

Planning and Rights of Way Panel

Tuesday, 15th October,
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 Mitchell (Vice-Chair)
Councillor Coombs
Councillor G Galton
Councillor L Harris
Councillor Vaughan
Councillor Windle

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.

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

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

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

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

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

Dates of Meetings: Municipal Year 2019/2020

2019	
4 June	17 September
25 June	15 October
16 July	12 November
6 August	10 December
31 August	

2020	
14 January	31 March
11 February	21 April
10 March	

CONDUCT OF MEETING

TERMS OF REFERENCE

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

BUSINESS TO BE DISCUSSED

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

RULES OF PROCEDURE

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

QUORUM

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

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

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:
Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (iii) Any contract which is made between you / your spouse etc (or a body in which 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 - 6)

To approve and sign as a correct record the Minutes of the meetings held on 17 September 2019 and to deal with any matters arising.

CONSIDERATION OF PLANNING APPLICATIONS

5 PLANNING APPLICATION - 19/00726/FUL - COMPASS HOUSE, ROMSEY RD (Pages 11 - 38)

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

6 PLANNING APPLICATION - 19/00227/FUL - 35 BELMONT RD (Pages 39 - 60)

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

Monday, 7 October 2019

Director of Legal and Governance

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PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 17 SEPTEMBER 2019

Present: Councillors Savage (Chair), Mitchell (Vice-Chair), Coombs, G Galton, L Harris, Vaughan and Windle

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

RESOLVED: that the minutes for the Panel meeting on 27 August 2019 be approved and signed as a correct record.

26. **PLANNING APPLICATION - 19/00997/FUL - FORMER EAST POINT CENTRE**

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.

The erection of a Class A1 foodstore (1,775 sqm gross internal) with associated access, car parking, and landscaping works (resubmission)

Graham Linecar (Southampton Common and Parks Protection Society), Simon Reynier (City of Southampton Society), Alan Williams (agent) and Lee McCardless (on behalf of the applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer detailed the changes to previous scheme, which had been refused by the Panel, including the changes to entrance and egress of the site. It was reported that Sport England were not able to support this development but, officers explained that as the playing field had ceased to be used since the closure of the old school they were no longer a statutory consultee and that the recommendation sought a legal mechanism for the provision of replacement public space in regard to the adjacent land parcel being considered as a separate application.

It was noted that the City's Sustainability Officer had offered no objection but had requested that changes be made to Condition 16, as set out below. It was also noted that the City's Tree Officer had made no comment on the current application but had previously raised no objection and that Ecology Officer had offered no objection should the amendments to the conditions below be made. The Panel requested that amendments be made to conditions to ensure the provision of staff facilities including for showers and cycle storage. Additionally the Panel requested that the condition relating to delivery amended. Changes to the conditions are as set out below.

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

RECORDED VOTE to grant planning permission.

FOR: Councillors Savage, Mitchell, Coombs, Galton, L Harris and Windle

AGAINST: Councillor Vaughan

RESOLVED that the Panel:

- (i) Delegated authority to the Service Lead – Infrastructure, Planning and Development to grant planning permission subject to: the planning conditions set out in the report, any amended conditions agreed at the meeting; and the securing of a legal mechanism to deliver replacement open space on the adjoining site as part of planning application ref 19/01284/FUL and the completion of a S.106 Legal Agreement to secure:
 - a. 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);
 - b. 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;
 - c. Submission, approval and implementation of a Travel Plan;
 - d. Submission of a Training and 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).
 - e. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013); and
 - f. Submission, approval and implementation of a Servicing Management Plan to include a delivery activity noise management plan
- (ii) That the Service Lead – Infrastructure, Planning Development be delegated authority to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary; and
- (iii) That 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 granted authority to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

AMENDED CONDITIONS

6. Cycle Storage and Changing Facilities (Pre-Use Condition)

Before the development hereby approved first comes into use, secure and covered storage for bicycles for both employees and customers shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Customer cycle parking should be covered and secure and staff cycle parking should be positioned within a secure and weatherproof storage area. A shower area, changing room and lockers shall also be provided for staff with details to be first submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

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

10. Landscaping scheme (Pre-Commencement Condition)

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. Planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- ii. Specification of the trees to be planted providing native trees where appropriate;
- iii. Details of all hardstanding;
- iv. Details of any proposed boundary treatment, including retaining walls
- v. A landscape management scheme including an automated irrigation scheme or similar to maintain the vegetation on site.
- vi. biodiversity enhancement and mitigation through landscaping

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

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

REASON: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

14. Lighting scheme (Performance Condition)

The development shall be carried out and retained in accordance with the external lighting details as set out within Drawing No. B2340-MJA-P105-4746-G dated 16.9.19.

REASON: In the interests of neighbouring residential amenities and to safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

20. Control Of Noise (Performance Condition)

With the exception of servicing delivery times as set out within condition 28, the development hereby approved shall be carried out and retained in accordance with the recommendations of the Sharps Redmore Noise Report dated 29th May 2019.

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

28. Hours of Use & Delivery (Performance Condition)

The food store hereby approved shall not operate outside of the hours hereby set out:

- 8am - 10pm Monday to Saturday and
- 10am and 5pm Sundays and Public Holidays

No deliveries shall be taken or despatched outside the hours hereby set out:

- 7am - 10pm Monday to Saturday and
- 9am - 8pm Sundays and Public Holidays

REASON: In the interests of existing and proposed residential amenity

30. Electric Vehicle Charging Points (Pre-Commencement Condition)

A minimum of 2 no. electric vehicle charging points shall be provided prior to commencement of use of the food store hereby approved, with details of the location and specification of the charging points to be first submitted to the Local Planning Authority and agreed in writing. The vehicle charging points shall be retained as agreed.

REASON: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20

27. PLANNING APPLICATION - 19/00494/FUL - 21 EMSWORTH ROAD

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.

Erection of three 3-bed dwelling houses with associated car parking, bin and cycle storage following demolition of existing dwelling house. (Resubmission of planning ref: 18/02076/FUL)(amended since initial submission).

Rebecca Marshall, Azalia Gosling (local residents/ objecting), Carl Patrick (agent), and Councillors G Galton and S Galton were present and with the consent of the Chair, addressed the meeting.

The presenting officer noted that the reason for referral to Panel should have included notification that ward councillors had expressed their concerns about the development. In a response to members of the public's concerns, about the timescales involved in the circulation of amended plans, it was noted that the amended plans had been circulated in line with the required consultation guidelines. It was reported that changes were required to conditions relating to parking and bin and cycle storage as set out below.

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: Infrastructure, Planning 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 the Service Lead Infrastructure, Planning and Development authority to grant planning permission subject to:
 - a. the planning conditions set out in the report;
 - b. the amended conditions agreed at the meeting; and

- c. securing a financial contribution towards Solent Disturbance Mitigation Project (SDMP) 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

NOTE: Councillor G Galton declared an interest and withdrew from the Panel for this item.

AMENDED CONDITIONS

3. Refuse & Recycling (Pre-Commencement)

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

4. Cycle Storage Facilities (Pre-Commencement Condition)

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

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

5 Parking and Sightlines(Pre-Occupation)

The parking spaces and sightlines hereby approved shall be provided prior to the development first coming into occupation and the parking spaces shall be 2.4m wide by 5m deep and at least a one for one basis. In addition the 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.

11. Landscaping and Means of Enclosure Detailed Plan (Pre-Commencement Condition)

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) Details of the replacement hedging and brick wall to the frontage;
- (ii) Details of all boundaries;

- (iii) planting plans including the provision of at least eight semi-mature trees; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate - to be agreed; and;
- (iv) a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and boundary treatment) 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 the boundary treatment which shall be retained for the lifetime of the development.

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

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

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 15th October 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	19/00726/FUL Compass House, Romsey Rd
6	MT	DEL	5	19/00227/FUL 35 Belmont Rd

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

MT – Mark Taylor

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)

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

Application address: Compass House, Romsey Road, Southampton			
Proposed development: Re-development of the site to create a three-storey hotel containing 73 rooms with associated works including 34 car parking spaces (amended description following amended plans).			
Application number:	19/00726/FUL	Application type:	FUL
Case officer:	Mat Pidgeon	Public speaking time:	15 minutes
Last date for determination:	24.07.2019	Ward:	Redbridge
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr McEwing Cllr Whitbread Cllr Spicer
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	No
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Reason for granting Permission

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

Appendix attached			
1	Development Plan Policies	2	Accessibility Map

Recommendation in Full

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

2. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
- iii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- iv. Submission and implementation within a specified timescale of a Travel Plan;
- v. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
- vi. Submission and implementation within a specified timescale of a Waste Management Plan; and
- vii. The submission, approval and implementation of public art that is consistent with the Council's Public Art 'Art People Places' Strategy.

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

1. The site and its context

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

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

2. Proposal

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

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

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

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

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.

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

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

4. Relevant Planning History

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

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

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

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

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

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and

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

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

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

5.3 ***Poor public transport links***

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

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

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

5.5 ***Highways safety.***

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

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

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

5.7 ***Neighbouring privacy.***

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

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

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

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

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

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

5.10 ***Loss of trees***

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

5.11 ***Air pollution.***

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

Consultation Responses

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

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

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

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

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

6. **Planning Consideration Key Issues**

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

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

Principle of Development

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

Design and effect on character

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

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

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

Residential amenity

- 6.10 The development is unlikely to cause direct significant harm in terms of overshadowing, privacy or visual impact to neighbouring amenity due to the distance between the site and the closest residential properties (between 25m & 27m for the properties on the opposite side of Romsey Road and between 17.5m and 24m for the potential future dwellings within Compass House).
- 6.11 To ensure that the amenity of nearby residents is not significantly harmed during construction a Construction Management Plan is recommended by planning condition. A standard condition restricting construction hours to Monday to Friday 08:00 to 18:00 hours, Saturdays 09:00 to 13:00 hours and at no time on Sundays and recognised public holidays will also be applied.
- 6.12 As such the proposal is considered to be acceptable in terms of its impact on nearby residential amenity and accordingly is deemed compliant with policy SDP1(i).
- 6.13 The pedestrian and vehicular entrances to the site, and to the hotel, will benefit from natural surveillance.

Parking highways and transport

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

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

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

Trees and Ecology

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

Flood Risk

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

Mitigation of direct local impacts

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

Likely effect on designated habitats

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

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

7. Summary

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

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

MP for 15/10/19 PROW Panel

PLANNING CONDITIONS

1.Full Permission Timing Condition (Performance)

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

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

2. Approved Plans [Performance Condition]

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

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

3. Restricted Use (Performance)

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

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

4. Details of building materials to be used [Pre-Commencement Condition]

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

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

5. Details of external appearance

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

To ensure satisfactory design of the building.

6. No other windows or doors other than approved (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level of development hereby permitted without the prior written consent of the Local Planning Authority.

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

7. Obscure Glazing (Performance Condition)

All windows serving the accessible rooms facing west, located at first floor level and above of the hereby approved development, shall be obscurely glazed and fixed shut before the development is first occupied. The windows shall be thereafter retained in this manner.

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

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

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

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

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

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

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

09. Piling (Pre-Commencement)

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

Reason: In the interest of residential amenity.

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

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

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

11. Security gate [Pre-Commencement Condition]

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

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

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

12. Service bay restriction [Performance Condition]

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

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

13. Service bay signage [Pre-Occupation Condition]

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

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

14. Cycle storage facilities [Performance Condition]

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

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

15. Refuse & Recycling [Performance Condition]

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

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

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

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

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

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

17. Archaeological evaluation work programme [Performance Condition]

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

Reason: To ensure that the archaeological investigation is completed.

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

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

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

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

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

Reason: To ensure that the archaeological investigation is completed.

20. Ecological Mitigation Statement (Pre-Commencement)

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, [as set out in the submitted AIN; with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

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

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

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

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

22. Construction Management Plan [Pre-Commencement]

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

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

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

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

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

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

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

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

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

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

25. Use of uncontaminated soils and fill (Performance)

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

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

26. Unsuspected Contamination (Performance)

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

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

27. Protection of nesting birds (Performance)

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

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

28. BREEAM Standards (Pre-Commencement)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum Excellent against the BREEAM Standard, in the form of a design stage report, is submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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

29. BREEAM Standards [Performance Condition]

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

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

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

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO₂ emissions of at least 12.5% must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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

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

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

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

32. Arboricultural Method Statement (Pre-Commencement Condition)

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

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

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

33. Arboricultural Method Statement (Performance)

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

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

34. Arboricultural Protection Measures (Pre-Commencement)

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

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

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

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

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

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

36. Sustainable Drainage Systems (Pre-Commencement)

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

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

37. Surface / foul water drainage (Pre-commencement)

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

Reason: To ensure satisfactory drainage provision for the area.

38. External Lighting Scheme (Pre-Commencement)

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

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

39. Wheel Cleaning Facilities (Performance)

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

Reason: In the interests of highway safety.

40. Staff showings facilities [Performance Condition]

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

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

41. Limited number of hotel bedrooms [Performance Condition]

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

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

42. Service bay restriction [Performance Condition]

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

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

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Application 19/00726/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
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
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
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
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
HE6	Archaeological Remains

Supplementary Planning Guidance

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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Southampton City Council Parking Standards Supplementary Planning Document (SPD)

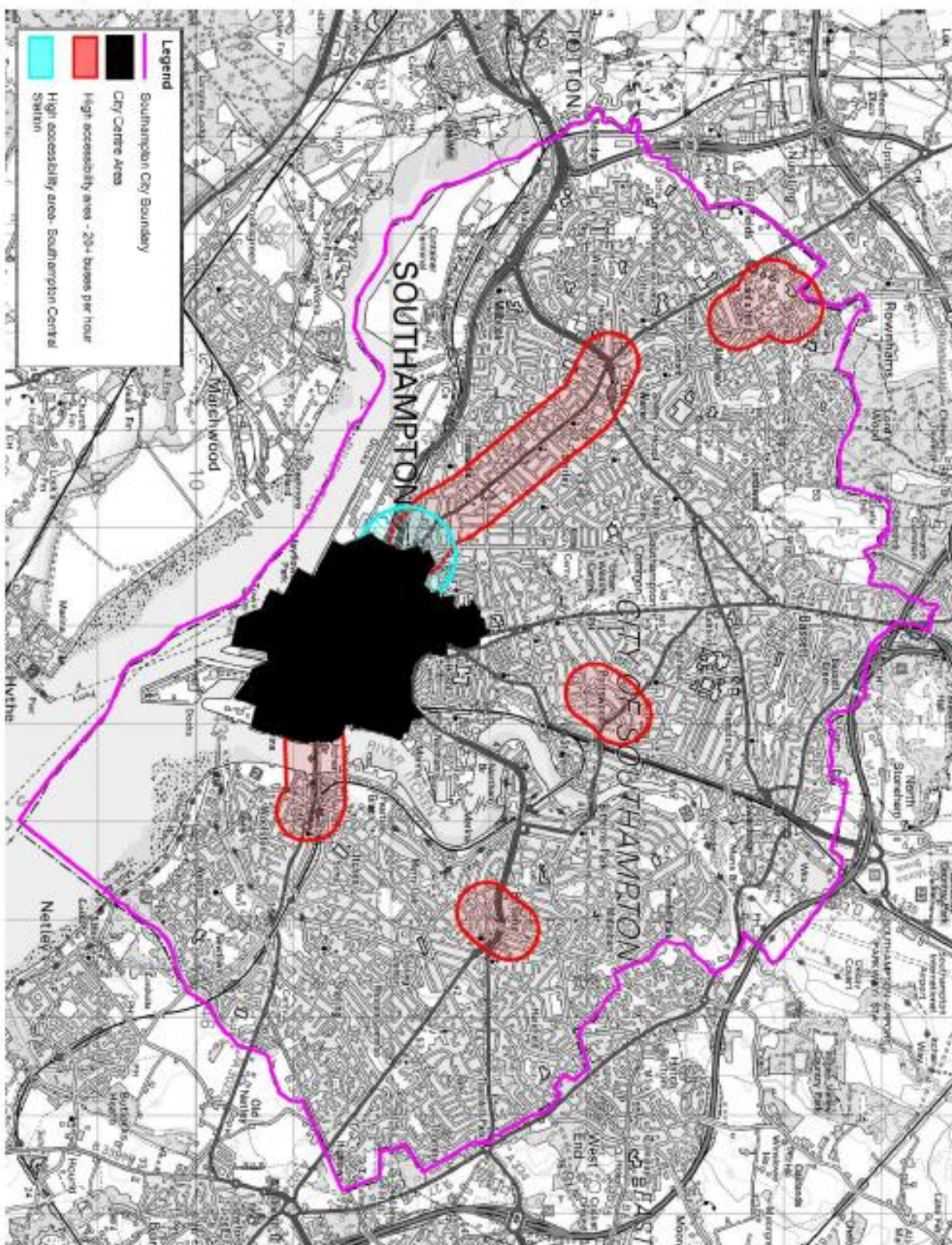
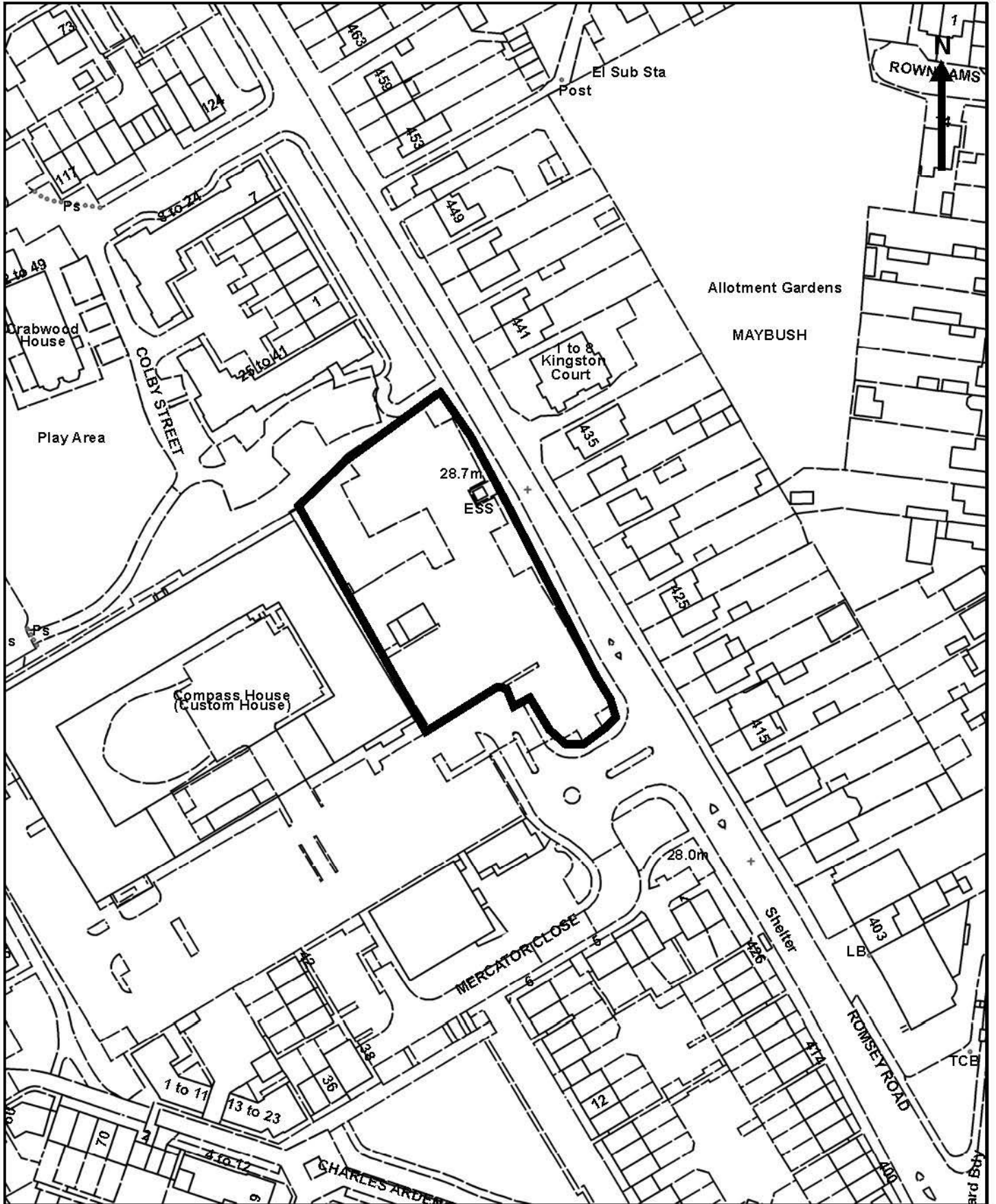


Figure 5: Plan of standard and high accessibility zones, June 2011

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Agenda Item 6

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

Application address: 35 Belmont Road, Southampton			
Proposed development: Erection of a part two storey part single storey rear extension for conversion of the building into 3 x flats (1 x 3 bed, 1 x 2 bed, 1 x 1 bed) with associated parking and bin and cycle storage			
Application number:	19/00227/FUL	Application type:	Full
Case officer:	Mark Taylor	Public speaking time:	5 minutes
Last date for determination:	29.05.2019	Ward:	Portswood
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Councillor G Cooper Councillor L Mitchell Councillor J Savage
Applicant: Mr K Kang		Agent: Kingston Studio	

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 (2019). CS4 (Housing Delivery), CS5 (Housing Density), CS13 (Fundamentals of Design), CS16 (Housing Mix and Type), CS19 (Car and Cycle Parking), CS20 (Tackling and Adapting to Climate Change), CS22 (Promoting Biodiversity and Habitats) of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). SDP1 (Quality of Development), SDP4 Development Access, SDP5 Parking, SDP6 (Urban Design Principles), SDP7 (Context) - outside city centre, SDP9 (Scale, Massing and Appearance) - outside city centre, H1 (Housing Supply), H7 (The Residential Environment) of the City of Southampton Local Plan Review (Amended 2015) as supported by the NPPF (2019)

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies

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 planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add/vary/delete conditions as necessary and refuse the application in the event that 2. above is not completed within reasonable timescales.

1. The site and its context

- 1.1 The application site contains a two storey semi-detached dwelling. It forms one half of a matching pair of properties although the neighbouring property No.33 has been extended at the rear of the site and accommodation has been provided in the roofspace through the use of dormer windows.
- 1.2 The property is brick built with facing brick elevations and a concrete tiled hipped roof. To the site of the property is a driveway leading to an outbuilding to the rear of the site. There is an existing gated, vehicular access onto Belmont road on the north east corner of the site. The front boundary is formed of a low brick wall with and evergreen hedge behind in excess of 2 metres in height.
- 1.3 The site is located on the western side of Belmont Road. The area is mixed in character formed of a variety of property types including two storey houses and flats both conversions and purpose built. A number of properties in the vicinity have increased the level of accommodation through the provision of accommodation in the roofspace, as such loft conversions form part of the established character of the area. A number of the dwellings in the area are licensed houses of multiple occupation.
- 1.4 The site does contain trees to the rear of the site offered protection via tree preservation order T2-086 but the hedgerow frontage is not protected from removal.

2. Proposal

- 2.1 The application seeks to extend the property at the rear of the site via a single storey and two storey extension. Further extensions are proposed to the roofspace through dormer additions in each of the properties roof slopes.
- 2.2 The additional accommodation created seeks to convert the property into three flats. At ground floor it is proposed to provide a three bedroom flat with direct access to private amenity space at the rear of the site. The accommodation provided comprises a master bedroom served by an en-suite at the front of the property. An open plan kitchen dining and lounge area on the southern side of the property and two bedrooms and a bathroom on the north side of the property.

- 2.3 At first floor it is proposed to provide a two bedroom flat. Both bedrooms are located at the rear of the property, one located within the proposed two storey extension. A bathroom is located on the north side of the property and an open plan kitchen and lounge in located to the front of the property.
- 2.4 Within the enlarged roofspace a single bedroom flat is proposed. The accommodation includes a bedroom at the rear served by a dormer window looking towards the rear of the site. An open plan lounge and kitchenette with an outlook towards the front of the site, and a shower room located in the southern dormer window.
- 2.5 During the course of the application the on-site parking has been amended at the Highway Officers recommendation so as to improve visibility for drivers leaving the site. The number of off road parking spaces has been reduced from 3 to 2. The parking will require the removal of the existing front boundary treatment to allow direct access onto the highway. The hard surfacing is advised as permeable.
- 2.6 The proposal includes the provision of three separate bike stores (containing secure Sheffield stands) to serve each of the three flats. Details of bin storage have also been provided as part of the proposal. A pedestrian access is retained from the highway and two short sections of boundary wall no more that 60cm in height are located on the front boundary.
- 2.7 The external facing materials are advised as matching those already used on the host 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 1***.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 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 schedule of the relevant planning history for the site is set out below

Case Ref:	Proposal:	Decision:	Date:
998/25	Erection of house	Application Permitted	1952

- 4.2 In addition, the Council has recently resolved to grant permission (subject to completion of a s.106 legal agreement) for the following at 39-41 Belmont Road:

Redevelopment of the site. Erection of a part 3-storey, part 2-storey, part single storey building containing 12x 1-bed, self-contained, supported living flats, with communal lounge, WC, administration offices, plant and refuse area with communal garden and associated car parking. (resubmission 18/01285/FUL)
LPA ref: 19/00370/FUL

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 16 April 2019. At the time of writing the report **9 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2 The changing mix of accommodation in Belmont Road and Westridge Road has resulted in a loss of family homes

Response

A family home is defined by the Core Strategy as a property that which contains 3 or more bedrooms with direct access to private and useable garden space that conforms to the Council's standards. As such in policy terms the proposal retains a family unit.

5.3 The application result in over development of the plot. The mass and scale of the build is excessive

Response

The impact of the proposal on the character and appearance of the area forms part of the material considerations for the application below. The site is considered to be sufficient in size to accommodate the proposed increase in footprint of the dwelling and still provide associated amenity space, refuse and cycle storage to the required standards without being harmful to neighbouring amenity. The proposed residential density is 75 dwellings per hectare (dph) (0.04ha/3 flats). In areas of high accessibility accepted densities exceed 100 dph. The Core Strategy (Appendix 2) identifies this part of Belmont Road as having medium accessibility to public transport where accepted densities are between 50 and 100dph (Policy CS5 refers).

5.4 The proposal will be to the detriment of the amenities of the occupier of neighbouring dwellings.

Response

The impact of the proposal on the character and appearance of the area forms part of the material considerations for the application below. Officers have concluded that the proposed impacts are acceptable.

5.5 The proposed second floor flat is very small

Response

The agent has advised that the second floor flat has an area of 35sq.m. Officers have measured the top floor flat as 30sq.m, including the staircase, with some 23sq.m of 'useable' space given the extensive dormers proposed. The council hasn't adopted its own minimum floorspace standards. The national space standards for a one person flat served by a shower is 37 sqm (50sq.m for a 2 person occupancy). As such the proposal falls between 2 and 14sq.m short of the national guidance depending on which figures are taken. However this shortfall must be assessed against the wider merits of the scheme and the contribution that the

development would bring to the housing mix for the area. The amenities of the occupiers of the proposed flat forms part of the considerations of the application as does the need to provide housing. On balance a scheme for 3 flats of varying type and size is considered by officers to be acceptable.

5.6 The proposed level of parking is insufficient

Response

The Council has adopted maximum car parking standards. For a scheme of this mix in an area of high accessibility (as defined by the Parking Standards Supplementary Planning Document) the maximum provision required is 4 parking spaces (5 if the scheme were less accessible). The SPD also confirms that provision of less than the maximum parking standard is permissible subject to justification. There are parking restrictions in the surrounding area which limit the possibility for overspill car parking. The proposed parking has been reviewed by the Council's Highway Officer who have sought a reduction in the level of parking initially proposed (from 3 to 2) in order to safeguard highway safety when entering or exiting the site. The site is located some 400m from Portswood District Centre, including access to good local services, employment and public transport links meaning that not every occupant will choose to own a car. Indeed the 2011 Census for the wider Portswood ward confirms that 32% of households in the ward do not have access to a car. To support the scheme the applicant has provided parking survey work, which were conducted on Friday 27th September 2019 between 12:30 and 01.00, and Saturday 28th September 2019 between 11.00 and 11.30. The survey found that the average overall vacancy rate of the study area was around 8%, (equivalent to 6.5 cars) for unrestricted parking meaning that any overspill can be accommodated locally.

5.7 Refuse Bins should not be stored on the forecourt

Response

The drawing 307.06 and 307.07 provide details for the proposed bin storage. The bin storage is located away from the highway. However the storage will be located more than 10 metres from the highway as such in order to allow an appropriate distance for collection of the waste bins will have to be placed closer to the highway on collection day. A condition can be imposed that prevents bins being located on the highway except on the day of collection. This would be characteristic of other residential bin collection in the vicinity.

5.8 The development will result in noise and disturbance during construction

Response

In order to protect the amenities of the occupiers of existing nearby properties a condition can be imposed that requires the submission of a construction environment management plan. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. This shall also include details of the storage of construction materials, construction hours, and the parking of all vehicles relating to construction.

5.9 The proposal will result in the loss and disturbance of habitats

Response

The proposal site is not considered to be of high ecological value. The protection of sensitive habitats is also covered by separate legislation to the planning act should any protected species be discovered during the proposed works.

5.10 **The proposal will result in the loss of a front garden**

Response

Paragraph 2.4.4 of the Council's Residential Design Guide SPD advises that *'the replacement of traditional front gardens with open hard standing areas for parking often results in a poor visual appearance and in some cases localized flooding and will therefore be resisted'*. However, the application site is not located within a conservation area and is not a listed building. As such the proposed garden and boundary treatments could be removed without the need for express planning consent. As such the council must be mindful of this fall-back position and would not be able to refuse the application on such grounds.

Consultation Responses

5.11 **SCC Highways** – No objection

The revised plans address the previous concerns raised with regards to parking and sightlines. The submitted parking survey is appropriate and demonstrates some, although limited capacity in the vicinity. A condition to secure the submitted parking and visibility splays should be imposed

5.12 **SCC Sustainability Team** – No objection

In the case of this proposal each of the proposed dwellings will make either a total or substantial use of the existing building. Therefore, no sustainability conditions are requested.

5.13 **SCC Community Infrastructure Levy** – No objection

The development is CIL liable as the proposal creates additional self-contained residential units facilitated by an extension to the residential building.

5.14 **SCC Tree Team** – No objection

There does not appear to be any significant trees within direct conflict with the proposal, however there is a TPO tree at the rear of the property. I would like to see a Tree survey and Tree protection plan detailing fencing towards the rear of the garden to create a construction exclusion zone (CEZ) under the canopy of the tree, this area would be closed off to all access during the development. If granted I would request a condition be placed to stop storage of building equipment and supplies under tree canopies and a plan be submitted showing the position and specification of the protective fencing, this would need to be agreed prior to commencement.

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 Whilst the site is not identified for development purposes, the Council's policies promote the efficient use of previously developed land to provide housing. A need for 16,300 homes is identified in the plan period to 2026.
- 6.2.2 Policy CS16 of the Core Strategy defines a family home as that which contains 3 or more bedrooms with direct access to private and useable garden space that conforms to the Council's standards. The proposal incorporates 1 family unit with acceptable private garden space and, as such, accords with this policy as no net loss is proposed. Instead, a good mix of accommodation within 400 metres of Portswood District Centre is on offer.

6.3 Design and effect on character

- 6.3.1 This proposal would convert and extend the existing two storey dwelling into a larger building containing three flats. The majority of the proposed works to the building will be located to the roof and the rear of the dwelling.
- 6.3.2 With regard to the proposed roof alterations the Residential Design Guide (2006) advises in paragraphs 2.5.2 to 2.5.4 how alterations to a properties roof form should be undertaken. The guidance advises on the importance of maintaining the properties roof ridge in order to preserve the character of the area. It also advises that dormers should not fundamentally change the overall shape of the roof.
- 6.3.3 The proposed dormer will be set in from the roof ridge. It will also be set in from both the front and rear roof slopes and the eaves of the dwelling. Furthermore the proposed alterations will largely mimic those made on the other half or the semi-detached pair 33 Belmont Road.
- 6.3.4 Any fall-back position is a material consideration in the decision making process, of which the rights given by General Permitted Development Order should be taken into consideration. It is sometimes argued that a proposed extension should be approved because a similar, often more harmful, addition could be built as permitted development. But in order for this argument to succeed it has to be shown that there is a reasonable likelihood of the fall back development being built if permission is denied. In this instance, as the proposed rear and side dormer windows will be no higher than the existing roof ridge, will be located on the side and rear elevations, and do not contain any upper floor side windows, a similar level of roof alteration may be achievable using the properties current permitted development rights. However the proposed front dormer window would require express planning consent.
- 6.3.5 The proposed additions at the rear of the property will be similar in scale design and proportion to the additions the neighbouring dwelling No.33. As such as the property would largely reflect the character scale and appearance the neighbouring property that forms the other half of the semi-detached pair the proposed external design of the property is considered to reflect the character of the area.
- 6.3.6 Limited details has been provided with regard to the proposed external facing materials however these details can be secured buy condition. As such, the proposed design solution can be supported.

6.4 Residential amenity

- 6.4.1 Concern has been raised that the proposal will result in a loss of privacy to the occupiers of the neighbouring dwellings. However, the upper floor windows on the rear elevation will look towards the rear boundaries of the neighbouring dwellings and will provide no further overlooking that the existing upper floor windows.
- 6.4.2 On the side elevation it is proposed to insert one additional upper floor window. This window will serve a bathroom and as such can be expected to be obscure glazed to protect the privacy of the occupants, mitigating any harmful overlooking from this window. Furthermore provided the upper floor window to be inserted is obscure glazed, and has no openings below 1.7m above the internal floor level of the room that it serves, then the insertion of the window could be considered to be permitted development if it was inserted into the current property. Obscure glazing can be secured by condition.
- 6.4.3 The outlook from the upper floor windows on the front elevation will be onto areas already open to public view.
- 6.4.4 With regard to outlook and loss of light the immediate neighbour is No.33. The proposed two storey extension will be located away from the shared boundary with this property. Section 2.2.11 of the RDG advises that the works should not breach a line drawn at 45° from the quarter-point of the nearest windows lighting habitable rooms within neighbouring properties. When such a line is taken from the neighbouring upper floor window the proposed two storey extension falls outside of the line. As such the proposal is considered to comply with the guidance provided within the Residential Design Guide.
- 6.4.5 Due to the orientation, proximity and relationship of the application property to its neighbours, as well as the nature of the development proposed, it is not considered that there would be any adverse or unacceptable impact upon the residential amenity of any neighbouring properties in terms of loss of privacy, light or outlook. As such, the proposed design solution can be supported.

6.5 Occupier Amenity

- 6.5.1 Paragraph 2.3.14 of the Residential Design Guide advises that the minimum garden size for a flats is 20 square metres per flat. The proposed 3 bedroom flat will be directly served by a 49sqm individual garden area preventing the loss of a family dwelling. The remaining two flats will be served by a communal amenity area far in excess of the required 40sqm. This area is located at the rear of the site accessed via the side of the property.
- 6.5.2 It is noted that this access to the rear amenity area will pass a bedroom and bathroom window serving the ground floor unit. In order to prevent residents passing in close proximity to these windows a defendable space is suggested to provide a buffer between the window and those entering the amenity area protecting the amenity of the occupiers.
- 6.5.3 The provision and retention of the amenity areas can be secured by condition as can the provision of the defendable area protecting the ground floor bedroom and bathroom.

- 6.5.4 With regard to the level of accommodation provided in each unit the National Technical Housing Standards provide requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy. This is guidance and has not been adopted as yet by the Council.
- 6.5.5 The agent has advised the internal floor space of the proposal to be 88 sqm for the ground floor 3 bedroom flat. The first floor flat has a 55sqm floor area and the second floor flat 35sqm.
- 6.5.6 The Technical Housing Standards advise that a 3 bedroom single storey dwelling should provide between 74 and 95sqm of gross internal floor space, 2 bedroom single storey dwellings should provide between 61 and 70 sqm of accommodation and a single bedroom, single storey flats served by a shower should have a minimum floor area of 37 sqm.
- 6.5.6 However, the Written Ministerial Statement of 25 March 2015 that relates to the standards states that decision takers should only require compliance with the technical standards where there is a relevant current Local Plan policy. However Southampton City Council has not formally adopted the minimum living space standards. As such the Council cannot apply the standards on a mandatory basis, but could decide that the accommodation is nevertheless not fit for its intended purpose.
- 6.5.7 As such it noted that the upper floor units do not meet the indicative recommended standards. However, all habitable rooms in the property, with the exception of the bathrooms, are served by appropriately sized windows with a relatively open dual outlook. All rooms have access to sources of natural light, it is noted that the kitchen area for the ground floor flat is set away from the windows on the rear elevation, however the ground floor accommodation is also served by roof lights providing natural light to the ground floor reducing the reliance on artificial light.
- 6.5.8 It is noted that the proposed accommodation for two of the proposed units falls slightly short of the requirements of the Technical Housing Standards, however, the proposed flats provide a contribution to the housing mix of the area that includes two storey dwellings, flats and HMOs that can be expected to provide even lower level of private accommodation. As such officers have attached greater weight to the need for housing, the retention of a family dwelling and the provision of a mix of accommodation over unit size in this instance. The Panel are, of course, free to form a different opinion attaching more weight to the latter.

6.6 Parking, Highways and Transport

- 6.6.1 The Council's Highways Officer has advised that the development is acceptable in principle.
- 6.6.2 Initially the application contained three parking space on the forecourt. However, three consecutive spaces in a row fronting directly onto the public footway is generally not accepted in the interest of highway safety. When all spaces are occupied, the middle car which can potentially be reversing out would have sightlines obscured on both sides. Therefore, at the Highway Officer's request, two spaces are now provided on the forecourt. A front boundary treatment is included to enforce this restriction. This front boundary wall will have height restriction of

600mm in order to secure pedestrian sightlines. Such facilities can be secured by condition.

- 6.6.3 It is noted that parking overspill is a concern of local residents. The site is located on the edge of the high accessibility area of the Parking SPD, but whether it is high or not, the parking provision is lower than the maximum standards. Parking overspill is therefore considered an amenity issue rather than a highway safety issue.
- 6.6.4 Included as part of the supporting information for the proposal is a parking survey. The survey has been conducted in accordance with the Council's Requirement of Parking Surveys' document dated January 2016. The surveys were conducted on Friday 27th September 2019 between 12:30 and 01.00, and Saturday 28th September 2019 between 11.00 and 11.30. There were no Public Holidays or School Holidays.
- 6.6.5 Belmont Road does not have any parking restrictions other than drop kerbs to properties or a single solid white line denoting a no parking area to the front of a fire hydrant in the road outside of No.39 Belmont Road. There are double yellow lines at either end of the road. Many properties within Belmont Road are served by off road parking. The 2011 Census for the wider Portwood ward confirms that 32% of households in the ward do not have access to a car.
- 6.6.6 The survey found that the average overall vacancy rate of the Study area was around 8%, (equivalent to 6.5 cars) for unrestricted parking. It was noted at the time of both surveys, that the areas of Osbourne Road South and lawn road, situated under 300m from the application site, there were very high degrees of available on street parking.
- 6.6.7 The survey advises that there are currently 59 property frontages onto Belmont Road within the 200m Radius. Of these only 7 frontages do not have off street parking. Therefore 88% of sites along the survey area have access to off street parking as well on street parking. The number of actual dwellings having access to off street parking will be higher than 88% as there are a large number of flat developments within the study area providing multiple dwellings to one frontage, with off street parking.
- 6.6.8 The highways officer has reviewed the submitted survey and advised '*The survey results do indicate that on-street parking is around 91% capacity – about 6 or 7 spaces along this stretch of Belmont Road. The proposed development would need to consider only one parking space potentially over spilling in accordance with SCC's maximum parking standards. Therefore the survey does indicate that one more car could be accommodated albeit the capacity will be reaching nearer to full.*'
- 6.6.9 With regard to public transport the closest bus stop to the application site is St Denys Road, approximately 250m away. Buses between 05:30 and 00:30 weekdays and 06:30 and 00:30 on the weekend. Local Supermarkets are within 500m and St Denys train station is located approximately 400m away.
- 6.6.10 The proposal also provides 3 dedicated cycle stores to serve the three flats. Each cycle store includes a Sheffield stand to provide a secure and sheltered facility. On this basis the provision of 3 dwellings served by 2 car parking spaces can be supported.

6.7 Trees

- 6.7.1 The application site contains trees to the rear of the site offered protection via tree preservation order T2-086. These trees are not considered to be in conflict with the proposal. However they will require protection during the on-site works. As such a condition can be imposed requiring the submission and approval of a tree protection plan detailing fencing towards the rear of the garden to create a construction exclusion zone, preventing works and storage of plant and materials in close proximity to the protected trees during construction.

6.8 Likely effect on designated habitats

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

7. Summary

- 7.1 The conversion and extension of the existing dwelling into 3 flats retains a family dwelling and can be undertaken whilst providing all the necessary facilities needed to serve the 3 flats in accordance with the Council's adopted standards. The amenities of the neighbouring properties can be protected via planning condition and the increase in activity associated with 3 flats rather than a single dwelling is not considered to be likely to generate a significantly greater level of activity or disturbance. A parking survey has been provided and Highways Officers have raised no objection to the proposal whereby 1 dwelling would not have access to a parking space. This report sets out further details regarding the size of the accommodation on offer and explains why, on balance, some flexibility has been afforded in this case (particularly in respect of the 1 bedroom flat proposed in the roof space. The scheme is compliant with the relevant policies and delivers an additional two dwellings thereby assisting the Council in meeting its housing need.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to Habitats Mitigation Contribution 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) (b) (c) (d) 2. (b) (c) (d) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer MT for 15/10/19 PROW Panel

PLANNING CONDITIONS to include:

1.Full Permission Timing Condition (Performance)

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

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

2. 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.

3. Materials

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

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

4. Cycle storage facilities

Before the development hereby approved first comes into occupation, the secure and covered storage for bicycles shall be implemented in accordance with submitted details. The storage shall be thereafter retained as approved.

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

5. Refuse Storage

Prior to the first occupation of the development hereby approved the proposed bin storage shall be implemented in accordance with submitted details. Such facilities as approved shall be permanently maintained and retained for that purpose. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the building.

Reason: In the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

6. Details of Boundary Treatment & Landscaping Buffer

No development shall take place before details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development and the landscaped buffer to the side of the development (as shown on the approved plans) have been submitted to, and approved in writing by, the Local Planning Authority. Prior to first occupation or use of the development the walls (including retaining walls), fences, gates or other means of enclosure and the landscaped buffer to the side of the development shall be erected as approved and shall thereafter be permanently retained and maintained during the lifetime of the development.

Reason: In the interests of visual and residential amenity

7. Hours of Work

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

8. Construction Method Plan

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

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

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

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

9.No storage under tree canopy

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

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

10. Provision of Amenity Space

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

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

11. Parking and Access

The marked out parking for a maximum of 2 vehicles, their access, and the front boundary wall shall be provided in accordance with the plans hereby approved before the development first comes into occupation and shall thereafter retained as approved. The hardstanding to the front of the property shall be of a porous material. A parking space shall be provided for both the 2 and 3 bedroom dwelling hereby approved.

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

12. Visibility splays

Visibility splays of 1.7m x 1.7m shall be provided and permanently maintained on both sides of the access to the development. There shall be no obstruction to visibility 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

13. Obscure Glazing

The first floor window on the side elevation serving the bathroom shall be obscure glazed to Pilkingtons level 3 or equivalent. The window shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening. Once installed the windows shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the occupiers and adjoining residential properties.

14. Retention of Family Dwelling

The development shall include a 3 bedroom flat in accordance with the plans hereby approved for the lifetime of the development, which shall be ready for occupation prior to the first occupation of the development hereby approved.

Reason: To ensure compliance is maintained with saved LDF Core Strategy Policy CS16

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	£346.00
2 Bedroom	£500.00
3 Bedroom	£653.00
4 Bedroom	£768.00
5 Bedroom	£902.00

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.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats

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
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)



Scale: 1:1,250

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