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Appendices:

- 1 1APP application schedule**
- 2 Southampton City Council EIA Screening Opinion**

APPLICATION CONTENT

The application for development at the former Tyrrell & Green site on Above Bar Street comprises the following core elements:

Completed 1APP Planning Application Form (including Completed Ownership Plan and Agricultural Holdings plans and certificates) including:

- Site Boundary (Existing Site Plan) and Proposed Site Layout
- Floor Plans
- Roof Plan
- Long/ Cross Sections
- Elevations Plans
- Party Wall Elevations
- Landscape Plan
- Highways Stopping Up/ Adoption

Supporting Planning Statement & Summary of Community Involvement (this document)

Design and Access Statement

Townscape, Heritage and Visual Impact Appraisal

Sustainability & Energy Statement including Sustainability Checklist

Transport Assessment, Access Servicing Strategy & Waste Delivery Plan

Drainage Impact Assessment

Archaeology Desk Based Assessment

Noise Assessment

Phase 1 Contamination Risk Report

Air Quality Assessment

1.0 Introduction

1.1 This Statement accompanies a planning application by Grosvenor Developments Ltd to Southampton City Council (SCC) for the proposed development of two (2) buildings and public realm improvements on the former Tyrrell and Green site on Above Bar Street, Southampton.

The planning application

1.2 The planning application is full application, on land comprising 0.52 hectares in total of which 0.35 hectares forms the ground floor footprint of the new buildings.

1.3 The description of the planning application is:

Full application for the erection of two (2) buildings either side a proposed 12 metre wide passage (Link Street) and associated underground parking (33 spaces) and public realm improvements (to include 1. the stopping up of an existing public right of way, 2. the stopping up of public highway (footway) on Above Bar Street and 3. the creation of a replacement public right of way). North Building comprising an Arts Complex with 2 x auditoriums and a mix of 4 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 3 x units shall be A1/A3). South Building comprising an Arts Complex/ Gallery and 2 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 1 x unit shall be A1/A3) and 29 residential dwellings.

1.4 The floorspace proposed is:

	North building (sq m)	South building (sq m)	Total
New Arts Complex	4,147	1,980	6,127
A1, A3, A4 commercial (Ground Floor)*	1,533	697	2,230
Residential		29 units (7 one-bed, 15 two-bed and 7 three-bed)	29 units
Basement	1,650		10,017 (GIA)

**Excluding the potential for additional mezzanine floorspace (not subject to this application)*

- 1.5 The majority of the development floorspace will comprise arts facilities, including auditoria, art gallery and space for the media. The 29 residential dwellings proposed are of a balanced mix. It is proposed that the majority of the ground floor commercial units (with active frontage) are either A1 retail or A3 restaurants.
- 1.6 The floorspace and composition of the proposed uses is outlined by the Design & Access Statement and submission plans.
- 1.7 This document forms the Planning Statement and planning policy justification for the proposal. It must be read alongside the wider submission, notably scale plans, the Design and Access Statement, Transport Assessment and Townscape, Heritage and Visual Impact Appraisal (THVIA). Full details of the application content are provided by the separate 1APP application schedule appended to this statement.

Purpose of this Planning Statement

- 1.8 The purpose of this Planning Statement is to set out the relevant development plan policies (Regional and Local) and relevant material considerations, notably National planning policies applicable to the proposed development. The Planning Statement also outlines the Heads of Terms for the Section 106 Legal Agreement which will be negotiated through the application determination.
- 1.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Southampton comprises the LDF adopted Core Strategy (CS) (January 2010), the 'saved' Local Plan Review policies and also the Regional Spatial Strategy, the South East Plan (2009). As part of the development plan, the policies within the South East Plan are of relevance to this proposal and will remain so until such a time that the Localism and Decentralisation Bill becomes law (which is anticipated to make provision for the revocation of the South East Plan).
- 1.10 The Government has produced a series of Planning Policy Guidance Notes (PPG) and more recently Planning Policy Statements (PPS), which are also material and carry significant weight in preparing development plans and in making planning decisions.

- 1.11 SCC has also produced a series of relevant Supplementary Planning Documents (SPDs) which should be afforded weight as they comprise the Local Development Framework, although they are not part of the Development Plan.

Pre Application Discussions

- 1.12 One of the key principles set out within Planning Policy Statement 1: Delivering Sustainable Development (PPS1) concerns pre-application discussions and community involvement. PPS1, paragraph 12 states *"Pre-application discussions are critically important and benefit both developers and local planning authorities in ensuring a better mutual understanding of objectives and the constraints that exist. In the course of such discussions proposals can be adapted to ensure that they better reflect community aspirations and that applications are complete and address all the relevant issues. Local planning authorities and applicants should take a positive attitude towards early engagement in pre-application discussions so that formal applications can be dealt with in a more certain and speedy manner and the quality of decisions can be better assured"*.
- 1.13 The proposal has been the subject of extensive pre-application consultation with relevant stakeholders and the local community, with continued dialogue between the project team, statutory consultees and SCC. Section five outlines a summary of community engagement. The proposal is within the defined city centre and Local Plan designation and as such the wider principle of the development within the defined 'cultural quarter' has been widely consulted.
- 1.14 Those responses received from officers have informed the nature and content of the assessments that have been undertaken and which accompany this application and ultimately the scheme proposals themselves.
- 1.15 Consultation has also been undertaken with statutory agencies where relevant, notably with English Heritage with regard to the setting of the proposal relative to the Grade II Listed Central Parks and Grade II* Listed Guildhall/ Civic Centre.

Cultural Quarter Vision

- 1.16 The separate Design & Access Statement outlines the broader vision for the area and approach of the architects CZWG in realising the potential of the site. The Design & Access

Statement also outlines in greater detail the interpretation of the relevant Supplementary Planning Documents.

Planning History

1.17 The last known planning use on the site was A1 retail (former Tyrrell and Green Building). This unit comprised circa 4,000 square metres of A1 retail over four floors and has been vacant since 2000.

1.18 In 2007 a planning application was submitted for:
Redevelopment of the site. Demolition of the existing building and erection of new buildings ranging in height from 9-storeys to 18-storeys to provide new arts facilities, a new commercial unit (Class A1/A3) and 282 flats (46 studios, 106 x 1 bedroom, 126 x 2 bedroom and 4 x 3 bedroom flats) with associated parking and formation of a new street between Guildhall Square and East/Andrews Park (Environmental Impact Assessment Development).

1.19 The application remains live (reference: 07/01686/FUL). SCC has confirmed that it has no intention of determining it, and that owing to the significant period of inactivity on the application it is expected to either be withdrawn or deemed disposed. The applicant City Lofts (Southampton) Ltd is no longer in business.

1.20 The previous proposal has been used, in part, to inform the proposals now submitted.

1.21 The site, having been demolished/ cleared in 2010 is now vacant and laid to grass.

1.22 Other planning applications of most relevance are:

11/00003/R3CFL: Use of the land for public events for a maximum of 50 days per calendar year and use of Guildhall Square for a maximum of 225 days per year for public events (Affects a Public Right of Way). This proposal was approved (and now implemented), the main condition of note being the hours of operation 06:00 – Midnight. The wider area for use up to a maximum 225 days a year included the land subject to the proposal, the main concentration of activity (50 days per year) was granted on the main Guildhall Square only.

08/00474/FUL: Redevelopment of the site. Erection of a 6 storey building with basement parking to provide offices (Use Class B1 - 7,365 square metres floorspace) with retail,

restaurant/ cafes (Use Classes A1/A3) and a one stop shop customer service centre on the ground floor with vehicular access from Above Bar Street following the demolition of the existing buildings. The proposal for No 1 Guildhall Square is now fully implemented, the building being used by Capita/ SCC as Civic offices.

Environmental Impact

1.23 The SCC Screening Opinion (16 March 2011) confirmed that the proposal did not constitute Schedule 2 EIA development (the opinion and original letter from Savills are appended). However, to ensure a robust design solution a number of technical environmental reports have been prepared to address the various saved policy requirements.

1.24 The proposal is significantly smaller in scale than the previous application (reference 07/01688/FUL) which proposed 282 dwellings at a height to 18 storeys (compared with 29 dwellings up to 10 storeys on only one building). In consultation both English Heritage and Natural England were of the view that the proposal did not constitute EIA development. The previous EIA was also scoped down to include only Ecology and Landscape impact.

2.0 Conformity with National Planning Policy

2.1 National Planning Policy must be considered as a major material planning consideration.

2.2 PPS1 (Delivering Sustainable Development) outlines the government's requirement for planning decisions to enable 'sustainable development' (paragraphs 14 - 23). The proposal is located in the city centre, on previously developed land and is well accessible. The cultural uses proposed will contribute significantly to the wider sustainable development of the city.

2.3 The proposal includes residential development, and as such, in making a decision on the planning application, significant weight should be placed on Planning Policy Statement 3: Housing (PPS3) alongside the development plan.

2.4 PPS3 places strong emphasis on housing delivery and "ensuring that all Local Authorities maintain a rolling five year land supply of deliverable sites that are available, suitable and achievable" (PPS3 paragraph 54). The site is identified for housing and as such is contributing to the supply. PPS3 also sets out clear guidance for Local Authorities in considering planning applications for residential development. It states at paragraph 69 that:

"in deciding planning applications, the Local Authority should have regard to a range of objectives and criteria, including:

Achieving high quality housing.

Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.

The suitability of a site for housing, including its environmental sustainability.

Using land effectively and efficiently.

Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues".

2.5 Each of the criteria of PPS3 relative to the proposal are discussed:

Achieving high quality housing: The proposals incorporate 29 dwellings of an average size of 88 sq m along with private amenity space and each with a dedicated parking space. The homes also meet Lifetime Homes standards and therefore overall the development represents high quality homes.

Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people: The proposals contribute to higher density development within the city centre, the site therefore lends itself to one, two and three bedroomed properties, which is appropriate when viewed in a citywide context.

The suitability of a site for housing, including its environmental sustainability: The land is identified for housing. Various technical environmental reports indicate the site as suitable for homes. The development will meet the various Code for Sustainable Homes and BREEAM requirements (as outlined in section three).

Using land effectively and efficiently: The proposals form part of a mixed use scheme.

Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues: The proposals incorporate housing on land identified for mixed uses including housing.

Other relevant National Planning Policy

- 2.6 PPS4 outlines the Government's approach to assessing planning proposals for economic development. As outlined the proposal contributes to the wider economic vitality of the city through the implementation of mixed uses incorporating major regional cultural facilities. The net economic impact is therefore positive. PPS4 also outlines national policy that town centre uses such as A1 retail and A3 restaurants should be focused on the sustainable and accessible locations of which town (or in this case) city centres are the most sequentially preferred. The proposal is in accordance with this.

PPS5 (Planning for the Historic Environment)

2.7 PPS5 outlines the Government's policy on assessing the impacts of development proposals on the historical environment and archaeology. In accordance with government guidance on archaeology and planning (PPS5) an Archaeological Desk Based Assessment has been prepared and submitted with the application (discussed in section three). This assessment draws together the available archaeological, topographic and land-use information in order to clarify the archaeological potential of the site. The report concludes that further work necessary post planning owing to the potential for archaeology.

2.8 The visual impacts and historic environment impacts have been fully assessed with recommendations provided for the design of the proposal within a separate Townscape, Heritage and Visual Impact Appraisal (THVIA) submitted with the application. In terms of scale, and approach of the proposal incorporating the view/ vista through Link Street there are major positive impacts for both the Grade II Listed Central Parks and Grade II* Listed Guildhall.

Planning Policy Guidance 13: Transport (PPG13)

2.9 A full review of relevant transport policy is provided by the Transport Statement.

2.10 PPG13 sets out Government guidance related to transport and infrastructure delivery. It seeks to promote sustainable modes of transport and reduce the need to travel. The proposed development is within central Southampton at the heart of the allocated city centre. This is a major advantage given the range and frequency of transport choices available.

2.11 PPG13 paragraphs 84 and 85 state that planning obligations may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures. In addition paragraph 85 states that planning obligations should be based around securing improved accessibility to sites by all modes, with the emphasis on achieving the greatest degree of access by public transport, walking and cycling.

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (PPG17)

2.12 PPG17 and the Companion Guide to PPG17 sets out the guidance on the requirements for the range and amount of open space provision that should be provided as part of mixed use development. Regarding the provision of open space, paragraph 4.21 of the Companion Guide makes it clear that it is not always necessary to provide more open space, rather it is the quality of this space which is most important. In accordance with national requirements (PPG17 paragraphs 7 and 20) suitable open space is provided by the proposal in the form of public realm and roof gardens. The site is also well located with respect to existing open space provided in the Central Parks and at Guildhall Square.

PPG24: Noise

2.13 PPG24 explains that noise can be a material consideration in the determination of planning applications, and provides guidance on how the planning system can be used to minimise the adverse impact of noise without unreasonable restrictions on development. The proposal is accompanied by a relevant Noise Assessment which demonstrates that the relevant impacts have been mitigated.

Ministerial Statements (Rt Hon Greg Clark MP - 23 March 2011)

- 2.14 To coincide with the recent speech of the Chancellor of the Exchequer with regard to the 2011 Budget, the Decentralisation Minister, the Rt Hon Greg Clark MP has made an unambiguous statement in favour of development that will assist economic growth.
- 2.15 The statement anticipates the formal introduction of a presumption in favour of sustainable growth in due course. However, with immediate effect, the Government expects "that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy". This is spelt out in some detail, leaving no doubt that economic growth and employment generation are to be given a great deal of weight.
- 2.16 Furthermore, of potential relevance to the proposal as regards wider viability/ feasibility the Rt Hon Greg Clark MP advises that local authorities "should reconsider, at developers' request, existing section 106 agreements that currently render schemes unviable" with a view to modifying them so long as the development "remains acceptable in planning terms".

2.17 More details and the full Statement can be read here:

www.communities.gov.uk/statements/corporate/planningforgrowth

3.0 The Development Plan

3.1 This section outlines the relevant plans and policies of the development. It outlines the response of the proposal to these, and how the proposed development is in conformity with planning policy. The section is split into the following sub sections:

- Principle of Development
- Land Uses Proposed
- Delivery
- Heritage & Design
- Transport/ Public Realm
- Sustainable Development/ Climate Change
- Various Environmental/ Amenity issues

3.2 As outlined, the development plan comprises the LDF Core Strategy, 'saved' Local Plan policies and the South East Plan.

Principle of Development

3.3 The proposal conforms to a well established development allocation for the area in question. It is proposed on land formally occupied by a large A1 retail use (circa 4,000 sq m), abandoned since 2000, and demolished in 2010.

3.4 The site is part of a wider allocation on the Proposals Map given by 'saved' policy MSA 5 which states:

Policy MSA 5 (Civic Centre and Guildhall Square)

The Civic Centre and Guildhall Square will be developed as a mixed-use cultural quarter to complement existing retail activity in the city centre and, to include:

- (i) educational and cultural facilities*
- (ii) leisure uses - restaurants, cafes and bars*
- (iii) residential at first floor level and above*
- (iv) student accommodation*
- (v) offices (Use Class A2 and/or B1)*

Development will only be permitted where it conforms to the following design principles:

- a) at ground floor level active frontages are provided to all public areas;*
- b) the frontage to East Park is treated in visual terms as a public frontage of equal importance to that of the frontage to Above Bar Street;*
- c) East Park is connected to Guildhall Square through the creation of a gap through the site of the former Tyrrell & Green Department store;*
- d) development is of a scale compatible with the Guildhall;*
- e) high quality public space is provided incorporating public art;*
- f) appropriate pedestrian linkages are provided to the city centre core area.*

3.5 Policy MSA 5 affects a broad area and not just the proposal site. It does outline the core principles and requirements, which the proposals adhere, notably:

- 'Cultural', A3-A4 and residential land uses
- Building footprint that permits a gap (and diversion of the Public Right of Way) between the Guildhall and the Parks
- Active frontages on ground floor and a positive frontage to the parks
- Height (4 to 10 storey) at an appropriate scale to the context and below the height of the Clock Tower
- Contribution integral to the proposal of enhanced public realm

3.6 Student accommodation and offices are not proposed. Offices have been proposed and constructed at No 1 Guildhall Square (application reference 08/00474/FUL). It is considered that student accommodation can come forward on potential redevelopment sites around the proposal site on Above Bar Street at a future date. The proposal does not preclude this.

3.7 Policy MSA 1 (City Centre Design) also remains partly relevant. This policy has been part replaced by Core Strategy Policies CS 1 & CS 13 (The City Centre boundary has also been amended – however, this does not affect the site). The policy states that:

"Development within the city centre will only be permitted where the design enhances the character and appearance of the city centre. Proposals should, where appropriate,

contribute towards the key themes of (iv) creating landmarks and (v) reinforcing individual character areas".

- 3.8 The policy clearly requires new development that is 'landmark', the definition of which is not however provided. Grosvenor Development Ltd considers that the proposal as submitted represents high quality, cutting edge design and that the development on implementation will be viewed as a major landmark for the city. Paragraph 11.6 of the Local Plan refers to the character areas, which the application site falls within the 'Central Parks' area. This provides the basis for more detailed design guidance, which is discussed within Section four of this Statement.
- 3.9 Core Strategy policy CS 1 outlines that the city centre will continue to be the focus for major development. Criterion 4 re-affirms the commitment (from the previous Local Plan Review) for a cultural quarter and specifically at Above Bar Street. Furthermore, the policy outlines the principles for ongoing public realm improvement of the 'QE2 Mile' (formerly known as the North/ South Spine) for which supplementary guidance applies (see Section four).
- 3.10 Policy CS 3 (Town, district and local centres, community hubs and community facilities) has partially replaced the 'saved' Local Plan policy that specifically refers to the location of cultural, leisure and tourism development (CLT 1); this policy is connected with location of 'cultural' uses outside of the city centre area, and as such does not apply to the proposal.
- 3.11 The floorspace and built footprint of the proposal does not fall on land designated for open space (saved policy CLT 3 and Core Strategy policy CS 21). Some of the proposal falls immediately adjacent to land identified as 'Central Parks' on St Andrews Park. The proposals seek public realm improvements which have been designed within the context of improvements to the Park, the provision of which is considered to significantly enhance the space and is clearly parks/ open space related, and as such is in conformity.
- 3.12 The design concepts for future improvements to St Andrews Park is outlined in the Design & Access Statement. SCC has agreed to pursue the Park improvements via a separate planning consent. The proposal will make financial contributions toward this.

Land Uses Proposed

Cultural

- 3.13 The New Arts Complex proposed is technically defined as a sui generis use incorporating two Auditoriums/ Theatre, Art Gallery and space for the Media. These conform to the site allocation (MSA 5) and wider aspirations for the city centre area as given by the Core Strategy.

Ground Floor Commercial Uses

- 3.14 It is proposed that the majority of the ground floor commercial units (with active frontage) are either A1 retail or A3 restaurants. To reflect the high quality arts focus the potential for A4 drinking establishments is proposed to be restricted to 'up to' 2 x units (potentially 1 x unit in the north and south buildings respectively). On implementation it is entirely possible that all the units will be implemented as A3 restaurants with only ancillary A4. Grosvenor Developments Ltd wishes to obtain the flexibility to attract potential leaseholders to enable delivery. In terms of business hours the application seeks 07:00AM to 01:00AM opening, to reflect the arts/ cultural and evening focus of the 'Cultural Quarter' and to provide commercial flexibility in line with other businesses operating in the area, for example on the ground floor of No. 1 Guildhall Square.
- 3.15 The site is outside the defined retail or secondary retail area. The land is though within a defined Late Night Zone and as such policy CLT 14 applies. This combined with MSA 5 provides the basis for active ground floor leisure uses, and permit later night opening of A3 and A4 uses. No D2 uses or night clubs are proposed. The separate environmental reports outline the mitigation measures proposed in locating residential above A3-A5 uses, the proposal for which is commonplace within city centre urban regeneration areas.
- 3.16 The context of these uses should also be viewed in light of permission (reference 11/00003/R3CFL) for events uses on Guildhall Square.

Residential / Open Space

- 3.17 Policy MSA 5 also permits residential at first floor level or above. Saved policy H 1 (Housing Supply) (criterion II) also applies owing to the proposal incorporating residential as part of mixed uses. Policy CS 4 (Housing Delivery) alongside CS 1 (City Centre Approach) of the Core Strategy outlines a requirement for approximately 5,450 dwellings in the city centre. The site will make a small contribution to the overall housing delivery requirements.
- 3.18 The land is also previously developed, the proposal therefore complies with saved policy H 2 (Previously Developed Land). Saved policy H 3 Special Housing Need outlines that *"residential development will be expected to be capable of being adapted to conform with 'Lifetime Homes' principles wherever practicable"*. In this case the residential element of the proposal is designed to meet Code for Sustainable Homes Level 3 and lifetime homes principles; the Arts and Commercial elements to meet BREEAM 'very good'.
- 3.19 Policy CS 5 (Housing Density) states that sites of high accessibility such as the proposal site, should achieve densities of over 100 dwellings per hectare. As the proposal is dominated by commercial and arts uses the 29 dwellings are relatively peripheral, and owing to this the achieved density is some 50+ dwellings per hectare as calculated against the scale of the whole site.
- 3.20 Policy CS 16 (Housing Mix & Type) outlines a 'target' of 30% of residential developments as 'family homes'. Supporting paragraph 5.2.9 refers that such are 3 bedroomed plus properties. The policy does however make clear that the appropriate percentage of family housing for each site *"will depend upon the established character and density of the neighbourhood and overall viability of scheme"*. The proposal seeks 7 three-bedroomed properties (some 24%) and is located within the higher density city centre area and as such policy CS 5 (Housing Density) requires 100 dph +. This therefore creates a potential conflict in the design approach. Owing to this, and in the context that policy CS 16 is a citywide policy more applicable in suburban areas, the following approach has been taken:
- Larger two and three bedroomed flatted/ duplex properties have been proposed
 - Larger balconies/ amenity spaces are proposed to meet and exceed the 20 sq m average
 - A communal area/ balcony is proposed

- 3.21 All units are generously sized with all apartments having either a balcony or a terrace or both. All units with three bedrooms have at least 40 sq m of private amenity space. In addition a further 60 sq m communal shared terrace is available for all residents.
- 3.22 Saved policy CLT 5 (Open Space in New Residential Developments) specifically refers that open space is provided for new residential development *"unless it can be demonstrated that there is already adequate provision in the locality to meet the open space needs of new residents"*. It is therefore noteworthy that the site is immediately adjacent to public open space at both Guildhall Square and the Central Parks.
- 3.23 The incorporation of financial contributions towards St Andrews Park is considered justified based on the locality and context of the site in light of the policy MSA 5 requirements. In the context of the location of the proposal adjacent to the Guildhall/ Central Parks it is considered that the residential is already well serviced by amenity space. As such the financial contribution proposed should be based on the MSA 5, HE 3/5 requirements for enhanced public realm and connectivity/ movement and heritage reasons.
- 3.24 Saved policy CLT 6 (Provision of Children's Play Areas) refers that (criterion (ii)) *"where the development involves a net increase of between 25 and 100 units equipped children's play space provision is made on-site unless the play requirement arising from the development can be accommodated by enhancing existing public facilities within a 400 metre walking distance of the development, in which case a financial contribution is made to enable off-site provision"*. As the proposal involves residential dwellings tailored away from 'family housing' provision it is considered that a pragmatic approach be adopted that provides reduced weight to this policy. As outlined the majority of any off-site Parks/ Open Space financial contribution should be directed to achieving the combined aims of saved policies MSA 5, HE 3 (Listed Buildings), HE 5 (Parks and Gardens of Special Historic Interest) and policy CS 21 (Protecting and Enhancing Open Space).
- 3.25 Saved policy SDP 12 (Landscape and Biodiversity) refers that development proposals demonstrate a landscape/ habitat creation and management scheme *"appropriate to its setting"*. The policy outlines that *"Hard and soft landscape treatments should*
(i) retain and/ or enhance important landscape and wildlife habitat features;
(ii) contribute to the objectives of the Local Biodiversity Action Plan;
(iii) reflect the character of the locality and surrounding buildings and the way in which the

buildings will be used".

3.26 The landscape/ habitat creation and management scheme is outlined as part of the conceptual design process for the Parks designs within the Design & Access Statement / illustrative Landscape Plan. The proposals as part of enhancing the Parks will likely have at least neutral (if not positive) impacts for biodiversity.

3.27 Tree protection requirements are also outlined by policy SDP12. The landscape proposals as demonstrated by the submitted plans and the separate Design & Access Statement adhere to the requirements of SDP 12.

Delivery

3.28 The delivery of development that seeks to enhance the overall 'offer' of the city centre, and quality of the public realm is clearly required by the Core Strategy.

3.29 Strategic Objective 'S 3' of the Core Strategy outlines:

"Create a vibrant, high quality regional city centre that is the focus for major retail, tourism, leisure, cultural and office investment and connects to the Waterfront"

3.30 Further Strategic Objective 'S 7' outlines:

"Create excellence in design quality. Public spaces should take priority over car-dominated roads. Well-designed contemporary public and private realms will be safe, accessible and create a sense of place and a rich built environment in which communities can flourish"

3.31 The proposal makes a significant contribution to both these Strategic Objectives.

3.32 Policy CS 15 (Affordable Housing) outlines that the Council will seek 35% affordable housing as the proposal exceeds 15 dwellings. The policy outlines relevant factors to take account of when proposing affordable housing levels. The proposal incorporates 100% market housing for viability and delivery reasons. The policy justification for this against the CS 15 tests is:

- The development costs are significant, representing the type of development proposed (sub regional in scale and significance) and wider public realm improvements. The

overall development is only made viable through a grant made by the Arts Council for England (criterion 1) and owing to the land arrangement with the city council

- The wider planning objectives, notably those outlined by MSA 5 and HE 3/ HE 5 require a focus for the site on achieving the cultural quarter objectives (criterion 4); these are unique factors which constrain land value
- The wider objective to create a high quality development characterised by 'niche' market dwellings and contribution this makes to the regeneration of this part of the city (criterion 5)

Heritage & Design

3.33 Saved policies HE 3 (Listed Buildings) and HE 5 (Parks and Gardens of Special Historic Interest) apply to the proposal owing to the location adjacent to the Grade II Central Parks and Grade II* Guildhall/ Civic Centre.

3.34 HE 5 states:

"Development will not be permitted which would detract from the character or setting of parks and gardens of special historic interest, including those on the national and local register".

3.35 HE 3 requires that proposal demonstrates a neutral or positive effect on the "character or setting of a listed building" (Criterion i) and does not compromise the future economic viability of the building (Criterion iii). Criterion ii does not apply as the proposal is not directly altering a listed building. Those criteria which do apply have been fully considered with the proposal. A separate Townscape, Heritage & Visual Impact Appraisal (THVIA) has been undertaken, which incorporates detailed Heritage analysis, maps and also a pre application letter from English Heritage. This demonstrates the careful attention paid to ensuring that the setting of the Guildhall is enhanced, indeed when viewed against the context of the previous Tyrrell & Green Building the proposals represent a substantial enhancement.

3.36 Policy HE 6 (Archaeological Remains) also applies as the site is within an area of archaeological potential. HE 6 requires that:

(i) proper consideration has been given to the preservation in situ of nationally important archaeological remains; or

- (ii) where important archaeological remains may exist the impact of development upon the archaeological resource has been examined and evaluated; or*
- (iii) adequate provision has been made for the identification, investigation, recording and publication of the archaeological resource; or*
- (iv) adequate provision has been made for the preservation of remains of archaeological interest; or*
- (v) a combination of the above clauses is effected as appropriate (whichever response is most appropriate to the perceived importance of the archaeological resource, and the perceived nature of the threat).*

3.37 The site has been made vacant following demolition of the previous use in 2010. The potential has been fully investigated as outlined in the separate Archaeology Desk Based Assessment. The potential for archaeology would likely have been affected by war damage and post war redevelopment.

3.38 Also relevant owing to the historic context is policy CS 14 (Historic Environment) which outlines a core requirement 'where appropriate' to enhance important historical assets. The requirement to 'respect and reflect' the underlying Archaeology is also outlined. The policy is more recent than HE 3, HE 5 and HE 6 and should be considered complementary.

3.39 Policy CS 13 (Fundamentals of Design) requires that proposals come forward as part of a robust design process. The development design process for the proposal has been based on years of concept and then detailed design. The policy outlines a range of core design criteria, which the proposal responds as follows:

- *Architecture & Historic Environment:* The proposal creates landmark structures of regional significance and of contemporary cutting-edge design. The historic context is framed by the Listed Central Parks and Guildhall/ Civic and owing to this the approach is founded in complementary and respectful design. The height of the buildings (range 4 – 10 storeys) is in context, and does not exceed or over dominate the surrounds.
- *Public Realm, Landscape & Open Space:* The proposal seeks to enhance the Central Parks (St Andrews Park) and incorporate significant public realm improvements, in accordance with the defined materials palette to the Guildhall Square and Link Street.

- **Connection:** The proposal incorporates the diversion of a Public Right of Way. It represents a significant enhancement to the link between Above Bar Street and the Parks, following the modern day desire lines of linking the various parts of the Solent University. The Link Street will be used for pedestrians and cyclists.
 - **Urban form and scale:** The scale of the building is in keeping with the surrounds and places people/ pedestrians first. The buildings are designed for specific uses (of a regional scale) which are considered to contribute to the long term regeneration of the city centre and hence long term sustainability.
- 3.40 The Design & Access Statement outlines the approach in full including the response to other saved Local Plan design policies (SDP 6-9). Further commentary is provided within the Section four analysis of the applicable Supplementary Planning Documents.
- 3.41 The proposal incorporates energy efficiency and sustainability measures as outlined in the separate Sustainability & Energy Strategy.
- 3.42 The approach of the proposal is also entirely consistent with Core Strategy Strategic Objectives 'S 8' and 'S 12'.

Transport/ Public Realm

- 3.43 The proposal will generate additional travel demand, but is well located within a city centre location to offer a range of travel solutions. The Central Railway Station is within 10 minutes walk, and the main bus station is located in the Central Parks, on Above Bar Street and also north of the Civic Centre are all within 5 minutes walk. Parking is provided to serve the residential element of the scheme. A separate Transport Assessment has been submitted with the application. Saved policy SDP 4 (Development Access) outlines that "development proposals should be designed to accommodate the following priority order:
- (i) pedestrians and disabled people;
 - (ii) cyclists;
 - (iii) public transport;
 - (iv) private transport"
- 3.44 The site location lends itself to excellent accessibility.

3.45 The proposal is designed with direct frontage access from Above Bar Street, Guildhall Square and Park Walk for pedestrians. Communal cycle parking is provided on street, with private cycle parking integral to the proposal.

3.46 Accessing the site for deliveries has been a major design constraint to the proposal. A series of tracking drawings have been submitted with the application as part of the Transport Assessment to demonstrate the design solution.

3.47 Policy CS 18 (Transport: Reduce – Manage – Invest) outlines both strategic and citywide transport measures and requirements. In relation to the relevant citywide measures the proposal is within a sustainable city centre location and hence complies with this principle. In terms of infrastructure provision the proposed financial contributions are intended to be focused on the Parks & Public Realm and increased connectivity which is associated with transport. CS 18 outlines the requirement for the Transport Assessment to address a range of matters. Those of relevance to the proposal as scoped with the Council prior to the submission of the application are:

- Public Transport
- Access to the site including wider parking availability
- Goods vehicle access

3.48 Policy CS 19 (Car & Cycle Parking) outlines that the parking requirements (maxima) are to be outlined by a Supplementary Planning Document (which is now available in draft – see Section four). This policy should be read alongside saved policy SDP 5 (Parking). On adoption the proposed Parking SPD will supersede the previous Local Plan standards as the most recently adopted guidance supplementing a more recent policy. Parking is proposed for the residential element accessed by a car lift. The design of the parking as underground cannot easily comply with CABI design criteria. Suitable access arrangements have been planned. Parking for disabled persons has also been laid out adjacent to the proposal.

3.49 Policy CS 21 (Protecting and Enhancing Open Space) refers to key open spaces such as the Central Parks that should be protected and enhanced. The proposal clearly achieves this through design and also through proposing an off-site financial contribution toward the maintenance and enhancement of St Andrews Park. Although the only purpose is to satisfy

the requirements of MSA 5, HE 3/5 and CS 21, the measures proposed will also act to improve the open space/ amenity space for the residential element of the proposal.

- 3.50 The proposal also involves the stopping up and diversion of a public right of way and the stopping up of public highway on Above Bar Street. Policy CS 18 outlines that where appropriate new development should promote access to public rights of way. The access is significantly enhanced by the proposal in terms of the contribution to the public realm, legibility and overall attractiveness. The loss of some public highway along Above Bar Street is minimal, and would still allow significant footway width (circa 8 metres). It is justified on urban design grounds. The various stopping up/ diversion arrangements are discussed in the Transport Assessment. The proposal is also in accordance with saved policy SDP 11 (Accessibility & Movement).

Sustainability/ Climate Change

- 3.51 Policy CS 20 (Tackling and Adapting to Climate Change) will require the development to meet the following targets:

- Achieve CfSH Level 3 for residential elements
- Achieve BREEAM 'very good' for non-residential elements
- Improve energy efficiency
- Incorporate renewable energy (or low Carbon energy) sources to achieve a 15% CO2 reduction (for the residential areas) and a 12.5% CO2 reduction (for other areas) after incorporation of energy efficiency measures
- Improve water efficiency and manage surface water run-off
- Identify opportunities to site decentralised energy supplies

- 3.52 The development will therefore be designed to achieve the following:

- Code for Sustainable Homes (CSH) Level 3 for the apartments, with an aspiration to achieve Level 4 (dependent on viability of connection to the Southampton Geothermal Heating Company (SGHC) district heating network)
- BREEAM 'very good' for the Arts Centre

- Improved energy efficiency via reduced U-values and air permeability (beyond Part L 2010 requirements), high efficiency heating and ventilation plant, use of heat recovery on ventilation plant and high efficiency lighting (where feasible)
- Incorporation of micro CHP to achieve at least a 15% CO2 reduction for the residential areas and micro CHP and PV to achieve at least a 12.5% CO2 reduction for the Arts Centre (use of micro-CHP and PV will be subject to further discussions with SGHC and feasibility of connection to the district heating and cooling networks)
- Improved water efficiency via the specification of low flow sanitaryware fittings and the use of rainwater harvesting
- The peak rate of run-off and the predicted volume of run-off from the site will be no greater post-development than it was pre-development including an allowance for climate change
- The run-off from all hard surfaces shall receive treatment to minimise the risk of pollution
- The heating and cooling systems within the building shall be designed from the outset in such a way to facilitate future connection to the district heating and cooling networks.

3.53 The proposed servicing strategy is therefore based on micro-CHP units providing the base load of the hot water and space heating demand for the Arts Centre and residential apartments with back up gas fired boilers to accommodate peak loads. This approach provides a communal heating and hot water system and gives the benefit of being adaptable in the future should connection to the SGHC district heating and cooling network become viable. As the detail design progresses, the opportunity to combine the Arts Centre and residential CHP units will be investigated.

3.54 After assessing a number of different renewable technologies it was found that the only viable option in addition to the proposed CHP would be to include solar photovoltaics (PV). A potential 350m² of PV are proposed to serve the Arts Centre. Discussions will remain ongoing with SGHC about the viability of connection to the district heating and cooling networks. Through the currency of the determination Grosvenor Developments Ltd will agree with the City Council the preferred strategy. Either option (district heating/cooling or CHP/PV) is deliverable with the proposed architecture and building design.

- 3.55 In line with policy NRM11 of the South East Plan, the proposal seeks to achieve a minimum reduction of 10% of total energy consumption through on-site renewable energy generation/ low carbon technology. As outlined, it is not proposed to connect the scheme to wider large-scale renewable or low carbon energy generation as the infrastructure is not yet in place in advance of the City Centre Area Action Plan or Masterplan. The proposal is designed so as to ensure that it can be adapted for a potential future connection.
- 3.56 A separate Sustainability and Energy Statement has been prepared which accompanies the application. This incorporates the SCC sustainability checklist. A separate Drainage Impact Assessment has been prepared which outlines the drainage measures being undertaken.
- 3.57 Saved policy SDP 13 (Resource Conservation) remains partly relevant; it is considered that the proposals comply with those elements remaining in terms of the design approach, and that largely CS 20 has superseded the policy.

Various Environmental/ Amenity Issues

- 3.58 A range of saved policies are relevant as regards wider environmental issues. The SCC Screening Opinion (16 March 2011) confirmed that the proposal did not constitute Schedule 2 EIA development (the opinion and original letter are appended). However, to ensure a robust design solution a number of technical environmental reports have been prepared to address the various saved policy requirements, notably:
- 3.59 SDP 1 (Quality of Development) – general design and amenity policy. The proposals as a mixed-use development contribute significantly to localised amenity. A Waste Delivery Plan has been prepared to show how the collection of waste is achieved (see Transport Assessment).
- 3.60 SDP 16 (Noise) - A PPG24 Assessment is submitted with the planning application. A noise survey was undertaken at an appropriate time and duration. This classified the PPG24 Noise Exposure Category (NEC) at the adjoining third storey as NEC "B". In accordance with PPG24, the proposed development is considered appropriate at the site.
- 3.61 SDP 17 (Lighting) – The proposal facilitates high quality lighting design, the specifics of which can be made conditional on the application approval.

- 3.62 **SDP 21 (Water Quality & Drainage) - A Flood Risk and Drainage Impact Assessment (Report Reference: 6379.E.FRA.1B) is submitted with the planning application. The site is previously developed land and is located wholly within EA website Flood Zone 1 (less than a 1 in 1000 annual probability of river or sea flooding) and is considered to have potentially low risk associated with all sources of flooding posed to the site, in accordance with the SCC SFRA (SCC, 2010).**
- 3.63 **The site investigation will confirm likely groundwater risks and due to the size of the development, it is likely that there will be no impact on groundwater flood risks posed to surrounding areas.**
- 3.64 **The drainage strategy includes an appropriate level of accommodation for climate change and will attenuate flows accordingly to ensure there is no unacceptable impact on receiving sewers.**
- 3.65 **Given that the site is less than one hectare and the risk posed by all sources of flooding is considered low, a Flood Risk Assessment is not required to accompany the planning application in accordance with PPS25.**
- 3.66 **Ongoing consultation with Southern Water will also confirm the requirements for re-connection / maintaining existing connections to the existing sewers surrounding the site.**
- 3.67 **SDP 22 (Contaminated Land) - The site is vacant but previously developed. A Phase 1 Contamination Desk is submitted with the planning application (Report Reference: 6379.E.DSA.3A). There remains uncertainty with regards to the ground conditions and potential ground contamination anticipated on site. It is recommended that all existing ground investigation data is reviewed and if necessary a further development specific ground investigation is scoped and undertaken at the site to:**
- **Determine the extent and presence of any soil and groundwater contamination at the site;**
 - **Enable preparation of a ground contamination risk assessment and risk management strategy for the proposed scheme;**
 - **Establish likely waste classification of the soil arisings from the excavation works to extend the existing basements on site;**

- Characterise groundwater quality and levels on site to inform the dewatering strategy for the basement works; and
- Characterise the ground gas regime at the site to inform requirement for gas protection within the proposed development.

The groundwater conditions and levels are not known at present, but given the proposed development, the risks to water quality are anticipated to be low.

3.68 **SDP 15 (Air Quality)** - An Air Quality Statement (Report Reference: 6379.E.AQS.1A) is submitted with the planning application. The site is not located in an Air Quality Management Area (AQMA) currently declared by SCC. The site and proposed development are considered appropriate in air quality terms.

3.69 Given that the Transport Assessment (TA) indicates no significant increase in trips generated as part of the proposed development, no further air quality assessment of emissions from vehicles is considered necessary. Given that the proposed development does not include an energy centre or energy sources which could generate emissions to atmosphere, other than conventional gas boilers and CHP, an air quality assessment for this element of the proposed development is not considered necessary.

3.70 Other environmental reports have been submitted including an **Archaeology Desk Based Assessment**. A full review of all historic maps and other available reports, drawings and data was undertaken in accordance with Planning Policy Statement 5 (PPS5), these maps are also included in the ThVIA.

3.71 The site is considered to have a potential for the Prehistoric, Medieval, Post Medieval and Modern periods.

3.72 Past post-depositional impacts at the study site are considered to have been severe and cumulative as a result of previous phases of development, particularly the creation of basements, together with the impact of World War Two bomb damage.

3.73 A suite of further fieldwork measures are therefore proposed in advance of construction groundworks, dependent upon the extent of proposed works beyond the existing basement footprint. This will include monitoring of interventions through the basement together with

attendant necessary further works, together with evaluation and excavation related to works which extend the basement footprint

- 3.74 As outlined, it was confirmed with the SCC Ecologist that no Phase 1 Habitat Survey would be required for the planning application submission. Appropriate enhancements will be incorporated within the scheme and impacts on the adjacent park appropriately minimized and managed through the CMP to be approved by SCC before works commence.

4.0 Supplementary Planning Documents

4.1 Also relevant as a material consideration is the following supplementary guidance (Supplementary Planning Guidance/ Documents (SPG/SPDs)):

- City Centre Urban Design Strategy (March 2001)
- The Development Design Guide (February 2004)
- The North/ South Spine (May 2004)
- Public Art Strategy (2004)
- Southampton City Centre Streetscape Manual (March 2005)
- Residential Design Guide (September 2006)
- Planning Obligations SPG (November 2006)

4.2 Supplementary Planning Guidance/ Documents (SPG/ SPDs) are intended to provide the detail of relevant and applicable development plan policies (as per PPS12 Local Spatial Planning). A number of relevant design SPG/ SPDs have been produced and have been used to influence the design solution of the proposal, and also notably to ensure the context of the proposal is fully understood.

City Centre Urban Design Strategy (March 2001)

4.3 The City Centre Urban Design Strategy (CCUDS) created the basis for the long term regeneration and wider masterplanning of the city centre. It acted to influence the Local Plan and hence 'saved' policy site designation (MSA 5).

4.4 The site was included as an 'opportunity for change' (site 17) and 'landmark project'. A key pedestrian route and desire line was also established through the site, linking the Civic Centre with the Parks (both identified as being core strengths of the city centre, anchored by the key primary public space – the Guildhall). The initial principles of creating a walkable city were also established through the CCUDS, which has informed further SPG/ SPDs (notably the QE2 Mile or North/ South Spine) and the wider 'legible city' initiative. This being predicated on reconnecting the city with the waterfront and creating high quality public realm.

4.5 The CCUDS outlines seven character areas. The site being within the 'Central Parks' area for which guidance relevant to the proposal seeks:

- Land uses – ‘cultural’ of a scale compatible with the Guildhall
- Key Public Space at the Guildhall Square with active frontages
- Landmark buildings
- A strategic view from the Parks into the Guildhall
- Improved pedestrian links

4.6 The proposal reflects all of these matters. Subsequent design work through detailed architectural evolution has deemed it more appropriate to locate the landmark structure on the south building, and further a range of 4– 10 storeys (and not 4-6). The Design & Access Statement outlines the approach taken with rationale.

The Development Design Guide (February 2004)

- 4.7 The Development Design Guide (DDG) provides detailed design guidance for city centre projects. It expands on the framework established by the CCUDS and as such includes the same principles of land use and design for the site. A number of design principles are outlined which are discussed in detail within the Design & Access Statement.
- 4.8 The DDG outlines (at Plan 3.4) permitted development height envelopes of 4-8 storeys on the site, and notes that heights in excess of 8 storeys will be considered. The Civic Centre clock tower is noted as an existing positive landmark building. The proposal clearly reflects the guidance on building heights, and furthermore permits further views onto the clock tower from the parks; critically the proposal in height does not undermine or overbear the clock tower.
- 4.9 The site is identified as ‘site 13’ with references made to the production of a specific development brief.
- 4.10 The DDG also provides a series of important views and vistas within and to the city centre (Plan 7.1 and 7.2). This has been utilised in forwarding the Townscape and Landscape Visual Impact Assessment.
- 4.11 The proposal also incorporates strong material uses (reconstituted Portland Stone) to respect the setting onto Guildhall Square and reflect Plan 9.1 of the DDG that outlines desired colour use (white facades for the areas including and around the site).

The North / South Spine (May 2004)

4.12 The SPG outlines the long term plan (mostly now implemented) to enhance the core public realm through the city centre from London Road in the north, south incorporating Above Bar Street and the High Street to the waterfront (Royal Pier). To reflect the CCUDS the improvements to Guildhall Square form a pivotal element of the SPG. The principles of restricted access along West Marlands Road (service vehicles) and Above Bar (Buses and Taxis only), alongside traffic calming measures along Park Walk are established through the SPG. Park Walk is shown as a service access street.

4.13 The SPG has been used to justify developer contributions in the city centre toward the public realm improvements.

Public Art Strategy (2004)

4.14 The Public Art Strategy is also used to justify developer contributions in the city centre toward the public realm improvements specifically focussing on public art. As the proposals incorporate and make significant provision for public realm enhancement, and further include a proposed art gallery, the public art provision is incorporated in the high quality design.

Southampton City Centre Streetscape Manual (March 2005)

4.15 SCC has confirmed that a separate materials palette is applicable for the Guildhall Square and owing to this the Streetscape Manual is not applicable. This will be applied to the detailed design proposals.

4.16 The public realm approach and material palette used is discussed in the Design & Access Statement.

Residential Design Guide (September 2006)

4.17 The Residential Design Guide (RDG) is applicable owing to the proposals incorporating residential development, although it is considered that the RDG is more focused on suburban infill development and house extensions.

- 4.18 The RDG supplements the primary design policies of the Local Plan and Core Strategy, the response of the proposal to which was outlined in Section three of this Statement.

Planning Obligations SPG (November 2006)

- 4.19 The Planning Obligations SPG provides details of the range of obligations sought from new developments. Section five outlines the approach taken to the Heads of Terms.

'Northern Above Bar' – Development Brief

- 4.20 Although not formal SPG/ SPD a development brief has been created for the site which the proposal has paid close attention to.

Parking SPD (Emerging – June 2011)

- 4.21 Although only in draft the emerging policy of the Council to permit one parking space per residential dwelling is outlined in the emerging SPD. The full justification for the 33 parking spaces proposed is outlined in the Transport Assessment.

Guidance for the Sustainability Checklist (December 2010)

- 4.22 Although not formal SPG/ SPD the guidance for the Sustainability Checklist (December 2010) is also used by the City Council. This has been referred to in the separate Sustainability and Energy Statement.

5.0 Summary of Community Consultation

- 5.1 In accordance with the adopted Statement of Community Involvement Grosvenor Developments Ltd undertook public engagement prior to the submission of the application.
- 5.2 The form of the engagement was via direct mailings (key stakeholders/ nearby properties), media broadcast (radio) and a public exhibition which was held on the evening of 18 May and morning/ lunch of 19 May. A VIP event was also held prior to the main consultation on 18 May. The location of the consultation was the Artisan Café at Guildhall Square which is opposite the site and hence an ideal location.
- 5.3 Approximately 100 people including local stakeholders attended. A range of views were expressed mostly of strong support for the proposals, notably the Arts Complex and continued implementation of the regeneration of the Guildhall Square.
- 5.4 From the 31 written comments received the following was said (selected summary):

Views Supportive of the Proposals

Land-Use Proposed:

- Strong support for cultural uses
- General understanding for the need for high quality apartments and general support for fewer of them than previous proposals
- A view that the proposal is 'good value' for the city
- General view that the proposals were an excellent boost for the cultural economy/ will combat drink culture

Architecture:

- 'Funky'
- Better in scale than past proposals, good balance between North/ South buildings and of scale with Civic
- Retains view of clock tower
- Elegant and understated
- Better than Jurys Inn

Transport:

- Accessible and well located

Views that requested improvements to the Proposals

Land-Use Proposed:

- None

Architecture:

- Lacks green space, suggest courtyard
- Link Street too narrow
- Impact of shadow on Guildhall Square
- Aggressive architecture not in keeping
- Residential element is 'too blockie'

Transport:

- People don't use public transport
- No on-site parking
- No taxi parking shown
- Concerns about disabled, coach and taxi access and potential for persons to congregate on Northern Above Bar prior to performances

- 5.5 In response to the comments requesting improvements the following was undertaken to the proposals for submission.
- 5.6 Architecture: The fusion of the high quality modern public realm and the open space of Andrews Park has been strongly considered with the proposals. The proposals also outline improvements to Andrews Park and will incorporate a legal agreement. A daylight/shadowing analysis has been undertaken to ensure that the Guildhall Square is not overshadowed.
- 5.7 Further design refinements have been undertaken to ensure that the architecture is well viewed, respectful to the Guildhall end of an appropriate scale and massing. This is focused on appropriate materials treatment.
- 5.8 Link Street: The width of Link Street has been carefully considered to ensure sufficient viewpoints from the Parks to the Guildhall Portico.

- 5.9 **Access/ Parking:** The Transport Assessment demonstrates that the site is very accessible from a range of transport modes. The nearby city centre car parks all have spare capacity and are within an easy walking distance.
- 5.10 Disabled parking will remain on Park Walk, moved south. This will complement the measures also being implemented as part of the Sea City Museum. Further pedestrian links between Andrews Park and the site will be improved.
- 5.11 The public realm on Link Street will be enhanced allowing space to congregate and/or have a drink in the adjacent bar/ restaurant prior to performances. Access to both the north and south buildings will be from Link Street adjacent to Above Bar Street with substantial pedestrian footways.
- 5.12 Coach Parking/ taxi ranks are available also as part of the wider implementation of the Cultural Quarter (north of the site nearer the Cenotaph).
- 5.13 It is also noteworthy that in scale the proposed auditoria are smaller than the Mayflower, whilst visits to the Art Gallery are less 'intense' in nature (as it is not a set time performance space).
- 5.14 Grosvenor has proposed draft Traffic Management/ TROs to assist with demonstrating a well thought through proposal.
- 5.15 The further General Comments about the proposals included:
- Please deliver as much needed!
 - Quality of materials key
 - Patterned facade needs thinking through
 - Needs a travel plan and link to Uni-Link network
 - Ensure disabled access retained
 - Need for high quality evening uses
 - Should ensure decant programme for use of cultural uses
 - Be bold with colour scheme
 - Avoid tarmac on Link Street
 - Link to city CHP

- **Vital that business case for cultural uses is implemented and that acoustics work well in auditoria otherwise waste of time and money**
- **Stop skateboarders at Guildhall Square**

6.0 Section 106 Agreement: Draft Heads of Terms

6.1 In accordance with Government Circular 05/2005 (Planning Obligations), CIL Regulation 122 and Core Strategy policy CS 25 (The Delivery of Infrastructure and Developer Contributions), Grosvenor Developments Ltd will offer planning obligations (by way of Legal Agreement) in respect of appropriate contributions.

6.2 The following may be offered:

- Public open space/ Improvements to St Andrews Park
- Highways/ transport (focused on PROW/TRO/ legal costs) & public realm

6.3 As outlined, in order to enable delivery of the proposal it is proposed that no affordable housing will be provided. The scheme is only made viable owing to the Arts Council grant-aid funding.

6.4 Grosvenor Developments Ltd suggest a series of meetings with officers to discuss the Heads of Terms during the determination process.

7.0 Conclusion and Recommendations

7.1 The planning application is full application, on land comprising 0.52 hectares in total of which 0.35 hectares forms the ground floor footprint of the new buildings.

7.2 The description of the planning application is:

Full application for the erection of two (2) buildings either side a proposed 12 metre wide passage (Link Street) and associated underground parking (33 spaces) and public realm improvements (to include 1. the stopping up of an existing public right of way, 2. the stopping up of public highway (footway) on Above Bar Street and 3. the creation of a replacement public right of way). North Building comprising an Arts Complex with 2 x auditoriums and a mix of 4 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 3 x units shall be A1/A3). South Building comprising an Arts Complex/ Gallery and 2 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 1 x unit shall be A1/A3) and 29 residential dwellings.

Principle of Development

7.3 The development proposals for the New Arts Complex are entirely consistent with local planning policy and long term well established aspiration of the city to create an inclusive, well served and inspirational Arts and Cultural Quarter. The development plan allocates the land for the uses proposed (policy MSA 5), as guided by significant supplementary design guidance.

7.4 The proposals achieve development plan compliance through design, layout and use, and are an exemplar in terms of architecture, treatment to the setting of the Guildhall Square, Listed Parks and Guildhall. The specific benefits include:

- City centre regeneration of previously developed land
- A wider 'kick start' to the redevelopment of Above Bar Street
- Economic/ cultural including employment
- Iconic architecture
- Shining exemplar of modern development
- Finishing the city's flagship public urban space
- New facilities for the arts

- **Joining the city centre with the north quarters**

7.5 The proposals were very well received at the recent Public Consultation held prior to the submission of the planning application

Recommendation

7.6 In conclusion, it is recommended that the City Council grant approval for the planning application as submitted.

Meetings

7.7 Throughout the determination period Grosvenor Developments Ltd request that a series of update meetings are held with officers, so that matters can be discussed and agreed relating to the proposed planning conditions and Heads of Terms. The Grosvenor Developments Ltd project team is willing and able to respond to questions/ queries in order to facilitate determination within 13 weeks.

Appendix 1

1APP application schedule

1APP Planning Application Check List (Expanded List of Submitted Drawings)

Full application for the erection of two (2) buildings either side a proposed 12 metre wide passage (Link Street) and associated underground parking (33 spaces) and public realm improvements (to include 1. the stopping up of an existing public right of way, 2. the stopping up of public highway (footway) on Above Bar Street and 3. the creation of a replacement public right of way). North Building comprising an Arts Complex with 2 x auditoriums and a mix of 4 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 3 units shall be A1/A3). South Building comprising an Arts Complex Gallery and 2 x A1 retail/ A3 restaurant/ A4 drinking establishment on the ground floor (of which at least 1 x unit shall be A1/A3) and 20 residential dwellings.

Northern Above Bar, Above Bar Street, Southampton

Drawings (1 original plus 1 copy, plus electronic)

Reference	1APP National/Local Requirement	Scale	Further Information	Lead Consultant	Notes	Status
0301	Site plan (red line) (Showing Site Layout)	1:1250 (2/A3)	Plan which identifies the land to which the application relates shown to an identified area.	CZWB	Needs to tie in direction north.	
0302	Overall Site Layout Plan (Proposed)	1:200 (2/A1)	Proposed site area	CZWB		
0303	Floor Plans (Proposed)	1:200 (2/A1)	Proposed floor plans	CZWB	Basement Plan, Ground Floor Plan, Mezzanine, Plans of Levels 1 to 3	
0304	Road Plan (Proposed)	1:500 (2/A1)		CZWB		
0401	Long Sections North/ South	1:200 (2/A1)		CZWB		
0402	Cross Sections	1:200 (2/A1)		CZWB		
0501	Elevation East West	1:200 (2/A1)		CZWB		
0502	Elevation North South	1:200 (2/A1)		CZWB		
0504	Context Elevation and Section	1:300 (2/A1)		CZWB		
0600	Landscape Plan Works (Parks)	1:200 (2/A1)		CZWB		
1601	Advertising Location Plan	1:200 (2/A1)		CZWB		
0603	Part Wall Elevations	1:200 (2/A1)		CZWB		
0378-07-025 & 028	Highway Stopping Up/ Adoption Plan	1:1250 (2/A3) and 1:1000 (2/A3)	Highways Order Overview & Designator of Link Street	Kentec		

A3 PACK - Additional Drawings for Illustration (1 original plus 1 copy, plus 15 x CDs) (incorporated also in DAS)

Reference	Plan	Scale	Further Information	Lead Consultant	Notes	Status
A3 PACK 1	All Drawings/ Plans at A3	not to scale	include illustrations and all drawings for easy reference.	CZWB	Not to scale	

Forms and Documents (1 original plus 1 copy, plus electronic)					
Reference	1/APP National Legal Requirement	Scale	Further Information	Lead Consultant	Notes
1/APP	Documents x 2 copies (plus electronic)		Completed application form submitted electronically	Sevita	
			Completed Ownership Certificate (A, B, C or D - as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1988	Sevita	
			Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1988 and access statement, if required	Sevita	
DAB			Design and access statement (including photographs). Inset example elevations, including illustrations of development, and 3D illustrations of the proposal to provide an indication of scale, Inset Conceptual Parks Design	G2WQ / Sevita	
Additional Supporting Documents					
	Additional Supporting Document			Lead Consultant	Notes
	Planning Statement & Statement of Community Consultation			Sevita	Includes all references to planning policy / community engagement
	Transport Statement & Access Services Strategy including Waste Delivery Plan			Ramboll	Summary of Transport Impact including Services Plan (Tracking of Proposed Adoption / Access) & Waste Implementation Plan (Refuse)
	Townscape, Heritage and Visual Impact Appraisal			Sevita / G2WQ	Selected viewpoints as agreed, including commentary on Heritage Impact
	Sustainability & Energy Statement		With Sustainability Checklist / BREEAM / CSH pre assessment	Hoare Lea	
Environmental Reports					
	Climate Change Impact Assessment			Ramboll	Detail to reflect risk / mitigation
	Archaeology Desk Based Assessment			Ramboll	Detail to reflect risk / mitigation
	Noise Assessment			Ramboll	Detail to reflect risk / mitigation
	Open Environmental Desktop Site Appraisal			Ramboll	Detail to reflect risk / mitigation
	Air Quality Assessment			Ramboll	Detail to reflect risk / mitigation

Appendix 2

Southampton City Council EIA Screening Opinion

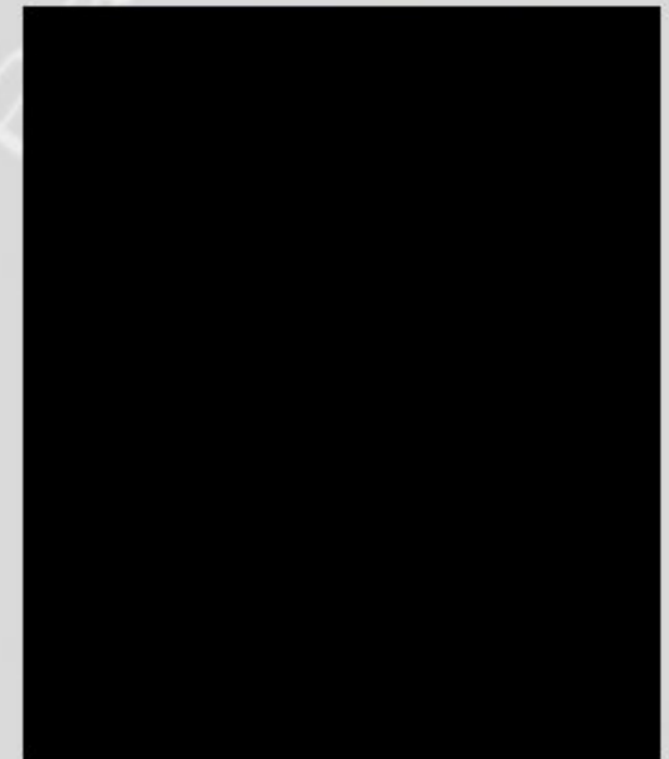
BTPL181871

11 February 2011



Richard Plume
Major Projects Development Control Officer
Southampton City Council
Ground Floor
Civic Centre
SOUTHAMPTON
SO14 7LS

By Post and e-mail



Dear Mr Plume

**FORMER TYRELL & GREEN SITE, NORTHERN ABOVE BAR, CITY CENTRE
REQUEST FOR AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCREENING OPINION**

Further to our meetings in December and more recently last week concerning the Northern Above Bar site, I can confirm that it is the intention of my client Grosvenor Developments Ltd to submit a full planning application for the redevelopment of the land.

The purpose of this letter is to request a formal EIA screening opinion from Southampton City Council under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Development projects that are described within Schedule 1 of the EIA Regulations always require EIA and are referred to as 'Schedule 1 Development'. Development projects listed in Schedule 2 that are located in a 'sensitive area' (Regulation 2(1)), or, exceed one of the relevant criteria or thresholds given in Schedule 2, are referred to as 'Schedule 2 Development'. Not all 'Schedule 2 Development' will require an EIA as only a development project that is likely to have significant environmental effects due to its size, location or nature will require such assessment. A development project that requires EIA is referred to as 'EIA development'.

This letter describes the site and the proposal, and then sets out an analysis of the potential for significant environmental effects from the project. A plan of the site is attached, which shows the anticipated planning application red line and therefore the likely area of development activity.

The red line of the proposal includes the land required to facilitate the erection of new buildings and its associated public realm. The proposal will also include illustrative material showing potential improvements to Andrews Park associated with the proposal. It is not however proposed to submit a separate planning application for works to Andrews Park at this stage, as it is understood that Southampton City Council will seek all necessary approvals for the works to the park. This issue was discussed and confirmed at a recent meeting with the Council and English Heritage.

The site and current land use

The area of the site illustrated by the red line is some 0.52 hectares (maximum extent). The land is accessed off Northern Above Bar and also Park Walk. The present land use is vacant; the previous development was demolished in 2010 and comprised A1 retail and ancillary uses. The site is bordered to the north and south by existing buildings, to the east by the Central Parks (Grade II Listed) and to the west by a significant area of Public Realm, Guildhall Square, beyond which is the Grade II* Listed Guildhall/ Civic Centre.

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Description of the proposal - development envisaged (numbers are approximate)

The 'project' for the purposes of EIA screening is the erection/ construction of two blocks of development, the north building comprising Class A3, A4 floorspace (approx 2,400sqm) and Southampton New Arts Complex space (approx 5,700sqm); the south building comprising Class A3, A4 floorspace (approx 1,400sqm), Southampton New Arts Complex space (approx 2,500sqm) and residential space totalling approximately 25-30 units. The development will be served by basement parking, with ground floor access to the rear from Park Walk. The project also involves the laying out of public realm and improvements to the Central Parks although this is not within the area shown by the red line plan as it is expected to be delivered via separate proposals/ Legal Agreement.

Initial designs envisage the following maximum development parameters:

- South building is approximately 40 metres high relative to the Guildhall Square datum.
- North building is approximately 27 metres high relative to the Guildhall Square datum.
- Public realm improvements adjacent these blocks extending to an area comprising approx 2,200 square metres.

This relates to an existing context along Northern Above Bar Street of buildings ranging from 3 to 6 storeys. The Civic Centre clock tower is in excess of 52 metres high relative to the datum level of Guildhall Square.

Possible effects on the environment (without mitigation)

Social infrastructure/ community effects – the development would only marginally increase the resident population of the area with their associated requirements for facilities and services. A temporary period of employment opportunities would be related to the construction period.

Transport and access – development as proposed would potentially affect access and car parking arrangements along Park Walk.

Surface water and flood risk – the Environment Agency website map indicates that the whole site lies in Flood Zone 1 and is considered to have a potentially low risk associated with all sources of flooding, in accordance with the Southampton SFRA. There are no surface water bodies within 1km of the site. Given that the existing site is hardstanding, the only increase in surface water flows will be as a result of climate change. There will likely be an increase in foul flows which will require management.

Ground conditions and water quality – the previous land use was retail and hence not considered in itself to be a contaminating land use.

Landscape/ visual – the erection of a tall building may have visual impact effects on the city centre. The development will also have an effect on the established Central Parks and public realm/ context of Guildhall Square.

Cultural heritage – the development will have an effect on the character and context of the Guildhall Square and the Central Parks (both the Parks and Guildhall/ Civic Centre are Grade II* Listed).

Use of resources – the development will generate additional Co2 and use varied resources including water/ energy.

Potential mitigation/ enhancements available

Social infrastructure/ community effects – the quantum of residential development should not have any adverse effects on social or community infrastructure. The proposal includes cultural facilities to service the city and sub-region and owing to this has significant beneficial community effects. Noise and vibration during the construction phase is likely to occur in the short term, which can be controlled via a suitable planning



condition and the effect can be minimised by good site working practices and controlled by a Construction Environment Management Plan/ standard planning conditions.

Transport and access – there will be a construction traffic impact, which can be mitigated by appropriate arrangements. The design of the scheme would introduce additional pedestrian and cycle routes to benefit permeability in the local area. A residential travel plan would be prepared as a demand management measure for car trips, and to promote walking, cycling and trips using public transport.

Surface water run-off – given the likely low risk as stated above and as the site area is below 1 hectare, a PPS25 flood risk assessment is not required. However, the proposal will be designed to incorporate appropriate drainage arrangements, will include Sustainable Drainage Systems where practicable and may include some roof gardens. These measures are likely in combination to act as appropriate mitigation. The EA and local water authority will be consulted as part of design development.

Ground conditions – as the site is vacant it is considered that no mitigation is required. The installation of an undercroft car park will require appropriate construction engineering. A Phase 1 Contamination Desk Study will be undertaken to scope as appropriate a site investigation to confirm the potential for contamination at the site. It is recommended also that the principal contractor undertakes a UXB Desk Based Assessment before any works commence on the site. The groundwater conditions and levels are not known at present, but given the proposed development, the risks to water quality are anticipated to be low.

Landscape/ visual – the landscape and visual impact site assessment will incorporate findings of the cultural heritage assessment and will concentrate on the setting of the adjacent park and Listed structures to the west. It is considered that impacts will therefore be limited to the immediate area around the site and residual effects on the wider townscape and receptors will be minimal.

Key views to be assessed will be agreed with SCC conservation officers in advance and a specific workshop/ meeting arranged with key stakeholders before the planning application is submitted. The requirement for assessment of "tall buildings" will be confirmed and undertaken as appropriate.

Detailed designs will consider the potential for enhancing the setting and wider context of the proposed development and the surrounding listed buildings and park, in consultation with English Heritage and SCC conservation officers.

A Townscape and Visual Impact assessment will be submitted in support of the planning application.

Cultural Heritage - both the Parks, and Guildhall and Civic Buildings are Grade II* Listed. In accordance with central and local government policy, as set out in PPS5 Planning for the Historic Environment, a desk-based assessment will be undertaken to assess the heritage setting and potential of the site, incorporating the Historic Environment Records relevant for the site.

The Built Heritage assessment will be undertaken in consultation with SCC Heritage and Conservation officers and will incorporate recommendations for the Townscape and Visual Impact assessment baseline.

Use of resources – the proposals will be accompanied by a Sustainability/ Energy Statement outlining the measures undertaken in design/ architecture to achieve reduced impact on resources.

Information to accompany the planning application

In addition to a planning statement, statement of community involvement, and design and access statement it is intended that the full application will be accompanied by the following information:

- Transport Statement and Travel Plan
- Desk-based reports on relevant environmental issues (noise, air quality, archaeology/ heritage, phase 1 contamination, drainage impact assessment)



- Landscape and Visual Assessment
- Daylight and Sunlight Assessment
- Economic Viability Report (affordable housing)
- Sustainability/ Energy Statement
- Site Waste Management Plan
- Appropriate plans/ architectural drawings (of the proposal and associated Parks Improvements)

The planning statement would summarise the technical information outlined above and identify inherent and additional mitigation measures brought by the proposal. The above studies will also assist in the preparation of the Design and Access Statement.

Consideration of the EIA Regulations and Government advice

Below I have given consideration to the proposed scheme against the EIA Regulations and advice found in Circular 02/99. A copy of 02/99 Figure 1 'Establishing whether a development requires EIA', is enclosed for convenience.

- a) *Does the proposed development require planning permission?*

Yes.

- b) *Does the proposed development fall within the categories listed in Schedule 1 or is it of a type listed in Column 1 of Schedule 2 of the EIA Regulations?*

No, the proposal is not in a category within Schedule 1 but Schedule 2 includes category 10 (b) 'urban development projects'. The answer is therefore 'yes'.

- c) *Is the proposal located wholly or part in a sensitive area (EIA Reg 2(1)), or within 2km of a SSSI?*

No, the site is not located wholly or in part within any Scheduled Ancient Monuments. The site is approx 2km of Southampton Common designated SSSI.

- d) *Does the proposal exceed the applicable thresholds and criteria listed in Column 2 of Schedule 2?*

The area of proposed development exceeds 0.5 hectare (based on maximum extent).

It is therefore classified as Schedule 2 development and it is necessary to consider whether significant environmental effects are likely.

- e) *Is the proposal likely to have significant effects on the environment because of factors such as the nature of the project, its size and its location (Schedule 3)? [emphasis added]*

The nature of the project is not of a novel type, but of conventional built development comprising a mix of residential units and commercial development, services, public realm and landscaping to accommodate the amenity of residents and those using the commercial/ cultural aspects.

In terms of size, the scheme is proposed on previously developed land of some 0.35ha. Paragraph A18 in Appendix A of Circular 02/99 advises that EIA is unlikely to be required for the redevelopment of land unless the development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

The site is located on previously developed land within an urban area. No other projects have been identified that would lead to significant cumulative effects in combination with the project proposed.

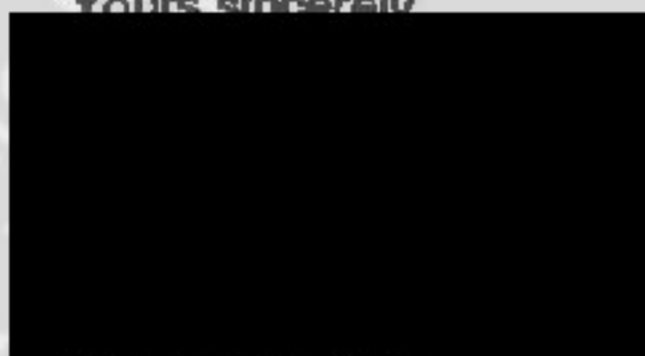


None of the impacts discussed above are anticipated to give rise to a significant cumulative effect on a sensitive receptor and result in significant secondary effects.

Whilst the above review leads us to conclude that the proposals described do not constitute EIA development, I would be grateful if you could provide Southampton City Council's formal EIA screening opinion for this proposal.

I trust that the information provided above is adequate, but if I can be of assistance in clarifying any queries arising from this request, then please do not hesitate to contact me.

Yours sincerely



Charles Collins
Savills Planning & Regeneration

Enc Site plan
Circular 02/99 Figure 1.

Copy Roger Cox/ Alex Robinson, Grosvenor

DEVELOPMENT MANAGEMENT
Southampton City Council
Planning & Sustainability Division
Ground Floor, Civic Centre
Southampton SO14 7LS

21 MAR 2011



Please ask for Richard Plume

Mr C Collins
Savills Planning
Brunswick House
Brunswick Place
Southampton
SO15 2AP

16 March 2011

Dear Mr Collins,

**Former Tyrrell and Green site, 138-152 Above Bar Street, Southampton
Environmental Impact Assessment Screening Opinion**

I refer to your letter dated 11 February 2011 seeking a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 on the proposed redevelopment of this site.

I have taken into account the details included in your letter dated 11 February and agree that the proposed development falls within Schedule 2 being an Urban Development Project (category 10(b)). As you are aware, Circular 02/99 advises that the Local Planning Authority needs to ascertain whether the proposed development is likely to have significant effects upon the environment and that an Environmental Statement will be required for major developments which are of more than local importance, are unusually complex, are proposed for particularly environmentally sensitive locations and that have potentially hazardous environmental effects. I have also taken in to account the previous use of the land and the nature of the surroundings.

There has been discussion at a recent meeting about the necessary information to be submitted with the planning application for this development. The consultation on the screening opinion has added certain requests which I would ask to be taken into account and submitted with the application. Natural England's comments were as follows:

"We would expect that a detailed assessment of the potential environmental and ecological impacts of the proposed development to be submitted with any subsequent planning application, and would advise that you consult with your own retained ecologist on the need for particular surveys and information on current conditions and use of the site by protected species. This is in line with Natural England's Standing Advice which can be viewed on our website at http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/default.aspx

Landscapes character

The development site is not within any statutory landscape designation, however we would recommend that any planning application should include an assessment of impacts on landscape. The design of the proposals should seek to respect and enhance local character and distinctiveness, and make use of appropriate materials and design.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as use of native species in landscape planting, enhancement of existing hedgerows or positive management of habitats for biodiversity gain.

As such we would recommend that should the Council be minded to grant permission for this application, measures to enhance the biodiversity of the site are secured from the applicant. This is



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in accordance with Paragraph 14 of Planning Policy Statement 9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'

On the question of Archaeology the comments I have received are as follows:

"Reference is made within the covering letter to Cultural Heritage being considered as part of the overall assessment work for the site. These references, however, are almost exclusively to work associated with the potential impact to the setting of the adjacent Listed Buildings of Southampton Civic Centre (Grade II*), the adjacent East / Andrews Park (Grade II listed) and also of Guildhall Square. Although these are important considerations, archaeology will also need to be considered very carefully as there may well be significant issues, including the potential for medieval burials, that will need to be analyzed as part of the impact assessment work for the site.

The site lies within an area defined as having high archaeological potential and is within the area that forms of the historic core of Southampton. The main interest lies in the historic towns established from the 8th century onwards and their complex developments and redevelopments up to the present day. This includes the common fields immediately adjacent to the town, the medieval ribbon suburbs to the north and east (which continue along Above Bar Street), the sites of two medieval chapels (St Andrews and Holy Trinity) and a large number of mills and public buildings around the stream of Houndwell. The former Leper Hospital was situated immediately adjacent to the development site (beneath what is now Number One Guildhall Square & the Forum Building) and there is also evidence for prehistoric and Romano-British activity in the area.

Recent archaeological work in advance of the development of the Number One Guildhall Square site and on the site of Guildhall Square itself, uncovered evidence relating to the Leper Hospital and also of mid-Saxon activity, which was previously believed to be confined to the area around the settlement of Hamwic, further to the south-east. What is currently unknown is where the burials associated with the Leper Hospital are located and these were usually sited close to the site of the hospital itself. It is, therefore, possible that these may be beneath the development site, depending on previous disturbance. Evidence of prehistoric activity was also discovered during work in Guildhall Square. Consequently, the archaeological impact of the development will need to be very carefully considered as part of the assessment.

As far as the setting issues for the Listed Buildings (including the Grade II* Civic Centre are concerned), I agree that these will have to be carefully assessed as part of and Cultural Heritage and Landscape and Visual Impact assessment for the proposed development. These will need to take into consideration Ernest Berry Webber's original design work for the Civic Centre, which was to connect the east block of the Civic Centre through to the park and also to allow views of the east elevation of the Guildhall and the Civic Centre from the park itself.

Cultural Heritage will need to be very carefully considered as part of the assessment work for this particular site. In accordance with the requirements outlined in PPS5, any development that has the potential to have an impact on cultural heritage will need to be submitted with a Heritage Statement as a supporting document. This should be carried out by a suitably qualified archaeological consultant or contractor and will need to be carried out in accordance with the professional guidelines issued by English Heritage and the Institute for Archaeologists."

I hope you will be in a position to provide this information in support of your application.

Conclusion

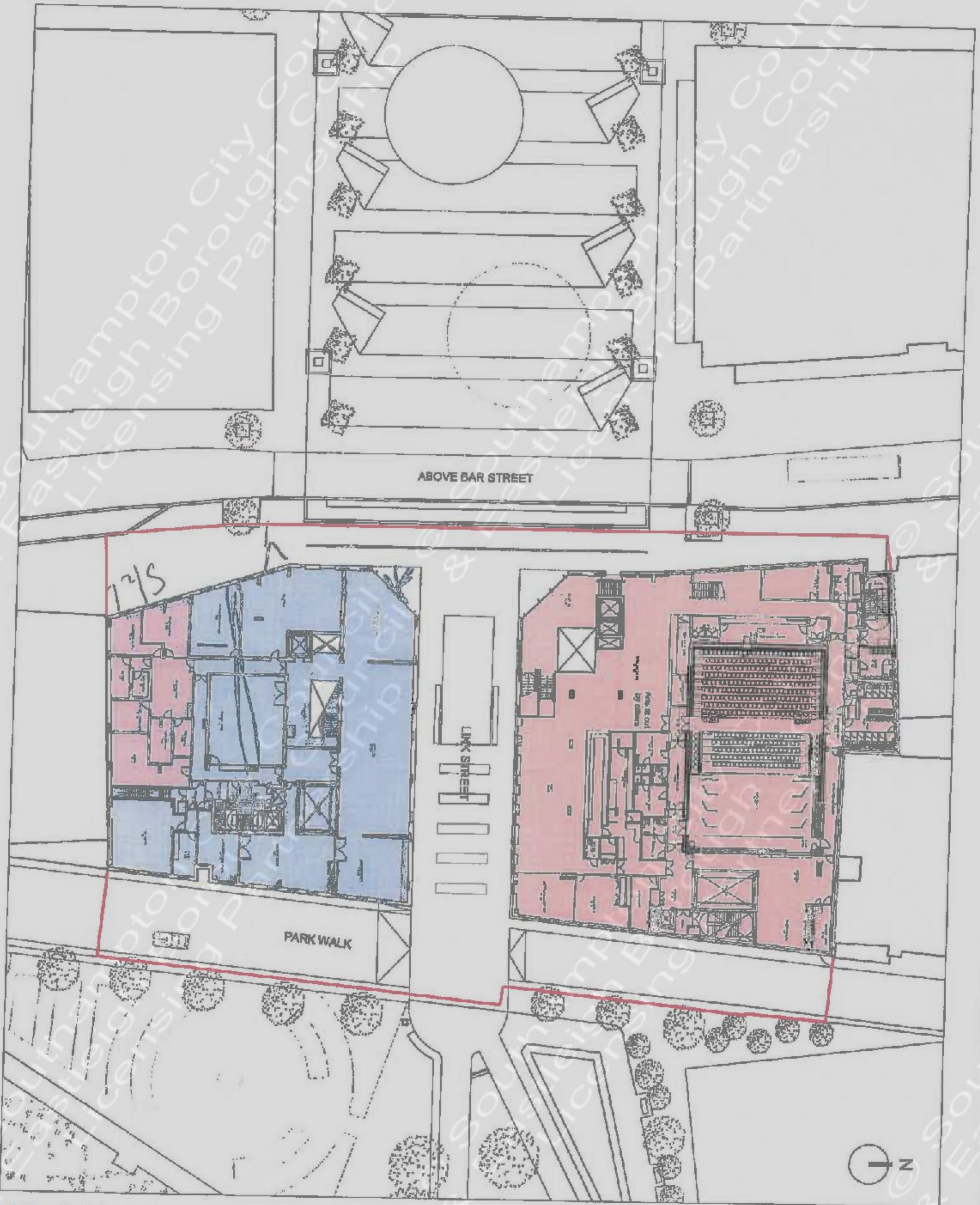
In light of the above, the Local Planning Authority considers that following our assessment of the selection criteria, as required by Schedule 3 of the Regulations, the works proposed as indicated in your Screening Request do not require the submission of an Environmental Statement.

Please note that should the nature of the proposed development change significantly a further request for a Screening Opinion should be submitted for consideration.

I hope this clarifies the position.

Yours sincerely

Chris Lyd
Planning ment Manager



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P01



NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

for

Grosvenor Developments Ltd

June 2011

project no. 6106379

Ramboll

Twenty, Station Road
Cambridge CB1 2JD
United Kingdom



NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

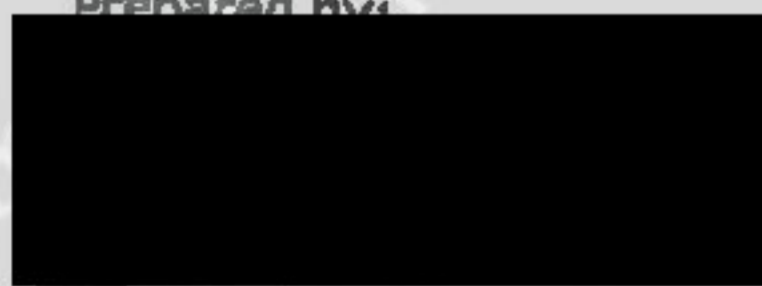
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Revision History

Rev	Date	Purpose/Status	Document Ref.	Comments
01	24/06/11	Issue	R01	Issue
02	30/06/11	Revised Issue	R01-Rev02	Typographical error corrected in Table 4.4

Prepared by:



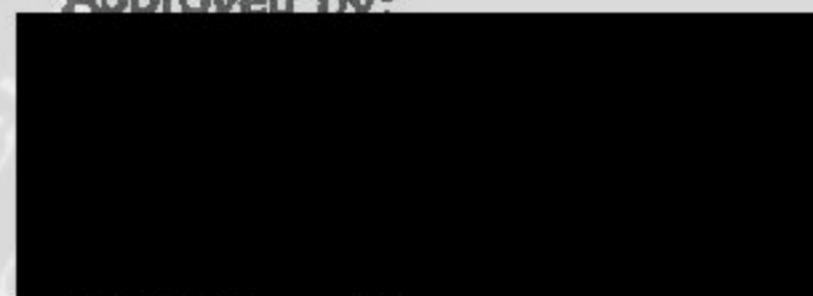
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Director

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

EXECUTIVE SUMMARY

An assessment of environmental noise has been carried out for the proposed residential development site on land located between 136 and 166 Above Bar Street, Southampton SO14 7DU (former Tyrrell and Green site), in accordance with Planning Policy Guidance 24 'Planning and Noise' (PPG 24).

Road traffic and aircraft contributed to the noise levels during the survey, which puts the site into the mixed noise sources category.

A noise survey was carried out during both the daytime and night time periods to determine the PPG24 noise exposure categories (NECs) for the site. The measured noise levels during the daytime and night time place the site in NEC B at a third floor level (rooftops of adjacent buildings) and NEC C at ground levels.

PPG 24 states that for sites in NEC B 'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.'

PPG 24 states that for sites in NEC C 'Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.'

It is concluded that the proposed site for the new residential development, understood to be at third floor level and above, is considered a suitable site for the proposed residential development.

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

1 INTRODUCTION

1.1 Brief

Ramboll UK was instructed on behalf of Grosvenor Developments Ltd to undertake an environmental noise assessment for a proposed residential elements of a development on land located between 136 and 166 Above Bar Street, Southampton SO14 7DU (former Tyrrell and Green site).

1.2 Proposed Development

Proposed development of two buildings either side of a proposed 12 metre wide highway (Park Street). The North and South buildings combined will consist of 29 new residential units, circa 2,200m² commercial units, 6,130 m² arts centre and provision for 33 underground parking spaces.

It is understood that the residential units will be in the South building only.

1.3 Objectives

This report presents the data from the baseline noise survey, the assessment methodology and results and provides guidance on noise emission limits. Acoustic terminology used in this report is explained in Appendix A.

1.4 Constraints and Limitations

There were no constraints or limitations during the noise survey or the subsequent analyses.

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

2 ASSESSMENT CRITERIA

Planning Policy Guidance (PPG) 24 'Planning and Noise' offers guidance on the development of residential areas near to new or existing noise sources. It defines noise exposure categories (NECs) for day and night time to assess whether or not it is appropriate to allow the development of residential properties for a given noise climate. The categories relate to different noise bands depending on the source of noise, i.e. road, rail, air, or mixed noise sources. For this assessment the road traffic noise sources category has been used as traffic noise was considered the dominant noise source at the site.

The noise exposure categories given in PPG24 for road traffic noise sources are reproduced below in Table 2.1. The associated advice provided in PPG24 relating to the granting of planning permission for residential use is reproduced in Table 2.2.

Noise Levels Corresponding to the Noise Exposure Categories for new dwellings				
L _{Aeq,T} dB				
Time of Day	Noise Exposure Category			
	A	B	C	D
07:00-23:00	< 55	55 - 63	63 - 72	> 72
23:00-07:00	< 45	45 - 57	57 - 66	> 66

Table 2.1 Noise exposure categories for new dwellings near existing road traffic noise sources

Noise Exposure Category	Description
NEC A	Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level.
NEC B	Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.
NEC C	Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.
NEC D	Planning permission should normally be refused

Table 2.2 Advice relating to noise exposure categories for new dwellings near existing noise sources

BS 4142 gives a method for assessing the likelihood of complaints from operational plant noise. Noise levels measured during the noise survey will be used to set noise emission criteria for any new plant within the site if appropriate.

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Environmental Noise Assessment

3 SURVEY DETAILS

3.1 Site Description

The site is bounded by Above Bar Street to the west and Park Walk to the east. Park areas are situated to the north and east of the site. Buildings along Above Bar Street to the west and further to the south of the site consist of bars and cafes, University, retail and public buildings.

The nearest noise sensitive receiver is the Southampton Solent University Building on Above Bar Street opposite the site.

3.2 Noise Climate

The traffic on Above Bar Street was the most significant source of noise during the daytime, and consisted mainly of buses and taxis. Park Walk is a no through road with on-road parking. Traffic was infrequent and travelling slowly. Occasional delivery vans used Park Walk during the daytime, and a take-away delivery moped during the night time.

Aircraft were frequent during the daytime, approximately every 5-10 minutes. No aircraft were noted during the night time.

During the night time the most significant source of noise was music (including live performances) from bars and nightclubs on Above Bar Street, and from people outside in the street. Traffic on Above Bar Street was less frequent during the evening. After midnight the traffic consisted of taxis only.

The noise climate around the site is also influenced by traffic noise from New Road to the south of the site. This was more noticeable in the evening when the traffic on Above Bar Street became less frequent.

Other noise sources were seagulls and people in the street (including skateboarders). The clock on the Guildhall chimed every 15 minutes during the daytime and evening, finishing at 11pm.

Less significant sources of noise consisted of noise from extract fans (Old Fat Cat and Turtle Bay), gardening equipment in Andrews Park and noise from the pedestrian crossing on New Road. It was noted that these noise sources were only noticeable if the traffic was particularly quiet.

3.3 Survey Methodology

Manned noise measurements around the site were conducted by Rachel Bennett of Ramboll Acoustics during the hours of 14:00-16:00 and 20:30-23:00 on Tuesday 14th June 2011 and 01:20-04:00 on Wednesday 15th June 2011.

Data loggers situated on the rooftops of two buildings adjacent to the site recorded noise data for 24 hours from approximately 13:00 on 14th June 2011. These positions were considered to be representative of the proposed residential development, understood to be situated from the third floor upwards.

Weather conditions during the day were noted as warm with clear skies with some occasional light wind, typically below 2 ms^{-1} . During the night the skies were cloudy and no wind was noted. During the afternoon of Wednesday 15th June light drizzle was noted.

The PPG 24 assessment methodology only considers the impact of existing noise sources on a proposed development. It is considered that such noise sources would not be significantly affected by the time of year when the baseline noise surveys were undertaken. Manned noise measurements were taken at approximately 1.2 m above local ground level and at least 3 m away from any reflecting facades. The measurements are considered representative of free field measurements. The

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

measurement duration was 15 minutes during the daytime and between 5 and 25 minutes during the night.

These periods are considered sufficient to provide representative measurements of the prevailing noise climate.

3.4 Measurement Equipment

The following measurement equipment was used to conduct the survey.

- 1off Brüel and Kjaer 2270 'Class 1' Sound Level Analyser
- 1off Brüel and Kjaer 4189 'Class 1' Pre-polarised ½" microphone
- 1off Brüel and Kjaer 4189 'Class 1' Acoustic Calibrator
- 2 Brüel and Kjaer 2250 Hand held analysers
- 2 GRAS 40AE ½" free field microphones

3.5 Measurement Locations

The survey measurement locations are shown in Figure 3.1. Positions 1-5 are considered representative of the proposed development of the site.

Position 1: Park Walk, the north east corner of the site

Position 2: Southampton Solent University building on Above Bar Street opposite the site, representative of the nearest noise sensitive receiver.

Position 3: Above Bar Street, the south east corner of the site

Position 4: 24 hour logger on the rooftop of the Old Fat Cat building, immediately to the north of the proposed site.

Position 5: 24 hour logger on the rooftop of the Savoy Taylors Guild building, immediately to the south of the site. This location is considered representative of the proposed residential development.

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Environmental Noise Assessment

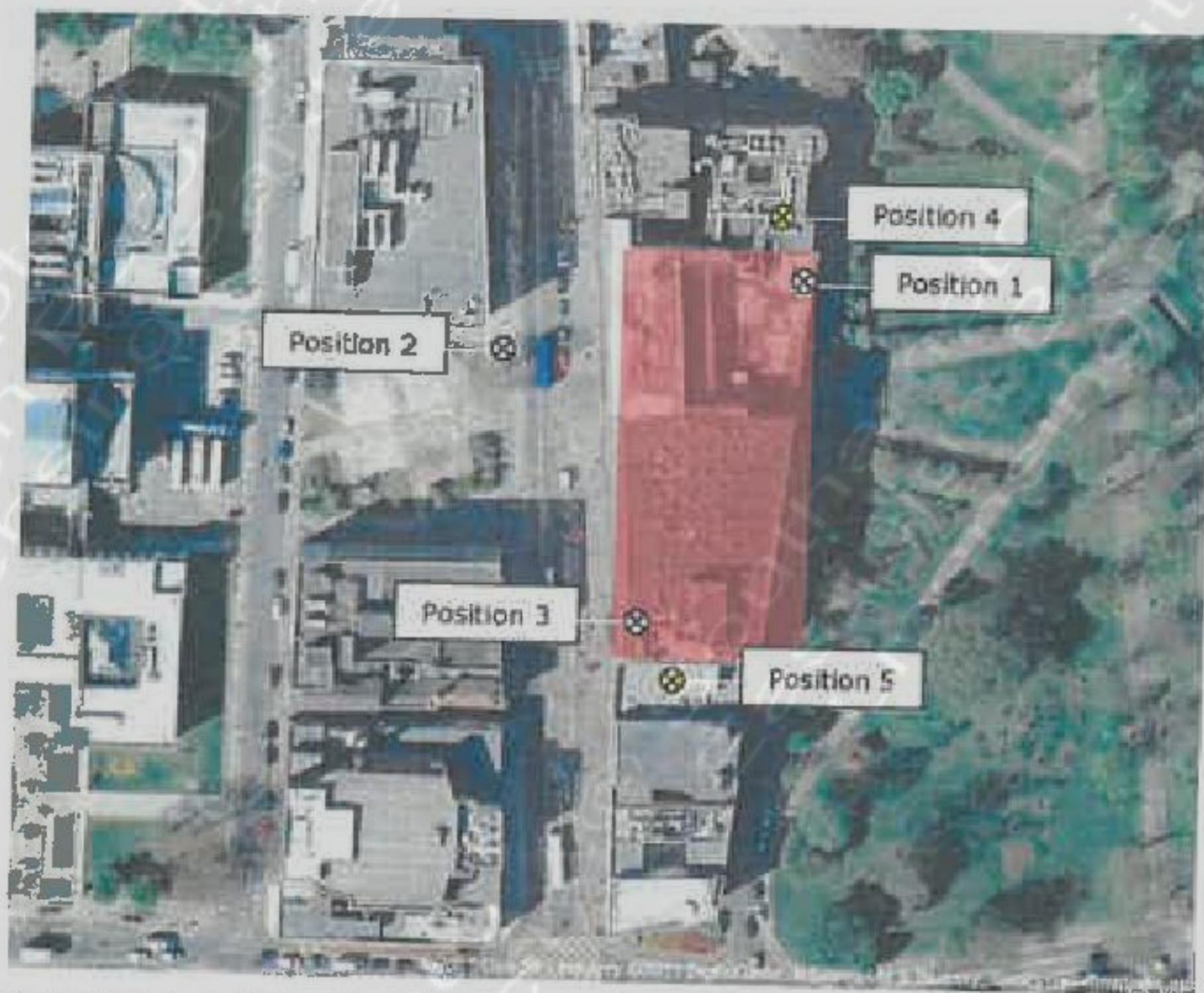


Figure 3.1 Site plan showing measurement locations (proposed site shaded red)

4 SURVEY RESULTS

4.1 Results Summary

The area falls into NEC B at a third floor level (rooftops of adjacent buildings) and NEC C at ground level during the day and night.

A summary of the daytime measurements are shown in Figure 4.1; a summary of the night time measurements are shown in Figure 4.2.

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

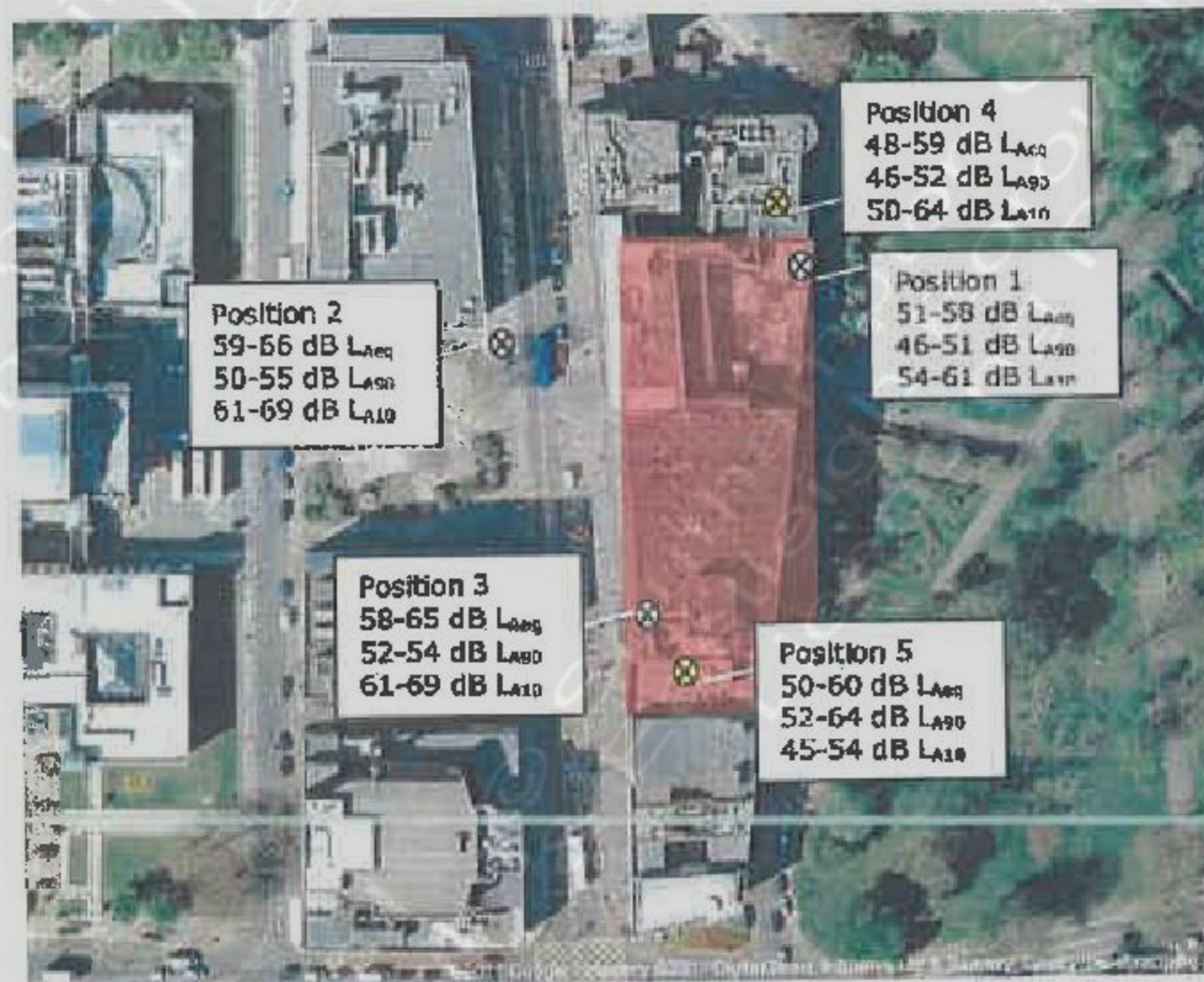


Figure 4.1 Summary of daytime measurements

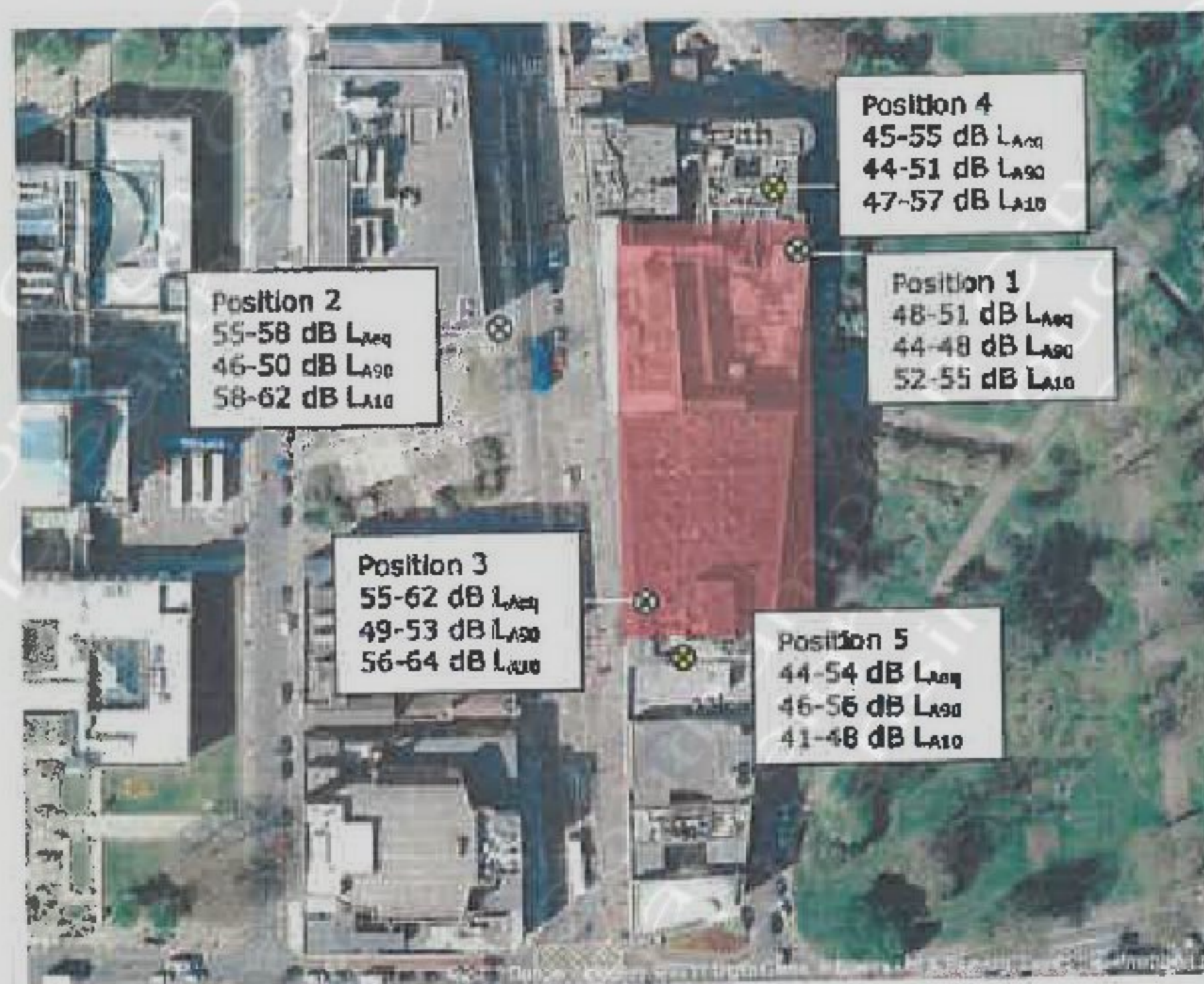


Figure 4.2 Summary of night time measurements

NEW ARTS COMPLEX, ABOVE BAR STREET, SOUTHAMPTON

Environmental Noise Assessment

4.2 Full Survey Results

Full survey results have been provided in this section. Daytime and night time statistical results from the ground measurements are provided in Table 4.1. The measurements recorded by the loggers are summarised in Table 4.2.

Location	Start time, hh:mm	Duration, mm:ss	Statistical Noise Levels, dB(A)			
			L_{max}	L_{90}	L_{50}	L_{10}
1	14:04	15:00	74.2	50.5	58.6	56.4
	15:00	15:00	73.8	50.1	57.8	56.2
	15:53	15:00	75.0	50.4	60.6	58.3
	20:46	15:00	68.2	47.2	55.1	53.2
	21:40	15:00	64.3	45.9	53.8	50.8
	22:31	15:00	71.0	48.0	54.6	52.8
	01:21	25:00	71.1	46.4	53.0	50.9
	02:34	15:00	72.5	44.3	53.1	51.4
	03:35	05:00	57.4	43.7	52.3	48.4
2	14:25	15:00	86.6	54.2	68.7	66.4
	15:18	15:00	81.1	53.0	68.2	64.4
	16:11	15:00	82.7	54.8	68.8	64.9
	21:06	15:00	80.8	49.9	60.5	58.6
	21:57	15:00	80.4	53.0	64.2	61.8
	22:48	15:00	90.7	52.1	65.8	65.3
	01:49	15:00	78.3	49.5	61.5	57.6
	02:55	15:00	74.1	46.7	62.4	58.4
	03:42	05:00	71.2	45.6	57.8	54.9
3	14:43	15:00	81.6	53.2	68.7	65.0
	15:35	15:00	74.5	54.1	66.4	62.2
	16:30	15:00	78.6	52.4	66.4	62.7
	21:23	15:00	80.9	51.5	61.4	58.1
	22:14	15:00	82.6	51.8	62.5	59.6
	02:17	15:00	82.7	52.5	64.4	61.9
	03:17	15:00	78.0	48.8	59.9	57.5
	03:49	05:00	72.0	48.6	56.3	55.3

Table 4.1 Statistical noise measurements from ground positions

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Location	Start time, hh:mm	End time, hh:mm	Statistical Noise Levels, dB(A)			
			L ₉₀	L ₁₀	L ₅₀	L _{max}
4	07:00	23:00	50	55	54	75
	23:00	07:00	47	52	50	68
5	07:00	23:00	50	57	55	73
	23:00	07:00	45	52	49	65

Table 4.2 Statistical noise measurements from 24 hour rooftop loggers

4.3 Assessment of results

The noise survey has shown that the former Tyrrell and Green site in Southampton is exposed to road traffic noise and aircraft noise sources. The road traffic noise sources criteria have been used for this assessment as road traffic was considered the dominant noise source.

The Noise Exposure Categories have been calculated from day and night time noise measurements.

4.4 Daytime

Table 4.3 shows the calculated daytime 16 hour L_{Aeq} noise level according to PPG24 methodology and gives the resultant Noise Exposure Category. Location 2 has been omitted as it is not representative of noise levels at the proposed residential dwellings due to its location.

Measurement Location	Calculated ambient noise level dB L _{Aeq 16hr}	Noise Exposure Category
1	56	B
3	64	C
4	54	A
5	55	B

Table 4.3 Calculated daytime noise levels and resultant NEC

4.5 Night Time

Table 4.4 shows the calculated 8 hour L_{Aeq} noise levels and gives the resultant Noise Exposure Category.

Measurement Location	Calculated ambient noise level dB L _{Aeq 8hr}	Noise Exposure Category
1	51	B
3	61	C
4	50	B
5	49	B

Table 4.4 Calculated night time noise levels and resultant NEC

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The NEC category at Locations 1, 2 and 3 have been calculated using the short form methodology outlined in Calculation of Road Traffic Noise [3]. An example of these calculations is given in Appendix C.

The time histories for the 24 data loggers at Locations 4 and 5 are provided in Appendix B. These data have been used to determine the NEC categories of these locations.

5 NOISE EGRESS LIMITS

5.1 Plant Noise

Noise emission from any new plant associated with the development must be controlled. Following from BS 4142, a limit of 5 dB below existing background levels is proposed so as not to significantly increase the otherwise prevailing background noise levels at the nearest noise sensitive receivers. If any new plant is tonal, an additional 5 dB penalty will apply.

Following from the results shown in Figure 4.1 and Figure 4.2, limits have been set out in Table 5.1. The nearest noise sensitive receiver has been identified as the Southampton Solent University (SSU) building.

Location	Lowest Measured Background Noise Level (L_{Aeq})		Proposed Maximum Criterion (L_{Aeq})	
	Daytime (0700-2300)	Night Time (2300-0700)	Daytime (0700-2300)	Night Time (2300-0700)
Location 2	50	45	45	41

Table 5.1 Proposed noise egress criteria

6 DESIGN IMPLICATIONS

Noise level within the residences from traffic noise and other external sources ('intrusive' noise levels) are determined by the sound insulation performance of the facade. For most facade constructions this is dominated by the performance of the glazing.

The highest noise levels measured at the roof top locations (Locations 4 and 5 – considered most representative of the noise levels at the proposed facades) was 55 dB L_{Aeq} . Acceptable internal ambient noise levels in bedrooms would be 30 – 35 dB L_{Aeq} (BS 8223: 1999), suggesting a minimum facade performance of 25 – 30 dB. This would be achieved by standard thermal double glazing such as a 6 mm glass / 12 mm air gap / 6 mm glass construction. This should be confirmed as the design progresses.

The proposed ventilation strategy should also be considered with respect to the acoustic performance, since natural ventilation routes can reduce the overall sound insulation of building facades. Detailed consideration of this is beyond the scope of this assessment.

Details of the ventilation strategy or plant locations are not known. However the plant noise emission criteria proposed in Section 5.1 are not considered particularly stringent and meeting them is unlikely to present significant issues.

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7 CONCLUSIONS

A noise survey has been conducted at the proposed site on land located between 136 and 166 Above Bar Street, Southampton SO14 7DU (former Tyrrell and Green site).

Noise levels measured on site were influenced by traffic noise from Above Bar Street, New Road and also from Park Walk to a lesser extent. Traffic was frequent during the day with a mix of buses, taxis and light commercial vehicles. During the night the traffic was infrequent.

Other sources of noise were aircraft, seagulls and people in the street. In the night time, music from bars and nightclubs on Above Bar Street significantly contributed to the noise climate.

The PPG24 assessment has concluded that the development site falls into NEC B at third floor level (rooftops of adjacent buildings) and NEC C at ground level during the day and night.

The proposed site for the new residential development, at third floor level and above, at Above Bar Street is considered a suitable site for the proposed residential development.

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8 REFERENCES

- [1] BS4142 - *British Standard 4142:1997 Method for Rating Industrial noise affecting mixed residential and industrial areas.* © BSI 1997.
- [2] BS8233 - *British Standard 8233:1999 Sound insulation and noise reduction for buildings - Code of practice.* © BSI 08-1999.
- [3] CRTN - *Calculation of Road Traffic Noise.* Department of Transport, Welsh Office. © Crown copyright 1988.
- [4] PPG24 - *Planning Policy Guidance 24: Planning and Noise.* Published by the Department of the Environment, September 1994.

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APPENDIX A - ACOUSTIC TERMINOLOGY

DECIBEL

The ratio of sound pressures which we can hear is a ratio of 10^6 (one million:one). For convenience, therefore, a logarithmic measurement scale is used. The resulting parameter is called the 'sound pressure level' (L_p) and the associated measurement unit is the decibel (dB). As the decibel is a logarithmic ratio, the laws of logarithmic addition and subtraction apply.

A-WEIGHTED DECIBEL

The unit generally used for measuring environmental, traffic or industrial noise is the A-weighted sound pressure level in decibels, denoted dB(A). An A-weighting network can be built into a sound level measuring instrument such that sound levels in dB(A) can be read directly from a meter. The weighting is based on the frequency response of the human ear and has been found to correlate well with human subjective reactions to various sounds. It is worth noting that an increase or decrease of approximately 10 dB corresponds to a subjective doubling or halving of the loudness of a noise, and a change of 2 to 3 dB is subjectively barely perceptible.

EQUIVALENT CONTINUOUS SOUND LEVEL

Another index for assessment for overall noise exposure is the equivalent continuous sound level, L_{eq} . This is a notional steady level which would, over a given period of time, deliver the same sound energy as the actual time-varying sound over the same period. Hence fluctuating levels can be described in terms of a single figure level.

FREQUENCY

The rate of repetition of a sound wave. The subjective equivalent in music is pitch. The unit of frequency is the Hertz (Hz), which is identical to cycles per second. A thousand hertz is often denoted kHz, e.g. 2 kHz = 2000Hz. Human hearing ranges approximately from 20 Hz to 20 kHz. For design purposes, the octave bands between 63 Hz to 8 kHz are generally used. The most commonly used frequency bands are octave bands, in which the mid frequency of each band is twice that of the band below it. For more detailed analysis, each octave band may be split into three one-third octave bands or in some cases, narrow frequency bands.

STATISTICAL NOISE LEVELS

For levels of noise that vary widely with time, for example road traffic noise, it is necessary to employ an index which allows for this variation. The L_{10} , the level exceeded for ten per cent of the time period under consideration, has historically been adopted in the UK for the assessment of road traffic noise. The L_{90} , the level exceeded for ninety per cent of the time, has been adopted to represent the background noise level. The L_1 , the level exceeded for one per cent of the time, is representative of the maximum levels recorded during the sample period. A weighted statistical noise levels are denoted L_{A10} , dB L_{A90} etc. The reference time period (T) is normally included, e.g. dB $L_{A10, 5min}$ or dB $L_{A90, 8hr}$.

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TYPICAL LEVELS

Some typical noise levels are given below:

Noise Level dB(A)	Example
130	Threshold of pain
120	Jet aircraft take-off at 100 m
110	Chain saw at 1 m
100	Inside disco
90	Heavy lorries at 5 m
80	Kerbside of busy street
70	Loud radio (In typical domestic room)
60	Office or restaurant
50	Domestic fan heater at 1m
40	Living room
30	Theatre
20	Remote countryside on still night
10	Sound insulated test chamber
0	Threshold of hearing

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APPENDIX B - TIME HISTORIES FROM DATA LOGGERS

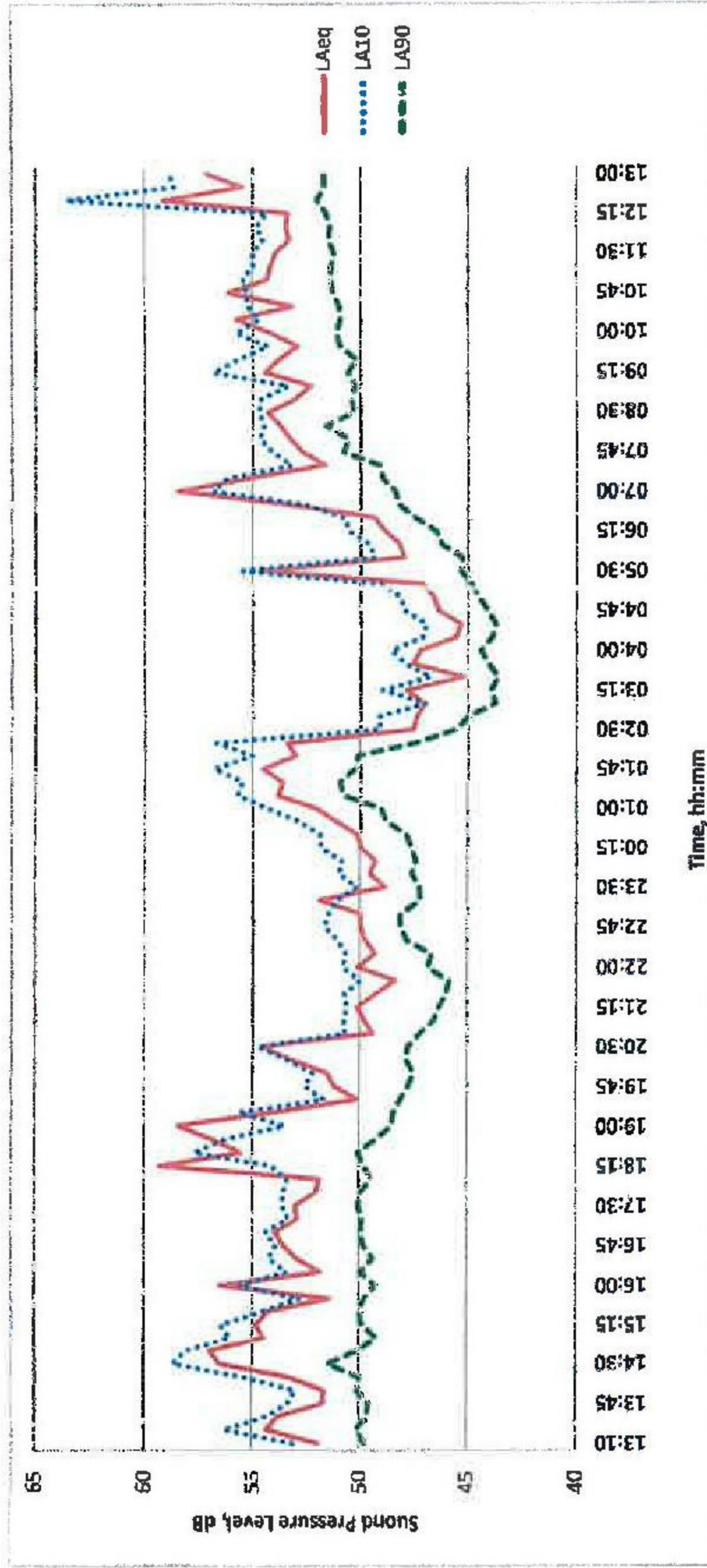


Figure B1 Time history for the data logger at Location 4

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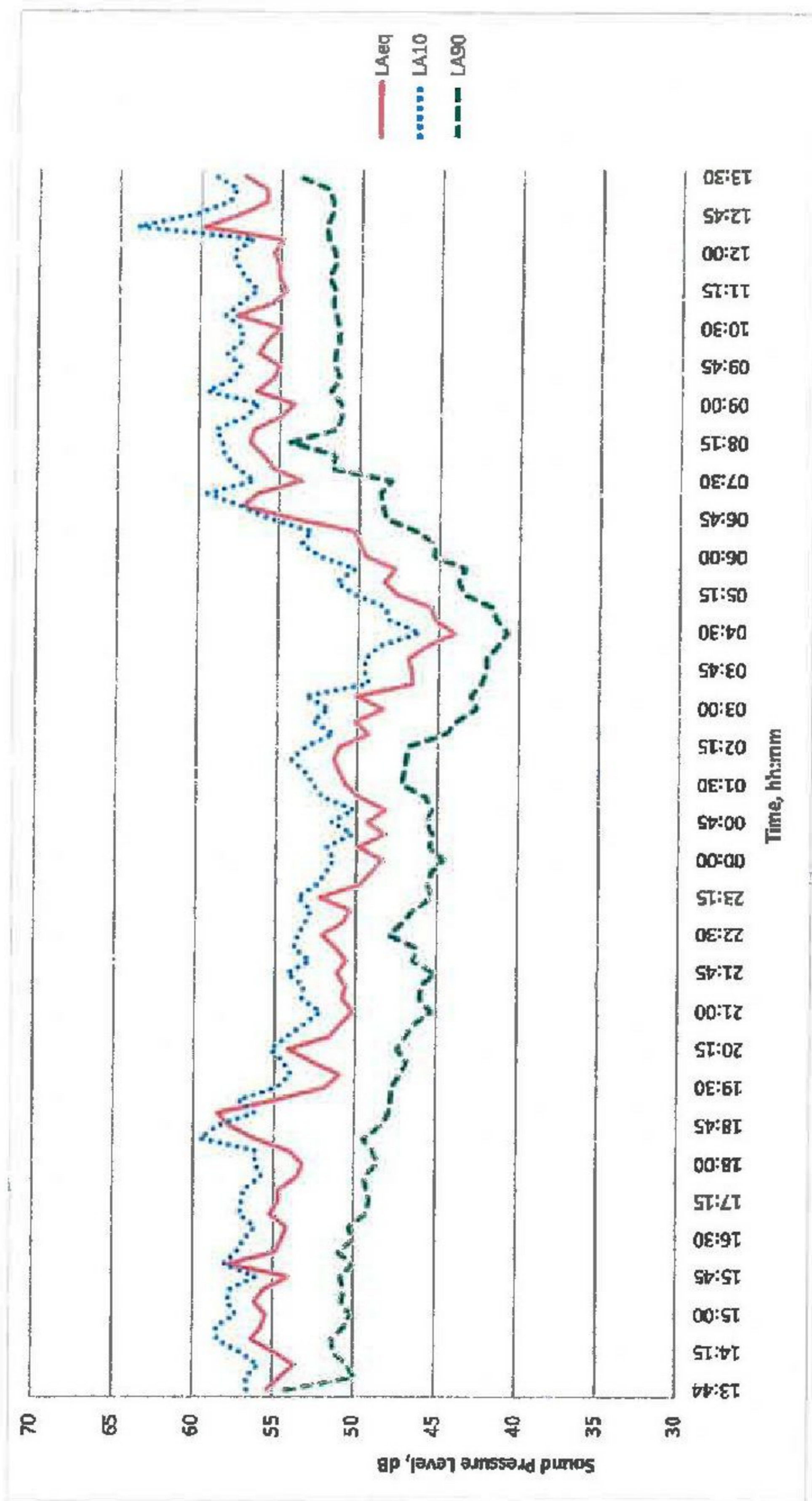


Figure B2 Time history for the data logger at Location 5

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APPENDIX C - CALCULATION OF NOISE EXPOSURE CATEGORY EXAMPLE

This appendix details how the measured road traffic noise levels in Table 4.3, have been converted into a daytime $L_{Aeq, 16\text{ hr}}$ noise level, using the methodology outlined in CRTN. The example calculation below is for measurement Location 1.

A comparison can then be made with the noise exposure categories in PPG 24.

Source Data

The relevant measured noise levels at this location are as follows.

Time period (hrs)	Measured Sound Pressure Level L_{A10} dB
	Location 1
1400 - 1500	58.6
1500 - 1600	57.8
1600 - 1700	60.6

Table C1 CRTN shortened measurement procedure

Calculation of $L_{Aeq, 16\text{ hr}}$

PPG 24 uses $L_{Aeq, T}$ to determine the NEC for new dwellings near to existing noise sources (where T is 16 hours for daytime).

For the shortened measurement procedure the following formulae are used:

$$L_{A10, 3\text{ hr}} = (L_{A10}(1) + L_{A10}(2) + L_{A10}(3)) / n$$

(where n is the number of measurement periods) $L_{A10, 18\text{ hr}} = L_{A10, 3\text{ hr}} - 1$ dB (see CRTN, paragraph 43)

$$L_{Aeq, 16\text{ hr}} = L_{A10, 18\text{ hr}} - 2$$
 dB (see PPG, annex 1, paragraph 9)

Where $L_{A10, 3\text{ hr}}$ is the arithmetic mean of the three consecutive values of hourly L_{A10} .

$$L_{A10, 3\text{ hr}} = (58.6 + 57.8 + 60.6) / 3 = 59$$
 dB

$$L_{A10, 18\text{ hr}} = 59 - 1 = 58$$
 dB

$$L_{Aeq, 16\text{ hr}} = 58 - 2 = 56$$
 dB

Therefore using the ranges given in Table 2.1, Location 1 is in NEC B during the daytime.