

Planning and Rights of Way Panel 4th June 2024
Planning Application Report of the Head of Transport and Planning

Application address: Leisure World, West Quay Road, Southampton			
Proposed development: Use of the land for a period of up to five years for vehicle parking and storage associated with the operations of the Port of Southampton, with associated works including surfacing, lighting, fencing, drainage, service and security infrastructure, following demolition of public house and entertainment complex (Departure from Development Plan).			
Application number:	23/01508/FUL	Application type:	FUL
Case officer:	Jenna Turner	Public speaking time:	5 minutes
Last date for determination:	19.02.2024	Ward:	Bargate
Reason for Panel Referral:	Request by Ward Cllr	Ward Councillors:	Cllr Bogle Cllr Noon Cllr Paffey
Referred to Panel by:	Cllr Bogle	Reason:	The site is subject to policy that seeks mixed-use redevelopment
Applicant: Associated British Ports (ABP)		Agent: Adams Hendry	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Not applicable
Biodiversity Net Gain Applicable	Not applicable

Reason for granting Permission

Notwithstanding that proposal is a departure from Policy AP9 of the City Centre Action Plan, when taking into account all the policies of the Development, as set out below, and other material considerations, including the current absence of redevelopment interest and temporary nature of the proposal, the scheme is judged to be acceptable. Furthermore, 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 (2023). Policies CS1, CS13, CS18, CS19 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – AP4, AP16, AP18 and AP19 of the City of Southampton City Centre Action Plan (2015) and Policies SDP1,

SDP4 and SDP5 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History
2	Highway Comments		

Recommendation in Full

1. Delegate to the Head of Transport and Planning 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 in accordance saved 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), to secure site-specific transport contributions for highway improvements to Dock Gate 10 and West Quay Road including:
 - i. The alteration of the phasing of traffic lights along West Quay Road to manage the traffic flows and green light time to reflect peak times and days for cruise traffic;
 - ii. Works to remove traffic signs to direct traffic to turn left out of Dock Gate 10 during peak times and days for cruise times.
2. That the Head of Transport and Planning 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 Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 The application site comprises the Leisure World complex, Grosvenor Casino and the long-term vacant Quayside pub/restaurant building, together with associated surface level car parking. The site formerly contained the Odeon Cinema, Oceana nightclub and other food and drink uses, with demolition well underway on these elements (approved under application 24/00372/DPA). The existing car park that served Leisure World is currently used for temporary car parking by the Port of Southampton for a period of 2 years (planning application reference 22/00852/FUL). This use is due to cease in January 2025.
- 1.2 Currently, there are 793 surface car parking spaces on the site. Previously, the main access to the site is via the traffic-light controlled junction from West Quay Road, although the existing temporary parking is fenced off from Grosvenor Casino and utilises an access directly from Port Land. Adjacent to Grosvenor Casino is a secondary service access. There is an attractive group of trees to the front of the site, abutting West Quay Road. As these are owned by the Council, they are not subject to a Tree Preservation Order.

- 1.3 The site abuts The Port of Southampton with City Cruise Terminal located to the south and the new Horizon Cruise Terminal to the south-west of the site. Immediately to the south-east, is the West Quay Industrial Park. The site is also broadly opposite the Ikea store.
- 1.4 Southampton City Council is the freeholder of the site. The land is subject to a long ground lease to UBS.

2. Proposal

- 2.1 The application proposes to use the site primarily for car parking for cruise passengers, following the demolition of the existing buildings on site, with the exception of Grosvenor Casino, which will continue to operate. The use is sought on a temporary basis for a period of 5 years.
- 2.2 A total of 1493 car parking spaces would be provided, which is an increase of 700 spaces when compared with the existing situation. Cruise passengers would enter and leave the site via the Port's Solent Road and into and out of the site via a new access along the south-western boundary.
- 2.3 Outside of peak cruise season (May to October) the site would also be used for other port-related storage. This is envisaged to be for the storage of import/export vehicles. HGVs serving the port-related storage would also enter and exit the site via Solent Road.
- 2.4 Access to the site would be barrier controlled and there would be a small hut used by parking management attendants on cruise arrival/departure days.
- 2.5 The application includes 2 rapid charge EV charging spaces, which would also be available for members of the public to use.
- 2.6 The application also proposes landscape improvements to the West Quay Road frontage to complement the landscape treatment in front of Grosvenor Casino.
- 2.7 Following an initial objection from the Council's Highway Team, the applicant has carried out an appraisal of the anticipated transport impacts of the development. The applicant initially suggested that the development, being a replacement for a previous cruise parking facility in Redbridge, would have no impact on the city's road network. The new Transport Appraisal assesses the likely impacts arising from the additional parking spaces at the Leisure World site, when compared with the previous use of the site. Furthermore, since validation, it has also been agreed that no access/egress would be taken directly from West Quay Road. When initially submitted, the application proposed that the site would be accessed from Solent Road and that vehicles would exit onto West Quay Road. These amendments have been reviewed by the Council's Highway Team and their comments are summarised in section 6 of this report.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The Core Strategy and City Centre Action Plan (CCAP) identify the site as being part of the Western Gateway Quarter of the Major Development Zone, now known as Mayflower Quarter. The Core Strategy confirms that City Centre is the focus for significant new offices, retail, hotel and leisure development, the majority of which can be accommodated in the Mayflower Quarter.
- 3.3 Policy AP9 of the City Centre Action Plan identifies the site as a mixed-use housing site. As such, the current proposal is a departure from Policy AP9. Policy AP20 of the City Centre Action Plan provides an over-arching policy for Mayflower Quarter. It confirms that Mayflower Quarter will form a comprehensive high-density, mixed-use development to enhance the city centre’s regional commercial status. Policy AP22 of the City Centre Action Plan specifically relates to proposals within the Western Gateway of Mayflower Quarter. This policy supports the mixed-use redevelopment of the area and requires the creation of a high-quality, distinctive gateway to the city centre and waterfront.
- 3.4 Part of the city’s Flood Defence Search Zone crosses the site and policy AP15 of the City Centre Action Plan requires new developments to facilitate the delivery of an appropriate strategic flood defence or safeguard an area of land sufficient to provide a robust and appropriate front-line defence at a future date.
- 3.5 Also relevant is the Council’s Transport Strategy, Connected Southampton 2040 which confirms, in policy C2, that the Council will look to improve the city centre’s inner ring road, including options for the realignment of West Quay Road to the west to release the opportunity to downgrade the existing West Quay Road.
- 3.6 The National Planning Policy Framework (NPPF) was revised in December 2023. Paragraph 109 confirms a key objective of the planning system is to limit the need to travel and offering a genuine choice of transport modes to reduce congestion and emissions. At paragraph 115 the NPPF sets out that developments should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.

- 4.2 The Leisure World site was originally developed for warehouses following the grant of planning permission in 1989 and was subsequently changed to leisure use in 1996.
- 4.3 Outline planning permission (planning application reference 20/01544/OUT) was granted in 2022 for the comprehensive redevelopment of the Leisure World and the neighbouring Siva warehouse site to provide residential, leisure, hotel, offices and food and drink uses. This permission requires the first reserved matters application to be submitted within three years of the date of the consent and provides a further two years to implement the first phases of the development. This development would be served by 1,354 car parking spaces, although it is important to note that this planning permission secured a package of highways mitigation measures including junction improvements to provide improved pedestrian and cycle facilities, pedestrian crossing facilities, signal works, the safeguarding of a land for the West Quay Relief Road and a Travel Plan.
- 4.4 In February last year, temporary planning permission (LPA ref: 22/00852/FUL) was granted for the use of the car park in association with the Port of Southampton. This temporary permission expires on the 1st January 2025. The existing temporary planning permission utilises the original areas of parking on site with access and egress taken from the Port rather than West Quay Road. Recently, prior approval was granted for the demolition of the Leisure World buildings (reference 24/00372/DPA) and this has now been implemented.
- 4.5 Also relevant to this application is the Environmental Impact Screening Opinion for the Horizon Cruise Terminal (reference 20/00119/SCR). The fifth cruise terminal was found not to require an Environmental Impact Assessment largely due to the measures secured by an accompanying section 106 legal agreement. Amongst other things, this legal agreement sets out that the Horizon Terminal can't be used if it would result in more than 208,800 cabins calling across the port in a calendar year. The section 106 legal agreement between the Council and the Port also stipulates that, when all cruise terminals are in use at any one time, a traffic protocol is enacted which will ensure cruise traffic will be directed through the port roads instead of the local highway network.

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (8th December 2023) and erecting a site notice (8th December 2023). At the time of writing the report **4 representations** have been received from surrounding residents. The following is a summary of the points raised:
- 5.2 ***The previous plan to redevelop should not be abandoned given the site is previously developed land and needed to meet the city's housing need.***

Response

Currently there is no interest from the development industry in either implementing the outline permission or bringing an alternative redevelopment option forward. The Council has not received any reserved matters submissions, discharge of conditions applications or pre-application enquiries from the development industry for the site. Whilst the current proposal is contrary to policy, the use would be a temporary 'meanwhile' one and would enable some active use of the site in the interim whilst the market for redevelopment waits to improve.

- 5.3 ***The use of the site for car parking is at odds with the Council's vision for an enhanced waterfront to improve the quality of life within the city.***

Response

Agree, although the site does not hold a waterfront location due to the Port. The use would not enhance the city's waterfront experience. That said, keeping the site vacant indefinitely would also fail to achieve the Council's visions for the waterfront. As such, the proposed use is only appropriate as a meanwhile use, for a limited period of time, and repeat requests for further extensions should recognise this.

- 5.4 ***Turning the site into car parking will increase traffic into the city where it should be reduced.***

Response

A Transport Appraisal has been submitted to support the application and concludes that, due to the longer dwell time of cruise parking, the daily vehicular movements to and from the site (including during the weekday peak) would be less when compared with the Leisure World use of the site, which typically had a quicker turnover of vehicles. There will be times when there will be some increase in vehicular movements to and from the site, but this will be outside of weekday peak and will not occur on a daily basis. Furthermore, the level of increase, when it does occur, is found to be limited to no more than 1 additional vehicle movements per minute. The Council's Highway Team is satisfied that, with the measures proposed to be secured by the section 106 legal agreement and by condition, the proposal will not have a severe impact on the local highway network.

- 5.5 ***West Quay Road is already congested and the proposal to add hundreds of cars exiting onto West Quay Road will exacerbate this.***

Response

This is discussed in more detail below. The applicant has agreed that vehicles entering and leaving the car park would do so via Solent Road. In addition to this, the Council's Highway Team are satisfied that, subject to securing a package of site-specific highway improvement measures, the impact of the development can be adequately mitigated.

- 5.6 ***There is limited green planting in the proposal and the large expanse of tarmac is undesirable.***

Response

There are some landscape improvements proposed although it is accepted that the development will result in a large expanse hardstanding which is

visually poor, particularly for a prominent city centre site. The hardstanding will be visible from the public realm, given the intention to have vehicles exiting the site via West Quay Road. This is another key reason why a permanent permission for the use would not be acceptable in planning terms. As a meanwhile use, however, it is accepted that the current visual condition of the site is poor, with large format box-like buildings and excessive hardstanding. On this basis, the visual impact is considered to be appropriate for the temporary period sought.

5.7 *The application would not generate any jobs.*

Response

Whilst there would be limited employment opportunities directly linked to the site itself, the use is linked to the city’s cruise industry and the operation of the Port of Southampton which is of significance to both the local and national economy – see paragraph 7.2.4 below.

5.8 *Query whether a condition be added to the consent so that the use could cease were a redevelopment opportunity materialise within the next 5 years.*

Response

It would not be possible to secure this through the planning system. A redevelopment option has been granted planning permission and it would be open to the leaseholder to implement this consent, when they feel it is commercially viable to do so.

5.9 *Support from British Marine, who operate the Southampton International Boat Show. They advise that the land they require to rent from ABP to support the Boat Show is unlikely to be available this year due to the constraints that ABP find themselves under. It is advised that the development of Leisure World for parking would enable the Port to free-up land elsewhere to support the operation of the Boat Show.*

Response

This is not a planning matter.

6. Consultation Responses

Consultee	Comments
Cllr Sarah Bogle	<p>This site is a prime development site that is designated in planning policies for mixed use development so I request this application is referred to the planning panel for further consideration.</p> <p>I wish to register an objection to this proposal as this contravenes the planning policies in place for this location, effectively stalls development for a further 5 years if granted, and brings further pressure on targets re net zero by 2035 due to additional traffic movements and the environmental impacts of demolition.</p> <p>So far, the plans granted to the original developer</p>

	<p>have not been implemented, and the site has been used as a temporary car park by the port for the last year or 2. This proposal does not meet the aspirations the city has to regenerate and develop the city centre, make the city a destination city or improve access to the waterfront. Some parts of this site are suitable for housing, which is much needed as the city expands - this will delay any plans as the city continues to grow and the affordability of housing continues to worsen.</p> <p>I would be interested to see if there are any other options available than this particular site to provide space for cruise passenger parking, and also reduce the need for parking i.e. incentives to use public transport. Are there any other sites either in the extensive Western Docks port estate that could be considered or some alternative options similar to how an airport plans its visitor parking like park and ride?</p> <p>The port's success in expanding it's operations is to be celebrated, but these successes should not be at the expense of the city's long-term plans for sustainable and equitable economic development.</p>
Highways	<p>Following a scheme amendment and additional data - No Objection subject to:</p> <ul style="list-style-type: none"> - A section 106 agreement which secures works to Dock Gate 10 to mitigate the intensification of traffic flows at this junction. - The section 106 should secure funding for additional work relating to the phasing of traffic lights along West Quay Road in order to help manage the flows and green time reflective of cruise-peak days and times. - Further works are also requested to remove traffic signs to direct traffic exiting from Dock Gate 10 to turn left during peak cruise times, to better correlate with the direction of travel of the network peaks. - A condition should be sought to restrict the land for specific uses to avoid high trip generating uses which have not formed part of the application. <p>The full response from the Council's Highway Officer is set out in Appendix 3 of this report. In summary, it is advised that the modelling carried</p>

	<p>out by the applicant indicates that, on peak days (Mondays to Fridays), the proposal would result in an increase in vehicular movements to the Southern Road/West Quay Road junction. In terms of vehicle movements, it is stated that this would on average equate to 2 additional vehicles per minute; and the delay in journey time would be an addition of 2-3 seconds per vehicle.</p> <p>However, it is noted that there would be fewer overall traffic movements generated by the site on a day-to-day basis, due to the slower turnover of car parking when compared with the previous leisure uses.</p> <p>The submitted appraisal shows that the Dock Gate 10 junction would have capacity to deal with the additional vehicular movements generated by the development, although during periods when all cruise terminals are in use, the junction would be extremely close to full capacity.</p> <p>By ensuring that the access from the site directly onto West Quay Road is closed, there would likely be a reduction in trips at a few signalised junctions, when compared with the previous leisure uses.</p>
Archaeology	<p>No objection</p> <p>The proposed development includes demolition of the existing public house (built post-WWII) and entertainment complex (Leisure World, late 20th century), with surfacing, lighting, fencing, drainage, service and security infrastructure works. The entertainment complex will be demolished to slab level, the public house completely demolished. These works will not impact on deeply buried remains. Therefore, no archaeological conditions need to be attached to the planning consent if granted.</p>
Ecology	<p>No objection subject to conditions</p> <p>I have no objection to the proposed development provided it is undertaken in accordance with the mitigation measures set out in the ecology report: Temporary Car Park and Storage Facility: Port of Southampton, Ecological Impact Assessment. November 2023.</p>

	<p>A Habitats Regulations Assessment is not required.</p> <p>If planning permission is granted, I would like the following conditions applied to the consent:</p> <ul style="list-style-type: none"> • Ecological Mitigation Statement (Pre-Commencement) • Protection of nesting birds (Performance)
Contamination	<p>No objection subject to conditions</p> <p>The Phase 1 Environmental Site Report submitted has identified contaminants on site which will require mitigation measures to ensure the safety of end users.</p> <p>Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long-term safety of the site.</p> <p>To facilitate this I recommend, if planning permission is granted a condition be imposed to secure a contaminated land investigation and any remediation measures.</p>
Environmental Health	<p>No objection subject to conditions</p> <p>Environmental Health have no objections in principle to this application. I have looked at the Construction Management Plan which covers noise, dust and construction lighting. I have also viewed the Noise Impact Assessment R10254-1-Rev3 which shows noise from construction is unlikely to cause nuisance.</p> <p>I recommend a condition that specifies hours of working for the construction phase and a condition requiring the applicant to carry out the good practices specified within the Construction Management Plan.</p> <p>A lighting assessment should be secured by condition.</p> <p>Officer Comment: A lighting scheme is secured by</p>

	the recommended landscape condition.
Air Quality	<p>No objection</p> <p>The proposed development will not result in an increase in traffic that exceeds published screening criteria close to any existing, sensitive receptor. The closest receptors sensitive to the Nitrogen Oxide (NO₂) annual mean objectives are located over 500 metres to the south of the proposed development site access, adjacent to Town Quay. At this distance, emissions from vehicles using the site access will have no significant impact. Measured NO₂ annual mean in 2022 alongside Town Quay, demonstrate that although the area remains an AQMA, the objective has not been exceeded at the receptors nearest to the proposed development for a number of years.</p> <p>Recommend the provision of more than 2 Electric Vehicle Charging Points.</p>
Sustainability (Flood Risk)	No objection or conditions suggested
Public Health	<p>Objection</p> <p>The proposal will not constitute healthy place-making contrary to paragraph 92 of the NPPF by not delivering a mixed-use development that will generate a range of economic, social and environmental benefits. More needs to be done to promote more sustainable modes of travel other than the private car.</p>
Trees & Open Spaces	<p>No objection subject to condition</p> <p>No tree loss required for proposal or schedule for intended works submitted. I would request provisions be placed to protect tree root protection areas during demolition and site clearance and as required during resurfacing works. There should be a Tree Protection Plan showing locations and specifications of fencing around trees, to guard against damage to above and below ground aspects of those trees retained on site. Suggest a condition to secure this.</p>
Health and Safety Executive	No comment

<p>Defence Infrastructure Organisation</p>	<p>No objection subject to conditions</p> <p>I can confirm the MOD has no safeguarding objections to this development. However, due to the site's location within the Marchwood SMC explosives safeguarding zone, it is strongly recommended that all glazing within the security hut contains a minimum 6.8mm thick laminated glass pane (internal pane if double glazed) with a PVB interlayer.</p>
<p>MOD</p>	<p>Holding objection</p> <p>We have been reviewing the documentation for this proposal. The whole site falls within the outer explosive safeguarding zone, the vulnerable building distance (VBD), surrounding Marchwood Sea Mounting Centre (SMC). This is the area contained between the yellow and purple lines shown on the Marchwood SMC statutory explosives safeguarding plan. All buildings occupying the VBD should be 'non-vulnerable' that is of robust construction and design so that should an explosion occur at the MOD storage facility, buildings nearby will not collapse or sustain damage that could cause critical injury to the occupants. In this context, buildings that contain large areas of glass, tall structures (in excess of 3 storeys) and buildings of light weight construction are of particular concern to the MOD.</p> <p>As part of this development there is a Security Hut proposed in the north/northeast area of the carpark. Although details of the external materials have been provided, they are not sufficient for an assessment to be completed to determine if the hut is of a non-vulnerable construction.</p> <p>Therefore, the MOD cannot currently provide a response for this application until further details have been provided of the structural design, including materials and the glazing specifications of the Security Hut for an assessment to identify if the Security Hut is potentially vulnerable from a structural point of view. The MOD would also require the details of the occupancy levels of the Security Hut and times of its occupation.</p> <p><i>Officer response: A condition could be imposed to ensure that the security hut is only in use during</i></p>

	<i>cruise ship embarking/disembarking.</i>
Natural England	No objection

7. **Planning Consideration Key Issues**

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

- The principle of development;
- Parking, highways and transport & mitigation;
- Effect on character and amenity and;
- Air Quality and the Green Charter.

7.2 **Principle of Development**

7.2.1 As set out in paragraphs 3.2-3.3 above, the site is identified as a mixed-use housing site in the City Centre Action Plan (Policy AP9) and the Council's policies require the creation of a high-quality, distinctive gateway to the city centre and waterfront in this location. The proposed development would not meet these policy objectives and so the principle of development is not automatically accepted. However, there is no current interest from the market in taking the site forward for comprehensive redevelopment and the proposal, if permitted, would provide a meanwhile use, enabling the site to be used in the interim, waiting for market conditions to improve. On this basis, the departure from policy is considered to be acceptable.

7.2.2 The existing public house on site has been vacant for a lengthy period of time (approximately 6 years) and is not listed as a Community Asset. Furthermore, given the availability of other public house uses within the vicinity of the site, the loss of the facility would not be harmful to the balance of uses within the wider community.

7.2.3 The National Planning Practice Guidance (NPPG) sets out that it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). The NPPG goes on to specify that further permissions can normally be granted permanently or refused if there is clear justification for doing so (Paragraph: 014 Reference ID: 21a-014-20140306). As the site is currently in use for temporary cruise parking, the principle of a further temporary permission for cruise car parking needs careful consideration.

7.2.4 The proposed use is not considered to be appropriate for an indefinite period or for a lengthier period than the 5-years sought. This is having regard to the regeneration potential of the site, which is envisaged to provide a significant contribution towards the city's housing requirement and, which would assist in improving the vitality of the city centre. Furthermore, the proposed use would not address the city's longer-term strategic flood defence requirements or enable the required transport improvements of the West Quay Relief Road. Whilst neither of these infrastructure requirements are likely to be needed

within the next 5 years, within a longer timeframe, provisions to enable the delivery of the West Quay Relief Road and the strategic flood defence would be required for developments on this site. Furthermore, other considerations, such as the poor visual impact of a huge expanse of tarmac on the character of the city centre, also mean that it is fundamental that were the application supported, this should only be for the 5-year period sought.

- 7.2.5 In terms of justifying a further temporary permission, ABP set out that, former cruise-parking areas within the Port are needed for other port-related uses for a period of 5-years. In particular, the Redbridge cruise parking area is needed to support the shift to utilising rail to move cargo as well as being driven by the increased dwell time needed to store imported Tesla electric vehicles. The Development Plan recognises the importance of the Port to the city and national economy. The application submission sets out that the Port of Southampton supports 45,600 jobs and contributes some £2.5 billion to the nation's economy every year. The Port is one of the UK's number one vehicle handling ports as well as being Europe's leading turnaround port for cruise passengers, with over two million passengers passing through its five cruise terminals annually. The Port is also the home to the UK's second largest container terminal. Furthermore, Policy AP4 of the City Centre Action Plan confirms that:

“The Council supports the growth and overall competitiveness of the Port of Southampton... The Council will have regard to the national significance of the Port”.

On this basis, it is considered that the changing circumstances of the Port provide a rationale for an exceptional further temporary permission in this instance but this may not be the case again in 5 years given the need for redevelopment, including housing, across the city.

7.3 Parking highways and transport

- 7.3.1 The applicant sets out that, providing cruise passengers with the ability to leave their vehicles close to their departure point (as opposed to parking off site and having to be transported into the Port), is a critical aspect of cruise operations, and necessary to enable the Port of Southampton to continue to compete globally in respect of cruise activities. There is clearly a need for cruise parking in the city that is currently partly met by various independent sites throughout the city. The development would contribute to meeting this travel demand.

- 7.3.2 The Council's policies support the location of car parking at the periphery of the city centre, rather than the destination and the proposal would clearly be at odds with this approach. However, the Port have cited a pressing need for the space, following the cessation of the use of the Redbridge parking facility, that they are unable to accommodate elsewhere in the Port. The proximity of the site to the Port and the cruise terminals makes it extremely convenient for the Port to use on a short-term basis, whilst their longer-term masterplan is developed in detail.

7.3.3 Importantly, the application now proposes that the car park would not utilise the vehicular access from the site onto West Quay Road. This measure would see a betterment with a reduction in traffic flows through some signalised junctions on West Quay Road, when compared with the previous leisure uses. Furthermore, the submitted transport information shows that, since cruise passengers would leave their vehicles on the site for a longer period than previous customers of the leisure uses, on a day-to-day basis the trips generated from the site would be less. Whilst there will be busier periods that will place pressure on the already busy West Quay Road and Dock Gate 10, subject to the works suggested by the Council's Highways Team, it is considered that this impact can be accommodated for the short-term.

7.3.4 In terms of the proposed use of the site outside of peak cruise season, the applicant has stated that the ability to use the former Leisure World land on an ad hoc basis would allow temporary storage during the off-peak cruise season for other port customers/trades. They advise that the use would only be for standard vehicular parking and not for heavy duty traffic such as plant and machinery, containers or HGVs. It is important to restrict this use by condition and prevent access and egress to West Quay Road, in order to ensure that public highway is not adversely affected by the development.

7.4 Effect on Character and Amenity

7.4.1 In terms of the impacts on residential amenity, the site is remote from any residential properties (nearest residents over 400m away in Forest View) and, as such, the development is not considered to result in harm to residential amenity. Were the application to be supported, a condition could be imposed to secure a construction management plan and lighting scheme to limit the potential impacts on noise-sensitive uses within the general area.

7.4.2 In terms of character, the application proposes some landscape improvements to the Siva warehouse frontage, which is welcome. However, the large, unbroken expanse of car parking proposed would be readily visible from public vantage points, particularly via the access, and this would give a poor visual impression of a key city centre site. That said, the site currently comprises large vacant buildings and a large surface car park and this appearance would continue until the site is redeveloped. On this basis, the visual harm resulting from the development is accepted for a period of 5 years only. The use of the site, out of peak cruise season, for other port-related storage also has the potential to have a poor visual impact on the city centre. As well as ensuring the temporary use of the site, restricting the height of the storage by condition will also help to reduce the negative visual impact of the development.

7.5 Air Quality and the Green Charter

7.5.1 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be refused where the effect of the proposal would contribute significantly to the

exceedance of the National Air Quality Strategy Standards.

- 7.5.2 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive.
- 7.5.3 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive – up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m³. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:
- Reduce pollution and waste
 - Minimise the impact of climate change
 - Reduce health inequalities; and
 - Create a more sustainable approach to economic growth.
- 7.5.4 The site is within 500 metres of the nearest Air Quality Management Area, however the Council's Air Quality Officer considers that the proposal would not result in harmful concentrations of nitrogen oxide in this location. Whilst, more than 2 EV Charging Points are recommended by the Air Quality Officer, however, this is not suitable for long-stay and temporary car parking.

8. Summary

- 8.1 Whilst a second temporary planning application is not normally acceptable, the Port have confirmed that the use is necessary for a period of 5 years to enable them to ease current pressures on operational port land. The use represents a departure from the City Centre Action Plan, which requires the site to be developed as a mixed-use housing site however, having regard to the challenges facing the development industry and the absence of interest in the redevelopment of the site at this time, securing a use on an interim basis is considered to justify the departure from policy on this occasion.
- 8.2 Whilst there would be some increase in traffic flows on nearby roads and junctions, this would be outside of the weekday peak and the submission demonstrates that this would not severely impact on the capacity of the junctions. There would be some parts of West Quay Road that would benefit from the closure of the existing site access. That said, given the sensitivity of the West Quay corridor, it is considered that the package of highway mitigation measures outlined in this report will limit the potential for issues to arise during busier times.

9. Conclusion

- 9.1 It is recommended that planning permission be approved subject to the

completion of a section 106 legal agreement, to secure the measures detailed in this report, and the conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

Case Officer **Jenna Turner for 04/06/24** PROW Panel

Planning Conditions:

1. Full Permission Timing (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. Temporary Permission (Performance)

The development hereby approved shall be discontinued either on or before the period ending on 19th February 2029. After this time the land, all storage and parking shall cease and the access link road between the site and Solent Road be removed.

Reason: The site is identified in the Development Plan for mixed use regeneration site and a lengthier use for storage and parking would hinder the realisation of this, adversely affecting the vitality of the city centre and the need for housing. Furthermore, the use of the site for storage and parking in the longer term would have a deleterious impact on the visual amenity of the area and impact on the ability to achieve a future flood defence for the city and the delivery of the West Quay Relief Road. As such, a period longer than 5 years for the use would not be acceptable.

3. West Quay Road Access Restriction (Performance Condition)

The car park hereby approved shall not take access or egress directly onto or off-of West Quay Road at any time. Prior to the first use of the development hereby approved, secure boundary treatment must be erected between the car park and the vehicular access with West Quay Road, in accordance with details agreed pursuant with condition 5, below. The boundary treatment shall be retained for the lifetime of the development.

Reason: To prevent congestion on the highway and to help screen the visual impact of the development.

4. Restricted Use (Performance)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015 as amended, or in any other statutory instrument

amending, revoking and re-enacting those Orders, the development hereby approved shall only be used for up to 1483 cruise related car parking spaces and, between November and April shall also be used for storage associated with the operation of the Port of Southampton, not including for the storage of plant and machinery, heavy goods vehicles, containers, scrap metal or for commuter/staff car parking, which shall not be stored on the site.

Reason: To define the consent, having regard to the wide-ranging uses and operations of the Port of Southampton which may not be suitable for this site for reasons relating to the safety and convenience of the users of the adjoining highway network, residential amenity and in the interests of the character of the area.

5. Height of Storage (Performance)

The height of any storage on the site shall not exceed 4 metres in height.

Reason: In the interests of the visual amenity of the area.

6. Landscaping, lighting & means of enclosure detailed plan (Pre-Use)

Notwithstanding the submitted details, before the commencement of the use of the car park hereby approved, 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 permeable surfacing where appropriate, external lighting, structures and ancillary objects (refuse bins etc.);
- b. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules 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;
- e. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to the development first coming into use or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for the lifetime of the development.

Any approved 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.

Any approved trees which die, fail to establish, are removed or become damaged or diseased following their planting shall be replaced by the Developer (or their successor) in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

7. Ecological Mitigation Statement (Pre-Commencement)

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place. The agreed mitigation measures shall be thereafter retained as approved.

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 first submitted to and agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

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

9. Use of Security Cabin (Performance)

The security cabin hereby approved shall only be used during cruise ship embarking and disembarking and the glazing shall be a minimum 6.8mm thick laminated glass pane (internal pane if double glazed) with a PVB interlayer.

Reason: In the interests of safety.

10. Construction Management Plan (Performance)

The development hereby approved shall be carried out in accordance with the recommendations and statements including within the submitted ABP Construction Environment Management Plan v.4.

Reason: To minimise noise and disturbance during the construction process.

11. 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.

12. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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

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

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

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

13. Tree Retention and Safeguarding (Pre-Commencement)

Prior to the commencement of the development hereby approved, including site clearance and demolition, details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be provided in accordance with the agreed details before the development commences and retained, as approved, for the duration of the development works. No works shall be carried out within the fenced off area. All trees shown to be retained on the plans and information hereby approved and retained pursuant to any other condition of this decision notice, shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations.

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

14. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

Core Strategy - (as amended 2015)

CS1	City Centre Approach
CS2	Major Development Quarter
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS9	Port of Southampton
CS12	Accessible and Attractive Waterfront
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land

City Centre Action Plan - March 2015

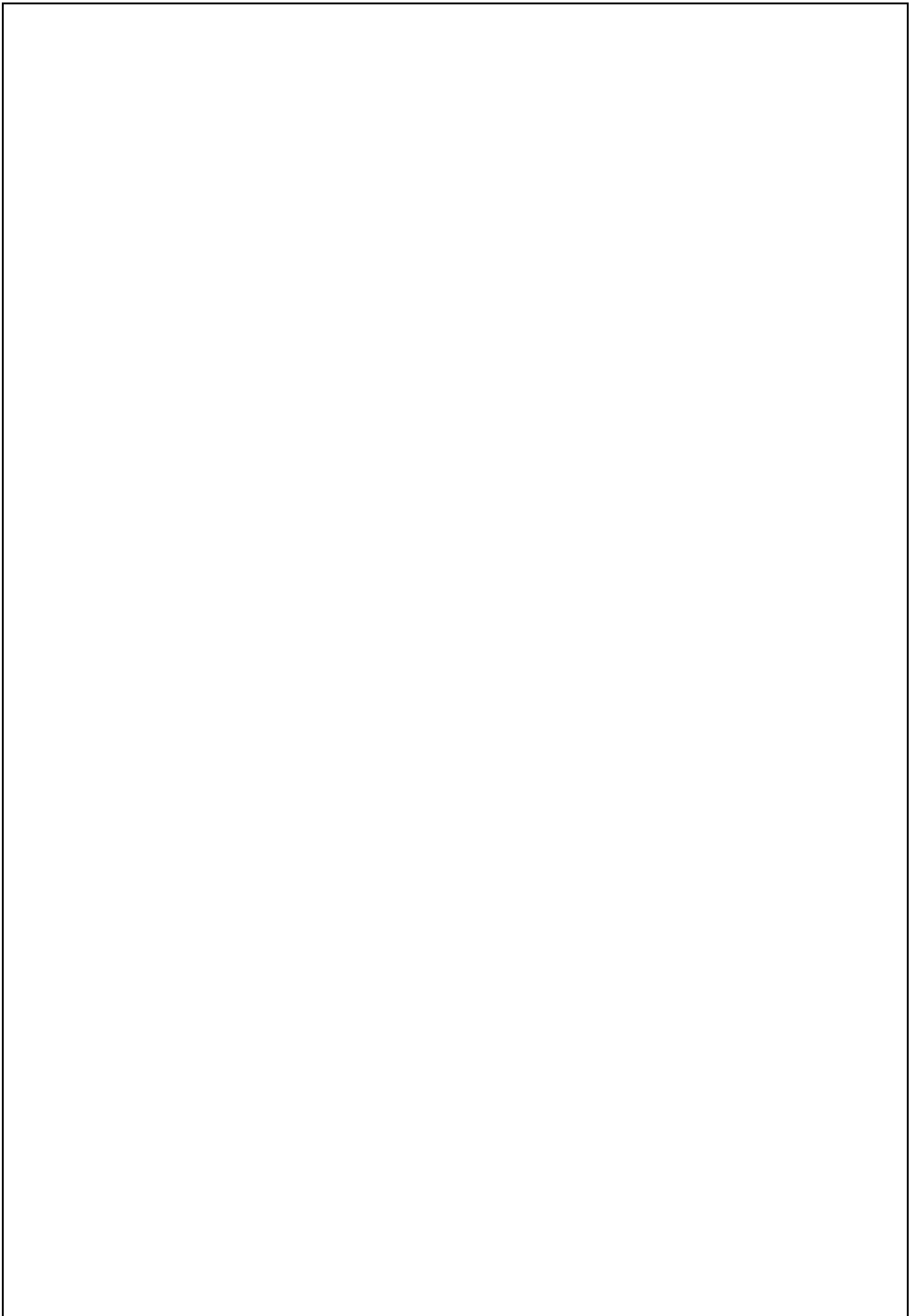
AP 4	The Port
AP 9	Housing supply
AP 15	Flood resilience
AP 16	Design
AP 18	Transport and movement
AP 19	Streets and Spaces
AP 20	MDZ
AP 21	MDZ - Station Quarter
AP 22	MDZ - Western Gateway
AP 25	MDZ - North of West Quay Road

Supplementary Planning Guidance

Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

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



**Application 23/01508/FUL
APPENDIX 2**

Relevant Planning History

Case Ref	Proposal	Decision	Date
951050/E	CHANGE OF USE OF WAREHOUSE FOR TEMPORARY EXHIBITION.		26.10.1995
951069/W	CHANGE OF USE TO LEISURE WITH CAR PARKING.	Conditionally Approved	10.05.1996
20/00606/SC O	Request for a Scoping Opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment Regulations 2017 for the redevelopment of the site to provide residential accommodation (Use Class C3) office floorspace (Use Class B1), including flexible commercial and non-residential institution facilities (Use Class B1/D1)), hotel accommodation (Use Class C1), flexible retail and leisure floorspace (Use Classes A1/A3/A4/D2), a casino (Use Class Sui-Generis), car and cycle parking, internal roads, open space, public realm and landscaping including tree planting, together with associated and ancillary works including utilities and surface water drainage, plant and equipment.	No Objection	01.07.2020
20/01544/OU T	Outline planning application for the demolition of existing buildings and comprehensive redevelopment of the site comprising residential accommodation (Use class C3), office floorspace (Use Class E), hotel accommodation (Use Class C1), cinema (Sui Generis Use), casino (Sui Generis Use) and other flexible business uses including retail and restaurants/cafes (Use Class E). With associated car and cycle parking, internal highways, open space, public realm and landscaping and ancillary works including utilities, surface water drainage, plant and equipment. Means of access for detailed consideration and layout, scale, external appearance and landscaping reserved matters for consideration.	Conditionally Approved	21.07.2022
22/00852/FU L	Temporary permission for use of the car park for parking associated with the operation of the Port of Southampton for a period of two years with associated works.	Conditionally Approved	10.02.2023

24/00372/DP A	Prior Approval for the demolition of the Leisure World building.	No Objection	21.05.2024
882422/E	Redevelopment of the site by the erection of a warehouse and ancillary offices together with associated car parking.	Conditionall y Approved	19.01.1989

Application 23/01508/FUL

APPENDIX 3

SCC Highways & Transport Comments

The following are additional updated highway comments to the original ones regarding application 23/01508/FUL; covering the latest submitted information and various subsequent meetings are as follows:

The latest Transport Appraisal (TA) dated 14th May 2024 provides an updated response to previous highway comments and meetings. Due to concerns raised with added ingress and egress trips off the Leisure World access onto West Quay Road and its impact on the junctions as well as the knock-on impact along the West Quay Road; it was agreed that no traffic relating to the proposed parking on the application site to be entering or leaving the Leisure world site access and will be redirected elsewhere - most likely either DG10 or DG8.

Trip Generation

It was also agreed that without planning restrictions on dock land to ensure that land within the dock cannot continue as cruise parking, all cruise parking proposed as part of this site will be considered as new cruise parking spaces. As such, using existing survey data and traffic count data a further assessment on the new trips have been carried out.

It is important to note that in order provide a more robust and reflective set of trip data, the TA uses existing data based on which days are the busiest for cruise traffic; hourly traffic movement patterns; and average length of stays for each cruise parking vehicle. Because there is no guarantee on what day/time a car would use the parking space and which cruise ship its passengers would be boarding; the level of impact could vary from a seasonal/daily and/or weekly basis. As such, in order to provide a robust assessment, it is assumed that all parking spaces will be active and fully occupied and proportioned to the busiest days of the week (Friday and Saturdays) and assuming the length of stay per vehicle would be 7 days.

Trip Impact Assessment

The Transport Assessment for the previous cruise terminal (CT5) included work which shows the distribution of trips. Results indicated a large majority of trips coming in and out of DG10 and heading predominantly West and a smaller percentage North. As such, junction modelling has been carried at this junction as part of the latest TA. The modelling showed that on peak days, it would generate an

increase in vehicular movements to the Southern Road/West Quay Road junction (DG10 junction) but suggests fewer movements on a daily basis due to the fact that slower turnover of parking spaces.

A number of scenarios were modelled for the DG10 junction which showed that there was still a comfortable level of spare capacity at this junction with the exception of the full cruise scenario whereby multiple cruise ships are in with the cruise traffic protocol triggered. This results in the junction capacity reducing to 1.8% but with the added cruise long stay parking, the figure reduces further to 0.4%. This demonstrates that the junction as it is would be extremely close to capacity problems during the busiest Cruise periods and will be exacerbated by the long stay car park. In terms of vehicle movements, it is stated that this would on average equate to 2 additional vehicles per minute; and the delay in journey time would be an addition of 2-3 seconds per vehicle.

It is important to note that with the proposal and request for conditions to restrict any vehicular movements using the Leisure World Access, there would likely be a reduction of trips impact a few signalised junctions when compared to previous leisure world uses which would have accessed off its site access and then redirected towards other junctions along West Quay Corridor.

Other Uses

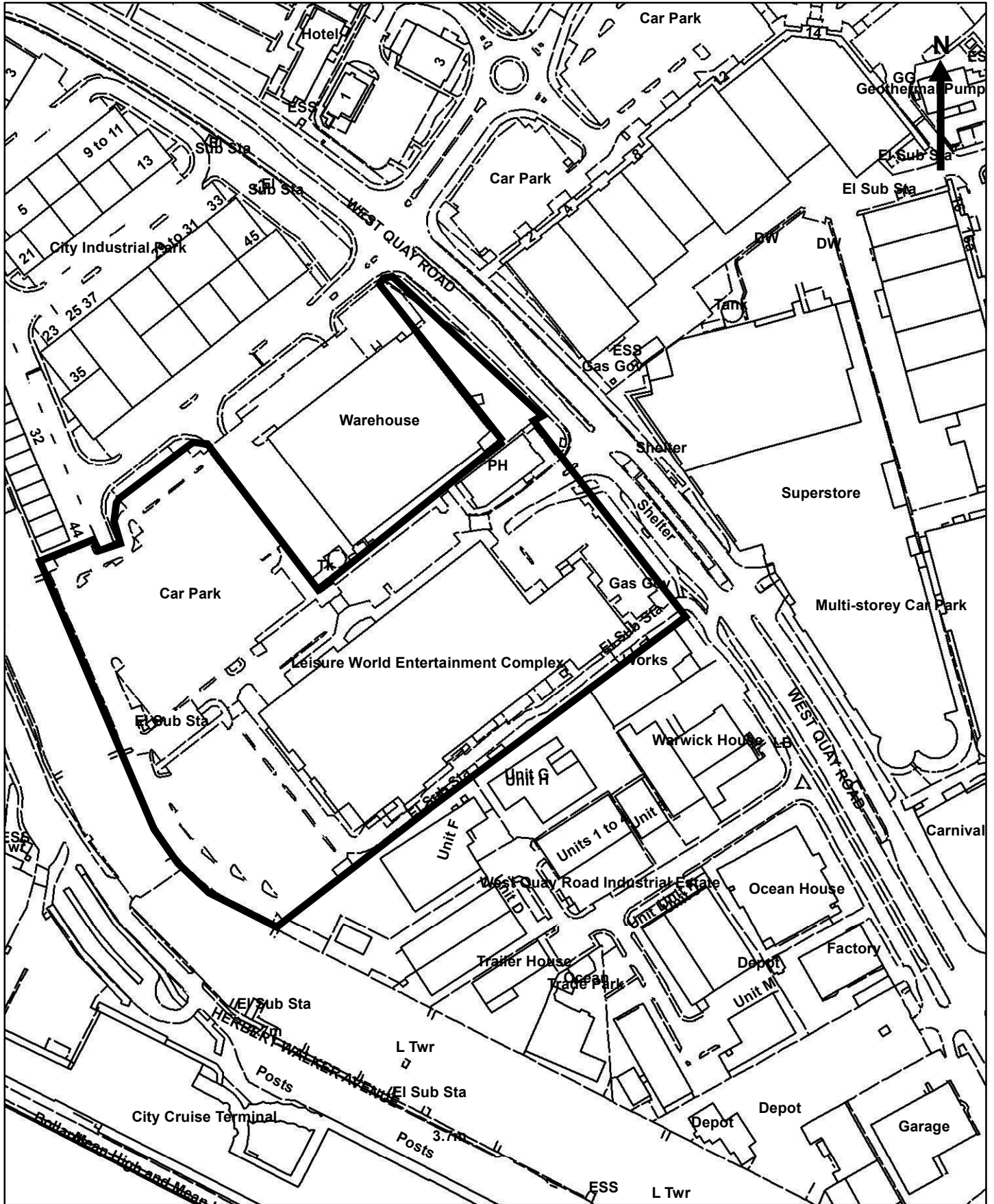
It is also noted that outside of the peak cruise season, it is proposed that the land will be used for other 'port related storage' uses. It is requested that there should be a condition to restrict high level of trip generators such as commuter/staff/public parking which can generate significant daily trips and which has not formed part of the assessment from being used. It has been suggested that the storage uses would not be in the form of storage containers or generate HGV traffic as the land cannot support these loads and uses; the likely uses would be long term storage of commercial vehicles which turnover time reflects those of cruise parking.

Summary

In summary, although the proposal will generate a significant level of trips, the restriction of using the site access would help alleviate some pressures along the wider West Quay Corridor. However this would result in concentrating the impact on the DG10 junction. The modelling carried out would show that the junction would still have spare capacity albeit very little and would further be exacerbated by the proposed cruise parking. Considering all the above, it is felt that the application can be supported but would be subject to a condition that only DG10 is used for this car park with some additional mitigation measures provided to mitigate the intensification of traffic flows at the DG10. The requested mitigation measures should be secured under a Section 106 agreement to secure funding for additional work relating to the phasing of traffic lights along West Quay Road in order to help manage the flows and green time reflective of cruise-peak days and times. Further civil works are also requested to remove traffic signs which will help redirect traffic away from turning right out of DG10 and direct them turning left during peak cruise times which correlates better with the direction of travel of the network peaks. As covered before,

a condition should be sought to restrict the land for specific uses to avoid high trip generating uses which have not formed part of the application.

23/01508/FUL



Scale: 1:2,500

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