

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

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

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

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the partial demolition of the existing building, impact on the adjacent Portswood Residents' Gardens Conservation Area, neighbouring amenity, design, character, reduction in parking and highway safety have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters as set out in the report to the Planning & Rights of Way Panel on 2nd April 2019. The scheme is judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39 – 42 and 46 of the National Planning Policy Framework (2019). Saved policies SDP1 SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, CLT1, H2, H7 and RE17 of the City of Southampton Local Plan Review - Amended 2015, policies CS6, CS7, CS13, CS14, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy (2015), the Portswood Residents' Gardens conservation Area Appraisal and Management Plan and guidance contained within the National Planning Policy Framework 2019.

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

Recommendation in Full

1. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iii. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - v. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners (if required); and
 - vi. Submission and implementation of a Travel Plan.

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

3. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 The site is located on a prominent corner at the junction of Highfield Lane with Shaftesbury Avenue, just outside the defined Portswood District Centre. It lies opposite to (but outside of) the Portswood Residents' Gardens Conservation Area. The immediate neighbours of the site are predominately residential in nature.

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

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

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

2. Proposal

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

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in February 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies

accord with the aims of the NPPF and, therefore, retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

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

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

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (15.01.2019). At the time of writing the report, **6 objections** have been received from third parties and a representation from the Highfield Residents Association. The following is a summary of the points raised:

5.2 Concerned about an increase to traffic and congestion

Response

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

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

Response

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

5.4 Loss of light to Avondale Court

Response

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

5.5 **Excessive height and scale**

Response

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

5.6 **Concern about noise and disturbance**

Response

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

5.7 **Inadequate parking**

Response

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

5.8 **Parking could be provided underground**

Response

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

Consultation Responses

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

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

5.9.2 The reduction of the parking spaces from 47 to 34 is also considered acceptable as 34 spaces would be policy compliant (a maximum of 34 spaces is permitted by the Parking Standards Supplementary Planning Document). The only harmful impact from this would be any potential overspill parking. The local roads do contain various parking restrictions. Due to the nature of the use, the areas of parking which could be affected by overspill are the ones where the restrictions are time based which means they would be 'vulnerable' from overspill between the hours of 18:00-08:00. Due to the hotel use, the only people who could generate overspill parking would be hotel guests who would arrive after 18:00 and will leave before 08:00. This would be unlikely but there may be some. The other would be any night time shift workers where their shifts coincide with being outside the parking restricted times.

5.9.3 Regardless, the impact from parking overspill would be an amenity as anyone has a right to park on the highway. Therefore it will hold limited weight in this recommendation. However, a parking survey has been provided. The methodology and survey is acceptable and Council's Highways team can agree with the 'pro-rata' approach of the parking demand. This would produce a worse-case scenario of 6 spaces being needed to be accommodated. However, the survey itself shows space to accommodate this and with such a small portion of guests arriving outside the restricted parking times, the impact from this development would seem minimal.

5.9.4 The only impact which is considered that could have a significant impact on the highway is any additional servicing requirements for an intensified use. However the Transport Assessment does suggest that level of servicing requirements and that all servicing vehicles operate within the site boundary and in the car park. To secure this, a servicing management plan should be conditioned to avoid any servicing taking place on the highway.

5.9.5 Should there be an increase in staff, then additional long stay cycle spaces should be provided. The additional 30 rooms would require 3 additional short stay spaces. The application is acceptable subject to the conditions set out above.

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

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

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

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

- Specification for tying back branches if employed.

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

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

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

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

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

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

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

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

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

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

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

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

5.16 **SCC Archaeology: No objection**

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

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

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

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

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

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

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

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

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

5.18 **City of Southampton Society – Objection**

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

6. Planning Consideration Key Issues

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

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

6.2 Principle of Development

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

6.3 Effect on character

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

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

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

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

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

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

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

6.6 Impact the adjacent Conservation Area

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

6.7 Impact on protected trees and landscaping

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

7. Summary

This proposal would add to an existing hotel and, therefore, overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or the character and appearance of the area including the adjacent conservation area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning polices and the National Planning Policy Framework.

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(c), 2(d), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(b), 7(a), 8(a), 8(j), 9(a) and 9(b),

AL for 02/04/2019 PROW Panel

PLANNING CONDITIONS

1. Full Permission Timing Condition (Performance)

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

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

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

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

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

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

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

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

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

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

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

4. Parking (Pre-Occupation)

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

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

5. Arboricultural Protection Measures (Pre-Commencement Condition)

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and shall include a detailed specification for pruning works that considers each tree individually for pruning, and the possibility of tying back branches if appropriate rather than their removal.

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

6. Arboricultural Method Statement (Pre-Commencement Condition)

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

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.

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

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

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

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

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

8. Archaeological evaluation (Pre- Commencement Condition)

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

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

9. Archaeological evaluation work programme (Performance Condition)

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

Reason: To ensure that the archaeological investigation is completed.

10. Archaeological investigation (further works) (Performance Condition)

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

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

11. Archaeological work programme (further works) (Performance Condition)

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

Reason: To ensure that the archaeological investigation is completed.

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

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

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

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

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO₂ emissions of at least 15% over part L of the Building Regulations 2013, is submitted and approved in writing by the Local Planning Authority. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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

14. Zero or Low Carbon Energy Sources (performance condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 15% over part L of the Building Regulations 2013, in the form of final SBEM calculations, shall be submitted to the Local Planning Authority for its approval.

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

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

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

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

16. Protection of nesting birds (Performance)

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

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

17. Refuse management plan (Pre-Commencement Condition)

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

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

Reason: In the interests of highway safety.

18. Refuse & Recycling (Pre-Commencement Condition)

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

The bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and a lock system to comply with SCC standard lock requirements operated by a coded key pad. It must be possible to secure the doors open whilst moving the bins. Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage cause by bin movements. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard coded keypad detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin. The site management must contact SCC refuse team 8 weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. E mail waste.management@southampton.gov.uk

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

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

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

19. Cycle storage (Pre-commencement Condition)

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

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

20. Construction Management Plan (Pre-Commencement)

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

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

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

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

21. Servicing management plan (Pre-Occupation Condition)

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

Reason: In the interests of highway safety.

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

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

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

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

And at no time on Sundays and recognised public holidays.

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

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

23. Approved Plans

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

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

Note to Applicant

Informative: S106 Legal Agreement

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