

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

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

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

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

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

Recommendation in Full Conditionally approve

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Affordable housing viability review clause
 - iii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - v. Either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 The site is located centrally within the former 9.7ha Ordnance Survey site and is formed by the Compass House building and car park positioned to its south. Compass House is a 4 storey purpose built office building of post war construction. Compass House is currently in use as office floorspace (use class B1a), however

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

- 1.2 To form the application site the existing car park (333 spaces) serving the office use at Compass House has been subdivided. The division of the site into two has resulted in 225 car parking spaces being retained within the Compass House positioned to the south and west of the building and 108 car parking spaces adjacent to Romsey Road.
- 1.3 Re-development of the wider site (other than Compass House) gained outline planning permission (reference 07/01700/OUT) in 2010 following which there have been separate applications to develop each distinct phase of the overall scheme, principally for traditional housing.
- 1.4 To the north the site is bordered by part of the recently completed Taylor Wimpey residential scheme. The site is also bordered to the south by the Kier mixed used scheme, which is predominantly residential in nature, but which also includes two commercial units (a retail store and a cafe). To the west the site is bordered by a residential scheme constructed by Barrett Homes.
- 1.5 The area surrounding the former Ordnance Survey site is a mainly residential suburb dating from the 1930s with a more modern 1980s estate to the west and north. Older, traditional two storey housing along the north-east side of Romsey Road is directly opposite the site whilst there are a small number of retail units and local services located at the junction of Romsey Road and Rownhams Road. Millbrook Community School is located nearby to the north of the site off Green Lane.
- 1.6 The site is located along the south-western edge of Romsey Road approximately 1.5km from Shirley Town centre and 4.5km from the City centre.
- 1.7 The residential development located on the former Ordnance Survey site, which form part of the Kier, Taylor Wimpey and Barrett's schemes have a variety of form and include two storey terraced housing, two storey semi-detached and detached housing along with flatted blocks of varied design. The flatted blocks tend to range in height between 3 and 4 storeys.
- 1.8 The access to the site from Romsey Road is shared with the adjacent residential development and commercial stores located to the south.
- 1.9 The accessibility of the site can be defined in two separate ways. The public transport accessibility level (PTAL) map for Southampton (Appendix 2 of the City of Southampton Core Strategy (2015) [**Appendix 3**]) identifies that the site is positioned within a low accessibility area although it is close to the boundary defined as having a medium accessibility. The Accessibility areas map (Figure 5 of the Southampton City Council- Parking Standards Supplementary Planning Document (SPD)) however, (**Appendix 4**) shows that the site is within 600m of a high accessibility area.

1.10 There are two groups of trees with Tree Preservation Orders (TPOs) applied to them adjacent to the application site (labelled: G8 and G9, TPO reference number: T2-435). This comprises of two trees on the eastern boundary of the site along Romsey Road and circa. seven trees to the north west of the site adjacent to Compass House.

2. Proposal

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

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

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

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

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

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

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

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

- 2.8 Each entrance core is Part M compliant with wheelchair ramps and electronically opening doors. Part M compliant lifts are provided to all 4 cores and the corridors and flats to the fourth floor have all been discussed to Part M standards of minimum sized door and corridor widths.
- 2.9 The flats will be treated as new-build under Part L Building Regulations and will therefore be highly thermally efficient using insulation with very low U-values. Double glazing will be used along with Photo Voltaic panels on the proposed flat roof.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) was revised in February 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 The prior approval for the change of use of Compass House from its current use as offices to 245 residential flats (use class C3) was originally approved in May 2016 (app. ref.: 16/00233/PA56). The scheme was then resubmitted with minor changes to layout in 2017 and the application was subsequently approved in March 2017 (app. ref.: 17/00178/PA56). A further prior approval application (ref 18/01012/PA56) was been submitted in 2018 to ensure that the scheme did not expire, approval was granted in September 2018.
- 4.2 There is also an application currently under consideration (18/02319/FUL) which seeks the extension of the ground floor by reducing the undercroft area of the existing building and change of use to provide 330sqm of additional A1 and/or A2 and/or A3 and/or B1(a) and/or D1 (Medical Use) and/or D2 (Gymnasium) floorspace (amended description).
- 4.3 Outline planning permission was granted in relation to the wider Ordnance Survey site in December 2010 under application 07/01700/OUT. Permission was granted for the principle of access and layout for the redevelopment of the site to provide a mixed use scheme comprising refurbishment of Compass House for business use (Class B1); a new business enterprise centre (Class B1) new light/general industrial unit (Class B1/B2); new retail and food & drink use (Classes A1, A3, A4

·& A5); new nursing home/clinic/surgery (Class C2/D1); open space and 495 residential units (361 flats and 134 houses).

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

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement 21.09.2018 and erecting a site notice 18.09.2018. At the time of writing the report 7 representations have been received from 4 surrounding residents and 2 ward Cllrs and 'Hampshire Swifts', Of the 7 representations 5 objections [including Cllr Pope] and 2 neutral comments [including Cllr Whitbread] have been received. The following is a summary of the points raised:

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

Response: The proposal is for 19 additional flats. Parking is proposed to be allocated on the basis of 1 for 1 which therefore complies with the Council's car parking standards. No objection has been raised by the Highways Team. The proposal is for a relatively small number of residential units located within an urban area. The proposed number of residential units are not anticipated to have a significant impact on the highway network. The site is also well served by public transport and is within walking distance of a high accessibility zone leading from the junction of Romsey Road and Wimpson Lane and leading to Shirley Road. Car parking is a key determinant in the choice of mode of travel. High levels of car parking results in higher car ownership and usage and there providing more car parking on site would result in greater highways congestion. Note that that in accordance with the maximum parking standards set out in the Parking Standards SPD for this location (outside of a high accessibility area) the maximum car parking allowed would be 27).

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

Response: The proposal includes a space on site to ensure that servicing can still occur from the site. Provided vehicle drivers behave reasonably there will be no increased potential for accidents on the highway. The proposal does not include changes to the highway or private land that would cause or increase highway danger. The highway works associated with the development (site specific highways works associated with the Section 106 agreement) seek to improve highway safety. Existing parking controls are in place to prevent any overspill parking impacting on highway safety.

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

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

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

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

5.6 ***Air pollution.***

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

Neutral Comment:

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

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

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

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

Consultation Responses

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

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

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

6 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of development;
 - Design and effect on character;
 - Residential amenity;
 - Parking highways and transport
 - Mitigation of direct local impacts and;
 - Likely effect on designated habitats.

Principle of Development

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

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

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

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

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

Design and effect on character

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

Residential amenity

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

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

- 6.13 To ensure that the amenity of nearby residents is not significantly harmed during construction a Construction Management Plan is recommended by planning condition. A standard condition restricting construction hours to Monday to Friday 08:00 to 18:00 hours, Saturdays 09:00 to 13:00 hours and at no time on Sundays and recognised public holidays will also be applied.
- 6.14 As such the proposal is considered to be acceptable in terms of its impact on nearby residential amenity and accordingly is deemed compliant with policy SDP1(i).
- 6.15 All habitable rooms within the proposed building would have access to natural light, outlook and would benefit from sufficient levels of privacy however it is acknowledged that 7 of the flats will be north facing.
- 6.16 A minimum of 20 sq.m of amenity space is required for new flats. With flatted development the amenity space can be provided in the form of a communal garden. Any amenity space should be usable and fit for purpose. In the case of the proposed scheme, all flats would have access to inset balconies of at least 7sq.m. Inset balconies are preferred to 'bolt on' balconies given that privacy is improved as is shelter from the weather.
- 6.17 The amount of amenity space provided does not accord with the space requirements recommended in the residential design guide i.e. 20sq.m per flat. This deficiency must be set against the advantages of living in the location which is close to a high accessibility area (600m) as defined by the Accessibility areas map within the Parking Standards SPD and where 1 for 1 car and cycle parking is proposed. Planning Inspectors have supported this view in the recent past where similar situations have been proposed at other sites in the city. They have also suggested that not every occupier wants a garden and flexibility can be afforded, particularly to one bedroom flats, where occupation by families is less likely.
- 6.18 The pedestrian entrances to the block will benefit from natural surveillance. The car parking area, positioned within the internal courtyard, will be controlled by a security gate and this will also discourage rough sleeping.
- 6.19 Overall, having balanced the positive and negative elements of the scheme the quality of the residential environment is considered to be acceptable.

Parking highways and transport

- 6.20 The site is in an area with good access to public transport infrastructure with two bus stops being within 300m walk of the site and 600m from a high accessibility area.

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

Mitigation of direct local impacts

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

of the application. The scheme triggers the Community Infrastructure Levy (CIL), affordable housing and the need for site specific highways works

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

Likely effect on designated habitats

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

7. Summary

- 7.1 Overall the scheme is acceptable and the level of development proposed will not result in significant material impact on the amenities enjoyed by surrounding occupiers or the character and appearance of the area. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is consistent with adopted local planning policies and the National Planning Policy Framework.

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

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(qq), 6(c), 7(a), 9(a), 9(b).

MP for 02/04/19 PROW Panel

PLANNING CONDITIONS

1.Full Permission Timing Condition (Performance)

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

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

2. Approved Plans [Performance Condition]

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

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

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

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

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

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

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

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

Reason: To protect the amenities of the occupiers.

5. Details of external appearance

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

To ensure satisfactory design of the building.

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

The 19 approved vehicular parking spaces (measuring at least 5m x 2.4m) and adjacent vehicular manoeuvring space (measuring at least 6m wide) shall be constructed and laid out in accordance with the approved plans prior to the first occupation of the hereby approved development. Throughout the occupation the development hereby approved the parking spaces and manoeuvring space adjacent shall not be used for any other purpose.

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

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

7. Security gate [Pre-Commencement Condition]

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

The gates to the vehicular access shall be closed and securely locked during times of the day when they are not in use by residents of the hereby approved development.

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

8. Service bay restriction [Performance Condition]

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

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

9. Service bay signage [Pre-Occupation Condition]

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

10. Servicing vehicle tracking (Pre-Occupation Condition)

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

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

11. Cycle storage facilities [Performance Condition]

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with the plans hereby approved and thereafter retained as approved. At all times 19 dedicated cycle storage spaces shall be retained and allocated specifically for the occupants of the approved residential units and those cycle storage spaces shall be allocated on a one for one basis thereafter in perpetuity.

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

12. Refuse & Recycling [Performance Condition]

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

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

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

13. Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed

documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015). Recommend adding a condition requiring a plan identifying location and specification of four swift nesting boxes and installation

14. Construction Management Plan [Pre-Commencement]

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

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

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

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

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

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

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

16. Unsuspected Contamination (Performance)

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

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

17. Use of uncontaminated soils and fill (Performance)

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials

imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site. Reason: To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

18. Swift boxes (Pre-external elevations)

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

Reason: In the interests of biodiversity.

19. Protection of nesting birds (Performance)

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

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

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

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

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

21. Green Roof Implementation (Pre-Commencement Condition)

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

Reason: In the interest of water and nature conservation.

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

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

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