecological sites and habitats surrounding the site subject to the mitigation measures proposed by the applicant's ecology report. They are satisfied with the proposed biodiversity enhancement and mitigation measures, however, they would expect light levels around the tree canopies to be controlled by condition to reduce the extent of light spill.

- 6.1.5 **The current space absorbs the noise from the A27, passing aircraft and M27. The new buildings are likely to increase and reflect the noise. A noise assessment is required to assess this impact. Increased noise disturbance with activity of the dwellings.**

Response

The scope of the application can only assess against the impact from the noise generated by the proposed use. The noise generated by the incidental activities associated with the dwellings are compatible with the residential area and would not generate a significant noise above the background noise levels of the area.

- 6.1.6 **Loss of amenity due to loss of privacy from overlooking from higher viewpoint.**

Response

The buildings are on a lower level than the existing dwellings given the slope of Hill Cottage Gardens, whilst there is already overlooking across the street between properties in the street. There are no first floor windows that directly overlook the private habitable areas of the neighbouring properties. Where direct overlooking does occur, it is across the street which is already a common relationship between properties within Hill Cottage Gardens.

- 6.1.7 **In accordance with the original highly restrictive planning permission for this entire development the additional units would breach or risk original conditions from the council (reference 06/00946/FUL/11593).**

Response

The overall impact of the development has been judged acceptable and conditions relevant to the development will be imposed to ensure that similar safeguards are in place where relevant and necessary.

- 6.1.8 **As the road has still not been adopted there are ongoing disputes over services and their costs, such as road surface and external lighting. In addition the shared spaces that these units will benefit from, which are funded by the existing residents, will not have a mechanism to be billed or make contribution towards those costs or upkeep. Pressure on existing infrastructure**

Response

This is a civil matter between the landowners to personally resolve as the Council does not have any legislative powers to enforce this. The landowner would have to separately approach utility companies to obtain the necessary consent to local infrastructure. Southern Water have not raised a concern about lack of capacity of drainage and sewerage infrastructure. The current applicant should not be penalised for any outstanding issues with the wider development.

Consultation Responses

- 6.2 **SCC Highways** – No objection
- 6.3 **SCC Sustainability Team** – No objection
- 6.4 **Southern Water** – No objection. The existing sewer may require diversion to ensure that the development is within the safeguarding distance required. A condition is recommended in agree the sewer diversion in consultation with Southern Water.
- 6.5 **Ecologist** – No objection
- 6.6 **Environment Agency** – No objection
- 6.7 **Archaeologist** – No objection
- 6.8 **Eastleigh Borough Council** – No objection
- 6.9 **Trees** – No objection

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;
 - Design and effect on character;
 - Residential amenity;
 - Parking highways and transport;
 - Mitigation of direct local impacts and;
 - Likely effect on designated habitats.

7.2 **Principle of Development**

- 7.2.1 The land being developed is currently enclosed as garden space serving 28 Hill Cottage Gardens. Although private residential gardens are not identified by the NPPF as previously developed land, the Council does not have a Local Plan policy to preclude the development of residential gardens for further housing.

When considering development that makes more efficient use of land such as this application, paragraph 122(d) of the NPPF expects planning decisions to take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens).

7.2.2 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in high accessibility locations such as this, density levels should generally accord with the range of 35-50 dwellings per ha (dph), although caveats this in terms of the need to test the density in terms of the character of the area. The proposal would achieve a residential density of 29dph which, whilst accords with the range set out above, albeit slightly below the minimum density level promoted, needs to be tested in terms of the merits of the scheme as a whole, whilst noting that the site's developable area is constrained by existing tree cover.

7.2.3 As such, whilst the principle of development to make better utilisation of under-used land to contribute towards the housing supply is welcomed, this benefit should be weighed up against other socio-economic and environmental priorities of the Development Plan to determine whether this is a sustainable development in accordance with the NPPF (the 'Planning Balance').

7.3 Design and effect on character

7.3.1 Following the submission of the previous application (ref no. 18/00190/FUL), the applicant has closely worked with Officers in the Planning team to modify the layout and design of the development to positively respond to the environmental constraints affecting the site (i.e. the topology and adjacent trees & ecology sensitive features adjacent to the site) and to make a positive contribution to the character of Hill Cottage Gardens and Mansbridge Road. In effect, the revised scheme is well designed by creating the opportunity for 2 modest sized attractive dwellings that makes efficient use to under-utilised land. The location of the plot at the lower end of Hill Cottage Gardens relates more directly to the frontage of Mansbridge Road than the housing estate itself, so there is an opportunity to create houses with their own identity and character which does not necessarily have to copy the design and materials palette of the estate. The applicant has achieved this by creating a 'gatehouse' dwelling on the plot adjacent to 28 Hill Cottage Gardens, and a standalone dwelling on the plot adjacent to Mansbridge Road in terms of its modern individual design to signify its direct relationship with the frontage of Mansbridge Road. The scale and height of the dwellings, and the layout of their plots, relates well to the other dwellings in Hill Cottage Gardens and respond to the natural contours of the land to maintain the impression of the downwards slope towards Mansbridge Road.

7.3.2 The application land was meant to be maintained as green space under the original permission for the Hill Cottage Gardens housing estate, however, as it stands it is currently incorporated by a closed boarded fence into the garden of 28 Hill Cottage Garden. Although the green space requirement and retention of the trees has not been strictly adhered to by the present landowner (as well as the green space land incorporated into the property at 1 Hill Cottage Gardens), the decision should be based primarily on the application in hand to redevelop the land into additional housing. The Council's Ecologist identifies the application land to have low ecological value, whilst the significant Pine trees (felled at some point between the period of 2014 and 2015) are not specifically protected by the boundaries of the local Tree Preservation Orders. Officers consider that the positive benefits of re-using the land to boost the city's housing supply would far

outweigh the loss of the green space as intended under the original permission, whilst the replanting of the trees lost (on a 2 for 1 basis) with similar Pine species and other native Beech and Maple trees would redress the negative impact of losing the trees with regards to the greening of the entrance in Hill Cottage Gardens. The Tree Officer has supported this approach and will advise on suitable species and sizes through an amended landscaping plan to be secured by condition.

7.3.3 The wooded area known as Marlhill Copse beyond the site (to the west) forms part of the Itchen Valley Conservation Area, which is designated to safeguard its landscape and ecological importance and transition in visual terms between the city and its surrounding countryside. The statutory test for the proposal, as set out in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, is whether the proposal would preserve or enhance the character or appearance of the Conservation Area. As set out above, the dwellings are sympathetic to the scale, massing and appearance of the existing estate and consistent with building heights in the area. Furthermore, the dwellings would partly be screened from the context of the Conservation Area. Since the designation of the Conservation Area in 1986, the housing in Hill Cottage Gardens has been built out on the edge of its boundary (land formerly being a cattery/dog kennels). In the context of the views from the existing housing estate in Hill Cottage Gardens, the addition of the proposed dwellings on the edge of the conservation area would not detract from the character and setting of the conservation area. Whilst the backdrop of the tree canopies of the wooded area on the edge of the site will still be visible in gaps between and above the proposed dwellings. As such, the proposal is considered to preserve its setting and the application is considered to address local and national heritage tests in this respect.

7.3.4 As such, the proposed dwellings are considered to have an acceptable impact on the visual amenity of the locality through good design and place making, whilst on balance the benefit of boosting housing supply would far outweigh the negative impact on the character of the area by the loss of green space at the entrance of Hill Cottage Gardens, especially with the additional tree planting.

7.4 Residential amenity

7.4.1 The proposed dwellings are orientated to the north of the existing dwellings, so there will be no significant loss of light from overshadowing as this will fall away to the properties to the south within Hill Cottage Gardens. The mass and bulk of the dwellings sit sufficiently far enough away from the adjacent dwellings so not cause any significant enclosure to the outlook of existing residents. The alignment in the plots of the new dwellings would create an acceptable outlook for future occupiers, whilst the change in levels down from 5.2 to 4.4m would not overly enclose the rear garden of lower level dwelling (closest to Mansbridge Road).

7.4.2 The buildings are on a lower level than the existing dwellings given the slope of Hill Cottage Gardens. Whilst there is already overlooking across the street between properties in the street, there are no first floor windows that directly overlook the private habitable areas of the neighbouring properties. Where direct overlooking does occur, it is across the street which is already a common relationship between properties within Hill Cottage Gardens. The additional comings and goings and incidental activities associated with the new dwellings would be compatible with the nature of the residential street and would not be significantly greater than the existing residential street. These dwellings are at the entrance so this further limits impacts on existing neighbours further within the estate.

7.4.3 As such, the proposal would have an acceptable impact on the amenity of the local residents.

7.5 Parking highways and transport

7.5.1 The Council's Highways Officer has raised no safety concerns subject to an amendment to the parking layout of the plot closest to 28 Hill Cottage Gardens. The sightlines for the parking spaces are acceptable. The introduction of the dropped kerbs will reduce the opportunity for vehicles to park on street at the entrance of Hill Cottage Gardens.

7.5.2 The maximum standards for a 3 bedroom dwelling is 2 parking spaces off street and 3 parking spaces for a 4 bedroom dwelling. Whilst it is accepted that a residential development can be served by less than the maximum standard, it is likely that the households in this location will own a vehicle and, therefore, result in greater demand and parking pressure.

7.5.3 Provision of less than the maximum parking standard is permissible, however, the Parking Standards SPD states that developers should demonstrate that the amount of parking provided will be sufficient.

7.5.4 The proposed dwellings both provide 2 off street parking spaces each. Although the full maximum parking provision will not be provided for the 4 bedroom dwelling (1 space short), this is not uncharacteristic for the parking provision of other 4 bedroom dwellings in Hill Cottage Gardens. No parking survey has been provided to assess the capacity of street parking available in the locality, however, this would not add a significant benefit to the decision making process as the 'home zone' nature of the road design intends to provide limited street parking whilst the surrounding roads including Mansbridge Road offer limited opportunities for street parking nearby the application site. As such, the opportunity for any overspill is already restricted.

7.5.5 An appropriate balance needs to be struck between parking provision and delivery of new family housing. Whilst there is always potential for a family household to own more cars than the maximum standards suggests, and increase the pressure on the limited availability of street parking in Hill Cottage Gardens for existing residents, careful consideration should be weighed up for encouraging less motor vehicle use/ownership under the Government's sustainability agenda and securing good design by avoiding car dominated frontages with a lack greenery and soft landscaping.

7.6 Mitigation of direct local impacts

7.6.1 The Council's Ecologist has commented that the site itself is of low ecological value and there would be no adverse impact on the sensitive ecological sites and habitats surrounding the site subject to the mitigation measures proposed by the applicant's ecology report. They are satisfied with the proposed biodiversity enhancement and mitigation measures, however, they would expect light levels around the tree canopies to be controlled by condition to reduce the extent of light spill.

7.6.2 The Tree Officer has raised no objection as they are satisfied that the development does impact on the root protection area of the adjacent trees identified and, therefore, there is no requirement for an arboricultural impact assessment or arboricultural method statement. The root protection area is required to be fenced off during the construction, therefore, a condition is required

to secure a scaled tree protection plan that shows the position of the fencing and the specification of fencing to be installed to comply with BS5837. In relation to the tree planting to replace the felled Pine trees, the Tree Officer supports the suggested planting in principle as shown on the landscaping plan, however, they have recommended changes to the location, size, and species type with the key provision of 2 Pines planted at the front boundary. This can be secured by condition.

7.7 Likely effect on designated habitats

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

8. Summary and Planning Balance

In summary, it is considered that the socio-economic benefits of delivering good quality family housing for the community, which responds well to its context far outweighs by the negative socio-economic and environmental impacts on the community with regards to the loss of the green space intended for the setting of the entrance to Hill Cottage Gardens, and the loss of the opportunity for residents to use the street parking on the kerb adjacent to the site. As such, it is considered that the impacts of the development when assessed as whole should be granted in presumption of favour as a sustainable development as the net positive outcomes of the development do achieve a favourable planning balance.

9. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

SB for 02/04/19 PROW Panel

Conditions to include:

1. Full Permission Timing Condition (Performance)

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

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

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

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

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

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

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

4. Construction Management Plan (Pre-Commencement)

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

(a) parking of vehicles of site personnel, operatives and visitors;

(b) loading and unloading of plant and materials;

- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning;
- (g) details of how noise emanating from the site during construction will be mitigated;
- (h) details of the method of controlling pollution from construction stage contaminated surface water runoff and recreational disturbance;
- (i) details of precautions in respect of site excavations to protect animals such as badgers e.g. cover all trenches overnight or, if this is not possible, place a plank in the hole to allow animals to escape should they fall in; and,
- (j) the clearance of the site by hand and moving any slow worms found into the buffer zone ('dedicated landscape strip').

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 ecologically sensitive habitats and species, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

5. Amenity Space Access (Performance)

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, including the means of enclosure, shall be made available for use in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwellings.

Reason: To ensure the provision of adequate amenity space in association with the approved dwellings.

6. 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 201

7. 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).

8. 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 (Outbuildings)

Reason: In the interests of the visual amenities of the area, safeguard the health of the adjacent trees, and to protect residential amenity.

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

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

- i. proposed finished ground levels or contours;
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and replacement trees proposed, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme 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.

10. 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.

11. 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 light levels around the tree canopies shall be less than 1lux and for external lighting to comprise LED warm white (2700 ' 3000Kelvin) luminaires with a peak wavelength greater than 550nm to be used. Internally, lighting should be wall or ceiling mounted, not pendant style, to reduce the extent of light spill. A light diagram, plus details of the lighting to be used shall be submitted. The lighting scheme shall be thereafter retained as approved.

Reason: To minimise the impact on protected species.

12. Site Levels (Pre-commencement)

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason: To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

13. Boundary Treatment and Means of Enclosure (Pre-Occupation)

Before occupation of the development hereby approved, details of boundary treatment and means of enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include provision of a boundary brick wall (in matching materials to the dwelling) as shown on the approved plans. The agreed enclosure details shall be subsequently erected before the development is first occupied and shall thereafter be retained as approved.

Reason: In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

14. Retaining Wall (Pre-commencement)

No development shall be commenced (including the operations associated with the excavation of site levels), until structural details of the retaining walls and a phasing scheme for their insertion are submitted to and approved in writing by the Local Planning Authority. The retaining walls shall be subsequently erected in accordance with the agreed structural details before the building operations associated with the main buildings commences and shall thereafter be retained as approved.

Reason: In the interests of protecting the safety and stability of neighbouring land.

15. Arboricultural Method Statement (Performance)

No development, including site works of any description, shall take place on the site unless and until all the existing bushes, shrubs, and hedgerows to be retained on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems at a distance calculated in line with BS5837:2012 Trees in relation to design, demolition & construction or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised nor lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. No excavations or other operations including vehicle or pedestrian movements will take place within the fenced off area until and unless explicit written permission is agreed in advance. No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas. No trees shall be cut back or pruned unless otherwise permitted by the Method Statement.

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

16. Replacement trees (Performance)

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority prior to the commencement of development at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

17. Ecological Mitigation Statement (Pre-Commencement)

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the programme of habitat and species mitigation and enhancement measures set in section 5 of the Ecological Appraisal dated November 2018 by Lindsay Carrington Ecological Services before any demolition work or site clearance takes place. This shall include the provision of the dedicated landscape strip in accordance with the approved plans which shall be kept clear of structures and not used for storage purposes at all times.

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

18. Parking & Access (Pre-Occupation)

The following shall be provided in accordance with the approved drawing 497.PL.SITE before the development first comes into occupation and thereafter retained as approved:-

a) The parking and access

b) The sight lines as shown on the approved drawing; of 2m by 2m measured at the back of footway to be provided before the use of any development first comes into use, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays. Furthermore, the existing.

Furthermore, the existing vehicle access onto Mansbridge Road has been stopped up including the reinstatement of the dropped kerb with a full height kerb.

Reason: In the interests of highways safety to provide safe access to the development and to prevent congestion on the highway.

19. 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.

20. 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.

21. 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.

22. 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.

23. Flood risk mitigation measures

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (ref Flood Risk Assessment and Preliminary Surface Water Drainage Strategy by STM Environmental on 10/01/2019) and the following mitigation measures it details:

(i) Finished floor levels of the ground floor shall be set no lower than 4.65m above Ordnance Datum (AOD) as stated on page 30 of the submitted FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

24. Public Sewer protection (Pre-commencement)

Prior to the commencement of development, (in consultation with Southern Water) details of the measures undertaken to divert the public sewers shall be submitted to and agreed in writing by the Local Planning Authority. The measures approved shall be carried out prior to all ground works associated with the development being commenced.

Reason: In order to safeguard the public sewer.

25. 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.

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.

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a Flood Risk Activity Permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance, please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our local team at psohiow@environment-agency.gov.uk. The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

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

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

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

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. New Forest SAC, SPA and Ramsar site.
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.

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

Stage 2 - HRA screening assessment

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

Solent SPAs

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

Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

The New Forest

The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. (Footprint Ecology.), indicates that 40% of visitors to the

area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.

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

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

Stage 3 - Appropriate Assessment

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

Solent SPAs

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs and in accordance with the findings of the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

Within Southampton the Council will promote biodiversity through:

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

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

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

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£337.00
2 Bedroom	£487.00
3 Bedroom	£637.00
4 Bedroom	£749.00
5 Bedroom	£880.00

endorsed by Natural England.

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

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

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

New Forest

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

Within Southampton the Council will promote biodiversity through:

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

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

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

The proposed development will generate a CIL contribution and the City Council will ring fence 5% of the overall sum, to fund improvements to footpaths within the greenways and other semi-natural greenspaces.

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

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

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

In the absence of an agreed mitigation scheme for impacts on the New Forest designated sites Southampton City Council has adopted a precautionary approach and ring fenced 5% of CIL contributions to provide alternative recreation routes within the city.

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

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

Summary of Natural England's comments:

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

Application 19/00116/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
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
CS23	Flood Risk
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP21	Drainage
NE3	Sites of Local Nature Conservation
HE1	Conservation Areas
H1	Housing Supply
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2019)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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KEY

- Existing Trees Retained - Refer to tree survey for details
- Existing Vegetation Retained
- Proposed Tree Planting
- Proposed Feature Shrub Planting
- Proposed Shrub Planting
- Proposed Hedge Planting
- Proposed Amenity Grass
- Proposed Wildflower Mix
- Drainage - Refer to drainage plans for details
- Root Barrier - ReRoot 1020 as supplied by Greenleaf or similar approved alternative



NOTE: These implementation and maintenance guidelines are for planning purposes only to indicate the level of workmanship to be specified and do not constitute a detailed specification.

1.0 GENERAL

All plants shall conform to BS 3936 and be in accordance with the National Plant Specification. Supplying nurseries shall be registered under the HTA Nursery Certification Scheme. All plants shall be packed and transported in accordance with the Code of Practice for Plant Handling as produced by CPSE. Planting shall not be carried out when the ground is waterlogged, frostbound or during periods of cold drying winds. All bare root stock shall be root dipped in an approved water-retaining polymer. If the formation level is compacted it should be ripped through before topsoiling. Recommended topsoil depths are 450mm for shrubs and 150mm for grass.

2.0 TREES AND SHRUBS

2.1 Ground Preparation
Where necessary treat existing weeds with a glyphosate based herbicide and allow a suitable period as recommended by the manufacturer for this to take effect. A general purpose slow release fertiliser at the rate of 75gm/m² and Tree Planting and Mulching Compost at the rate of 20t/m² are to be incorporated into the top 150mm of topsoil during final cultivations. All extraneous matter such as plastic, wood, metal and stones greater than 50mm in any dimension shall be removed from site.

Tree pits to the specified size are to be excavated and the base broken up a further 150mm with the sides well scarified to prevent smearing. All trees up to and including selected standards are to be supported with single 75mm diameter stakes. All container grown and trees over heavy standard size shall be double staked. Stakes should be driven 300mm into undisturbed ground before planting the tree, taking care to avoid underground services and cables etc.

TREE SIZE	TREE PIT mm
EHS	800x800x500

2.2 Planting

Shrubs and hedges are to be set out as shown on the drawing and pit planted into the prepared soil at the specified centres with minimal disturbance to the rootball and well firmed in.

Trees are to be placed into the pits and backfilled with local topsoil previously stripped from the site. Firm trees well and secure with proprietary rubber tree ties and spacers.

Water in all trees and shrubs at the end of each day of planting.

Spread ornamental pine bark mulch to a depth of 75mm across all new planting areas, ensuring groundcover plants are not buried.

2.3 Maintenance

The landscape contractor shall maintain all areas of new planting for a period of 12 months following practical completion. All stock deemed to be dead, dying or diseased within the defects period shall be replaced by the contractor at his own cost.

The site is to be visited monthly throughout the year to undertake the following operations.
Weed clearance: All planting areas are to be kept weed free by hand weeding or herbicide treatment.
Litter clearance: All litter is to be removed from planting beds.
Watering: All shrubs are to be watered during the growing season following any dry periods of 7 days. Planting areas are to be brought up to field capacity at each visit and each tree is to receive 20 gallons.

Checking trees: All tree ties and stakes are to be checked and adjusted if too loose, too tight or if chaffing is occurring. Any broken stakes are to be replaced. Stakes to be removed when trees are established.
Formative pruning: Any damaged shoots/branches are to be pruned back to healthy wood. Plants are to be pruned in accordance with good horticultural practice to maintain healthy well-shaped specimens.

4.0 GRASS

4.1 Preparation
The area to be turfed or seeded shall be sprayed out with a glyphosate herbicide and cultivated to a depth of 100mm removing all weeds, debris and stones over 25mm diameter. The surface shall be raked to smooth flowing contours with a fine tish, incorporating pre-seeding fertiliser at 70 g/m².

4.2 Delivery and Storage

Turf shall be supplied in accordance with BS3936. Turf shall be Medallion as supplied by Rowspan. It shall be close textured and green in colour and be sufficiently fibrous to withstand handling. Turves shall be regular in shape, 300mm wide and of uniform thickness (minimum 25mm). The grass shall be closely mown and shall not exceed 25mm in height. Turf shall be stacked in piles of up to 1 metre. It shall not be laid in frosty or waterlogged conditions and shall not be stacked in rolls for more than three days.

4.3 Turf

Turfing operations shall be in accordance with BS 4428. Whole turves shall be laid around the perimeter of the area to be turfed. The central area shall be laid in rows with staggered joints, well butted together, working from planks positioned on turves already laid. The turf shall be watered on completion. Any unevenness shall be made good by lifting the turf and adjusting the levels. Should shrinkage occur, fine topsoil shall be brushed into the joints.

4.4 Seeding

Grass seed shall be sown in April during calm weather and not when the ground is frost bound or waterlogged. Seed shall be sown in two equal sowings in transverse directions at 35 g/m² for amenity grass and 4g/m² for basic General Purpose Meadow Mix EM1. After sowing the contractor shall lightly rake the seed into intimate contact with the soil.

4.5 Initial cut

When newly seeded amenity grass areas reach 50mm they should be lightly rolled and cut to a height of 25mm. All arisings shall be removed. Any bare patches shall be made good at this time. Both amenity and meadow grass shall be regularly maintained between 25 and 50mm during the first season after sowing.

TREES

Code	Species	Form	Girth cm	Height cm	Root condition	Quantity
BPT	Betula pendula 'Tristis'	EHS	14-16	400-450	85 LL	2
BP	Betula pendula	EHS	14-16	400-450	85 LL	3
MT	Malus trilobata	EHS	14-16	400-450	85 LL	8
SAU	Sorbus aucuparia	EHS	14-16	400-450	85 LL	1

FEATURE SHRUBS

Code	Species	Form	Girth cm	Height cm	Root condition	Quantity
ARH	Amelanchier 'Robin Hill'	EHS	14-16	400-450	85 LL	2
PRR	Photinia x fraseri 'Red Robin'	-	8-10	175-200	45 LL	3

Emergato EM1 Basic General Purpose Meadow Mix sown at 4gms/m²

%	Latin name	English name
0.5	Achillea millefolium	Yarrow
2.0	Centaurea nigra	Common knapweed
1.0	Daucus carota	Wild carrot
1.5	Galium verum	Lady's bedstraw
2.0	Leucanthemum vulgare	Oxeye daisy
1.5	Plantago media	Hoary plantain
2.0	Prunella vulgaris	Selfheal
3.0	Ranunculus acris	Meadow buttercup
1.5	Rumex acetosa	Common sorrel
3.0	Sanguisorba minor ssp minor	Solid burnet
2.0	Silene dioica	Red campion
5.0	Agrostis capillaris	Common bent
35.0	Cynodon dactylon	Crested dogtail
15.0	Festuca rubra ssp commutata	Red fescue
25.0	Festuca rubra	Slender creeping fescue

ORNAMENTAL SHRUBS

Code	Species	Height spread cm	Pot size (Litres)	Habit	Min no. of breaks	No. m ²	Quantity
BA	Berberis Amstelveen	25-30	3L	Bushy	4	3	74
BCP	Bergenia cordifolia Purpurea	15-20	3L	Bushy	-	6	27
CCD	Cistus corbariensis	30-40	3L	Bushy	4	3	36
CCD	Cotoneaster conspicuus Deconus	30-40	3L	Bushy	3	2	49
LCE	Carex oshimensis Evergold	20-30	2L	-	-	5	58
CSK	Cotoneaster Skogholm	30-40	3L	Spreading	3	3	46
CSP	Cistus Silver Pink	30-40	3L	Bushy	4	3	22
CT	Cholaya ternata	40-60	5L	Bushy	5	1.5	13
EE	Elaeagnus x eboracae	60-80	7L	Bushy	4	1.5	9
EAG	Euonymus Emerald 'n Gold	20-30	3L	Bushy	7	5	9
EEG	Euonymus Emerald Gaiety	20-30	3L	Bushy	7	5	60
EDB	Euonymus Darts Blanket	20-30	3L	Bushy	7	5	50
FSH	Fagus sylvatica (hedge)	60-80	2L	Feathered	-	5	750
HR	Hebe rakensis	20-30	3L	Bushy	5	3	56
HH	Hypericum Hidote	30-40	3L	Bushy	5	2	119
HMW	Hebe Mrs Winder	20-30	3L	Bushy	7	3	53
LAV	Lavandula Hidote	20-30	3L	Bushy	5	5	140
LBG	Lonicera Bagassera Gold	30-40	3L	Bushy	3	4	41
LM	Lonicera 'Maygreen'	30-40	3L	Bushy	3	3	88
MA	Mahonia Appollo	30-40	3L	Bushy	3	2.5	7
OB	Oenanthus barlowoodi	40-60	7L	Bushy	5	1.5	15
PAB	Potentilla Abbottwood	30-40	3L	Bushy	4	2.5	34
PE	Potentilla Elizabeth	30-40	3L	Bushy	3	2.5	38
PRA	Prunella Red Ace	30-40	3L	Bushy	3	2	24
POL	Prunus Otto Lyxken	30-40	3L	Bushy	3	2	79
RBDC	Rosa Blanc Double de Courtlet	40-60	3L	Branching	3	1.5	13
RH	Rosa Hertfordshire	30-40	3L	Bushy	3	3	11
RR	Rosa Kent	30-40	3L	Bushy	4	3	40
SAW	Spiraea Anthony Waterer	30-40	3L	Branching	5	3	52
SH	Symphoricarpos Hancock	40-60	3L	Branching	5	2	61
SKW	Skimmia 'Kew White'	30-40	3L	Bushy	3	3	22
SR	Skimmia japonica 'Rubella'	30-40	3L	Bushy	3	3	38
SS	Senecio Sunshine	30-40	3L	Bushy	4	2	81
ST	Spiraea thunbergii	40-60	3L	Branching	5	3	22
VM	Vincetoxicum	15-20	2L	Bushy	5	5	23
VD	Viburnum davidii	30-40	3L	Bushy	3	3	29
VTEP	Viburnum tinus 'Eve Price'	40-60	3L	Bushy	5	1.5	8

B Second Issue SWDP 25/10/2012 Council comments - extra trees added, amelanchiers stock size increased to EHS
A First Issue SWDP 30/07/2012

Rev Description Team Date

Hill Cottage,
Mansbridge Road West End,
Southampton

Landscape Proposals

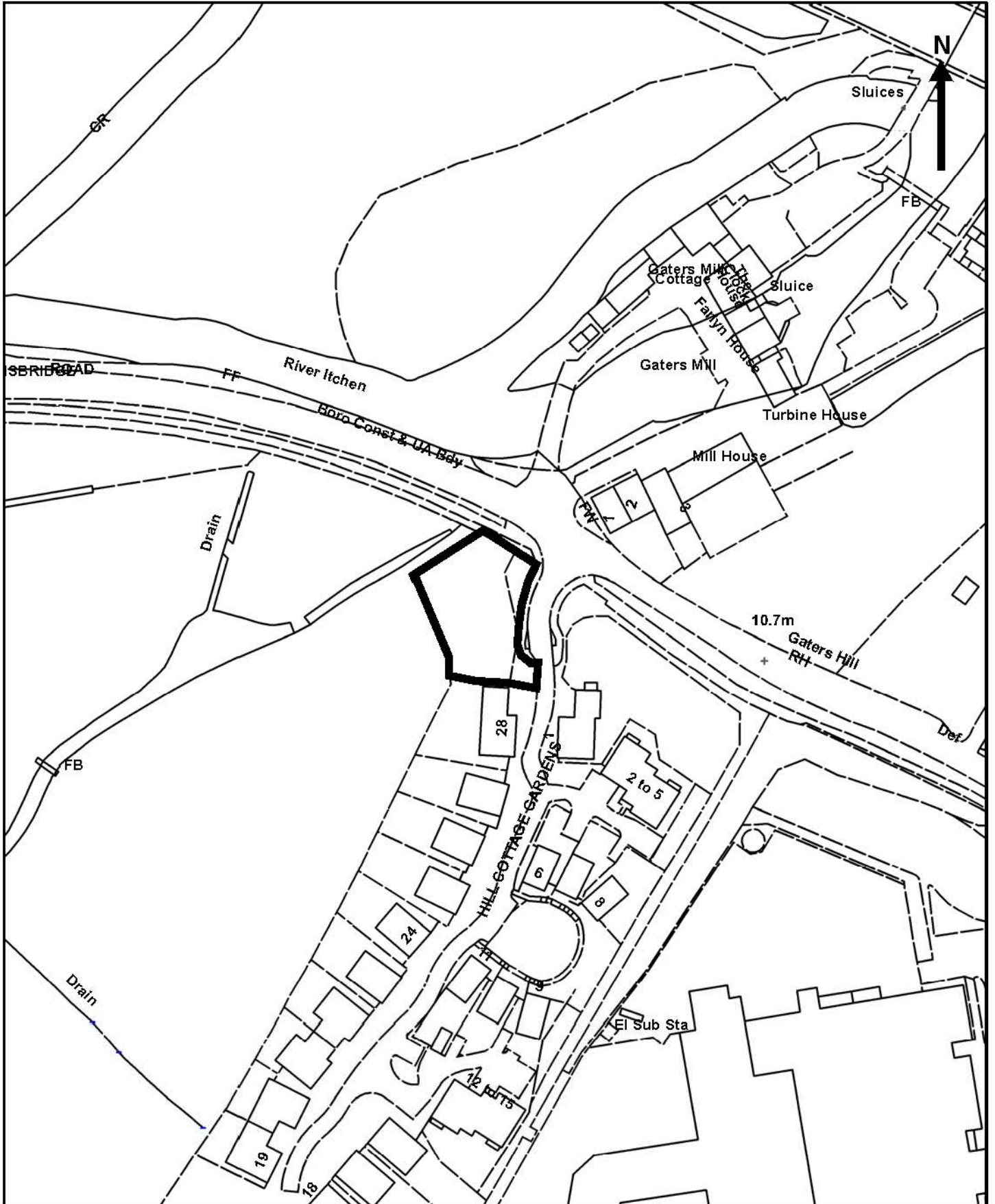
Drawing Ref: 0.0138_01-B
Client : Orchard Homes

1 : 200 @ A0
30th July 2012
Team SW/DP

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Agenda Item 7
19/00170/FUL

Appendix 4



Scale: 1:1,250

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Agenda Item 8

Planning and Rights of Way Panel 2nd April 2019
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: Rear of 40 Atherley Road			
Proposed development: Erection of a 2-bed, detached bungalow with associated cycle/refuse storage			
Application number:	19/00116/FUL	Application type:	FUL
Case officer:	Stuart Brooks	Public speaking time:	5 mins
Last date for determination:	Extension of Time agreed – 08.04.19	Ward:	Freemantle
Reason for Panel Referral:	Request by Ward Member and Five or more letters contrary to the officer's recommendation	Ward Councillors:	Cllr Brian Parnell Cllr David Shields Cllr Stephen Leggett
Referred to Panel by:	Cllr Shields	Reason:	Pressure to street parking; nuisance from construction
Applicant: Mr B Kakiya		Agent: Concept Design & Planning	

Recommendation Summary	Delegate to Service Lead – Infrastructure Planning & Development to refuse planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Relevant Planning History		

Recommendation in Full

Refuse for the following reasons:

1. Out of Character/Poor Residential Environment

The proposal to form a separate dwelling represents an over-intensive use and physical overdevelopment of the site which would be harmful to the character of the area in terms of introducing residential development in a backland location which would be out of character with the layout and context of the established pattern of development in the area. In addition, the proposal would be harmful to the amenities of neighbouring and existing occupiers in terms of increasing the activity to the rear of the site. The proposal thereby proves contrary to saved policies SDP1(i), SDP7(iii)(v), SDP9(i)(v) of the adopted City of Southampton Local Plan Review (2015) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (2015) as supported by the relevant guidance in section 3 of the approved Residential Design Guide Supplementary Planning Document (September 2006).

2. Insufficient parking

Based on the information submitted, it has not been adequately demonstrated that the parking demand of the development would not harm the amenity of nearby residential occupiers through increased competition for on-street car parking. Furthermore the proposed pedestrian access route would result in the loss of a usable frontage parking space serving the existing flats which may compound existing on-street parking pressures. The development would, therefore, be contrary to the provisions of saved policy SDP1(i) of the City of Southampton Local Plan Review (2015), Policy CS19 of the Southampton Core Strategy Development Plan Document (2015) and the adopted Parking Standards Supplementary Planning Document (2011).

Note to applicant - The guidance in the Parking Standards SPD (section 4.2.1 refers) expects the applicant to demonstrate that there is sufficient kerbside capacity to absorb the additional parking demand. This should be assessed by undertaking a parking survey using the preferred Lambeth model.

3. Lack of Section 106 or unilateral undertaking to secure planning obligations

In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

1. The site and its context

- 1.1 The site is located on the eastern side of Atherley Road within the ward of Freemantle. The surrounding area is characterised as suburban residential comprising mainly of 2 storey Victorian era properties with uniform bay and gable features creating a distinctive and attractive appearance. The properties in Atherley Road typically have a linear building line and layout of the plots, with no examples of backland residential development on rear gardens. Where infill housing development has been allowed, it typically has a direct frontage with the street which reinforces the linear established character of the wider area. Where there are buildings in rear gardens, these tend to be smaller scale outbuildings which are ancillary in nature and appearance to the primary buildings fronting the street.
- 1.2 The site itself comprises a two storey detached property split on the ground and first floor into 2 flats contained within a plot area of 610sqm. The rear garden is split into separate amenity areas to serve the flats. The footprint of the proposed development will replace a group of existing outbuildings. The building is set back from the frontage by a gravelled parking area with side access to the rear garden.

2. Proposal

- 2.1 The proposal seeks to subdivide the rear garden of the flats to create a separate plot (250sqm) to erect a single storey dwelling with 2 bedrooms and its own amenity space (90sqm). The dwelling is accessed via foot to the side of the existing property. The existing flats will have 140sqm of communal amenity space remaining. No off-street parking provided for the new dwelling.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 2.
- 3.2 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.
- 3.3 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policies SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) of the Local Plan Review support development which respects the character and appearance of the local area. Policy H7 expects residential development to provide attractive living environments. Core Strategy policy CS13 (Fundamentals of Design) assesses the development against the principles of good design. These policies are supplemented by the design guidance and standards as set out in the relevant chapters of the Residential Design Guide SPD. This sets the Council’s vision for high quality housing and how it seeks to maintain the character and amenity of the local neighbourhood.
- 3.4 Core Strategy Policy CS5 acknowledges that there is continuing pressure for higher densities in order to deliver development in Southampton, making efficient and effective use of land. However, the development should be an appropriate density for its context, and protect and enhance the character of existing neighbourhoods.
- 3.5 Core Strategy Policy CS19 indicates that parking for all development must have regard to the Council’s maximum car parking standards set out within the Parking Standards SPD. The maximum parking permitted for a 2-bed dwelling in this location is 1 space. The Parking Standards SPD advises that provision of less than the maximum parking standards is permissible, however, developers must demonstrate that the amount of parking provided will be sufficient, whether they provide the maximum permissible amount, or a lower quantity.

4. Relevant Planning History

- 4.1 The site itself does not have any relevant history, however, there are two recent applications for backland housing development refused in Atherley Road, including an appeal dismissal. This includes 38 Atherley Road (ref no. 10/00027/FUL) and 48 Atherley Road (ref no. 16/00112/FUL). The plans and notices are also attached in Appendix 3.
- 4.2 Where modern examples of new housing have been approved by subdividing existing plots within Atherley Road, these dwellings tend to have a physical frontage with the street. These examples include:-
43-43A Atherley Road
971207/W - Erection of 2 x 3 bed dwellings – Conditionally Approved (1997)

Land adjacent to 1 Atherley Road

16/00706/FUL - Erection of a two-storey two bedroom dwelling (Class C3) – Conditionally Approved (2016)

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 12.02.2019. At the time of writing the report **19** representations (8 support and 11 objections) have been received from surrounding residents and an objection from a local ward Cllr. The following is a summary of the points raised:

Objection comments

- 5.1.1 **The incursion of development into the rear garden would affect the peace and quiet enjoyed by the residents of the adjoining properties.**

Response

The introduction of a dwelling in this backland location would intensify the use of the garden and would be at odds with the spatial character of the area.

- 5.1.2 **Out of character by developing on a residential garden. Will set a precedent for other properties to develop their back gardens which will detrimentally change the character of the area.**

Response

The proposal would be out of keeping with the spatial character of the area.

- 5.1.3 **The additional parking demand generated by the development would put pressure on the short availability of street parking can cause congestion. There would be a lack of access for emergency services to the backland dwelling and thus a possible fire risk.**

Response

Although the parking standards do not require a minimum number of off-street spaces to be provided, no parking survey has been carried out to assess the availability of kerbside capacity in the locality to absorb the parking demand generated by the development. The maximum number of spaces permissible for this development is 1 car parking spaces and insufficient evidence has been provided to support a level of parking which is less than the maximum standard, as required by the Parking Standards SPD. In the event of a fire, Building Regulations allows a fire hose for a maximum 45m distance to the entrance of the building, so fire appliance does not require direct access to the site in this case.

- 5.1.4 **Loss of garden space for existing residents. Overdevelopment in an overcrowded and overbuilt area, where tenants are poorly managed with regards to adhering to local rules for refuse and parking in front of dropped kerbs. The development will not help promote well-balanced communities, as this type of development and HMOs are gradually over saturating the entire neighbourhood with transient residents without a vested interest in maintaining the local neighbourhood and has the effect of driving out residents in normal residential family homes. Properties will become unsellable in the short to medium term.**

Response

The impact on property values is not a valid planning consideration. The provision of smaller housing will assist improving the balance of household mix in the

locality. The nature of the large plot will ensure that both the existing and future occupiers will have a sufficient amount of the private and usable amenity space to meet the Council's amenity space standards – a minimum of 40sqm communal space for the flats and 90sqm for the detached dwelling. The development itself represents a physical over-development of the large plot as the overall site coverage with buildings and hard surfacing exceeds 50% (57% - 347sqm out of 610sqm).

Support comments

- 5.1.5 **The area is a cohesive mixed community and the streets are always kept clean. Better use of the underutilised large garden space which will assist delivering family housing need. The well-designed dwelling at single storey level would have a minimal impact on the appearance of the area. The single storey nature of the building would not be harmful to the amenity of the neighbouring residents with regards to loss of privacy, outlook and light. Adequate amount of garden space will be provided for the residents. The current garden is infested with vermin so the redevelopment of the derelict land will be a benefit.**

Response

The development is designed in a manner so the living conditions of the existing occupiers are not harmed by the physical structure. The detailed design of the dwelling itself is not objectionable, however, within its context the building will appear out of character and would fail to reinforce the distinctiveness of the locality. Although the development would make better utilisation of under-utilised garden land, the backland location of the dwelling would be out of character with the linear pattern of development in Atherley Road by creating a second tier of development divorced from the street scene. Furthermore, this development would create an undesirable precedent for other properties to subdivide their land to build dwellings and would undermine recent refusals on neighbouring plots.

- 5.1.6 **The parking impact from one small dwelling will not have a noticeable impact in an area where there are already numerous house to flat conversions in the locality. Given the proximity to the city centre and local schools, the property is not likely to add more than one vehicle. The impact on street parking is not only from residents but also commuters working in the city centre. There are often many empty spaces at the weekend.**

Response

Although the parking standards do not require a minimum number of off-street spaces to be provided, no parking survey has been carried out to assess the availability of kerbside capacity in the locality to absorb the parking demand generated by the development.

Consultation Responses

- 5.2 **SCC Highways – No objection**
- 5.3 **SCC Sustainability Team – No objection**
- 5.4 **SCC Environmental Health (Pollution & Safety) – No objection**
- 5.5 **Southern Water – No objection**

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
- Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 Although private residential gardens are not identified by the NPPF as previously developed land, the Council does not have a Local Plan policy to preclude the development of residential gardens for further housing. When considering development that makes more efficient use of land such as this application, paragraph 122(d) of the NPPF expects planning decisions to take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens). Policy CS4 of the Core Strategy identifies an additional 16,300 homes will be delivered between 2006 and 2026 to meet the need of city's housing supply.

6.2.2 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in high accessibility locations such as this, density levels should generally accord with the range of 50-100 dwellings per ha (dph), although caveats this in terms of the need to test the density in terms of the character of the area. The proposal would achieve a residential density of 40 dph which, whilst in accordance with the range set out above, needs to be tested in terms of the merits of the scheme as a whole.

6.2.3 As such, whilst the principle of development to make better utilisation of under-used land to contribute towards the housing supply is welcomed, this benefit should be weighed up against other socio-economic and environmental priorities of the Development Plan to determine whether this is a sustainable development in accordance with the NPPF (the 'Planning Balance').

6.3 Design and effect on character

6.3.1 As it stands the locality is characterised by linear plots and building lines with no recent examples of backland development allowed by the Council in Atherley Road. The buildings in the rear gardens of Atherley Road tends to be ancillary sized domestic outbuildings. Where modern examples of new housing have been approved by subdividing existing plots within Atherley Road, these dwellings tend to have a physical frontage with the street (see section 4.2 of the report for examples). Indeed two applications for similar development have been refused in recent years, including a dismissal at appeal (**see Appendix 3** for details).

6.3.2 The detailed design of the dwelling itself is not objectionable, however, within its context the building will appear out of character and would fail to reinforce the local distinctiveness of the locality. Although the development would make better utilisation of under-utilised garden land, the backland location of the dwelling would be out of character with the linear pattern of development in Atherley Road by creating a second tier of development divorced from the street scene. Furthermore, the introduction of a residential building in the rear garden would be appear out of character when viewed from the gardens of the adjoining properties. This development would create an undesirable precedent for other properties to subdivide their land. The development itself represents a physical over-

development of the large plot as the overall site coverage with buildings and hard surfacing exceeds 50% (57% - 347sqm out of 610sqm). This is contrary to the guidance for site coverage under paragraphs 3.9.1 to 3.9.2 of the Residential Design Guide. As such, the proposed dwelling would harm the character and appearance of the area.

6.4 **Residential amenity**

- 6.4.1 The single storey nature of the development and its distance from the neighbouring boundaries is designed in such a way so that the living conditions of the existing occupiers is not harmed by the physical structure with regards to loss of privacy, light and outlook. In particular, the mass and bulk of the building is adjacent to the rear end of the neighbour's gardens so the impact from its enclosure would not directly affect the neighbour's most usable and private areas with regards to overshadowing and enjoyment of outlook. The boundary treatment around the plot can be increased to 2m in height to prevent overlooking from the garden and side facing ground floor windows, whilst the windows in the north elevation can be made obscure glazed. The nature of the large plot will ensure that both the existing and future occupiers will have a sufficient amount of the private and usable amenity space to meet the Council's amenity space standards – a minimum of 40sqm communal space for the 2 flats and 90sqm for the detached dwelling.
- 6.4.2 The introduction of a dwelling in this backland location would intensify the use of the garden with regards to comings and goings and other incidental activities related to the dwelling. The increased activities would be significantly more noticeable from the gardens of the adjoining properties to the detriment of the peace and quiet enjoyed by the neighbouring residents. As such, I consider this impact to be harmful to the amenity of the neighbouring residents.

6.5 **Parking highways and transport**

- 6.5.1 The development will provide no vehicular access so this will not create a direct impact on highway's safety. A condition could be used to secure a bin collection point for the new dwelling. Suitable details of cycle and refuse storage for the development have been provided.
- 6.5.2 The maximum standards for a 2 bedroom dwelling is 1 parking space off street. Whilst it is accepted that a residential development can be served by less than the maximum standard, it is likely that the households will own a vehicle and, therefore, result in greater demand and pressure to street parking in the local area.
- 6.5.3 Provision of less than the maximum parking standard is permissible, however, the Parking Standards SPD states that developers must demonstrate that the amount of parking provided will be sufficient, whether they provide the maximum permissible amount or lower quantity. The Council expects the available capacity of street parking in the vicinity to be demonstrated in the form of a parking survey conducted in accordance with the Lambeth model.
- 6.5.4 The location is within walking distance to the city centre and local shopping area in Shirley Road. There are no parking permit controls prohibiting street parking in Atherley Road and the surrounding. Being a suburban location there is strong likelihood that the residents would rely on private transport to travel to work and carry out day to day errands. The parking demand generated by the development is therefore likely to overspill onto nearby streets resulting in competition for parking spaces outside the homes of existing residents.

6.5.5 A parking survey has not been submitted so it is not possible to assess whether there is sufficient kerbside capacity to absorb the parking demand generated by the development and, therefore, fully assess the loss of amenity to local residents inconvenienced by not being able to park in close walking distance to their property. As such, the proposal would be contrary to policy SDP1(i) as it fails to safeguard the amenity of the local citizens. Furthermore, the use of migratory surface, such as gravel is not acceptable.

6.6 **Likely effect on designated habitats**

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. That said, the SRMP contribution has not been secured under the requisite S106 undertaking or S111 agreement and, therefore, fails to mitigate the impacts identified. There is no requirement for the Panel to agree the HRA in light of this recommendation to refuse. This would, of course, change should the Panel be minded to approve the application.

7. **Summary and Planning Balance**

In summary, officers consider that the socio-economic benefits of boosting the housing supply for the community is far outweighed by the negative socio-economic and environmental impacts on the community with regards to loss of residential amenity for nearby residents, the established character of the area, and the opportunities for residents to park in walking distance to their homes on Atherley Road and surrounding streets given the parking demand generated by the development. As such, I consider that the impacts of the development when assessed as whole should not be granted in presumption of favour as a sustainable development as the negative outcomes of the development does not achieve a favourable planning balance.

8. **Conclusion**

It is recommended that planning permission should not be granted for the reasons 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) (f) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

SB for 02/04/19 PROW Panel

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

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

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

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Collectively known as the Solent SPAs. New Forest SAC, SPA and Ramsar site.
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of an increase in residential dwellings, which is neither connected to nor necessary to the management of any European site.

<p>Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?</p>	<p>Yes. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area.</p> <p>Concerns have been raised by Natural England that residential development within Southampton, in combination with other development in the Solent area, could lead to an increase in recreational disturbance within the New Forest. This has the potential to adversely impact site integrity of the New Forest SPA, SAC and Ramsar site.</p> <p>The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.</p>
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Stage 2 - HRA screening assessment	
<p>Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.</p>	
<p>Solent SPAs</p> <p>The proposed development is within 5.6km of the collectively known European designated areas Solent SPAs/Ramsar sites. In accordance with advice from Natural England and as detailed in the Solent Recreation Mitigation Strategy, a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.</p> <p>Development within the 5.6km zone will increase the human population at the coast and thus increase the level of recreation and disturbance of bird species. The impacts of recreational disturbance (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as recreation can cause important habitat to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by human recreational activities (terrestrial and water-based) and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.</p> <p>The New Forest</p> <p>The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. (Footprint Ecology.), indicates that 40% of visitors to the area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.</p> <p>The report states that the estimated number of current annual visits to the New Forest is predicted to increase by 1.05 million annual visits by 2026 based on projections of housing development within 50km of the Forest, with around three quarters (764,000) of this total increase originating from within 10km of the boundary (which includes Southampton).</p>	

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

Stage 3 - Appropriate Assessment

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

Solent SPAs

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs and in accordance with the findings of the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. This is contrary to policy CS 22 - Promoting Biodiversity and Protecting Habitats, of the Southampton Core Strategy Partial Review, which states that,

Within Southampton the Council will promote biodiversity through:

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

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

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

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

Size of Unit	Scale of Mitigation per Unit
1 Bedroom	£337.00
2 Bedroom	£487.00
3 Bedroom	£637.00
4 Bedroom	£749.00
5 Bedroom	£880.00

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

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

New Forest

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

Within Southampton the Council will promote biodiversity through:

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

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

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

The proposed development will generate a CIL contribution and the City Council will ring fence 5% of the overall sum, to fund improvements to footpaths within the greenways and other semi-natural greenspaces.

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

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

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

In the absence of an agreed mitigation scheme for impacts on the New Forest designated sites Southampton City Council has adopted a precautionary approach and ring fenced 5% of CIL contributions to provide alternative recreation routes within the city.

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

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

Summary of Natural England's comments:

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

POLICY CONTEXT

Core Strategy - (as amended 2015)

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

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

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

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2019)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

16/00112/FUL/11603



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

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

Drawing By Design
Mr Paul Brotherton
280 Priory Road
St Denys
Southampton
SO17 2LS

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

FULL APPLICATION - REFUSAL

Proposal: Single storey extension to existing outbuilding and replacement of flat roof with pitched roof to facilitate conversion to 1x 1-bed dwelling.

Site Address: 48 Atherley Road, Southampton, SO15 5DS

Application No: 16/00112/FUL

For the following reason(s):

01.Out of Character/Poor Residential Environment

The proposal to form a separate dwelling represents an over-intensive use of the site which would be harmful to the character of the area in terms of introducing residential development in a back-land location which would be out of character with the layout, density and context of the established pattern of development in the area. In addition, the proposal would be harmful to the amenities of existing and proposed neighbouring occupants in terms of not providing adequate privacy for the occupiers of the proposed unit and the amenities of neighbouring occupiers in terms of increasing the activity to the rear of the site. Furthermore, a poor residential environment would be created for prospective occupants of the dwelling due to the poor access arrangements via a narrow, enclosed path which does not benefit from good natural surveillance. The proposal thereby proves contrary to SDP1(i), SDP7(iii)(iv)(v), SDP9(v) SDP10 (i) and H7 of the adopted City of Southampton Local Plan Review (2015) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (2015).

02.Impact on Neighbouring Amenity

The proposal, by means of its increase in height in immediate proximity with the common boundary, relates poorly to the neighbouring property (number 50 Atherley Road) and would adversely affect the residential amenities currently enjoyed by neighbouring occupiers, in terms of the creation of an overbearing form of development and an increased sense of enclosure. Therefore, the scheme is contrary to Policies SDP1 (i), SDP7 (iv) and SDP9 (i) & (v) of the adopted City of Southampton Local Plan Review (2006), policy CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and the provisions of the Council's approved Residential Design Guide (September 2006) in particular paragraphs 2.2.1 and 2.2.19-21.

03.Lack of Section 106 or unilateral undertaking to secure planning obligations.

In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.



Samuel Fox
Planning & Development Manager

12 October 2016

For any further enquiries please contact:
John Fanning

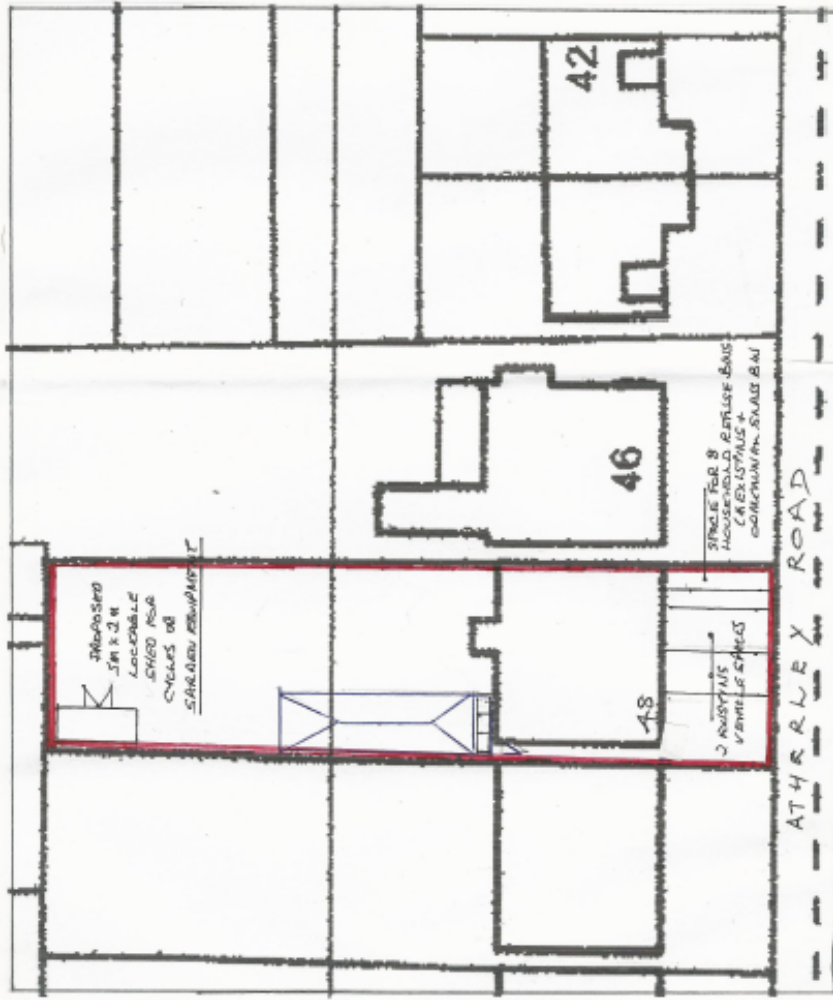
IMPORTANT NOTE TO APPLICANT

Community Infrastructure Liability (Refusal)

You are advised that, had the development been acceptable, it could be liable to pay the Community Infrastructure Levy (CIL). Please ensure that, should you chose to reapply or appeal, 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.

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

Drawing No:	Description:	Date Received:	Status:
1	Location Plan	14.06.2016	Refused
2	Site Plan	01.09.2016	Refused
3	Floor Plan	01.09.2016	Refused
4	Elevational Plan	01.09.2016	Refused



Drawing by Design
Paul Brotherton



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Mobile: 07780 377655
Email: paul@drawingbydesign.co.uk
Website: www.drawingbydesign.co.uk

A3

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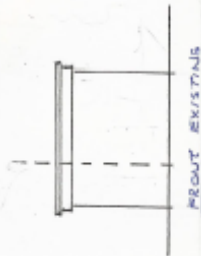
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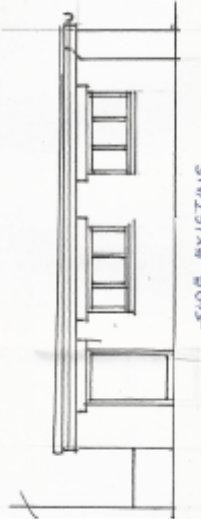
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Drawing by Design



FRONT EXISTING



SIDE EXISTING



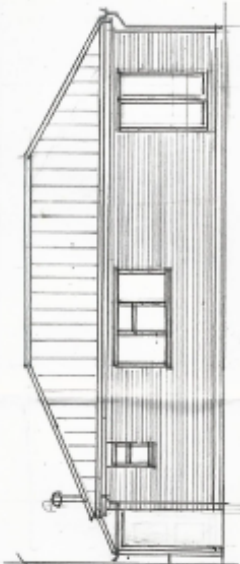
REAR EXISTING

SIDE ELEVATION OF AS
PRACTY OCCURS THESE
ELEVATIONS



FRONT PROPOSED

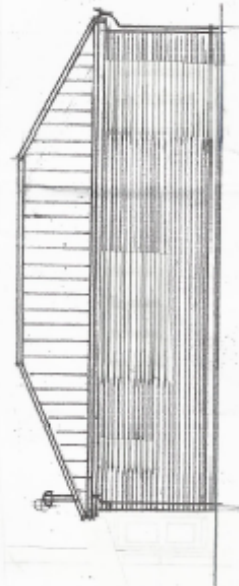
POLYCARBONATE
CLEAR ROOF
OVER PORCH



SIDE PROPOSED



REAR PROPOSED



REVERSE SIDE ELEVATION

Drawing by Design

Paul Erolherton

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Address

A8; ATRERLEY ROAD; SHIRLEY; SOUTHAMPTON; SO15 5DS

Page No: 4

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A3

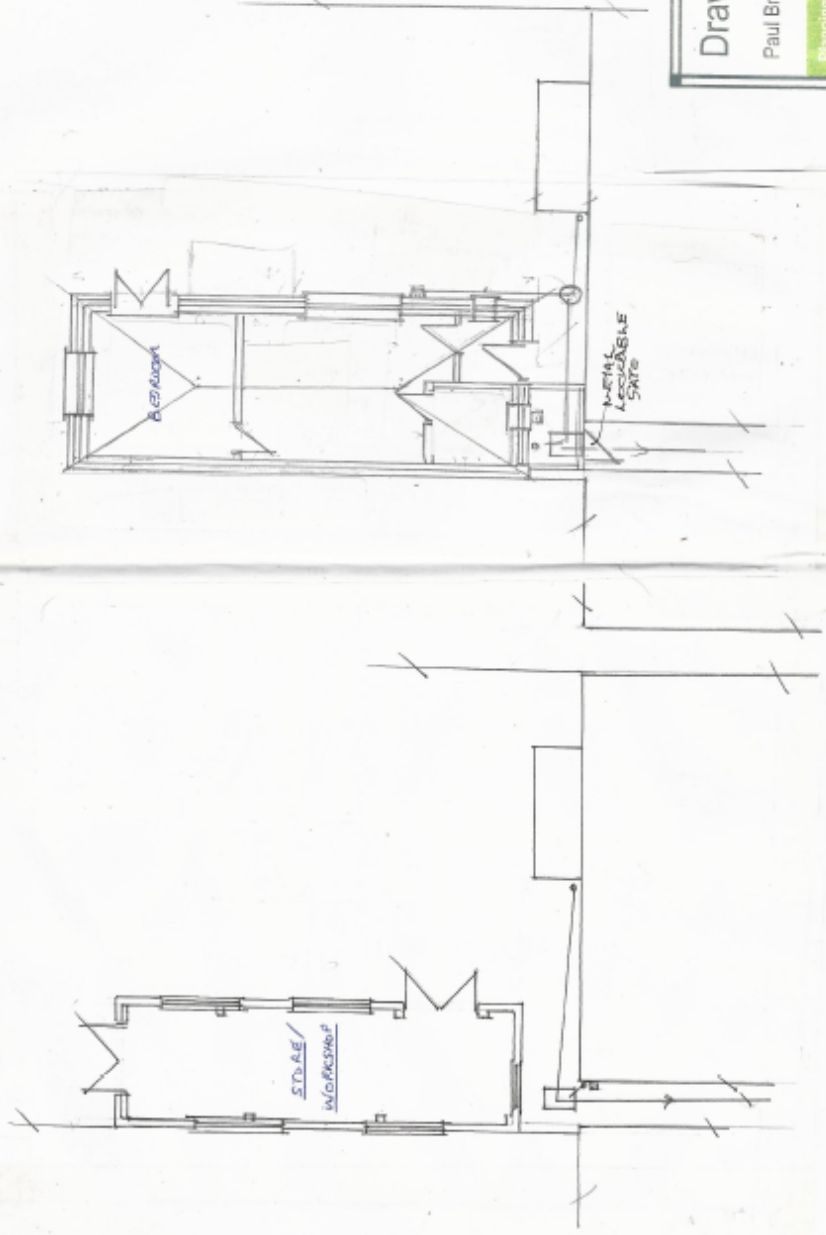
Title

ELEVATIONS NOW BE PROPOSED

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A3

Address

A8: ATHERLEY ROAD: SHIRLEY: SOUTHAMPTON: SO15 5DS

Title

FLOOR PLAN EXISTING & PROPOSED

Scale: 1:100

Page No: 3





Appeal Decision

Site visit made on 16 September 2010

by **G M Hollington MA, BPhil, MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
29 September 2010

Appeal Ref: APP/D1780/A/10/2124597 38 Atherley Road, Southampton, SO15 5DQ

- 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 Baldin Kenth against the decision of Southampton City Council.
- The application Ref. 10/00027/FUL, dated 11 January 2010, was refused by notice dated 9 March 2010.
- The development proposed is change of use of rear garage; insertion of three additional windows; raising of roof by 0.5 metres; and enlargement of existing cycle and bin storage.

Decision

1. I dismiss the appeal.

Main Issues

2. I consider the main issues in this appeal to be the effects of the proposed development on:
 - (a) the character and appearance of the surrounding area; and
 - (b) the living conditions of occupiers of the proposed dwelling, with particular reference to access and private amenity space.

Reasons

- (a) Character & Appearance
3. The appeal site is in an area of dwellings mostly arranged conventionally along road frontages, with small front gardens and longer back gardens. The appeal building is described as a garage but it has no vehicular access and has the appearance more of an outbuilding, situated at the far end of the back garden from the house (which has been converted into flats).
 4. It is proposed to alter and convert the outbuilding to a studio flat. Its position and use as a separate dwelling (rather than any effect on densities) would be out of keeping with the layout of development in the area. Use of what would continue to resemble an outbuilding would be out of character with its surroundings.
 5. My conclusion on this issue is that the proposed development would unacceptably harm the character and appearance of the surrounding area. It

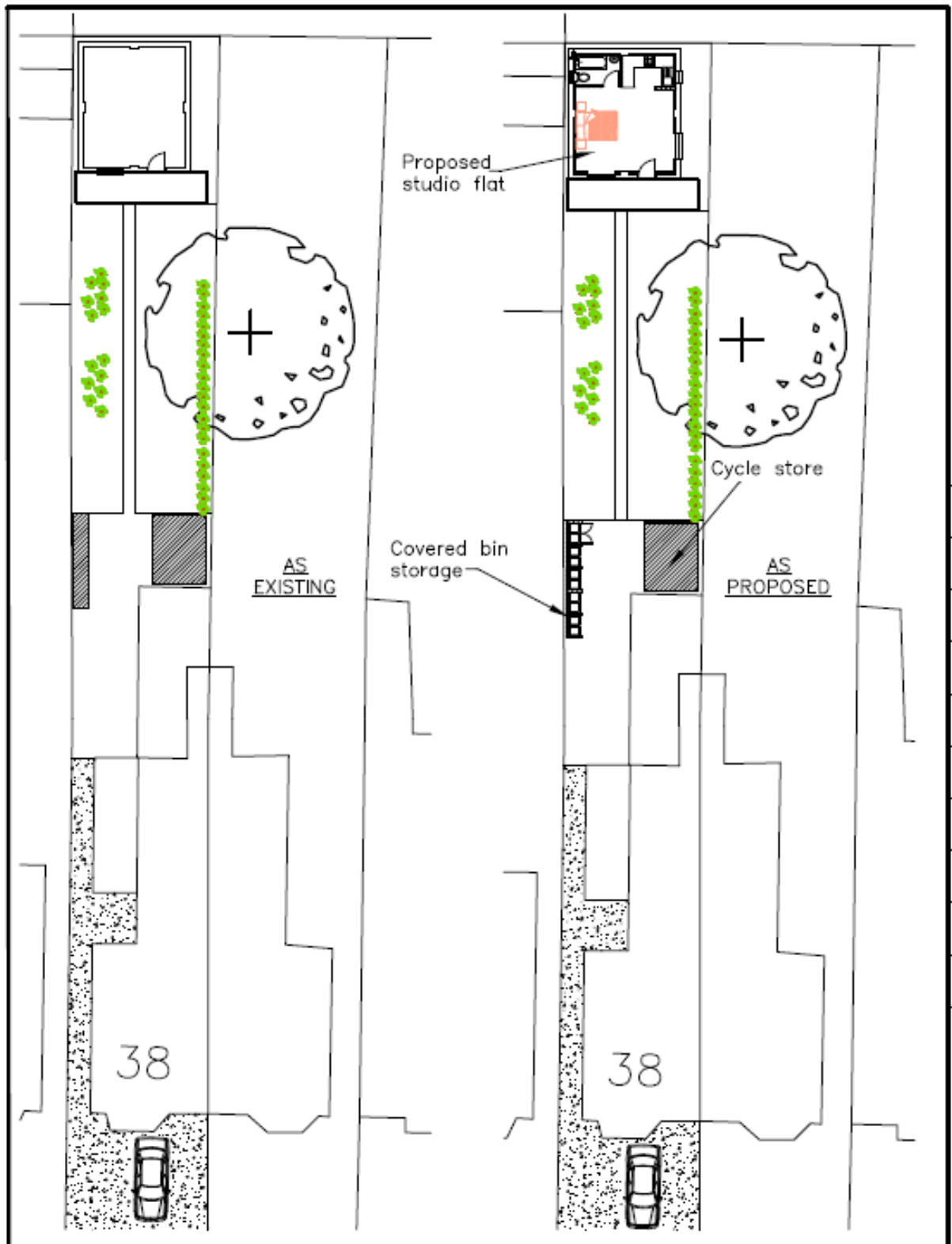
would not accord with the aims of policy CS13 of the adopted Core Strategy Development Plan Document (January 2010).


(b) Living Conditions

6. Access to the proposed dwelling would be via a mostly narrow path along the side of the existing house. There are already external lights on the side wall of the house and the front wall of the appeal building but, as the Residential Design Guide (RDG) supplementary planning document points out, natural surveillance should be a key element of design, to prevent crime and fear of crime. The long and mostly narrow passageway would lack adequate surveillance and be conducive to crime. I am doubtful any planning condition could effectively overcome this.
7. Occupiers of the proposed dwelling would share the use of an area of amenity space with occupiers of the flats in the house. The amount of space is acceptable to the local planning authority and, while residents of a conventional detached dwelling would expect to have their own private garden and facilities, the resulting dwelling would be only a studio flat. For such a small property, it would not be unreasonable for the amenity space to be shared, as is usually acceptable for flats.
8. I conclude on this issue that, although the private amenity space would be acceptable, the proposed development would result in unacceptably poor living conditions for occupiers of the proposed dwelling, with particular reference to access. This would conflict with the aims of policy CS13, policies SDP1, SDP4, SDP10 and H7 of the adopted City of Southampton Local Plan Review (March 2006), and the RDG.
9. I have also taken into account all the other matters raised in the written representations, but none is of such significance as to outweigh the considerations which have led to my conclusions on the main issues.

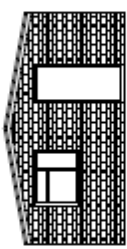
G M Hollington

INSPECTOR

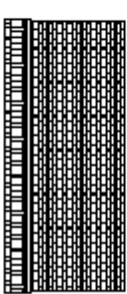


	WildCry Technical Services 1 Bealing Close Southampton SO16 3AW	SCHEME TITLE 38 Atherley Road S015 5DQ		CREATED MAH
	DRAWING TITLE Site Layout Plan	PROJECT NO.	SCALE 1:250	DATE Dec 2009
		DRAWING NUMBER Ath004		CHECKED
				APPROVED
				REVISION REV

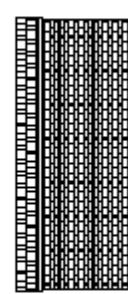
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Front Elevation As Existing



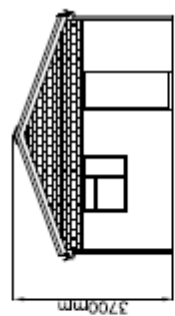
Left Side Elevation As Existing



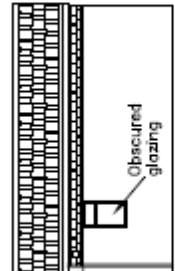
Right Side Elevation As Existing



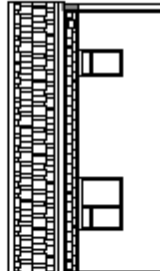
Rear Elevation As Existing (1:100)



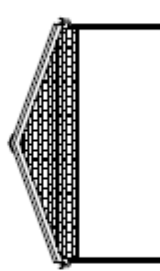
Front Elevation As Proposed



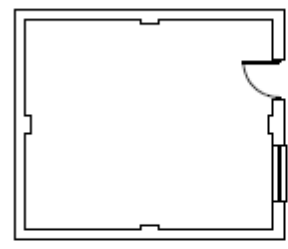
Left Side Elevation As Proposed



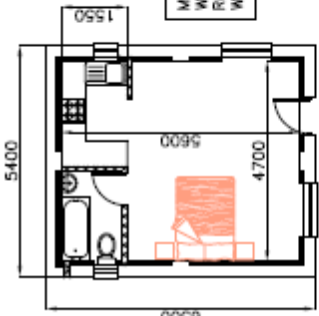
Right Side Elevation As Proposed



Rear Elevation As Proposed (1:100)




Ground Floor Plan As Existing



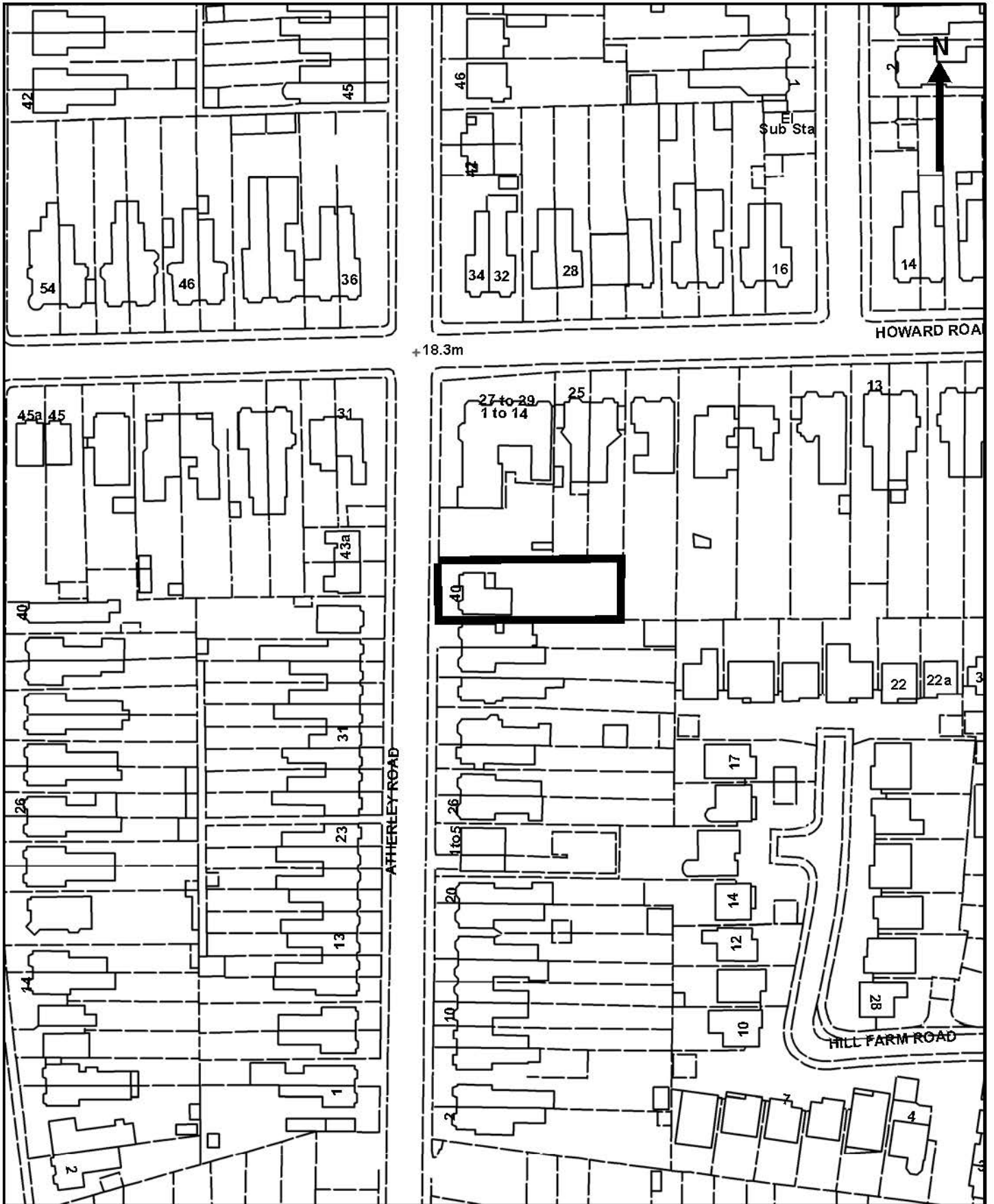
Ground Floor Plan As Proposed (1:100)

Materials

- brickwork to match existing
- Grey concrete slates
- White Upvc

	<p style="text-align: center;">Proposed Studio Flat</p>	<p>PROJECT NO: N/A</p> <p>DRAWING NUMBER: Ath001</p>
<p>WILD CITY TECHNICAL SERVICES 1000 GLENVIEW ROAD SOUTHAMPTON</p>	<p style="text-align: center;">38 Atherley Road</p> <p style="text-align: center;">S015 5DQ</p>	<p>CREATED: MASH</p> <p>DATE: Dec 2 009</p> <p>CHECKED:</p> <p>APPROVED:</p> <p>REVISION:</p> <p>REV:</p>

19/00116/FUL



Scale: 1:1,250

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