

Planning and Rights of Way Panel 4 June 2019
Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: 69 - 73 Anglesea Road, Southampton			
Redevelopment of the site. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 49 retirement flats (24x2 and 25x1 beds) with access from Stratton Road with associated access, parking and landscaping			
Application number:	19/00235/FUL	Application type:	FUL
Case officer:	Stuart Brooks	Public speaking time:	15 minutes
Last date for determination:	20.05.2019	Ward:	Shirley
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Hannah Coombs Cllr Satvir Kaur Cllr Mark Chaloner
Referred to Panel by:	n/a	Reason:	n/a
Applicant: McCarthy and Stone Retirement Lifestyles Ltd		Agent: The Planning Bureau Ltd	

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

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39 - 42 and 46 of the National Planning Policy Framework (2019).

Policies – SDP1, SDP4-SDP12, SDP16, SDP22, NE4, HE1, HE6, CLT1, CLT3, CLT5, CLT7, H1-H3 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS6, CS10, CS13-CS16, CS18-CS20, CS22, CS23 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) as supported by the Council's current list of Supplementary Planning Documents, including the Residential Design Guide (2006) and the National Planning Policy Framework (2019)

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Relevant Planning History	4	15/02410/FUL Panel Minutes
5	Viability Assessment – DVS Findings	6	Estimated trip rates

Recommendation in Full

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

2. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - a. Either a s.278 agreement or financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site – including works to both Stratton Road and Anglesea Road to improve access, visibility and pedestrian safety (where necessary) - in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - b. Provision of affordable housing in accordance with Policies CS15, CS16 & 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);
 - c. 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;
 - d. 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);
 - e. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
 - f. 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, the Solent Disturbance Mitigation Project (SDMP) and the Conservation of Habitats and Species Regulations 2010 as set out in the attached Habitats Regulations Assessment;
 - h. Parking permit restriction to prevent residents gaining permits for the nearby Controlled Parking Zone.

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. Background

1.1 In 2017, approval was granted for a retirement home building comprising 41 units (19x1, 22x2 beds) including 35 parking spaces (ref no. 15/02410/FUL – refer to **Appendix 4**). The retirement home fronted Anglesea Road and the permission also included the redevelopment of the former Dairycrest premises to form 16 dwellings fronting Stratton Road (in total 57 residential units for the whole site). The dwellings in the Stratton Road element are now built out under this first permission, and occupied. The most recent permission granted in February 2019, for a minor material amendment to the retirement home element of the scheme, was granted under ref no. 18/00638/MMA for the change in mix of bedrooms to form 44 units (24x1, 20x2 beds) with 35 parking spaces. After viability testing the scheme, it was found that the development would be viable to contribute £108,113.00 towards affordable housing off site (representing an increase from the first permission).

2. The site and its context

2.1 The application site incorporates the former Dairycrest depot and the residential properties located at no.69 - 73 Anglesea Road. The site is located to the south east of Anglesea Road and to the north west of Stratton Road.

2.2 The vacant Dairycrest depot site (primarily accessed from Stratton Road) has now been redeveloped with the approved Stratton Road housing element. In places development abuts residential neighbours. There was, at one time, an active access to the site from Anglesea Road however this has since been closed and was, until recently, permanently fenced off. The application site previously incorporated 3 residential plots located at 69, 71 and 73 Anglesea Road. No.73 Anglesea Road comprised 4 residential flats whilst no.69 and no.71 Anglesea Road were both single dwellinghouses. The element of the site has now been cleared and is enclosed by hoardings.

2.3 This site is located within a predominantly residential area. This part of Anglesea Road is characterised by large, predominantly 2 storey, detached dwellings set within spacious plots and set back from the road by large gardens and driveways. There are also a number of mature trees along Anglesea Road, including within the application site that are protected under the Southampton (Former Crest Dairy Site Anglesea Road) Tree Preservation Order 2014 and the Southampton (69 Anglesea Road) Tree Preservation Order 2016. There is a modern 3 storey flatted block located at 67 Anglesea Road (approved under ref. 03/01813/FUL) in addition to a part 2 / part 3 storey medical clinic located on the opposite side of Anglesea Road at no.72 – 74; known as the Freya Centre (approved under ref. 03/00424/FUL).

2.4 Stratton Road is characterised by more modest two storey residential dwellings arranged in terraced rows. A number of these properties have driveways whilst others are served by established parking courts. The site is bounded by a two storey 'Sure Start' community centre to the south; a palisade fence marks this boundary, and by the two storey 'Shield and Dagger' public house to the north. The site is located outside of the St James Road Conservation Area, which centres on the nearby park and Wordsworth Road and it would be correct to state that the application site forms part of the setting to this designated heritage asset.

- 2.5 Parking restrictions exist along Anglesea Road, and parking restrictions have been introduced along Stratton Road since the approved dwellings have been built out fronting Stratton Road.

3. Proposal

- 3.1 Now separated from the Stratton Road housing element, the applicant seeks to provide a 49 unit retirement home (persons 60 and over) up to 3 storeys high with primary access from Stratton Road on a 5000sqm site (0.51ha). The 'retirement home' scheme currently has an extant permission under 18/00638/MMA. In relation to the approved scheme under 18/00638/MMA, the major differences proposed are:-

1. Additional massing introduced at 2 storey level to the side of the southern wing of the retirement building (fronting Anglesea Road), extending out a further 3m to the side. The gap between the 2 storey element flank wall adjacent to the southern boundary (with 67 Anglesea Road) will decrease from 7m to 4m;
2. The 3rd storey element on the south-eastern wing of the building will be extended out by 4.5m. This decreases the gap between the new residential element in Stratton Road from 12m to 8.5m;
3. The creation of 5 additional units (increase from 44 to 49 units – 4 more 2 bed units) with a change of accommodation mix from 24x1 & 20x2 beds to 24x1 & 24x2 beds;
4. Increase from 35 to 38 parkingspaces and rearrangement of parking layout and external landscaped amenity spaces;
5. Sole vehicle access to the site from Stratton Road with only pedestrian access from Anglesea Road. This includes access and on-site turning for SCC refuse vehicles. The road build outs around the previous Anglesea Road vehicle access are now removed so the loss of street parking would not occur;
6. Increased available affordable housing contribution supported by the scheme from £108,113.00 to £515,414.00;
7. The inner valley roofslopes (not visible from the public realm) will be covered by larger concrete profiled tiles with smaller tiles on the outer roofslopes.

4. Relevant Planning Policy

- 4.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 4.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.
- 4.3 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.

5. Relevant Planning History

- 5.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report. In summary, the site first received planning permission under ref no. 15/02410/FUL in 2017 for the retirement home (41 units) and 16 dwellings. In February 2019, a minor material amendment (ref no. 18/00638/MMA) was approved to increase the number of retirement units to 44 (primarily altering the mix of 1 and 2 bedrooms so there was minimal physical increase in accommodation in scale).

6. Consultation Responses and Notification Representations

- 6.1 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 **22.02.19** and erecting a site notice **22.02.19**. At the time of writing the report **9 representations** have been received from surrounding residents. The following is a summary of the points raised:

- 6.2 **Restricting the access from Stratton Road (no longer Anglesea Road) will cause more traffic and road safety problems, especially with nearby schools, in congested and narrow nearby residential roads, and will increase parking pressure in surrounding roads. A shortfall of parking spaces is being provided to serve the residents of the retirement flats. Further traffic disruption and blocking of roads by construction traffic. There is no justification for excessive increase in development and developer is maximising profit.**

Response

The City Council's Highways Team have been consulted on the scheme and have confirmed that they're satisfied with parking numbers and suggest that the scheme would not be harmful to highway safety on the surrounding residential roads. Further consideration of the parking provision is given in the Planning Considerations section of this report.

- 6.3 **The end of Wordsworth Road should be re-opened with a traffic light if thought necessary to ease the congestion and number of vehicles exiting Wordsworth Rd at Church St and then queueing to get onto St James Road to queue for the Winchester Road traffic lights but this has been turned down.**

Response

The requirements for mitigation of local highways site specific impacts has already been set by the extant permission so it would not be reasonable of the Council to request monies for other projects. The current contributions include a contribution of £20,500.00; towards a traffic regulation order for changes to waiting restrictions in the near vicinity of the site (£5,500.00) and improvements to the footways to improve pedestrian/cycle linkages towards the Shirley Town Centre and bus stops (£15,000.00).

Consultation Responses

- 6.4 **SCC Highways – No objection**

- 6.5 **SCC Housing** – No objection subject to meeting the requirements for affordable housing under policy CS15
- 6.6 **SCC Sustainability Team** – No objection subject to conditions
- 6.7 **SCC Design Officer** – No objection
- 6.6 **SCC Environmental Health (Pollution & Safety)** – No objection subject to conditions
- 6.7 **SCC Environmental Health (Contaminated Land)** – No objection subject to conditions
- 6.8 **SCC Ecology** – No objection subject to conditions
- 6.9 **SCC Tree** – No objection subject to conditions
- 6.10 **Southern Water** – No objection subject to conditions
- 6.11 **SCC Heritage** – No objection
- 6.12 **SCC Archaeology** – No objection

7.0 Planning Consideration Key Issues

- 7.1 The key issues for consideration in the determination of this planning application are:
 - a) The Principle of Development;
 - b) Loss of Family Housing;
 - c) Design incorporating heritage issues;
 - d) Highways safety and Parking;
 - e) The quality of the residential environment proposed;
 - f) The impact in terms of residential amenity; and,
 - g) Likely effect on designated habitats and viability.

7.2 Principle of Development

7.2.1 Adopted LDF Core Strategy Policy CS4 states that 'an additional 16,300 homes will be provided within the City of Southampton between 2006 and 2026'. It is within this policy context the proposed development should be considered. Furthermore, this site is allocated for housing development under saved policy H1 of the adopted Amended Local Plan Review (March 2015). Annexe 6 of this document estimates that approximately 60 dwellings could be accommodated on this site. The proposed construction of 56 net dwellings is compliant with this policy.

7.2.2 Saved policy H3 (Special Housing Need) advises that 'residential development will be expected to be capable of being adapted to conform with 'lifetime homes' principles wherever practicable'. The explanatory text for this policy advises that 'older people are looking increasingly for a wider choice of housing and residential support'. In addition to the private market housing this scheme would provide 49 retirement apartments aimed at the over 60s who wish to downsize and benefit from residential accommodation which also provides an element of care and support. Paragraph 7.17 of the Local Plan Review advises that: 'it is estimated that

up to a third of households contain somebody who has a special need. The building regulations (document M) state that provisions are expected to enable occupants with disabilities to cope better with reducing mobility and to remain for a longer period within their own homes. The City Council wishes to improve the ratio of properties which are capable of accommodating adaptations easily, meeting the varying needs of occupiers under the 'Lifetime homes' principle'. This scheme would therefore, contribute to the provision of specialist housing within the city, and in combination with the private market housing would also offer a mix of accommodation to residents thereby assisting in retaining/promoting a 'mixed and balanced community'.

7.2.3 This site is located within Band 3 of the Core Strategy Public Transport Accessibility Levels (PTAL) map for Southampton. Core Strategy policy CS5 states that within this location residential density levels of 50–100 dwellings per hectare will be considered acceptable. With a site area of approximately 0.52ha, the proposed creation of 49 retirement dwellings on site would result in a density of 94 dph. This is within the recommended levels and would, therefore, be considered appropriate in this location. This site is of a sufficient size to accommodate the proposed development.

7.2.4 This scheme removes a non-conforming use within a predominantly residential area, would provide much needed housing on a site which has been identified for housing development by the City of Southampton Local Plan Review. The number of units proposed is in keeping with the number of dwellings identified by saved policy H3, and the site is considered to be an appropriate location for high(er) density development due to its moderate accessibility levels. Furthermore, the provision of retirement housing in this location would meet the needs of an ageing population. Having regard to the policies, discussed above, this scheme is still considered to be acceptable in principle.

7.3 Loss of Family Housing

7.3.1 Policy CS16 confirms that the requirements do not apply to specialist housing comprised of accommodation specifically for senior citizens or supported accommodation for people with disabilities. As such, it is reasonable to conclude that it is not necessary for the 49 retirement flats to provide any 3 bed units.

7.4 Design and Heritage

7.4.1 Anglesea Road comprises predominantly two storey, detached dwellinghouses set within spacious plots. Properties along the Anglesea Road frontage are set back from the road behind front gardens and driveways and there are a number of mature trees lining the street frontage. There is a degree of variation with regards to the character of properties along this road. A mix of materials and features are present within the vicinity of the site and include buff brick, red brick, roof slates, clay pantiles, render, timber sliding sash windows, UPVC windows projecting bays, decorative gables and chimneys. There are also a number of more modern additions in the vicinity of the site. Notably, there is a 3 storey flatted block at 67 Anglesea Road which was permitted in 2003 (LPA ref: 03/01813/FUL). This property is constructed using buff brick with an asymmetric roof form. Furthermore, the 3 storey Freya Centre on the opposite side of the road has a more modern appearance and is constructed using timber cladding and buff brick. This property also has an unusual curved roof form and is of a more modern style.

7.4.2 To each side, the building would step down to a lower hipped section measuring approximately 9m in height (5m to the eaves), effectively breaking up the overall mass of the proposed block. To the front, design features including two storey projecting bays, decorative gables, balconies and the use of alternating brick would also break up the overall bulk of the building. Furthermore, retaining an adequate set back of approximately 9m from the front boundary of the site in keeping with neighbouring development, the retention of existing mature trees along the Anglesea Road frontage and the addition of further planting to the front of the property would soften the overall impact of the 3 storey building on the wider streetscene.

7.4.3 The physical form and design of the development proposed has already been approved, so a judgement should be undertaken in relation to the difference in design:-

- The main difference seen from the Anglesea Road street scene would be the widening of the southern wing of the building by 3m, however, still retaining the lowered 2 storey form to the main building and a gap of 4m to the southern boundary with 67 Anglesea Road. Although this will reduce the visual break between the neighbouring building no. 67 Anglesea Road, the Design Officer has accepted the architects have done as much as can be achieved within the confines of the operators requirements to break up the mass of the building within the street scene and as the tree planting develops it will further break up the visual dominance of the building within the streetscene.
- The massing of the southern wing to the rear will be raised to 3 storeys. This is set back 18m from the front of the building so it will not be significantly visible from street scene when read amongst the overall roofscape.
- The 3 storey element on the south-eastern projecting wing of the building (adjacent to Stratton Road) will extend a further 3.5m towards Stratton Road, however, the view of the 3 storey flank from Stratton Road and the conservation area would not significantly change.
- The use of large concrete tiles in the inner valley roofslope would not be harmful to the character and appearance of the area as they would be well screened from the public realm.

7.4.4 There were two parts to the scheme comprising a flatted block to the northern part of the site, and a more traditional terraced street pattern to the south. The latter relates more to the nearby conservation area which is not being considered within this application. The Conservation Officer had no objection with regards to the impact on heritage features affected by the development including the St James Road Conservation Area to the north-east and the former no. 73 Anglesea Road which was previously demolished following the implementation of the 2017 permission. The statutory test for the proposal, as set out in section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, is whether the proposal would preserve or enhance the character or appearance of the Conservation Area. As set out above, the proposed building is sympathetic to the scale, massing and appearance of the local area and, therefore, is considered to preserve its setting and the application is considered to address local and national heritage tests in this respect.

7.5 Parking highways and transport

- 7.5.1 The extant permission prevents outbound traffic of the residential development (Stratton Road) and the retirement home entering onto Anglesea Road. The main changes to the vehicle access and circulation of the scheme involves closing off inbound traffic from Anglesea Road. All inbound and outbound trips for the retirement home will now only access the site from Stratton Road via the new housing scheme.
- 7.5.2 The concerns of the local residents are noted with regards to the change of the traffic movements. Following an analysis of the trip rate evidence submitted in the Transport Assessment, the Highways Officer is satisfied that the additional movements in Stratton Road and nearby streets from the increased traffic of the rerouted inbound trips and the additional units would not cause an adverse impact on highways safety. Due to the low hourly trip rates, the additional inbound trips which will now be on Stratton Road is 2 (rounded up) in the AM and PM peak. In total, there would 73 daily trips over 12 hours between 07:00 to 19:00 hours, with the most trips (10) during 11:00 to 12:00 hours, and 8 (AM) and 5 (PM) trips during peak traffic hours. See **Appendix 6** for an extract from the Transport Statement of the estimated trip rate figures.
- 7.5.3 In terms of parking provision, the consented scheme had a parking ratio of 0.795 (35 spaces for 44 units) whilst the proposed scheme has a ratio of 0.775 (38 spaces for 49 units). There is a small decrease in this figure but it is not considered to be a significant amount. With no vehicular access now being proposed on Anglesea Road, the previous provision of a buildout by the access would no longer be required. Furthermore, any redundant accesses will need to be reinstated to full height kerbs which will free up a little kerb space for on-street parking.
- 7.5.4 Servicing arrangements have changed so that the refuse vehicle would have to come through the residential development off Stratton Road. Tracking has been provided for a refuse vehicle which demonstrates that the refuse vehicle would be able to enter and leave the site in a forward gear still. A condition will be imposed to specify no obstructions such as parked vehicles in and around the turning area.
- 7.5.5 Overall, the trips and parking demand generated as a result of an additional 5 units to a consented 44 unit retirement home, and the additional inbound trips, are not considered to be significant. Therefore the application would not adversely affect highways safety or cause undue parking stress to local streets.

7.6 The quality of the residential environment proposed

- 7.6.1 The internal residential layout of the additional units and the external landscaped amenity space created are considered to create an acceptable living conditions. The detailed design of the bin storage and management for collection days can be agreed by condition.

7.7. The impact in terms of residential amenity

- 7.7.1 The area of 67 Anglesea Road affected by the enlarged southern wing comprises the access to the parking area (separation decreasing from 7m to 4m at 2 storey), located to the south of the development. The shadowing diagram shows there would be no significant loss of sunlight from overshadowing, whilst the outlook from

the access area of 67 Anglesea Road is not as important to maintain and the closer 2 storey element would not cause an undue sense of enclosure. The enlargement of the eastern wing (at 3 storeys) mainly lies opposite the flank wall of the closest new 2 storey residential property within Stratton Road (separation decreasing from 12m to 8.5m). The outlook from the garden area of the adjacent property would be sufficiently maintained whilst the shadow diagram shows that the garden would not be overshadowed for the majority of the day. As such, the proposal would not result in a significantly greater impact on the amenity of the neighbouring occupiers with regards to loss of natural light, outlook, and privacy.

- 7.7.2 The parking spaces have been rearranged so there are more spaces closer to the southern boundary in relation to flats 10 to 15, 67 Anglesea Road, with a separation of between 1.5 to 2.5m from the edge of the spaces to the boundary of no. 67 adjacent to their amenity space. This is a reasonable separation with scope to plant a substantial vegetation buffer. The previous parking layout curved away from the garden boundary, however, with the removal of the access road leading down the side of no. 67, the disturbance from vehicle movements has been significantly reduced. Furthermore, the garden of no. 67 was previously adjacent to the former Diarcrest depot so there is a material betterment with regards to the disturbance of the commercial operations in comparison to the introduction of parking near the neighbour's boundary. As such the scheme is considered to be compliant with saved Local Plan policy SDP1(i).

7.8 Direct Local Impacts and Viability

- 7.8.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £9,328.00. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This will be secured through a S106 agreement.
- 7.8.2 Previously under permission 15/02410/FUL, a Habitats Regulation Assessment (HRA) was carried out on the basis of the impact of the development on the New Forest National Park. The New Forest National Park is also a Special Protection Area, Special Area of Conservation, Ramsar site and contains Sites of Special Scientific Interest. Accordingly, the Council undertook an Appropriate Assessment as required by the Habitats Regulations, and this has been updated to reflect the change in the SDMP contributions. This Assessment is included as **Appendix 1** to this report and concludes that the development is unlikely to have a significant effect on the designated habitats. Only once the HRA is agreed by the Panel officers can conclude that the development, for which planning permission is sought, would be acceptable in this respect. In this case, it is the intention to utilise

a 5% proportion of CIL to provide the improvements local green spaces outlined in the Habitats Regulations Assessment.

- 7.8.3 The application also needs 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 Developer Contributions SPD. 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 S.106 recommended above. The contributions sought are still based on the 56 net additional units under the approved scheme 18/00638/MMA).
- 7.8.4 A development of this scale would normally trigger the need for 35% affordable housing (net additional) in accordance with Core Strategy Policy CS15.
- 7.8.5 In terms of the development there is an expectation, in the first instance, that 20 units (35% of the 56 net additional) would be provided on site as 'affordable'. Policy CS15, however, suggests 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 applicants have submitted a detailed viability appraisal of their scheme. It concludes that nil affordable housing can be supported by this scheme. This is a weakness of the scheme but 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**. This DVS report also concludes that the scheme is not viable, albeit to a lesser amount, and that a nominal contribution can be supported by the development and the s.106 will be prepared on this basis.
- 7.8.6 The DVS report concludes that the Gross Development Value of this project, at just over £17million, is acceptable and the developer profit at 18.38% (of GDV) sits within the accepted range. The applicant and DVS have agreed on the likely sales value of the project.
- 7.8.7 It is recommended that the DVS report is accepted and the Council supports the delivery of this project on the basis of the current viability (ie. with an affordable housing contribution of £515,414 subject to further review). This is a significant increase and positive benefit in relation to the £108,113.00 surplus secured under the currently approved scheme. 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). This latter approach is not recommended given the history involved in this case.

8. Summary

- 8.1 The proposed changes to the appearance and scale of the approved retirement home scheme can be accommodated on the site without causing any significant harm to the local area, whilst the development would offer a benefit by significantly increasing the available affordable home contribution. This proposal would bring the application site back into effective use, introducing an additional residential use

within what is a predominantly residential area. The proposed scheme is policy compliant with issues relating to the principle of development, highways safety, transport, design and residential amenity being adequately addressed. The scheme does not deliver 35% affordable housing but remains policy compliant in this regard given the wording of Policy CS15 in respect of allowing a shortfall when evidenced through a tested viability appraisal.

9. Conclusion

9.1 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) (b) (c) (d) 2. (b) (c) (d) (e) (f) 4.(f) (g) (bb) (vv) 6. (a) (b) 7. (a)

SB for 04/06/19 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. Age Restriction (Performance)

Occupation of the flatted (retirement) development shall be limited to persons of over 60 years old, or where there are two or more persons resident, then at least one person shall be over 60 and the remaining occupants shall be at least 55 years old.

Reason: To ensure that reduced standards in terms of parking, on-site amenity space, and the reduced affordable housing viability have been correctly assessed and to ensure the permission relates to the scheme as applied for.

3. Details of building materials to be used (Performance)

The development shall be carried out in accordance with the materials details as shown on approved plans 512 Revision C; 511 Revision C; 505 Revision F.

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. 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 they shall be retained as approved.

Reason: To prevent obstruction to traffic in neighbouring roads, to ensure sufficient on-plot parking is provided and in the interests of highway safety.

5. Road Construction (Performance)

Road construction shall be carried out and retained as agreed under LPA decision 17/01426/DIS and 17/01841/DIS.

If a Section 38 agreement is not entered into for the formal adoption of the roads, details of how a Management Company will be set up and put in place for the future maintenance of the development will be required and this will need to be supported by a suitable bond. The

development shall be completed as agreed.

Reason: To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority and to support servicing by a refuse vehicle as intended.

6. Refuse & Recycling (Pre-Occupation)

Prior to the occupation 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 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.

7. Ecological Mitigation Statement (Performance)

The biodiversity mitigation shall be provided in accordance with the details set out under section 5 of the approved ecology report produced by Abbas Ecology (ref.AE/4244). The mitigation shall also include a maximum of 15% berry bearing species due to Airport safeguarding and the grassland areas to be seeded with a wildflower mix comprising Emorsgate Flowering Lawn mix EL1. The mitigation shall be implemented prior to the first occupation of the affected phase in accordance with these details and retained thereafter.

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

8. 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 are subsequently 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

9. Japanese Knotweed

The removal of Japanese knotweed shall be as agreed under LPA decision 17/01422/DIS.

Reason: To comply with the Wildlife and Countryside Act 1981 (as amended).

10. 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.

11. Demolition and Construction Management Plan (Pre-Commencement)

The development shall proceed in accordance with the Demolition and Construction Management Plan for the development approved under LPA decision 17/01422/DIS.

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

12. Piling (Pre-Commencement)

Prior to any piling works, a piling/foundation design and method statement for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interest of residential amenity.

13. Energy & Water (Pre-Commencement)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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

14. Energy & Water (performance condition)

Within 6 months of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

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

15. Land Contamination investigation and remediation

The scheme shall progress in accordance with the contaminated land details agreed under LPA decision 17/01560/DIS. Further details including a scheme of remediation detailing the remedial actions to be taken and how they will be implemented shall be submitted and approved in writing by the LPA at the appropriate stage of the construction phase.

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

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

16. Use of uncontaminated soils and fill (Performance)

Only 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.

17. 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.

18. Surface / foul water drainage (Performance)

Surface and foul drainage serving this development shall be as approved under LPA decision 17/01686/DIS as may be superseded by plan ref: 64008-01 Rev P submitted under this application.

Reason: To ensure satisfactory drainage provision for the area.

19. Sustainable Drainage (Performance).

Sustainable drainage serving this development shall be implemented as approved under LPA decision 17/01686/DIS as may be superseded by plan ref: 64008-01 Rev P submitted under this application 18/00638/MMA.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

20. Landscaping, lighting & means of enclosure detailed plan

Notwithstanding the submitted details - before the commencement of any site works or development on each phase identified on the approved phasing plan (excluding enabling works, site clearance, demolition and preparation works) a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- a) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials including block pavements to the vehicular access road serving the houses, structures and ancillary objects (refuse bins, lighting columns etc.);
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- c) an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be

- replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- d) details of any proposed boundary treatment, including retaining walls and the removal of all existing palisade fencing;
 - e) a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) shall be carried out prior to occupation of the development or during the first planting season following the full completion of building works within that phase, whichever is sooner, unless an alternative timescale is agreed with the Local Planning Authority. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision. Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

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

21. Amenity and Recreation (Performance)

Within a period of 3 months of first occupation of the flatted (retirement) block, details of local amenity spaces within the vicinity of the site shall be made available for all occupiers in accordance with the approved Amenity and Recreation Statement under permission 18/00638/MMA. Specifically, this shall include the following:

- a) Details of the facilities available.
- b) Distance from the site including approximate times to walk, cycle, drive or travel to the site using public transport.
- c) Details of public transport facilities available.
- d) Details of car parking facilities.
- e) A map clearly showing all amenity spaces in relation to the site.

This information shall be provided to all subsequent occupiers of the building.

Reason: To minimise the impact of recreational disturbance on the New Forest National Park and to ensure a high quality standard of living for residents.

22. Amenity Space Access (Performance)

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

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

23. Trees (Performance)

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Method Statement (8899-KC-XX-YTREE-Method Statement-Rev B) and drawing nos. 8899-KC-XX-YTREE-TTP01Rev0 and 8899/01 Rev A including the tree protection measures throughout the duration of the demolition and development works on site.

Reason: To safeguard existing trees on site during construction and over the lifetime of the development.

24. No storage under tree canopy (Performance)

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

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

25. Archaeological evaluation investigation

The development shall progress in accordance with the evaluation agreed under LPA decision 17/01424/DIS.

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

26. Archaeological evaluation brief work programme

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.

27. Archaeological investigation (further works)

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.

28. Archaeological work programme (further works)

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.

29. Archaeological structure-recording

The site recording has been agreed under LPA decision 17/901424/DIS

Reason: To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.

30. 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.

Habitats Regulations Assessment (HRA)

Application reference:	19/00235/FUL
Application address:	69 - 73 Anglesea Road Southampton SO15 5SW
Application description:	Redevelopment of the site. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 49 retirement flats (24x2 and 25x1 beds) with access from Stratton Road with associated access, parking and landscaping
HRA completion date:	22/02/2017 (updated 22/05/19 by Stuart Brooks)

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk

Summary
<p>The project being assessed involves the provision of retirement flats and housing, leading to a net increase of 56 units (including the houses permitted under permission 18/00638/MMA), approximately 2.9km from the Solent Maritime Special Area of Conservation (SAC), 2.9km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and approximately 6.7km from the New Forest SPA/Ramsar site.</p> <p>The site is partially vacant having been previously used as a milk distribution depot however, a number of the properties on Anglesea Road are currently occupied. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.</p> <p>The findings of the initial assessment concluded that a significant effect was possible. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects which are likely in association with the proposed development can be overcome.</p>

Section 1 - details of the plan or project	
<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at</p>	<ul style="list-style-type: none"> ▪ New Forest SPA ▪ New Forest Ramsar site ▪ Solent Maritime SAC ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site

Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No – the development consists of new retirement and residential accommodation which is neither connected to, nor necessary for, the management of any European site.
Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (https://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015_tcm63-371354.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/item_12_-_appendix_1_-_position_statement.pdf) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq m of office floorspace and 462,000 sq m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of the former Dairycrest site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1) (a) of the Habitats Regulations.

The proposed development is located approximately 2.9km to the north-east of the Solent Maritime Special Area of Conservation (SAC), 2.9km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and approximately 6.7km north of the New Forest SPA/Ramsar site.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be permanent arising from the operational phase of the development.

In their response to the consultation on this planning application, dated 4th January, 2016 Natural England raised concerns about insufficient information being provided about potential impacts on the New Forest sites. The response also highlighted the potential for recreational impacts upon the New Forest SPA as a consequence of the operation of the proposed development.

The following mitigation measures have been proposed as part of the development:

- Upgrade 370m of footpath at Shirley Pond within the Lordsdale Greenway
- Provision of a new bench at Shirley Pond;
- Information on routes to and features present within local parks including the Lordsdale and Lordswood Greenways.
- Payment of the standard Solent Recreation Mitigation Project contribution.

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.

The project being assessed involves the construction of 49 retirement flats, 12 two storey houses and 4 bungalows, resulting in a net gain of 56 units, approximately 2.9km from the Solent Maritime Special Area of Conservation (SAC), 2.9km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and 6.7km from the New Forest SPA/Ramsar site.

The site is largely vacant, having previously been used as a milk distribution depot. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.

The applicant has provided details of mitigation measures which are intended to reduce the identified impacts. However, without more detailed analysis, it is not possible to determine whether the proposed measures are sufficient to reduce the identified impacts to a level where they could be considered not to result in a significant effect on the identified European sites. Overall, there is the potential for permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives

The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152> .

The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive."

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION PHASE EFFECTS

The designated sites are all located a substantial distance away from the development site and are therefore outside the zone of influence of construction activities. As a consequence, there will be no temporary, construction phase effects.

PERMANENT, OPERATIONAL EFFECTS.

New Forest SPA/Ramsar site

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

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

The application site is located 6.7km from the nearest part of the New Forest SPA and Ramsar site in terms of linear distance and as such, resident in the proposed development would fall into the category of local day visitors.

Characteristics of visitors to the New Forest

In addition to visitor numbers, the report, "Changing patterns of visitor numbers within the New Forest National Park", 2008 also showed that:

- 85% of visitors to the New Forest arrive by car.
- 23% of the visitors travelling more than 5 miles come from the Southampton/Eastleigh area (see para 2.1.1).
- One of the main reasons for visiting the National Park given in the 2005 Visitor Survey was dog walking (24% of visitors - Source New Forest National Park Visitor survey 2005).
- Approximately 68% of visitors to UK National Parks are families.
(Source:www.nationalparks.gov.uk).

The majority of the visitors to New Forest locations arriving from Southampton could therefore be characterised as day visitors, car-owners in family groups and many with dogs. The residents of the new properties are likely to fall within these groups and as such there is the potential that they will visit the New Forest placing additional pressure on the European designated sites.

Species and habitats affected by recreational activity

The proposed development will result in a population increase in the zone from which people make day visits to the New Forest. This has the potential to lead to likely significant effects on

the conservation objectives of the qualifying features of the New Forest Special Protection Area (SPA) and the New Forest Ramsar Site. The relevant affected qualifying features are as follows:

- Breeding Woodlark New Forest SPA;
- European Nightjar New Forest SPA; and
- Dartford Warbler (New Forest SPA).

Effects of recreational disturbance on Birds

Within the New Forest, it is the ground and near-ground nesting birds such as Dartford warbler, nightjar and woodlark that are particularly affected by recreational activity. Studies by Langston et al (2007), Liley and Clarke (2003), and Murison (2002) investigated the effect of disturbance on the nightjar on heaths in Dorset, finding that breeding success of nightjar is significantly lower close to paths, and that proximity to housing has a negative relationship with the size of the population (Langston et al, 2007). The most common cause of breeding failure for this ground nesting species was due to daytime predation of eggs when disturbance caused an incubating bird to leave the nest. Similarly, the study by Murison et al (2007) revealed that for Dartford warbler on Dorset heathland, disturbance also reduced breeding activity, particularly so in heather-dominated territories. Birds in heavily disturbed areas (e.g., close to access points and car parks) delayed the start of their breeding by up to six weeks, preventing multiple broods and so reducing annual productivity. Most of this disturbance was found to come from dog walkers as a result of dogs being encouraged to run through the vegetation after sticks.

The accommodation to be provided at the site is a mix of one third family housing and two thirds retirement apartments. There is therefore likely to be a demand from at least a proportion of the new residents for countryside access in places such as the New Forest. The relatively small scale of the development means that, in isolation, recreational activity arising from the new residents is unlikely to lead to adverse impacts however, when combined with recreational activity arising from residential developments across Southampton and neighbouring boroughs, likely significant cannot be ruled out. Mitigation measures are therefore required to remove the adverse impacts.

Mitigation Approach

Adverse impacts on ground nesting birds are not restricted to the New Forest with similar issues being experienced on the Thames Basin Heaths SPA and the Dorset Heathlands SPA. The mitigation approach adopted at these sites is to provide suitable alternative natural green spaces (SANGS) as a component of new developments.

The findings of a residents' survey, undertaken in conjunction with an open spaces assessment for the Southampton City-wide Local Plan indicates that whilst visits to the New Forest were often to seek large areas of green open space and the associated features (for example wildlife and tranquillity) they were not necessarily specific to features unique either to the New Forest or to lowland heathland. Further recent local evidence for the general desire for open space as opposed to features unique to the New Forest or lowland heath is provided by the Test Valley Open Spaces Residents Survey (QA 2014). Walking and dog walking were important reasons for visits, but specific features of habitats ("it is a bog", "it is a protected area") were not.

It is therefore reasonable to assume that the approach of providing alternative natural greenspace would be an effective means of diverting recreational activity away from the New Forest European sites. Unfortunately, the option of creating new sites is not practical within Southampton which is a densely developed urban area with no suitable locations available for conversion to SANGS. There is, however, an existing, under-used, network of semi-natural green spaces which includes the greenways and Southampton Common.

The greenways are an extensive network of wooded stream valleys, supporting a range of semi-natural habitats, located within close proximity to residential areas allowing residents easy access. Originally identified in the late 1980s, they were safeguarded from development and received significant investment in infrastructure such as footpaths, entrances and signage. Unfortunately, over time, budgets have declined and the infrastructure within the greenways has deteriorated leading to a reduction in their recreational value.

The former Dairycrest site is close to a number of sites which could provide countryside type recreation including the Lordsdale Greenway, 400m to the west, Southampton Common, 1.4km to the north-east, and the Lordswood Greenway, 2.9km to the north. Of these, the Lordsdale Greenway is the most suitable one to be the focus of mitigation measures being close enough to walk but with some on road parking. It is 18.5ha in size and contains a variety of habitats including woodland, meadow, wetlands, the Tanners Brook and Shirley Pond. It also has an existing network of footpaths which provide circular and out and back walks of varying lengths. However, whilst these paths are clearly visible, in places the surface has deteriorated and drainage is poor resulting in sections of the greenway being difficult to access.

The proposed mitigation will up-grade a section of the path to provide access to the wider greenway and also to make a popular feature, Shirley Pond, more accessible. This section of the Lordsdale greenway is closest to the development and the proposed improvements provide an opportunity for a circular walk. In addition, bearing in mind the higher age of many of the residents, a new bench will be provided to allow people to sit and enjoy views of the pond. The upgraded footpath (370m x 1.5m) will cost approximately £21,000 whilst the bench is approximately £1000.

The cost of these proposed improvements will be covered by CIL payments. The developer has also undertaken to provide information on local parks and routes to them to new residents

Summary of mitigation measures:

- Footpath around Shirley pond – 370m x 1.5m – £20,812.5 to supply materials and install;
- Provision of a bench - x1 - £1000 supplied and installed;
- Provision of information on local parks and routes to them.

Solent and Southampton Water SPA/Ramsar site

The net increase of 56 dwellings (including the dwellings approved under 18/00638/MMA) will lead to an increase in population and in all probability an increase in recreational activity at SPA locations.

Research undertaken through the Solent Disturbance and Mitigation Project (SDMP) indicated that increases in recreational activity at SPA locations have the potential to create mortality in the SPA bird populations due to increased disturbance¹. For a review of the in-depth analysis which has taken place on this issue at the Solent, please see the Solent Disturbance and Mitigation Project (http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/). However a key outcome of the research was that residential development within 5.6km of a Solent SPA could lead to a likely significant effect due to disturbance from recreation.

At 2.9km from the nearest section of the Solent and Southampton Water SPA/Ramsar site the development site is clearly within the 5.6km buffer zone. It can therefore be concluded that the population increase which will occur as a consequence of the proposed development is likely to lead to an increase in recreational activity at SPA locations.

The proposed development includes open space, however, whilst this will accommodate some of the recreational demand, it will not be able to replicate features found at coastal sites. A contribution

The SDMP identified a number of costed mitigation measures to reduce recreational disturbance arising from increased levels of recreational activity. A figure of £174 per residential unit was agreed by planning authorities across south Hampshire, and adopted by Southampton City Council, to enable delivery of the mitigation measures. The applicant intends to make a payment of £9328 to the Solent Recreation Mitigation Partnership (successor to the SDMP), secured through an appropriate legal agreement, which will ensure that potential adverse effects arising from recreational development can be avoided.

Providing the proposed mitigation can be secured there are no implications from increased recreation on the SPA designations, even accounting for other plans and projects.

¹ See paragraph 3.15 of the Solent Disturbance and Mitigation Project Phase II bird disturbance fieldwork

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

Conclusions

The following conclusions can be drawn from the assessment undertaken above:

The findings of the initial assessment concluded that there a significant effect was likely through a number of impact pathways. As such, a detailed appropriate assessment has been conducted on the proposed development, incorporating a number of avoidance and mitigation measures which have been designed to remove any likelihood of a significant effect on the identified European sites.

This report has assessed the available evidence regarding the potential impact pathways on the identified European sites and proposed a number of avoidance and mitigation measures. It has been shown that, provided that the proposed mitigation measures are implemented, the significant effects which are likely in association with the proposed development can be overcome.

The following mitigation measures have been proposed as part of the development:

- Upgrade 370m x 1.5m of footpath at Shirley Pond within the Lordsdale Greenway
- Provision of a new bench at Shirley Pond;
- Information on routes to and features present within local parks including the Lordsdale and Lordswood Greenways.
- Payment of the standard Solent Recreation Mitigation Project contribution.

As such, visitor pressure on European and other protected sites in the New Forest arising from the proposed development is likely to be extremely low and it can therefore be concluded that, subject to the implementation of the identified mitigation measures, **significant effects arising from recreational disturbance will not occur.**

European Site Qualifying Features

The New Forest SPA

The New Forest SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Dartford Warbler *Sylvia undata*
- Honey Buzzard *Pernis apivorus*
- Nightjar *Caprimulgus europaeus*
- Woodlark *Lullula arborea*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Hen Harrier *Circus cyaneus*

New Forest Ramsar Site

The New Forest Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.
- Ramsar criterion 2: The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.
- Ramsar criterion 3: The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*

- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas Penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS10	A Healthy City
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP16	Noise
SDP22	Contaminated Land
NE4	Protected Species
HE1	New Development in Conservation Areas
HE6	Archaeological Remains
CLT1	Location of Development
CLT3	Protection of Open Spaces
CLT5	Open Space in New Residential Developments
CLT7	Provision of New Public Open Space
H1	Housing Supply
H2	Previously Developed Land
H3	Special Housing Need
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
St James Road Conservation Area Character Appraisal (1996)

Other Relevant Guidance

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

Application 19/00235/FUL
Relevant Planning History

APPENDIX 3

15/02410/FUL – Conditionally Approved 10.08.2017

Redevelopment of the site. Demolition of the existing buildings. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 41 retirement flats with the erection of 16 dwellinghouses (including 6 bungalows) accessed from Stratton Road with associated access, parking and landscaping - Description amended after validation following changes to the proposed layout and the replacement of a flatted block of 20 flats with 12 houses

16/00060/DPA – No objection 10.02.2016

Application for prior approval for the proposed demolition of nos 69, 71 and 73 Anglesea Road and part of the former buildings and Dairy Crest Depot Stratton Road

17/01544/NMA - No objection 04.10.2017

Non material amendment sought to planning permission 15/02410/FUL to amend approved plans for condition 2 to revise site phasing

18/00638/MMA - Conditionally Approved 11.02.2019

Minor material amendment sought to the approved plans (condition 2 of LPA ref: 15/02410/FUL) to enable the replacement of 2 x 2 bed with 5 x 1 bed flats resulting in an overall increase in approved units from 41-44

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

Minutes:

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

Redevelopment of the site. Demolition of the existing buildings. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 41 retirement flats with the erection of 16 dwellinghouses (including 6 bungalows) accessed from Stratton Road with associated access, parking and landscaping - Description amended after validation following changes to the proposed layout and the replacement of a flatted block of 20 flats with 12 houses.

GianBendinelli was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported some slight change to the report regarding to the viability of the application. It was reported further clarification was being sort in regard to the land deal as it affected the existing tenants. It was reported that the Council's independent advisor did not expect this issue to improve the viability of the scheme significantly. It was further noted that legal advice taken in regard to this alternative was not supported by the Development Plan and should not be considered further.

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

RECORDED VOTE to grant planning permission

FOR: Councillors Denness, Coombs, Barnes-Andrews, Claisse,

L Harris and Hecks

ABSTAINED: Councillor Mintoff

RESOLVED that the Panel:

(i) Confirmed the Habitats Regulations Assessment set out in Appendix 1 of the report;

(ii) Delegated authority to the Service Lead – Planning, Infrastructure and Development to grant planning permission subject to the planning conditions recommended at the end of this report; any amendments set out below; and the completion of a S.106 Legal Agreement to secure:

a. Either a s.278 agreement or financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site – including works to both Stratton Road and Anglesea Road to improve access, visibility and pedestrian safety (where necessary) - in line with Policy SDP4 of the City of Southampton Local Plan Review

(as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

b. Provision of affordable housing in accordance with Policies CS15, CS16 & 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);

c. 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;

d. Submission of a Training and Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

e. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);

f. 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, the Solent Disturbance Mitigation Project (SDMP) and the Conservation of Habitats and Species Regulations 2010 as set out in the attached Habitats Regulations Assessment;

g. Parking permit restriction to prevent residents gaining permits for the nearby Controlled Parking Zone.

(iii) In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Planning, Infrastructure and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.

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



Private and Confidential

Simon Mackie
Planning Agreements Officer
Planning & Sustainability
Southampton City Council
Civic Centre
Southampton
SO14 7LY



Date : 3rd May 2019

Dear Simon,

DESK TOP REVIEW OF DEVELOPMENT VIABILITY ASSESSMENT
PROPOSED SCHEME: Land (Former Dairy Crest Site) 69-73 Anglesea Road,
Southampton. SO15 5QR

I refer to our fee estimate dated 5th March 2019 and your email dated 22nd March 2019 confirming your formal instructions to carry out a desk top viability assessment in respect of the above proposed development.

You have forwarded the developers assessment to review. We have now undertaken our own research and assessment and would report as follows:

This report is not a formal valuation.

The date of assessment is 3rd May 2019.

We have reviewed the assessment provided by Alder King Ltd on behalf of the applicant McCarthy and Stone Ltd dated 8th February 2019.

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

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

General Information

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

Checks have been undertaken in accordance with the requirements of the RICS standards and have revealed no conflict of interest. DVS has previously carried out viability assessments for this site in April 2017 and June 2018.

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

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

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

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

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

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

Background:

We have previously undertaken a viability reviews for previous 57 unit and 60 unit schemes at this site in 2017 and 2018 (case refs. 1619731 and 1676068), and this report should be read in conjunction with our previous reports.

The previous applications upon which our assessment were based were as follows:

2017:

15/02410/FUL : Redevelopment of the site. Demolition of the existing buildings. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 41 retirement flats with the erection of 16 dwellinghouses (including 4 bungalows) accessed from Stratton Road with associated access, parking and landscaping - Description amended after validation following changes to the proposed layout and the replacement of a flatted block of 20 flats with 12 two storey houses

2018 (2 separate applications):

Option 1:

18/00298/MMA | Minor material amendment sought to the approved plans (condition 2 of LPA ref: 15/02410/FUL) to enable the replacement of 3 x 2 bed with 6 x 1 bed flats resulting in an overall increase in approved units from 41-44. | 69 - 73 Anglesea Road Southampton SO15 5SW

Option 2:

18/00638/MMA | Minor material amendment sought to the approved plans (condition 2 of LPA ref: 15/02410/FUL) to enable the replacement of 2 x 2 bed with 5 x 1 bed flats resulting in an overall increase in approved units from 41-44. | 69 - 73 Anglesea Road Southampton SO15 5SW

The latest proposed scheme seeks to increase the number of retirement apartments consented from 44 units to 49 units (in addition to the 16 houses) and is as follows:

'Redevelopment of the site. Erection of a part two-storey and part three-storey building fronting Anglesea Road to provide 49 retirement flats (24x2 and 25x1 beds) with access from Stratton Road with associated access, parking and landscaping'

A separate planning application has been submitted for this increase in flatted units (ref: 19/00235/FUL), but in line with the applicant, we have carried out the viability assessment on the entire site as it will be built out as one single scheme.

As per our previous reports it should be noted that four of the six proposed bungalows are to be replacement dwellings for the 3 existing houses known as 69, 71 and 73 Anglesea Road which are currently occupied under protected 'life' tenancies. The revenues and costs for the new bungalows have been included in the applicant's appraisal but because of this unique situation, the applicant's benchmark land valuation for the site makes no allowance for the value of these existing buildings. We consider this to be the correct approach in assessing the financial viability of this scheme due to the obligation to re-house the existing tenants.

The applicant is stating that following their assessment the latest scheme on a 100% open market basis including a CIL contribution of £481,126 can now provide an additional off-site affordable housing contribution of up to £436,520 on top of the £74,537 contribution previously agreed.

The Scheme:

We have been provided with the assessment undertaken on behalf of the applicant.

For the purpose of this desk top assessment we assume the areas provided to us by the applicant are correct. You have informed us that for this scheme an on-site affordable housing provision of 35% would be policy compliant which equates to 22.75 units as indicated in the planning application description above.

The latest proposed scheme to be assessed is as follows:

Type	Number of Units	Average Unit Size Sq m	Total Net Sq m
Private Residential			
1 Bedroom Apartment	25	52.80	1,320.08
2 Bedroom Apartment	24	73.74	1,769.65
2 Bedroom House	8	79.00	632.00
3 Bedroom House	2	93.00	186.00
2 Bedroom Bungalow	1	78.00	78.00
2 Bedroom Bungalow	1	73.00	73.00
2 Bedroom Bungalow (replacement dwellings)	4	73.20	292.80
Total	65		4,351.53

The applicant has indicated that the flatted block will have a total gross internal area of 4,122.4m² which equates to a net-gross area of approximately 75%. Whilst this is lower than

we would usually expect to see, it includes communal space and a guest room and is therefore considered to be within an acceptable range for this type of retirement scheme.

Viability Assessment:

This report deals with each major input into the viability assessment of the scheme.

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

We have used a copy of our bespoke Excel Spreadsheet Appraisal to assess the scheme which is attached as Appendix 1.

We would summarise our assessment of the Scheme as follows:

1) Development Value -

a) Private Residential / Commercial:

The applicant has previously provided good comparable sales evidence from new-build retirements apartments and houses. Based on this evidence they have adopted the following values compared with ours:

Type	Developer (Average Value)	DVS (Average Value)
1 Bed apartment	£210,000	£210,000
2 Bed apartment	£290,000	£290,000
2 Bedroom House	£275,000	£275,000
3 Bedroom House	£325,000	£325,000
2 Bedroom Bungalow	£290,000	£290,000
2 Bedroom Bungalow	£275,000	£275,000
2 Bedroom Bungalow (replacement dwellings)	£262,500	£262,500

Since our previous assessment the general property market in this location has not moved significantly and the above figures are unchanged from the agreed figures within our previous assessment.

The properties are currently being marketed (via local agents Fox and Sons) with asking prices in line with the adopted figures above and we have therefore adopted the same figures within our appraisal for the purpose of this latest assessment.

In line with our previous assessments, whilst the figure of £262,500 put forward for the replacement bungalows is slightly lower than for the other similar size bungalow (plot 12, £275,000), it is still considered to be representative of full open market value. It should be noted that these units will be used to re-house existing tenants under protected tenancies and therefore the market value of these units may be reduced due to this restriction. Nonetheless, for the purposes of the viability assessment we have adopted the same figures as provided by the applicant.

b) Ground rents:

In line with previous assessments, the applicant has included £425 per unit per annum for the 1 bedroom units and £495 for the 2 bedroom units capitalised using a 5% yield and we have included the same within our appraisal.

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

c) Gross Development Value (GDV):

On the basis of the proposed scheme, with no affordable housing, we consider the submitted gross development value of £17,125,100 to be reasonable. Purchaser costs of £17,373 in respect of the ground rents have also been deducted from these figures in line with our previously agreed approach.

2) Development Costs -

a) Build Cost:

In line with the approach taken with the gross development value, the applicant has adopted the same build cost rates and approach as agreed in our previous 2018 assessment. The commentary from our previous report is as follows:

"The applicant has adopted current BCIS Median figures and added 10% for external works costs. Based on this approach, the following build cost rates have been included in their appraisal:

*Retirement apartments: £1,570.80 per m2
Single storey units: £1,544.40 per m2
2 Storey units: £1,194.60 per m2*

These costs broadly reflect current BCIS Median costs for this type of construction, adjusted for location, and are therefore considered to be reasonable for this scheme.

An addition of 10% to cover all external works costs is also considered to be reasonable for this scheme taking account of the total size of the site and surfacing/landscaping required."

As recognised by the applicant within their latest 2019 report, since the previous 2018 assessment construction costs for this type of sheltered flatted development have increased but for the purpose of their latest appraisal they have kept the same level of cost.

It should be noted that as at the date of this report the houses and bungalows have been completed but we have not been provided with the actual costs of this. Construction on the remainder of the site (the flatted block) has not yet begun.

For this amended scheme we have included a total construction cost (excluding contingency, professional fees and abnormal costs) of

£8,085,215 within our appraisal in line with the applicant but should further information become available then this may cause us to alter our opinion.

- b) **Build Contingency** – The applicant has included a contingency of 5% of base build costs which was previously agreed in 2017 and 2018.

Due to the advanced stage of this scheme as at the date of this report we would typically expect to see the contingency allowance be reduced to 3% or less, but considering that the adopted base construction costs are based on historic BCIS figures, we have allowed 5% for contingency in this instance.

- c) **Professional Fees** – The applicant has included professional fees of 8% of build costs and we have used the same.

- d) **Abnormal costs** – As per the previously agreed assessment, the applicant has included the following abnormal costs:

- Demolition (existing bungalows) - £13,000
- Asbestos (existing bungalows) - £5,000
- Contamination (existing bungalows) - £6,000
- Demolition - £95,000
- Asbestos removal - £55,000
- Removal of underground tanks - £15,000
- Contamination - £90,000

The applicant has previously provided a site investigation report from ACS which indicates certain on-site contamination levels including a fuel tank which will need to be removed. The £90,000 figure is an estimated remediation cost at this stage but is considered to be a conservative estimate.

We consider these costs to be reasonable and have adopted these in our appraisal in line with our previous assessments.

- e) **Section 106/CIL Costs** – The applicant has included £481,126 for CIL contributions plus a total of £59,112 for S.106 contributions; a total of £540,238.

However, we are informed by you that the following contributions will be required for the latest proposed scheme:

Planning Obligations (Direct Cost)	Detail
Affordable Housing	35%
Highways/Transport	£23,349
SDMP	£20,650
CIL	£369,062
Carbon Management (Zero Carbon)	£14,217
ESP	£12,174

The total contributions included in our appraisal are therefore £439,452; some £100,786 lower than the applicant's figure. If this differs then it will affect our assessment.

- f) **Sales and Marketing Fees** – The applicant has included marketing fees equating to approximately 4.8% on total sales values which is in line with previously agreed levels for this scheme.

In addition legal sales fees totalling £40,407 have been included with is also in line with the previously agreed level.

- g) **Finance costs** - The applicant has included a finance debit rate of 5.5% plus arrangement fees of £140,000 which equates to an overall debit rate of approximately 6.66% including fees.

The arrangement fee previously agreed in 2018 was for £100,000 so this has increased by £40,000, but overall we have accepted the finance costs as reasonable, albeit at the higher end of the range we would usually expect.

- h) **Developers Profit** – In the current market a range of 15% to 20% of GDV for private residential, 6% of GDV for affordable is considered reasonable.

The applicant has adopted a profit level of 18.38% on GDV which is broadly in line with the previously agreed blended profit levels for houses and flats at this site and we have therefore included the same within our appraisal.

- i) **Development Programme** – As mentioned above, this scheme is part complete as at the date of this report but for the purpose of viability testing we have adopted a timeframe in line with our previous assessments as follows:

- Pre-construction period of 4 months for replacement dwellings and 15 months for retirement and private units.
- Build Period of 9 months for replacement dwellings and 12 months for retirement and private units.
- Sales period assumes the following: 12 apartments (30%) sold at practical completion; with a further 21 apartments (50%) selling to the end of year 1 (so 80% of the scheme in the first year).

In addition, in line with previous assessments empty property costs have been included and a timeframe schedule has previously been provided to substantiate this. We have taken account of the fact that water and sewerage charges should not be included for the empty properties.

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

We have previously agreed a benchmark land value of £1.7M for this site and have therefore included this within our appraisal for the purpose of this latest assessment.

In addition stamp duty has been included at the current rate and agent/legal fees of 1.75% have been included.

It should be noted that there is a minor error in the applicant's appraisal with regard to the 1.75% agent/legal acquisition fees. They have applied the fees to the stamp duty figure of £74,500 resulting in fees of £6,037 but it should actually be applied to the £1.7M resulting in a figure of £29,750. We have included the correct amount within our appraisal.

Overall assessment:

The applicant contends that the latest scheme on a 100% open market basis including a CIL contribution of £481,126 can now provide an additional off-site affordable housing contribution of up to £436,520 on top of the £74,537 contribution previously agreed; a total of £511,057.

We broadly agree with this contention and with their viability approach and figures and assumptions adopted. However, we have a difference with the level of CIL and S.106 contributions and there is also a small error within the applicant's appraisal relating to the acquisition fees. Our finance costs are also higher than the applicant's although we have adopted the same rate and fees, and adopted the same timeframe as previously agreed. We have not had sight of the applicant's live appraisal or cash flow for this latest 2019 update.

Following our desktop assessment we are of the opinion that the proposed revised scheme, with no on-site affordable housing but with the full level of CIL and S.106 contributions is viable and that a surplus of up to £515,414 is potentially available for an affordable housing contribution (including the £74,537 previously agreed). Overall, our conclusion of viability is therefore very close to the applicant's conclusion.

As previously noted, a major factor affecting the viability of this scheme is the staggered development schedule which is necessary due to the requirement to re-house the existing tenants on the site. The phased construction leads to an extended overall sales period meaning the revenue income will only be received after nearly 4 years of beginning the scheme.

This is our opinion based on the evidence and information provided to us but should further evidence come to light it may cause us to alter our assessment. Due to the sensitivity of the valuation appraisal, a slight reduction or increase in these figures will have a large influence on the surplus available for affordable housing.

I trust this provides the information that is required however please do not hesitate to contact me if you have any queries and I would welcome the opportunity of discussing this with you in greater detail.

Yours sincerely



Application 19/00235/FUL
Trip Rates

APPENDIX 6

TRIP RATE for Land Use 03 - RESIDENTIAL/N - RETIREMENT FLATS
VEHICLES

Calculation factor: 1 DWELLS

Estimated TRIP rate value per 49 DWELLS shown in shaded columns

BOLD print indicates peak (busiest) period

Time Range	ARRIVALS				DEPARTURES				TOTALS			
	No. Days	Ave. DWELLS	Trip Rate	Estimated Trip Rate	No. Days	Ave. DWELLS	Trip Rate	Estimated Trip Rate	No. Days	Ave. DWELLS	Trip Rate	Estimated Trip Rate
00:00 - 01:00												
01:00 - 02:00												
02:00 - 03:00												
03:00 - 04:00												
04:00 - 05:00												
05:00 - 06:00												
06:00 - 07:00												
07:00 - 08:00	7	41	0.010	0.507	7	41	0.007	0.338	7	41	0.017	0.845
08:00 - 09:00	7	41	0.079	3.886	7	41	0.072	3.548	7	41	0.151	7.434
09:00 - 10:00	7	41	0.052	2.534	7	41	0.076	3.717	7	41	0.128	6.251
10:00 - 11:00	7	41	0.086	4.224	7	41	0.079	3.886	7	41	0.165	8.110
11:00 - 12:00	7	41	0.103	5.069	7	41	0.103	5.069	7	41	0.206	10.138
12:00 - 13:00	7	41	0.069	3.379	7	41	0.086	4.224	7	41	0.155	7.603
13:00 - 14:00	7	41	0.066	3.210	7	41	0.076	3.717	7	41	0.142	6.927
14:00 - 15:00	7	41	0.090	4.393	7	41	0.083	4.055	7	41	0.173	8.448
15:00 - 16:00	7	41	0.045	2.197	7	41	0.052	2.534	7	41	0.097	4.731
16:00 - 17:00	7	41	0.059	2.872	7	41	0.045	2.197	7	41	0.104	5.069
17:00 - 18:00	7	41	0.048	2.366	7	41	0.048	2.366	7	41	0.096	4.732
18:00 - 19:00	7	41	0.041	2.028	7	41	0.021	1.014	7	41	0.062	3.042
19:00 - 20:00												
20:00 - 21:00												
21:00 - 22:00												
22:00 - 23:00												
23:00 - 24:00												
Total Rates:			0.748	36.665			0.748	36.665			1.496	73.330

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

*To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.*