

Planning and Rights of Way Panel 20th February 2024
Planning Application Report of the Head of Transport and Planning

Application address: Olleco, Royal Crescent Road Southampton			
Proposed development: Redevelopment of the site. Demolition of existing buildings and construction of new buildings of up to 17 storeys to provide co-living accommodation comprising up to 397 private studio rooms with associated access, internal and external amenity spaces, landscaping and public realm improvements; and including publicly accessible community cafe, co-working space and gym at ground floor level (Sui Generis)			
Application number:	23/00649/FUL	Application type:	Full
Case officer:	Jenna Turner	Public speaking time:	15 minutes
Last date for determination:	03.10.2023 Extension of Time Agreed	Ward:	Bargate
Reason for Panel Referral:	Request by Ward Member	Ward Councillors:	Cllr Bogle Cllr Noon Cllr Paffey
Referred to Panel by:	Cllr Bogle and Cllr Noon	Reason:	The application is the first co-living development in the city.
Applicant: Infinite Living (Southampton) Ltd		Agent: Summit Planning Associates Ltd	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023). Policies CS1, CS4, CS5, CS6, CS7, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25

of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – AP9, AP12, AP13, AP13, AP15, AP16, AP17, AP18 and AP19 of the City of Southampton City Centre Action Plan (2015) and Policies SDP1, SDP4, SDP5, SDP10, SDP11, SDP12, SDP13, SDP14, SDP16, SDP19, NE1, H1, H2, H7, H13, HE1 and HE6 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Viability Review		

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Head of Transport and Planning to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Site specific transport contributions and/or s.278 agreement for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013). Contribution capped to reflect current CIL and Nitrate contributions.
 - iii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. Either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance

with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.

- vii. Provision, retention and management/maintenance of the public open space together with securing public access in perpetuity in accordance with policy AP13 of the City Centre Action Plan.
 - viii. The submission, approval and implementation of on site Public Art in accordance with the Council's Public Art Strategy, and the adopted SPD relating to 'Developer Contributions' (September 2013);
 - ix. Car parking permit restrictions
3. That the Head of Transport and Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement. In the event that the contributions towards affordable housing change significantly, then a report will be brought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1. Background

1.1 The application proposes a 'co-living' development, which is the first detailed application of this nature in Southampton. There is no standard definition for what comprises a co-living scheme and models vary somewhat between providers. In general, these are large, purpose-built blocks of residential accommodation, served by a significant level of shared space which aim to provide a more cost-effective form of single-occupancy accommodation than traditional self-contained flats and promote more communal living when compared with build-to-rent developments, for example.

1.2 The planning use class of co-living developments could potentially vary depending on the exact model being offered by different developers. Following discussions with the Council's Legal Services Team, officers are of the opinion that the Olleco development would generally fall outside of any defined use class, although it is considered that, within the *Sui Generis* building proposed, the studio rooms would constitute dwellings. This is since they contain all the basic facilities necessary for day-to-day living. As such, officers are of the view that the adopted Development Plan policies, which govern the development of new dwellings, including the provision of affordable housing, are applicable to this application. The applicant's team take a different approach; they consider that the development, as a whole, is *Sui Generis* and, as such, policies that relate to the creation of dwellings are not applicable in this instance. This is discussed in more detail below.

2. The site and its context

2.1 The site is currently vacant but was last used for the storage and processing of

cooking oil (Use Class B2) and comprises single-storey, red-brick C19th warehouses and an associated service yard, located on the corner of Royal Crescent Road and Chantry Road. The application site lies within the city centre, immediately adjacent to the Grade II Listed Central Bridge. There is a significant change in levels between the Central Bridge road level and the application site on lower ground. Opposite the site are four and five storey flats within the Anderson's Road development, and the commercial Basepoint Centre. The boundary of the Canute Road Conservation Area lies to the south side of Central Bridge.

- 2.2 To the north of the site, is the Chantry Road footbridge, which crosses the freight railway line to the docks, which lies immediately west of the site. Beyond the railway line is the City Commerce Centre which is safeguarded in the adopted Local Plan for industry and warehousing uses. The majority of the site is currently located within Floodzone 1 with a low probability of flooding.

3. Proposal

- 3.1 The applicant's co-living model seeks to provide a development which fosters a sense of community with a series of self-contained studio rooms supported by extensive shared facilities that are pepper-potted throughout the development. The target market would be young professionals or university leavers, that seek a higher-standard of accommodation than perhaps offered by the HMO sector, but is more affordable than traditional single-occupancy flats, with all bills covered by a single rental fee. A central idea is that residents would consider the entire building to be their home and the approach would help to tackle some of the isolation issues with shared facilities designed to foster a sense of community between residents. As set out in the applicant's draft 'Operational Management Plan' the accommodation is managed, with a 24-hour, on-site management presence and designed to provide a similar service experience to a hotel. Units would typically be let on a short-term basis, with a minimum of 3-month tenancies.
- 3.2 It is proposed that there would be 397 private studio rooms within the development which are one of four different types:
- Type 1 studios are 18.5sq.m (245 within the development)
 - Type 2 studios are 20sq.m (77 within the development)
 - Type 3 studios are 24sq.m (55 within the development)
 - Type 4 accessible studios are 27sq.m (20 within the development).
- 3.3 The studios all contain sleeping quarters, ensuites and a small cooking area. The units come fully furnished, including crockery and cutlery.
- 3.4 The communal space includes the following:
- Ground Floor: Entrance lobby and reception area, community café, gym and fitness studio, working/study/events space, laundry, relaxation/entertainment space, wellness space and ancillary storage.
 - Floors 1-4: Two communal kitchen/living/dining rooms per floor (61sq.m and 34 sq.m)
 - Floor 5: Two communal living rooms and two kitchen/dining living rooms and access to a roof terrace (37sq.m, 42sq.m, 54 sq.m and 62sq.m)
 - Floor 6: One communal kitchen/dining (31sq.m)

- Floor 7: One communal kitchen/dining (31sq.m)
- Floor 9: One kitchen/living dining living room (80.6 sq.m)
- Floor 16: Communal kitchen/dining (40sq.m).

- 3.5 There are also larger storage areas provided throughout. Overall, the internal communal space would equate to 1,253sq.m of floorspace which would be 3sq.m per resident. The community café provides a further area of 119sq.m, although would be available for the wider community to use. Likewise, the gym would be publicly accessible via membership. The application sets out that the kitchen space would enable 250 residents to cook simultaneously. A cleaning and linen service would be available for an extra charge or alternatively, vacuum cleaners would be available to hire from the reception and a laundry is available for use on the ground floor. The building management would also arrange bookable social activities for residents.
- 3.6 The applicant, Infinite Partnerships, are responsible for the design and build of the development. A separate arm to their company, Infinite Living would operate the development once complete, in association with a building management partner. Infinite Living are a recently formed company and this will be their first project.
- 3.7 In terms of external space, to the west of the building, a 472sq.m courtyard area is provided which links to the building entrance. It is envisaged that four units would be provided under Central Bridge which could be used for community events. These would be managed by the operators of the building itself and are designed as ancillary to the co-living use, independently operated retail units. An internal courtyard of 437sq.m is also provided to the centre of the site, accessed directly from the new building. The northern end of Chantry Road would also be re-designed to provide a shared space and link to the open space and pedestrian routes at the end of Glebe Road. In addition to this, at 5th floor level, a communal roof terrace of 602sq.m would be provided for residents.
- 3.8 In terms of scale, the new building graduates in height from 5-storeys, fronting Royal Crescent Road, to 8-storeys adjacent to the railway footbridge, terminating the view from Glebe Road. A 17-storey tower element is designed adjacent to Central Bridge, set back from Royal Crescent Road by between 5 and 8 metres. The lower elements of the building are designed with red-brick elevations with arched openings to the ground floor. Windows are recessed from the brickwork and set within elements of fluted rainscreen cladding. Vertical louvres are positioned to one side of the windows which serve to provide acoustic attenuation and assist with privacy between windows. The building is flat roof with raised parapets. The tower would be clad using a light colour-tone rainscreen cladding and combines vertical rainscreen cladding sections with flat textured rainscreen cladding sections to articulate the elevations. The curtain wall glazing associated with communal living rooms on the upper floors also provide some visual breaks in the elevations. The tower contains a bio-diverse brown roof. The 8-storey section of building also incorporates green and brown roof with photovoltaic panels. The application is accompanied by a Fire Statement and has been designed with 2 staircores.
- 3.9 No car parking is proposed to serve the development. Cycle storage would be provided under Central Bridge.

4. Relevant Planning Policy

- 4.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 4.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 4.3 The first consultation exercise for the Council’s next Local Plan, the City Vision, concluded on the 3rd January 2023. The responses received have now been collated. Draft policy HO2 (S) - Housing Mix of the City Vision seeks a mix of housing types which includes the provision and control of co-living homes. It sets out the importance of ensuring that co-living developments do no harm the mix and balance of communities and prevent opportunities for more affordable housing to come forward. It also sets out the importance of ensuring an appropriate balance of communal and private spaces. Given the City Vision is at an early stage in the plan-making process, it does not carry weight in the consideration of this planning application.
- 4.4 The National Planning Policy Framework (20th December 2023) and the National Planning Practice Guidance do not offer any specific guidance on co-living developments. As the application proposes residential development, that provides homes, the usual guidance in relation to housing delivery applies as per the current Development Plan.

5. Relevant Planning History

- 5.1 The existing use was originally granted planning permission in 1995 (our reference 911270/E). More recently, in October 2020, planning permission was granted for the redevelopment of the site to provide a building which ranged from 6 to 11 storeys in height and contained 456 student bedrooms with associated facilities (LPA reference 19/00813/FUL). This permission expired in October 2023 without being implemented. The key differences between the two schemes can be summarised as follows:

	This Application 23/00649/FUL	Previous Application 19/00813/FUL
	<i>‘Co-Living’ Residential</i>	<i>Purpose Built Student Flats</i>
Number of bedspaces	397	456
Floor area	14,935sq.m	13,000sq.m
Footprint	1,510sq.m	2,166sq.m
Storey Heights	5, 8 and 17 storeys	6 and 11 storeys

6. Consultation Responses and Notification Representations

6.1 Ahead of formal submission the applicants held their own public consultation event in March and April 2023 including an exhibition at Central Hall, as detailed in their Statement of Community Involvement. At the time of writing the report, **4 representations** have been received (including 1 representation from the City Commerce Centre, 2 from local residents and 1 from the City of Southampton Society. The following is a summary of the points raised:

6.2 ***Concern that the tall building proposed will affect the ability of the nearby premises to collect data necessary for the operation of their business***
Response

This is a civil matter. The Development Plan does not restrict the scale of buildings to protect the data collection ability of nearby business.

6.3 ***Concern that the city does not have a specific policy on co-living and that the room sizes are inadequate***
Response

The absence of a specific policy relating to co-living does not mean that the Council can decline to determine applications of this nature. Similarly it does not mean that the Council should concede on its residential standards. Instead, the application falls to be judged against the current adopted Development Plan policies. In the absence of a policy to judge the acceptability of the room sizes, the application falls to be determined on its own merits, taking into account the quality of the residential environment as a whole. This is discussed in detail below, but in summary it is considered that in the round the quality of the residential environment is acceptable when considered in light other residential developments which include shared facilities, such as HMOs and student developments.

6.4 ***There should be a mechanism for encouraging neighbourly behaviour and the sanctioning of anti-social behaviour***
Response

The application is accompanied by a draft operational management plan which includes provision for an on-site management presence at all times. This does include measures for responding to unneighbourly or anti-social behaviour amongst occupants. This will be secured by planning condition.

6.5 ***The application needs to prove that the communal space is sufficient***
Response

This is discussed in full detail below. In summary, when compared with other accommodation that includes small private living quarters with communal facilities and other co-living schemes, the proposal is considered to be acceptable.

6.6 ***The tall building will over-shadow the Listed Central Bridge and cause a wind tunnel effect.***
Response

The application confirms that discussions have taken place with a Wind Analysis Assessor to understand the potential impact of wind in the context of micro-climate. Measures have been designed into the scheme, including recessing the entrance to the building and providing tree planting. It is advised that wind modelling will be carried out at the Building Regulations stage. A condition is suggested to secure this. If further wind mitigation measures are required, a further planning application

may be required to assess the visual impact of these. There would be some additional over-shadowing of Central Bridge as a result of the development, but this would not be a Listed Building setting issue. It is noted that the Historic Environment Team have raised no objection to the application.

6.7 ***Concern with the scale and design of the development and loss of part of the city's industrial heritage by demolishing the existing buildings on site.***

Response

The existing buildings on site are not listed nor within a Conservation Area and, as such, there is no planning reason to resist their demolition. The Council's Historic Environment Officer notes that the existing buildings have been altered significantly over the years which has diminished their heritage value.

6.8 ***The introduction of co-living does not address evidence-based assessment of the city's housing needs.***

Response

There is an identified need for more residential accommodation in the city, and this includes single-occupancy development. It is agreed that an entirely single-occupancy development would not necessarily meet the specific housing need for the city, which includes providing a mix of accommodation, affordable housing and larger, family-housing accommodation. However, this shortcoming can be mitigated by a package of measures, which includes a financial contribution to be used for off-site affordable housing. It is considered that overall, the benefits of the scheme, including the ability for the Council to secure off-site affordable housing to directly meet wider needs, and the mitigation that will be secured means that the use can be accepted. This is discussed in detail, below.

6.9 ***The size of the development is excessive***

Response

The scale, massing and amount of accommodation closely follows the previously approved student scheme on this site. Both the Council's City Design Officer and Historic Environment Officer raised no objection to the proposal. The application was reviewed by the Council's independent Design Advisory Panel at the pre-application stage. Suggested changes have been incorporated into the proposed design.

6.10 ***Lack of parking will result in increased competition for spaces across the city centre.***

Response

The surrounding streets are all subject to parking controls which limits the potential for over-spill car parking. Furthermore, the site is highly accessible by more sustainable modes of transport and within walking distance of all the shops, services and employment opportunities that the city centre affords. Residents will be fully aware when moving to the site that there is no opportunity to park a car on site or nearby, which acts as a significant deterrent for future occupants wishing to bring a car to the site. Furthermore, the city centre car parks do have parking capacity within them.

6.11 ***There is no justification for claiming the development is not subject to provision of off-site contributions to Affordable Housing. There are 15 kitchens/living areas plus shared spaces on the ground and 5th floor. Using***

these calculations alone, this must comprise at least 15 separate units and hence the proposal falls within the criteria for Affordable Housing.

Response

Agreed. Whilst there remains some differences between the applicant and the Planning Department as to whether or not 'Co-Living' accommodation triggers affordable housing the applicant has offered a significant financial contribution to mitigate the impacts of the development. It is proposed to deliver off-site affordable housing through this financial contribution.

- 6.12 ***The site is not ideal being too far from the city centre and the main areas of entertainment for young people***

Response

The site is approximately a 700m walk to the main city centre area, if the Chantry Road footbridge is avoided. This is considered to be easily accessible.

- 6.13 ***Sun/Shade diagrams required to show the effect on garden use within the development and the existing residents in Chantry Road.***

Response

This has been provided and is assessed in light of the quality of the accommodation and the impact on neighbours, below.

- 6.14 ***Insufficient cycle storage; only 1 space for 2 rooms, or 1 space for 4 residents and there is no provision for electric scooter docking bays.***

Response

A condition is suggested to secure an increased in cycle-storage provision, in line with the Highway Officer comments below. It is considered that the area under Central Bridge provides scope to increase capacity. There is no policy requirement to make provision for electric scooter docking bays within new developments.

- 6.15 ***A pollution survey required for The South Yard to consider traffic pollution from Central Bridge, which is particularly bad when there are traffic hold-ups during the morning and evening rush hours.***

Response

Neither the site, nor Central Bridge lies within an Air Quality Management Area and, as such, an assessment is not required. The Council's Air Quality Team have not raised this as a specific issue.

- 6.16 ***Windows overlooking Central Bridge and railway will need to be sealed units with mechanical ventilation, as was the case with the already approved student application.***

Response

A Noise Assessment has been carried out and indicates that the noise from the adjacent railway line is insignificant due to its irregular use. It is proposed that the building would be naturally ventilated via acoustic façade ventilation louvres. The Noise Assessment sets out that, with the proposed design, the internal noise environment will be acceptable. The Council's Environmental Health Team do not disagree with this conclusion.

- 6.17 ***The roof garden at level 5 will require side protection barriers to prevent objects falling on the ground or people below and residents falling off.***

Response

A 1.2m high balustrade is proposed, set back from the edge of the roof parapet. The scheme will need to comply with Building Regulations.

- 6.18 ***The red line for the site includes all of Chantry Road. Pedestrian access to the footbridge over the railway line MUST remain for the general public. The bund at the end of Glebe Road should remain to prevent traffic accessing Chantry Road from there.***

Response

The application does not propose to provide a vehicular connection from the site to Glebe Road and does include bollards to prevent this from occurring. Construction Method had not been determined at this stage and will be secured by planning condition. Any rights of way closures during the construction process would need to be agreed with the Local Highway Authority, who would consider whether adequate pedestrian accessibility would be retained.

- 6.19 ***All relevant conditions applied to the previous student application to be continued in respect of Flood Proofing Measures, Railway Protection Measures, Archaeology, Soundproofing and On-Site Management Plan, together with all the usual conditions for an application of this size***

Response

Agreed.

7. **Consultation Responses**

	Consultee	Comments
7.1	Cllr Sarah Bogle	I would like this to be referred to the planning panel as is the first co-living accommodation proposed in the city and needs careful scrutiny. Key issues are ensuring personal living space is adequate and meets space standards, addressing how the amenity space and shared space will work in practice, how the enterprise aspects will work and benefit both residents and others in the area, the extent of public realm improvements and how the Council tax will work.
7.2	Cllr John Noon	I wish to object to this application on the grounds of poor design and overshadowing the nearby housing estate. The city needs more affordable housing and this application does not meet this need.
7.3	City Design	No objection. In terms of the design aesthetic for both the building and landscape it appears well thought out and is certainly a much more considered scheme than the previously approved development. Arguably the building might sit more comfortably without the 3-storey pop-up element on the north side of the building, but given the presence of the tower behind in the view down Glebe

7.4		<p>Road, it doesn't appear to impact negatively on the overall appearance of the development.</p> <p>Proposed public realm works in the public highway are very welcome as the 'legacy' area associated with the bridge is a poor element within an otherwise good public realm along Glebe Road. Can this development also fund much needed improvements to Chantry Bridge? This route is currently very poor and inhibiting/unsafe, particularly at night, but provides a very tempting/timesaving route to town for pedestrians and is bound to be used by a significant number of new residents. It's slightly disappointing that they haven't taken up our suggestion of a roof terrace for residents on the top of the tower as this would provide terrific views across the city and to water which would've surely been a good 'selling' point for the development.</p>
7.4	Archaeology	<p>No objection subject to conditions.</p> <p>The site is in Local Area of Archaeological Potential 8 (City Centre and Itchen Ferry), as defined in the Southampton Local Plan and Core Strategy and covered by retained Local Plan Policy HE6 (Archaeological Remains).</p> <p>An archaeological desk-based assessment was compiled in April 2019 by Archaeological Research Services Ltd, using data from the Southampton Historic Environment Record and other sources. The DBA was originally compiled for application 19/00813/FUL and has been resubmitted with the current application. The DBA contains a summary of the archaeological potential.</p> <p>Development here may impact on archaeological deposits and remains, depending on the depth and extent of groundworks. Full details of all groundworks / ground disturbance (foundations, level reductions, services, soakways/attenuation tanks) will need to be provided, to enable me to assess the archaeological impact of the development.</p>
7.5	CIL Officer	<p>The development is CIL liable as there is a net gain of residential units. With an index of inflation applied the residential CIL rate is £110.94 per sq. m to be measured on the Gross Internal Area floorspace of the building.</p> <p>Should the application be approved a Liability Notice will be issued detailing the CIL amount and the process from that point.</p> <p>If the floor area of any existing building on site is to be used as deductible floorspace the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day</p>

		that planning permission first permits the chargeable development.
7.6	Employment and Skills	<p>No objection subject to an Employment and Skills Plan obligation being secured through the section 106 Agreement.</p> <p>This will promote the creation of local jobs both during the construction and operation of the development.</p>
7.7	Contamination	<p>No objection subject to conditions.</p> <p>This department considers the proposed land use as being sensitive to the affects of land contamination. Records maintained by SCC - Regulatory Services indicate that the subject site is located on/adjacent to land uses that are associated with potential land contamination hazards. As such, conditions are suggest to secure investigation and any needed remediation measures.</p>
7.8	Environmental Health (Pollution and Safety)	<p>No objection subject to conditions.</p> <p>I have viewed the application and associated documentation namely the BE Noise Assessment. Environmental Health has no objection in principle, but would recommend the following if the application is granted:</p> <ul style="list-style-type: none"> • That a condition is worded to ensure the findings of the noise assessment are implemented, the important findings are: <ul style="list-style-type: none"> • Window design, • Louvre design • Ventilation design • And need for further Noise Impact Assessment when plant has been decided. • A condition for a demolition plan • A condition for a construction management plan • An advice note for the applicant that states when the Noise Impact Assessment for the Plant is completed that this also covers the sound insulation between the gym and the accommodation on the floor above taking account of the ProPG: Gym Acoustics Guidance March 2023.
7.9	Air Quality	<p>Agree that the operation of the development will be unlikely to result in a significant risk to compliance with air quality objectives. Request an air quality assessment with regards to the potential of construction impact.</p> <p>Officer response: The site is not within an Air Quality</p>

		<p>Management Area, as such a condition is instead suggested to secure a Construction Management Plan.</p>
7.10	Highways Development Management	<p>No objection subject to conditions.</p> <p><u>Location and Principle</u> Similarly to the previous application, the proposed change of use will reduce the level of vehicular movements especially with regards to HGVs. However, there will still be some due to the introduction of commercial units and servicing needs for the residential element. Due to the high-density development and commercial units, there will be a significant increase in non-vehicular modes generated by the site.</p> <p>The scheme is car-free which can be supported in this location where on street parking in the near vicinity are restricted. As such, the potential for overspill parking is limited. The site is within walking distance to the city centre and is close to bus services in most directions.</p> <p>As such, the development is considered acceptable in principle.</p> <p><u>Access and Servicing</u> A new access is being formed to service the small commercial units under the bridge and a raised 'servicing area' is proposed fronting. Details is required to show how these areas will be managed so that only servicing vehicles can gain access (and how they gain access including refuse and emergency vehicles) and also timing of these vehicles so they do not clash with when peak times (including when the commercial units are busiest). This is especially important as the turning head to the North would still be public highway as it stands and therefore further discussions may be needed to determine what is best to retain the function of a servicing only area without affecting the aesthetics with the likely needed TRO.</p> <p>There appears to be a cut out of the existing bund to provide a turning area for a servicing area. Additional details should be provided to clarify if this has any impact and to show what the levels will be like in relation to the other side of the bund. Assuming the original intention of the bund is perhaps to prevent cars driving straight into the car park, would we need further measures to retain this restriction?</p> <p>It appears that wheelchair access is reliant upon an internal platform lift. This is not the best in terms of logistics and design and would suggest considering if there is scope to have an external (or even internal) ramp. Removal of this could mean that the accessible ground floor units could then be accessed</p>

without mechanical equipment which is a much more practical and accessible arrangement and removes risks of the malfunctioning etc. It is noted that there appears to be an alternative route to the rear but seems convoluted and not the most attractive route.

Cycle Parking

Cycle parking is provided at 50% (1 space per 2 flats). Although there are no standards set out for Co-Living units, there are standards for one long stay space per flat (does not specify any size or no. of rooms). It is also important to note that the standard approach for cycle parking for HMOs are one long stay per bedroom. Therefore it is requested that one cycle space is being provided for this scheme especially if it is a car-free scheme and located in an edge of town centre location.

It is not clear how popular the commercial units will be and whether its slightly unique location could become a destination especially for the large residential catchment to the North of the site. It is therefore recommended that some space should be allocated for the potential of a mobility hub (E-bikes/E-scooters etc.) to be installed in the future should there be demand.

Public Realm and Highway Layout

As required from the previous applications, works to the highway layout and public realm will be required to reflect the change in nature of the site as well as the significant increase in residential non-vehicular trips. The turning head area to the North should be of a high quality surfacing treatment such as paving/setts and be built to a suitable standard to accommodate HGV loads.

As part of the scheme, there a drop off bay being proposed which would result in the loss of existing parking bays. Furthermore, the turning head to the North would also remove further bays. To try and reduce the amount of bays being lost, a further exercise should be carried out to see if spaces can be re-provided elsewhere. From a draft public realm scheme developed for the previous scheme this seemed achievable.

The previous draft plan also included a cycle modal filter around under the bridge area which will help reduce through traffic coming through this section and further change the environment of this area to a more traffic calmed residential zone.

Summary

The scheme can be supported subject to the above points being addressed. I am happy to for these to be addressed via amended plans or conditions if deemed reasonable. The following conditions will be needed as part of the recommendation to approve:

		<ol style="list-style-type: none"> 1) Servicing Management plan. Details of how the site will be serviced from the residential element as well as the commercial. 2) Commercial area management plan. Details to show how this area will be managed to ensure it is car free except servicing vehicles; security details to try and prevent anti-social behaviour. 3) Cycle Parking. 1 long stay cycle space shall be provided per bedroom/unit and some short stays should also be provided for the commercial and residential visitors. 4) Mobility Hub. Space allocated on the site shall be provided and kept clear to accommodate future installations of e-bikes or e-scooters subject to demand and feasibility review. A plan identifying this will suffice (no physical works needed) with a statement to allow the installation with suitable wayleave for access and maintenance. 5) Construction management plan
7.11	Housing Management	<p>What detailed evidence of demand for this type of accommodation (and on this scale) has been provided by the applicant?</p> <p>If approved, how might the building be repurposed if/when necessary?</p> <p>The proposal does not comply with SCC Core Strategy policy CS16 Housing Mix and Type. The very large number of single person studios seems likely to result in a transient population and does not offer the accommodation for a mixed and balanced community.</p> <p>The proposal does not sit with Nationally Described Space Standards (NDSS). The studios are exceptionally small, the majority being just 18.5 or 20 sq. metres and there would seem to be questions over the amount/use/availability of communal spaces for residents.</p> <p>What is being proposed is not an affordable housing product as it does not meet minimum housing space standards and does not provide stable long-term accommodation suitable for most households in need of affordable housing, nor are the rents charged governed by the rules/formulas prescribed for affordable housing products.</p> <p>This co-living proposal is also something very different from co-housing. Co-housing communities are intentional communities, created and run by their residents and schemes are generally on a much smaller scale (10-40 units).</p> <p>As of February 2023 there were 7,629 applicants on the Housing Register seeking rented affordable housing.</p> <p>Whilst a breakdown of applicants by property size needed is available, it is necessary to look at average waiting times to determine the size(s) of properties most in need because average waiting times are determined by the make-up of the existing social housing stock in the city, and the frequency and types of vacancies arising within it.</p>

When average waiting times are taken into account it becomes apparent that our greatest need is for 3 bed affordable accommodation to rent, as families without an urgent priority can wait 9-11 years. (By comparison applicants without an urgent priority are waiting 4-6 years for 2 bed accommodation and 8 months - 3 years for 1 bed accommodation).

In addition to applicants on the housing register, there are those who cannot afford to purchase a home on the open market and who are seeking to purchase a property either on a shared ownership basis or through another form of low cost home ownership. The council does not hold an intermediate housing register, but the greatest demand here is probably for 2 bed accommodation.

Applying SCC Policy CS15 Affordable Housing

Given the proposal consists of residential accommodation on a large scale it is expected to comply with the council's affordable housing policy.

As the scheme comprises of up to 397 dwellings the affordable housing requirement from the proposed development is 35% (CS15-sites of 15+ units = 35%). The affordable housing requirement based on 397 dwellings would be 139 dwellings (138.95 rounded up).

Policy CS 15 of the adopted Core Strategy sets a hierarchy for the provision of affordable housing as:

1. On-site as part of the development and dispersed amongst the private element of the scheme.
2. On an alternative site, where provision would result in more enhanced affordable units, through effective use of available resources, or meeting a more identified housing need such as better social mix and wider choice
3. Commuted financial payment to be utilised in providing affordable housing on an alternative site

Planning conditions and or obligations will be used to ensure that the affordable housing will remain at an affordable price for future eligible households, or for the subsidy to be recycled to alternative housing provision.

The nature of the proposed scheme renders it completely unsuitable for on-site affordable provision and hence the affordable housing obligation could only be met by way of a commuted financial payment (unless the applicant owns other land in the city). However, it should be noted that the time lag between payment of a commuted sum and the ability to deliver affordable housing elsewhere does lead to delays in the provision of affordable housing for those in need. An alternative and preferable option would have been for the applicant to look at delivering a smaller co-living scheme alongside other accommodation thereby enabling them to meet the requirements of both CS16 and CS15 on-site.

		<p>Should the applicant maintain the council's affordable housing policy is not applicable to their proposal, as per their application, I would wish to register an objection.</p> <p>Officer Response - <i>In response the below report will set out in more detail the negotiations that have taken place to secure an off-site affordable housing contribution despite the applicant's position regarding their product and the scheme's wider viability assuming a residential use.</i></p>
7.12	Public Health	<p>Objection.</p> <p>The following concerns are raised:</p> <ul style="list-style-type: none"> - small size of the studio units, lower than the Nationally Described Space Standards. - some residents would not feel comfortable using the communal space if large numbers of people are present. - Concern that the studio units do not provide adequate home-working environment. - Concern that another pandemic situation could limit occupiers to small rooms. - Concern with the absence of affordable housing. - Details of cooking facilities within studios should be secured by the permission. - Soundproofing between units should be secured - Suggest improvements to the Operational Management Plan.
7.13	Sustainability	<p>No objection subject to conditions.</p> <p>The application would achieve the following:</p> <ul style="list-style-type: none"> • BREEAM 'Excellent' rating • Water efficiency - 95 litres / person / day. Rainwater harvesting on blue roofs. • The design incorporates the guidance provided within the BRE2011 Site Layout Planning for Daylight and Sunlight, as well as the latest British Standards for daylight within buildings. The approach optimises the balance between solar gain, heat loss and daylight provision which allows for the low energy sustainable goals to be achieved • Embodied carbon has been considered and targets RIBA 2025 standards and will be measured against RIBA 2030 standards. At this stage, no overall whole life carbon assessment has been undertaken, but the design team have had access to One Click LCA to assist informing early-stage design decisions as well as other benchmarking information and datasets. The project has made a commitment to carry a Whole Life Carbon Assessment at Stage 3 using the RICS Whole Life Carbon Assessment (WLCA) for the Built Environment methodology, or if available, the emerging UK Net Zero Carbon Buildings Standard.

7.14		<ul style="list-style-type: none"> • The building has been designed to be future proofed and can be readily adapted to other uses if the proposed use needs to change in the future. • Responsible material sourcing and waste reduction targeted through BREEAM credits. • SUDS – raingardens • Landscape materials, whether for surfacing or furniture should be specified to embrace a low carbon cost. The landscape specification will consider life cycle whilst being robust and fit for purpose. • A communal growing area provides a shared space for residents to come together and promote sustainable living by providing the opportunity grow their own food and cut out unnecessary food miles. • Native and robust planting • Extensive and intensive green roofs and brown roofs are to be provided.
	Historic Environment	<p>No objection subject to conditions.</p> <p>On assessment, it is acknowledged that large scale development has been agreed in principle on this site. It is also noted that although the existing brick buildings hold some value as a link to the rapid development of the railways and docks that transformed the character of this area of the city in the C19 and C20, sadly, the structures have been heavily modified over time and their original context has been completely eroded. Consequently, I agree with my predecessor’s opinion in that they lack the level of intactness, or degree of distinction, to merit retention from a heritage perspective. That said, a preservation by record approach would not be considered an unreasonable request to ensure that their heritage interest is added to the Historic Environment Record for future reference - this approach could be secured by way of condition/s.</p> <p>In terms of the development, the revisions would present some welcome benefits when compared with previously approved scheme. For instance, it is acknowledged that no heritage assets would be directly impacted by the proposals, whereas the most affected, Central Bridge, would see the underside of its structure opened-up to create an area of public realm that would allow more people to appreciate the architecture of this important asset. Introducing arches to the base of the lower projection of the new residential tower would add a degree of local character to this part of the design whereas ensuring that this element would be comparable in height with the existing development along Royal Crescent Road would ensure that the human scale of the built form would not adversely impact the routes towards, or away from, the nearby conservation areas. The protected view through to the church spire of St Micheal’s church from the Itchen Bridge would also be improved when</p>

		<p>compared to the previously approved scheme.</p> <p>That said, the proposal continues appears to place much emphasis on the opposing development scheme south of Central Bridge (which has yet to be built). It is also considered that there is a missed opportunity to provide a pedestrian link up to the central bridge level directly from the new public plaza below. Furthermore, it would be difficult to conclude that the proposed tower element, with its regimented floor arrangement and domestic window pattern, would present a truly bespoke form of architecture this site desperately deserves.</p> <p>Despite the above, it is acknowledged that a residential scheme on this site has previously been approved, and that it would be difficult to disagree with the conclusions of the heritage statement at this time. As such, no objections would be raised from a conservation perspective on this occasion although should the proposals be approved, securing the following details by way of condition/s would be advised:</p> <ol style="list-style-type: none"> 1. Securing a photographic record of the existing building prior to demolition 2. Explain how the underside of Central Bridge shall be protected from harm prior to, and during, all phases of construction works 3. Provide samples/details of all exterior materials and finishes (including all surface treatment works under Central Bridge) 4. Provide full joinery details 5. Ensure all works of repair to Central Bridge (if affected) shall match the existing fabric in terms of materials, finishes, and workmanship in all respects.
7.15	Historic England (aka English Heritage)	No comment. Defers to SCC's specialists.
7.16	Environment Agency	<p>Initially objected to the application. A revised Flood Risk Assessment was subsequently submitted which is in line with the following advice offered by the Environment Agency:</p> <p>The current FRA states the finished floor levels are proposed at 4.6 m AOD. The applicant has subsequently revised this to 4.9 mAOD (the current proposed FFL for habitable development)</p> <p>An increase in the finished floor level to 4.98 mAOD (the design flood level, see calculations below) would be acceptable and negate the need for further detailed flood modelling. However, it's worth noting that these are the flood levels we have calculated based on a still water level and are consequently</p>

		<p>likely to be conservative. The applicant would likely find that the true levels are lower if they conducted detailed flood modelling as advised.</p> <p>For us to be able to remove our objection the FRA will need to be updated to include the following information:</p> <ol style="list-style-type: none"> 1. Additional information on the lower ground floor (which is alluded to through our charged pre-app service) including the proposed uses for this section of the site, its finished floor level and how it will remain safe for the duration of the developments design life. 2. The <u>FRA will need to state the 2124 design flood level</u> (calculated using the basic approach, as outlined below) <p><u>Design flood level:</u> 2124 design flood level calculated using the basic approach should consist of:</p> <ul style="list-style-type: none"> • The present day 1 in 200 year (0.5% AEP) flood level • Assessment of climate change until 2124 • A suitable freeboard <p>We have calculated the design flood level as follows:</p> <ul style="list-style-type: none"> • Present day 0.5% AEP flood level = 3.2 mAOD • 2124 0.5% AEP flood level = 4.68 mAOD • 2124 0.5% AEP design flood level (including a 300mm freeboard) = 4.98 m AOD <p><u>Safe access and egress:</u> Safe access and egress remains a significant concern for the development. However, it is not within the Environment Agency's remit to comment on the suitability of a development's evacuation plan. Detailed flood modelling remains the best option to fully understand the safe access and egress risks, but we will not be objecting on these grounds, and would encourage the LPA to consult with the Emergency Planning Team or the Local Resilience Forum.</p>
7.17	SCC Flood Team	Objection raised to safe access and egress for residents for the lifetime of the development. A verbal update will be given at the meeting following updates by the applicant
7.18	Hampshire Fire & Rescue Service HQ	General guidance is provided for the development.

7.19	HSE Fire Safety	The HSE provides guidance relating to applications of this nature.
7.20	NHS Southampton	No objection subject to a planning obligation to mitigate pressures on local healthcare facilities. Officer Response: The Council has previously agreed that a portion of Community Infrastructure Levy collected will provide a contribution towards the improvement of local healthcare facilities following a robust business plan being provided by the NHS.
7.21	Network Rail Southern Region	No objection Network Rail raise a number of specific construction relates points which will be addressed by conditions.
7.22	Southern Water	No objection subject to conditions Suggest a condition to secure details of foul sewerage and surface water disposal.
7.23	Natural England	Objection The proposal is likely to lead to an increase in recreational disturbance in the New Forest designated sites via increasing visitor numbers and there is not enough information to demonstrate that the impacts will be mitigated. Officer response: The attached Habitats Regulations Assessment details how the scheme's impacts can be mitigated and addresses these concerns

8. Planning Consideration Key Issues

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

- The principle of development;
- Residential mix and type of development, including Affordable Housing;
- Flood risk;
- Design and effect on character and heritage;
- Residential amenity;
- Quality of the residential environment;
- Parking highways and transport;
- Air Quality and the Green Charter and;
- Likely effect on designated habitats.

8.2 Principle of Development

8.2.1 Whilst the previous application for student accommodation has expired and can no longer be implemented, it is important to note that there have been no significant changes in planning policy nor the site's context since the previous application was

approved. As such, the previous planning permission is an important material consideration in the determination of this application. The main differences between the two schemes are outlined in section 5.1, above.

- 8.2.2 Whilst the site is not a designated employment site, policy CS7 of the Core Strategy confirms that all existing employment sites (including those which are not allocated) should be retained for employment use, unless justified). In addition to this, the site is not safeguarded as a waste/recycling site in the adopted Hampshire Minerals and Waste Plan. When considering the previous application for student accommodation, it was accepted that the existing buildings on site are in a poor condition with two of the three buildings failing to meet minimum energy performance standards for commercial buildings and, therefore, they require substantial and costly improvement to meet the lowest acceptable standard. Marketing evidence previously provided demonstrated little or no demand for the buildings in their current use. As such, the loss of employment was accepted. The same principles continue to apply to this application. Furthermore, the proposed development would include a degree of employment through the on-site management, café and gym which equate to 20 full-time staff. As such, the loss of non-safeguarded employment land is acceptable in this instance.
- 8.2.3 Since the application proposes a form of residential development, the principle of making efficient use of an under-used city centre site is acceptable. Furthermore, when assessed against the latest Government's current housing need target for Southampton (using the standard method with the recent 35% uplift), the Council has less than five years of housing land supply. As such, paragraph 11(d) of the NPPF needs to be considered. This sets out that planning permission should be generally granted unless the development is contrary to policies contained within the NPPF or the adverse impacts significantly and demonstrably outweigh the benefits of the application. The planning balance of this case is discussed, in detail, in the following sections of this report.
- 8.2.4 Policy CS5 of the Core Strategy supports residential densities in excess of 100 d.p.h and the proposal would accord with this, achieving a density of 864 dwellings per hectare. This is a clearly high-density development. That said, it is important to maximise previously developed sites in accessible location to achieve sustainable patterns of development. It is also necessary to recognise that the Co-living model will meet an identified need in its own right. Furthermore, the level of development proposed is slightly less than the consented student scheme on this site.

8.3 Residential Mix and Type of Development, including Affordable Housing

- 8.3.1 The principle of co-living accommodation, which would provide starter accommodation for young professionals or recent graduates, is considered acceptable and is rolling out as a new housing product across the UK. There is merit in designing residential accommodation which fosters a sense of community and attempts to retain recent graduates within the city by providing more attractive and cost-effective accommodation. The application sets out that, in recent years, there has been a significant increase in the number of 21-32 year olds in the city and there is an unmet demand for rental accommodation that the proposal would help to fulfil.

- 8.3.2 That said, policy CS16 of the Core Strategy makes it clear that a central aim of the Core Strategy is to achieve mixed and balanced communities by providing a range of housing to meet the needs of existing and future residents of the city. It sets out a clear expectation for new housing developments to provide a choice of housing sizes, location, tenure and price. CS16 also sets out a target of achieving 30% family homes on major sites. Whilst the policy does set out that there may be some parts of the city where a lower percentage of family homes may be justifiable, such as, where higher densities are preferable (for example the city centre), a development of entirely one-type of accommodation such as this 'Co-Living' model would not meet the Core Strategy requirement for a mix of housing types and this represents a significant challenge for the application. The applicant is clear; that their co-living model does not incorporate units that contain more than one bedroom since the proposal is for an entire development of communal living and creating larger flats with more bedrooms would encourage more self-contained living.
- 8.3.3 In addition to this, it is the applicant's position that the entire development comprises a single planning unit and not a series of self-contained dwellings. Since the Council's affordable housing policy seeks the provision of affordable housing for sites that result in 5 or more new dwellings (revised to 10 by the National Planning Policy Framework), it is argued by the applicant that there is no requirement to provide affordable housing for this development. Officers strongly disagree with this position. The Local Plan defines dwellings as "any type of living accommodation...however provided (new-build, conversion, sub-division or change of use) apart from institutional use". As such, it is officers' position that the Council's requirement for affordable housing does apply and that a mono-type of self-contained accommodation needs to make wider commitments to the City's housing need.
- 8.3.4 It is considered that, were the development to contribute towards affordable housing, the Council could use this contribution to address the acute housing need within the city (as set out in the Housing Officer's response in paragraph 7.11 of this report). The provision of affordable housing would go some way, therefore, in ensuring that the development does address the city's wider housing need and secure a mix of accommodation types as required by policy CS16. Based upon the 397 units proposed, the full policy Affordable Housing requirement for the development would be £4,610,639, which would be payable prior to commencement of development.
- 8.3.5 In response to this the applicant has submitted an open book appraisal of their development's viability, which has been tested and independently reviewed by the Council's appointed viability consultants. The National Planning Practice Guidance sets out that allowing for a profit return of 15-20% of Gross Development Value (GDV) is generally suitable when testing the viability of a project (Paragraph: 018 Reference ID: 10-018-20190509). Were the development of the Olleco site to achieve 15% profit with the full policy requirement of planning obligations including affordable housing the scheme would be unviable. As such, it would normally be reasonable to not require Affordable Housing contributions in such circumstances. The Council's Viability Report, included at **Appendix 3**, confirms this at paragraph 7.3 saying that with "a full Community Infrastructure Levy payment and S106

payment, the scheme provides a negative land value of some minus £5m and is not considered deliverable based upon B&M's opinion of cost. Therefore it is concluded that no planning obligations would be considered viable via the proposed scheme". However, as set out above, it is considered that, given the absence of a mix of accommodation within the scheme, the provision of Affordable Housing is essential in ensuring that the proposal addresses the city's housing need and provides a mix of accommodation. So whilst the scheme's viability is a material consideration, the fact that affordable housing is needed to support the Co-Living shortfalls (in terms of minimum floorspace standards and not meeting the wider housing needs of the City) has meant that further negotiations have taken place with the applicant.

- 8.3.6 Recognising, officers' position, the applicant has agreed that their profit from the development (broadly 6% of the Gross Development Value as per their figures), which equates to circa £4,000,000 will be made available for the mitigation of the effects of the application. This is partly in response to the applicant's long-term investment in the site and the ongoing income streams that the co-living product will deliver over its lifetime – which differs from a more traditional form of housing and viability appraisal process. In order to mitigate the direct local effects of the development the following indicative package of measures would be required (secured through the section 106 agreement and planning conditions):

Community Infrastructure Liability (CIL) – £1,617,583

Nitrate loading mitigation – £586,000

Employment and Skills Contribution – £26,797

Zero Carbon Contribution – £11,206

Solent Recreation Mitigation Strategy Contribution – £87,936

This would leave a sum of approximately **£1,669,678** which the Council can use to secure Affordable Housing. Should this figure significantly change following Panel, and before the permission is released, it may be necessary to return to Panel with the detail. The Council's viability report (**Appendix 3**) confirms that, the offer that has been made by the applicant is above a level that could be expected based upon the appraisals carried out. It is understood that the applicant is willing to make this offer and return less profit than is usual, due to their long-term interest in the site and their desire to create an exemplar scheme.

- 8.3.7 It should be noted that the applicant has indicated that they are likely to lodge an appeal against a Community Infrastructure Levy (CIL) Liability Notice on the basis that the adopted CIL Charging Schedule does not stipulate that a CIL charge is required for co-living schemes. This approach fails to recognise how CIL is used to provide infrastructure in support of new development, for instance in terms of the agreed release of CIL towards strategic highway improvements, flood defence, the local healthcare system, and to mitigate against the impacts of the development on the New Forest Special Protection Area, and will be resisted. In the eventuality of a successful CIL appeal, the section 106 legal agreement will include a mechanism to capture what would have been the CIL contribution, towards further Affordable Housing rather than developer profit. Again, should this be resisted post Planning Panel it may be necessary to return to Panel with the detail.

- 8.3.8 Having regard to the current uncertain development market, it is a notable benefit

that the redevelopment of this site is likely to be realised in the near future and with an appreciable commuted sum towards Affordable Housing. It is on this basis, that it is considered that the housing mix and type proposed can be accepted in this instance.

8.4 **Flood Risk**

- 8.4.1 As a form of residential, the development is classed as “most vulnerable” to the effects of flooding. “Both the NPPF and Southampton Core Strategy policy CS23 (Flood Risk) require the development to be safe for its lifetime (assumed to be 100 years), including allowance for climate change. Paragraph 165 of the NPPF states that *‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere’*. If it is not possible for development to be located in zones with a lower risk of flooding, the sequential test, the NPPF confirms that more vulnerable developments, such as residential accommodation, should meet an Exception Test.
- 8.4.2 The majority of the site lies within Flood Zone 1 and, therefore, currently has a low risk of flooding. There is a small section of land within Flood Zone 2 to the north of the site. Part of Chantry Road lies within Flood Zone 3, where the proposed highway improvements would take place. Due to the slight incursion of the site into Flood Zone 2, a Sequential Test is required. The City Centre Action Plan confirms, at paragraph 4.16 that the Council’s housing requirements cannot be met solely using development sites within Flood Zone 1 and, as such, windfall sites such as the application site will pass the sequential test.
- 8.4.3 The NPPF sets out, at paragraphs 170-171, that to pass the exception test, it should be demonstrated that the wider sustainability benefits of the development outweigh the flood risk and that the development will be safe for its lifetime, without increasing flood risk elsewhere. The footprint of the proposed building is located wholly within present day Flood Zone 1 with a low risk of flooding and all residential studios located above ground floor, although when taking into account the latest climate change predictions, by 2070 (within the 100 year design life of the development), the building will be located within Flood Zone 3 and, therefore at a high risk of tidal flooding from the River Itchen. It is important to note that the development does not incorporate any sleeping accommodation on the ground floor. Meaning that all of the studio units are at a level of 8.425mAOD or higher, which is much greater than the assessed flood level of 4.68mAOD for a future 1 in 200-year flood event.
- 8.4.4 The development would also incorporate flood resilient construction measures up to a height of 4.98mAOD, which will include aspects such as airbrick covers, flood resilient fitting, non-return valves and the raising of electrical and gas supplies. Other recommended measures include:
- Materials for floor and wall coverings that are easier to dry out and clean;
 - Horizontal laying of any plasterboard to minimise amounts to be re-laid after a flood event;
 - Appropriate height of damp proof membrane;
 - Ground supported floors and;

- Sump collection of water.

In addition to this, the Building Management company would implement a flood warning and management plan. Given the highly managed nature of the use, it is considered that a management plan could be effectively operated in this case.

8.4.5 At the point when the development would be at high risk from flooding (2070), the surrounding area would also be at a similar risk. As such, the intention would be for residents to stay within the building during a flood event. Since all studios have cooking and bathroom facilities and there would be other communal facilities available on the upper floors out of the flood level, this approach is considered to be acceptable. Furthermore, it is important to note that the Council and the Environment Agency are currently working on a revised River Itchen Flood Alleviation Scheme (RIFAS), and that CIL receipts from new developments would be used to help fund this infrastructure with the Council already committing £10.2m of CIL towards RIFAS. Whilst safe access and egress has not been fully demonstrated, given that longer-term nature of the flood risk on this site it is reasonable to rely on RIFAS alongside the other practical measures to mitigate the flood risk to this location (as per SCC policy and guidance – see City Centre Action Plan paragraphs 4.106 and 4.135 for instance).

8.4.6 The Environment Agency's final comments will be updated at the Planning and Rights of Way Panel meeting, although the Flood Risk Assessment has been amended in line with their comments received to date. Furthermore, it is noted that the scheme represents an improvement to the approved student scheme on this site, which incorporated 24 ground floor bedspaces. The planning benefits of the development are summarised in section 9 of this report below and include the delivery of residential accommodation, securing affordable housing and public realm improvements. Overall, having regard to the present-day, low flood risk of the building, the location of bedspaces out of the future flood level, the management and resilience measures proposed and the Council's plans for strategic flood risk measures, the Exception Test is considered to have been met.

8.5 Design and effect on character

8.5.1 The site lies within the Itchen Riverside Quarter, as designated in the City Centre Action Plan, which is described as providing one of the main opportunities to create a waterside residential/leisure, mixed used community to enhance the attractiveness of the city centre as a place to live.

8.5.2 The application proposal, incorporating more than 5-storeys, is a 'tall-building' as defined by the City Centre Action Plan. Policy AP17 of the City Centre Action Plan identifies locations where tall buildings may be acceptable. However, the policy includes flexibility to locate tall buildings outside of these locations. In this instance, the site lies immediately adjacent to an area identified as a tall-building cluster and, from longer distance views, would be viewed in context with these taller buildings at College Street and Richmond Street. In accordance with AP17, the scale of the building would also assist in creating a focal point at Central Bridge, which is a key approach to the city centre.

8.5.3 The scale of the development responds well to its context by providing a lower 5-storey section wrapping the street frontage opposite the 4-6 storeys Anderson Road flats. The taller 8-storey section provides a positive termination of views up Glebe Road towards the site. The tower section is well designed and avoids the boxy or slab-like proportions that can be an issue for taller buildings. It relates to Erikson House, on the opposite side of Central Bridge and the scale of the consented tall building for the Cedar Press site (reference 18/02015/FUL).

8.5.4 AP16 of the City Centre Action Plan sets out a number of strategic views which need to be protected when considering new development. Also relevant, is the Southampton Tall Buildings Study (2017) which provides guidance on the sensitivity of key heritage assets in the city centre to tall buildings. The application is accompanied by an assessment of the impact of the proposal on both strategic views and key heritage assets in the City Centre. The scale and massing of the development has been carefully chosen to ensure that no harm will result to key views and that the setting of heritage assets are preserved. This is agreed by both the Council's City Design Manager and the Historic Environment Officer.

8.5.5 The statutory tests for the proposal, as set out in sections 16 (Listed Buildings), 66 (Listed Buildings) and 72 (Conservation Areas) of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve the building, its setting or, any features of special architectural or historic interest (Listed Buildings) and; whether the proposal would preserve or enhance the character or appearance of the Conservation Area. The NPPF requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
- The desirability of new development making a positive contribution to local character and distinctiveness.

In accordance with para 200 of the NPPF, an assessment of the significance of the building within the Conservation Area is set out in the submitted Heritage Statement and the Council's Conservation Area Appraisal. As set out, the design, scale and massing of the building is considered to be acceptable when viewed in the context of affected heritage assets. On this basis, in accordance with sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, it is considered that the proposal would preserve the character of nearby Listed Buildings and the setting of the adjacent Conservation Area.

8.5.6 The proposed building is designed to wrap the boundary of the site, providing enclosure and activity to the streets by incorporating the communal uses and reception to the ground floor. The indicative landscaping information gives some assurance of a high-quality appearance to the ground floor external spaces and the works to improve Chantry Road is welcome, as noted in the City Design Officer comments above. The choice of materials and arched openings to the ground floor relate well to important heritage buildings in the area, including the listed Tram Sheds to the west of the site. Overall, the design and form of the building is well-considered and greatly improved when compared with the approved student

development and the development would enhance the current appearance of the site. As such it is considered to accord with both local and national design policy and guidance.

8.6 Residential amenity

8.6.1 The effects on the amenities of nearby residents is comparable to the consented student scheme. Furthermore, it is noted that no objections to the application have been received from the nearest residential neighbours to the site. In terms of the physical form of the development there is approximately 25 metres between the building and residential neighbours on Chantry Road, and 29 metres between the proposed building and Erikson House, on the opposite side of Central Bridge. There would inevitably be some impact in terms of inter-looking and over-shadowing/loss of daylight but the separation and across-the-street relationship mitigates these impacts to a degree. Furthermore, the degree of separation is not unusual within the city centre and, as such, the application accords with saved Local Plan policy SDP1(i) and impacts in terms of inter-looking, privacy, shadowing, microclimate and neighbouring outlook have been demonstrated as acceptable

8.7 Quality of Residential Environment

8.7.1 The Council does not currently have any standards by which to assess co-living rooms sizes, their communal spaces or external spaces. The table below offers a comparison of living space allowances between the application proposal and other policy documents and schemes within the UK.

Authority Scheme	or	Room Sizes	Internal Communal Space	External Space
Olleco		18.5-27sq.m	3.1sq.m/person	2.7sq.m/person
Greater London Authority Draft Policy		18-27sq.m	5sq.m/person	1sq.m/person
Birmingham Draft SPD		25sq.m	4.5sq.m/person	10sq.m/person
Leeds Draft SPD		22-30sq.m	1sq.m/person and at least 1 kitchen for every 10 persons	Not specified
Portsmouth-Wickham Street	6	18-21sq.m	6 sq.m incl. external space	Combined internal & external space = 6sq.m per person
Exeter – The Harlequin Centre		18-36 sq.m	3sq.m/person	Not specified

8.7.2 In Southampton, comparable accommodation to the application proposal includes purpose-built student accommodation and Houses and Multiple Occupation (HMOs). The Council's guidance for HMOs recommends bedrooms of 6.5sq.m and kitchen/living room sizes of 11.5sq.m for 5 occupants (2.3sq.m per person) and 19.5sq.m for 10 occupants (1.95sq.m/person). In terms of recent city centre student developments, the Firehouse (reference 23/01158/FUL) included units of 16-25sq.m

and communal space of 1.3sq.m/person. The proposed scheme does provide a more generous living environment when compared with these examples, and is also comparable with the examples included in the table above. Moreover, the range of facilities offered by the development which includes opportunities for work/study, recreation, relaxing and fitness in addition to the well-dispersed and spacious kitchen/living areas suggests that an acceptable quality of environment would be provided. The serviced nature of the accommodation would also help to foster a sense in well-being for residents.

8.7.3 Habitable rooms are all served by large openable windows. Where accommodation is adjacent to the railway line accommodation is dual aspect to secure an acceptable level of outlook. Across the internal courtyard, separation between windows varies between 15m and 22m, which is tight. That said, the splay of the building and use of louvres on one half of the window limits the potential for inter-looking between rooms. The submitted information indicates that there are a small number of bedrooms which have less than optimum access to natural light, due to this close relationship, however the kitchen/living areas adjacent to these rooms are of a good overall quality.

8.7.4 The submitted Daylight/Sunlight analysis demonstrates that the internal courtyard of the building would be largely shaded in winter months, although in summer months would achieve 4 hours a day of sunshine. The upper terrace provides a good level of sunshine throughout the year. Given the variety of external spaces offered and the submitted information which indicates a good standard of landscape design would be achieved, overall, it is considered that the external amenity space is acceptable. Also relevant in this assessment is the city centre nature of the site and the need to balance the benefits of making efficient use of previously developed land. The nature of accommodation, which is targeted at single-occupancy rather than families with children is also relevant. It is also noted that the amenity space offered is much improved when compared with the consented student scheme.

8.7.5 When considered against standards for other co-living developments elsewhere in the country it is considered that the residential environment is comparable. Furthermore, the application proposes a better offer in terms of private and shared spaces than other residential accommodation with shared facilities in the city. The design and management of the development provides a degree of confidence that the quality of the residential environment proposed will be comfortable for this nature of development.

8.8 Parking highways and transport

8.8.1 The City Centre Action Plan highlights the Itchen Riverside Link from the heart of the city to Chapel Riverside via the Chantry Road footbridge is a strategic link. Policy AP19 of the City Centre Action Plan sets out that the Council will promote an enhanced network of streets and spaces, including new or enhanced high quality strategic links. The policy requires new developments along these links to integrate with and facilitate their creation and provide active frontages along the links. The application has addressed this requirement by designing an improved pedestrian environment adjacent in the carriageway adjacent to the Chantry Road footbridge. This scheme would be well landscaped and provide a genuine enhancement to the public realm at this point. It is noted that the public realm scheme offered is also a

significant improvement when compared to the consented student scheme.

8.8.2 Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The development provides no on-site car parking to serve the development. The surrounding streets are subject to parking restrictions, and the section 106 agreement will be used to ensure residents do not have access to parking permits, to ensure that there will not be undue increased competition for on-street car parking. The accessible nature of the site coupled with the limited car parking will meet the aim for sustainable patterns of development, as required by the Council's adopted policies. Furthermore, the controls on local parking, secured by the section 106 agreement will prevent significant over-spill parking on surrounding streets that would be harmful to residential amenity.

8.8.3 Whilst a condition is suggested to secure an increase in cycle storage provision the cycle storage is well-considered. Refuse storage areas are sufficient in capacity and accessible to the public highway for collection.

8.9 Air Quality and the Green Charter

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

8.9.2 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive. The site does not lie within or immediately adjacent to an Air Quality Management Area.

8.9.3 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive-up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m³. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:

- Reduce pollution and waste;
- Minimise the impact of climate change
- Reduce health inequalities and;
- Create a more sustainable approach to economic growth.

8.9.4 The application has addressed the effect of the development on air quality and the

requirements of the Green Charter by:

- By providing a significant increase in soft landscaping on site, including extensive tree planting;
- Making efficient use of previously developed land in an accessible location;
- Incorporating green and brown roofs;
- Incorporating photovoltaics;
- Providing opportunities to minimise waste through recycling and;
- By not providing on-site car parking.

8.10 Likely effect on designated habitats

8.10.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites. Furthermore, in order to comply with the provisions of the Habitat Regulations to ensure that development does not adversely affects the integrity of a European designation, new development which leads to a net increase in residential or hotel units must be subject to an appropriate assessment to demonstrate how mitigation measures will be implemented to achieve nitrogen neutrality. The applicant has submitted a calculation which sets out the anticipated nitrate generation of the development, and a condition is suggested to ensure that the nitrate generation will be mitigated prior to the commencement of development.

9. Summary

9.1 The principle of new residential development is considered acceptable. It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply. There would also be social and economic benefits resulting from the construction of the new dwelling(s), and their subsequent occupation, as set out in this report. Taking into account the benefits of the proposed development, and the limited harm arising from the conflict with the policies in the development plan as set out above, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, consideration of the tilted balance, alongside the Planning balance set out above, would point to approval. In this instance it is considered that the above assessment, alongside the stated benefits of the proposal including a significant contribution towards CIL and affordable housing, suggest that the proposals are acceptable. Having regard to s.38(6) of the Planning and Compulsory Purchase Act 2004, and the considerations set out in this report, the application is recommended for approval.

9.2 The principle of co-living is considered to be acceptable and there is clearly merit in delivering a more cost-effective form of single-occupancy accommodation, which

fosters a more community-based approach to the design and operation. This form of housing will satisfy a local need and the intention of trying to capture and retain recent graduates from the city is laudable, if unproven at the moment. The Council's policies do, however, promote a mix of accommodation types and the provision of a such a large volume of single-occupancy units would not meet these policy intentions.

- 9.3 However, the application would secure a significant financial contribution towards Affordable Housing that would assist in meeting the specific housing needs of the city. It is noted that the applicant wishes to start on site promptly and the development is welcome in uncertain times for the development industry. Also relevant in the planning balance, is the achievement of an improved design to the previously approved student scheme on site, the significant public realm improvements to Chantry Road and the usual benefits of developing a vacant and underused city centre site. As such, when considered in the round, the application is considered to be acceptable in planning terms.

10. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

Case Officer Jenna Turner
PROW Panel 20th February 2024

PLANNING CONDITIONS to include:

01.Full Permission Timing Condition (Performance)

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

Reason:

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

02.Approved Plans (Performance)

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

Reason:

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

03. Flood Warning/Evacuation Plan (Pre-commencement condition)

Prior to the commencement of the development hereby approved, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the requirement for the operators of the building to sign up to the flood warnings through Floodline. The Plan shall be implemented before the development first comes into use and thereafter adhered to for the lifetime of the development.

Reason: In the interests of the safety of the users of the building in a flood event.

04. Flood Resistance and Resilience Measures (pre-commencement)

Prior to the commencement of the development hereby approved, details of flood resistance and resilience measures shall be submitted to the Local Planning Authority for approval in writing. The measures shall demonstrate how flood damage of the development could be minimised by including measures such as airbrick covers, flood resilient fitting, non-return valves and the raising of electrical and gas supplies. The measures shall be implemented as agreed before the development first comes into use and thereafter retained for the lifetime of the development.

Reason: To improve the resistance of the development to a flood event.

05. Railway Protection Measures (Pre commencement)

Prior to the commencement of demolition, details of measures to protect the adjacent railway line during demolition shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail. The measures shall include:

- The completion Asset Protection Agreement with Wessex ASSETT Protection and Optimisation (ASPRO) before proceeding with any design/construction works at the site
- The adoption ASPRO guidance and requirements

- Agreement of design details including a glare risk assessment; details of foundations and ground works; the pile mat for piling works and risk assessment and method statement for piling works; details of scaffolding; lifting plan for all liftings associated with construction works, using plant; design forms F002/F003 for Tower Crane base and piles and risk assessment and method statement for erection and dismantle; design Forms F002 and F003 and risk assessment and method statements for façade /cladding; design & risk assessment and method statements for fence/wall- based on trespassing risk assessment and additional risk assessment and method statements covering; external lighting, drainage, vehicle incursion, landscaping works adjacent to Network Rail boundary.
- Details of buried services.

The development shall be carried out fully in accordance with the agreed details.

Reason: In the interests of the safety of the users of the adjacent main railway line.

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

Notwithstanding the information shown on the approved drawings and application form no development works (except demolition and site set up) shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. The window louvres shall be provided prior to the development first coming into occupation and thereafter retained as approved.

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

07. Archaeological evaluation / watching brief programme (Performance Condition)

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

Reason: To ensure that the archaeological investigation is completed.

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

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

Reason: To ensure that the additional archaeological investigation is initiated at an

appropriate point in development procedure.

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

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

Reason: To ensure that the archaeological investigation is completed.

10. Archaeological structure-recording (Pre-Commencement)

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

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

11. Refuse Storage (Pre-Occupation Condition)

The cycle and refuse storage shall be provided in accordance with the plans hereby approved, before the dwellings, to which the facilities relate, are occupied. The storage shall thereafter be retained and made available for that purpose.

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

12. Cycle Storage (Pre-occupation condition)

Before the development hereby approved first comes into occupation, revised details of the cycle storage providing 1 long-stay cycle storage space for each bedspace shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the agreed details before the building first comes into occupation and thereafter retained as approved, for the lifetime of the development.

Reason: To encourage cycling as a sustainable mode of transport.

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

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- (i) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials including permeable surfacing where appropriate, external lighting, structures and ancillary objects (refuse bins etc.) and measures to prevent direct vehicular access from Glebe Road;
- (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;

- (iii) The Green Space Factor Tool;
- (iv) An accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- (v) details of any proposed boundary treatment, including retaining walls and;
- (vi) a landscape management scheme.

Note: Until the sustainability credentials of artificial grass have been proven it is unlikely that the Local Planning Authority will be able to support its use as part of the sign off of this planning condition.

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

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

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

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

14. Soundproofing Measures (Performance)

The development shall be carried out in fully in accordance with sound attenuation measures set out in the submitted Build Energy Ltd Noise Assessment including the:

- o Window design and specification,
- o Louvre design
- o Ventilation design

The measures shall thereafter be retained as approved for the lifetime of the development.

Reason: To ensure an acceptable internal noise environment.

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

No external plant and/or machinery shall be installed until details of measures to

minimise noise from plant and machinery associated with the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved.

Reason: In the interests of residential amenity.

16. Noise & Vibration (internal noise source) (Pre-Commencement)

The use hereby approved shall not commence until sound insulation measures against internally generated noise and vibration have been provided in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. The measures shall be thereafter retained as approved.

Reason: In the interests of residential amenity.

17. BREEAM Standards (Pre-commencement)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum Excellent against the BREEAM Standard, in the form of a design stage report, is submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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

18. BREEAM Standards (Performance condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Excellent against the BREEAM Standard, in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

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

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

Confirmation of the energy strategy, including zero or low carbon energy technologies that will aspire to achieve net zero emissions in accordance with Southampton City Council Energy Guidance for New Developments 2021-2025 and achieve a minimum reduction in CO2 emissions of at least 15% above building regulation requirements must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

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

20. Green/ Blue/ Brown roof specification and maintenance (pre-commencement)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until a specification and management plan for the green/ blue/ brown roofs, including the irrigation system, is submitted and agreed in writing with the Local Planning Authority. The roofs to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter by a suitably experienced company.

Reason: To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 and CS23, combat the effects of climate change through mitigating the heat island effect and enhancing energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22, contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13, improve air quality in accordance with saved Local Plan policy SDP13.

21. Land Contamination investigation and remediation (Pre-Commencement)

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

1. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in the Clancy Consulting Phase 1 Geo-Environmental Appraisal Report, Ref: 10/1402/001) to be assessed.
2. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

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

22. Remediation of Land Contamination (Pre-Occupation)

Any scheme of remediation undertaken to address land contamination risks must be approved by the Local planning authority and on completion, a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme of remediation

and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

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

23. Demolition & Construction Management Plan (Pre-Commencement)

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

- a) parking of vehicles of site personnel, operatives and visitors;
- b) loading and unloading of plant and materials;
- c) details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 ‘Cranes and Other Construction Issues’
- d) Details of temporary lighting;
- e) storage of plant and materials, including cement mixing and washings, used in constructing the development, including height of storage areas for materials or equipment;
- f) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- g) measures to be used for the suppression of dust and dirt throughout the course of construction;
- h) Control and disposal of putrescible waste to prevent attraction of birds;
- i) details of construction vehicles wheel cleaning; and,
- j) details of how noise emanating from the site during construction will be mitigated.

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

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

24. Permanent Obstacle Lighting Scheme (Pre-occupation)

Prior to the building hereby approved first coming into use, obstacle lights shall be placed on the highest point of the building. These obstacle lights must be steady state red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of Airport Operators Association. The obstacle lights shall be thereafter be retained and operational at all times.

Reason: Permanent illuminated obstacle lights are required on the highest location on the development to avoid endangering the safe movement of aircraft and the operation of Southampton Airport.

25. Submission of a Bird Hazard Management Plan (Pre-commencement)

Development (except demolition and site set up) shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of the management of the roof area and any solar panels within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 3 ‘Wildlife Hazards around Aerodromes’

The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: To avoid endangering the safe movement of aircraft and the operation of Southampton Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

26. Hours of work for Demolition & Construction (Performance)

With the exception of the delivery and installation of tower cranes, all works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

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

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

And at no time on Sundays and recognised public holidays.

Alternative timings for delivery and installation of tower cranes can be first agreed in writing by the Local Planning Authority.

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

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

27. Sustainable Drainage Systems (Pre-Commencement)

Prior to the commencement of development (except demolition and site set up) a specification for the proposed sustainable drainage system (including green roofs) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason: To conserve valuable water resources, in compliance with and to

demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

28. Provision and Retention of Communal Areas (Pre-occupation)

The communal rooms and areas shown on the plans hereby approved shall be provided in accordance with a phasing plan to be first submitted to and approved in writing by Local Planning Authority before the development first comes into occupation and thereafter retained for communal purposes of residents and their guests for the lifetime of the development.

Reason: To ensure a good quality residential environment is retained and to ensure activity to the ground floor of the development.

28. On-site Management (Pre-occupation)

Before the development hereby approved first comes into use, details of the final on-site management of the development, including full details of the use of the external community food and beverage space (design, hours of use etc), shall be submitted to and agreed in writing by the Local Planning Authority. The arrangements shall thereafter be retained as approved for the lifetime of the development.

Reason: In the interests of residential amenity for both nearby residents and future occupants of the development.

29. Wind Modelling and Analysis (Pre-commencement Condition)

Prior to the commencement of the development hereby approved, detailed wind modelling and the analysis for the development shall be submitted to and approved in writing by the Local Planning Authority, and the scheme shall be constructed fully in accordance, and retained thereafter, with any recommended mitigation measures.

Reason: In the interest of residential amenity.

30. Servicing and Delivery Management Plan (Pre-Use)

Prior to the development first coming into use, a servicing and delivery management plan shall be submitted to and approved in writing by the Local Planning Authority for the relevant plot. This management plan shall incorporate measures for mitigating noise and disturbance to residents. Deliveries and servicing to the non-residential uses shall subsequently be carried out in accordance with the approved plan.

Reason: In the interests of residential amenity and highway safety.

31 Amenity Space Access (Pre-Occupation)

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

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

32. Hours of Operation for Publicly Accessible Areas (Performance)

The areas within the development that are accessible to the general public, namely, the gym, community café and South Yard on event days, shall not be open to the public outside of the following times:

Monday to Saturdays 07:00 to 23:00 hours

Sunday and recognised public holidays 09:00 to 21:00 hours

No deliveries shall be taken or despatched from the non-residential use outside of the hours of 07:00 to 21:00 daily.

Reason: To protect the residential amenity.

33. Active Ground Floor Frontage (Performance)

Notwithstanding the provisions of Class 12 of Schedule 3 of the Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any Order amending, revoking or re-enacting these Regulations, the ground floor windows facing the Royal Crescent Road shall retain clear glazing on the ground floor along the length of the frontage hereby approved (without the installation of window vinyl or equivalent) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of retaining a lively and attractive street scene without obstruction and to improve the natural surveillance offered by the development.

34. Nitrate Mitigation (Pre-commencement)

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from Eastleigh Borough Council Nutrient Offset Scheme (or other Nutrient Offset scheme serving the Itchen river basin catchment) for the development has been submitted to the council.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

35. Surface/Foul Water Drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

36. Wheelchair Access (Performance)

The wheelchair lift shall be provided in accordance with the details hereby approved before the development first comes into occupation and thereafter retained as approved, for the lifetime of the development.

Reason: To deliver safe and convenient access for all.

37. Mobility Hub (Pre-commencement)

With the exception of demolition, site clearance and preparation works, no development shall commence until a plan showing space to accommodate a future mobility hub for the installation of e-bikes or e-scooters, together with a feasibility study for its implementation has been submitted to and approved in writing by the Local Planning Authority. The mobility hub shall be provided in accordance with the feasibility study and thereafter retained as approved.

Reason: To encourage more sustainable modes of transport.

38. Listed Building Protection Measures (Pre-commencement)

Prior to the commencement of development, a Method Statement shall be submitted to and approved in writing by the Local Planning Authority which sets out measures to protect the nearby Listed Central Bridge from damage both during the demolition and construction process. The agreed measures shall be fully adhered to for the duration of demolition and construction works.

Reason: To protect the historic and architectural integrity of the adjacent Listed Building.

Notes to Applicant

Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. Please read our Southern Water's New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Airport

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard 'Code of practice for safe use of cranes' for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues'.

Habitats Regulations Assessment (HRA)

Application reference:	23/00649/FUL
Application address:	Olleco Royal Crescent Road Southampton
Application description:	Redevelopment of the site. Demolition of existing buildings and construction of new buildings of up to 17 storeys to provide co-living accommodation comprising up to 397 private studio rooms with associated access, internal and external amenity spaces, landscaping and public realm improvements; and including publicly accessible community cafe, co-working space and gym at ground floor level (Sui Generis)
HRA completion date:	8 July 2023

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

Summary

The project being assessed is as described above.

The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The site is located close to protected sites and as such there is potential for construction stage impacts. It is also recognised that the proposed development, in-combination with other developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.

In addition, wastewater generated by the development could result in the release of nitrogen and phosphate into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.

The findings of the initial assessment concluded that significant effects were possible. A detailed appropriate assessment was therefore conducted on the proposed development.

Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that **the significant effects, which are likely in association with the proposed development, can be adequately mitigated and that there will be no adverse effect on the integrity of protected sites.**

Section 1 - details of the plan or project

European sites potentially impacted by plan or project:	<ul style="list-style-type: none"> ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime Special Area of Conservation (SAC)
European Site descriptions are available in Appendix I of the City Centre Action Plan's	

<p>Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website</p>	<ul style="list-style-type: none"> ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development is not connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq. m of office floorspace and 462,000 sq. m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.</p> <p>Southampton aims to provide a total of 15,610 net additional dwellings across the city between 2016 and 2035 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of this site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulations 62 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are clear that the assessment provisions, i.e. Regulations 63 and 64 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, as required under Regulation 63 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- **This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 63(1) (a) of the Habitats Regulations.**

The proposed development is located close to the Solent and Dorset Coast SPA, Solent and Southampton Water SPA and Ramsar site and the Solent Maritime SAC. As well as the River Itchen SAC, New Forest SAC, SPA and Ramsar site.

A full list of the qualifying features for each site is provided at the end of this report. The

development could have implications for these sites which could be both temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built.

The following effects are possible:

- Contamination and deterioration in surface water quality from mobilisation of contaminants;
- Disturbance (noise and vibration);
- Increased leisure activities and recreational pressure; and,
- Deterioration in water quality caused by nitrates from wastewater

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 63(1)(a) of the Habitats Regulations.

The project being assessed is as described above. The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The site is located close to European sites and as such there is potential for construction stage impacts. Concern has also been raised that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site. In addition, wastewater generated by the development could result in the release of nitrogen into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.

Overall, there is the potential for permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives **The analysis below constitutes the city council's assessment under Regulation 63(1) of the Habitats Regulations**

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

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

The conservation objective for Special Areas of Conservation is to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

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

Ramsar sites do not have a specific conservation objective however, under the National

Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION PHASE EFFECTS

Mobilisation of contaminants

Sites considered: Solent and Southampton Water SPA/Ramsar site, Solent and Dorset Coast SPA, Solent Maritime SAC, River Itchen SAC (mobile features of interest including Atlantic salmon and otter).

The development site lies within Southampton, which is subject to a long history of port and associated operations. As such, there is the potential for contamination in the site to be mobilised during construction. In 2016 the ecological status of the Southampton Waters was classified as 'moderate' while its chemical status classified as 'fail'. In addition, demolition and construction works would result in the emission of **coarse and fine dust and exhaust** emissions – these could impact surface water quality in the Solent and Southampton SPA/Ramsar Site and Solent and Dorset Coast SPA with consequent impacts on features of the River Itchen SAC. There could also be deposition of dust particles on habitats within the Solent Maritime SAC.

A range of construction measures can be employed to minimise the risk of mobilising contaminants, for example spraying water on surfaces to reduce dust, and appropriate standard operating procedures can be outlined within a Construction Environmental Management Plan (CEMP) where appropriate to do so.

In the absence of such mitigation there is a risk of contamination or changes to surface water quality during construction and therefore a significant effect is likely from schemes proposing redevelopment.

Disturbance

During demolition and construction noise and vibration have the potential to cause adverse impacts to bird species present within the SPA/Ramsar Site. Activities most likely to generate these impacts include piling and where applicable further details will be secured ahead of the determination of this planning application.

Sites considered: Solent and Southampton Water SPA

The distance between the development and the designated site is substantial and it is considered that sound levels at the designated site will be negligible. In addition, background noise will mask general construction noise. The only likely source of noise impact is piling and only if this is needed. The sudden, sharp noise of percussive piling will stand out from the background noise and has the potential to cause birds on the inter-tidal area to cease feeding or even fly away. This in turn leads to a reduction in the birds' energy intake and/or expenditure of energy which can affect their survival.

Collision risk

Sites considered: Solent and Southampton Water SPA, Solent and Dorset Coast SPA

Mapping undertaken for the Southampton Bird Flight Path Study 2009 demonstrated that the majority of flights by waterfowl occurred over the water and as a result collision risk with construction cranes, if required, or other infrastructure is not predicted to pose a significant threat to the species from the designated sites.

PERMANENT, OPERATIONAL EFFECTS

Recreational disturbance

Human disturbance of birds, which is any human activity which affects a bird's behaviour or survival, has been a key area of conservation concern for a number of years. Examples of such disturbance, identified by research studies, include birds taking flight, changing their feeding behaviour or avoiding otherwise suitable habitat. The effects of such disturbance range from a minor reduction in foraging time to mortality of individuals and lower levels of breeding success.

New Forest SPA/Ramsar site/New Forest SAC

Although relevant research, detailed in Sharp et al 2008, into the effects of human disturbance on interest features of the New Forest SPA/Ramsar site, namely nightjar, *Caprimulgus europaeus*, woodlark, *Lullula arborea*, and Dartford warbler *Sylvia undata*, was not specifically undertaken in the New Forest, the findings of work on the Dorset and Thames Basin Heaths established clear effects of disturbance on these species.

Nightjar

Higher levels of recreational activity, particularly dog walking, has been shown to lower nightjar breeding success rates. On the Dorset Heaths nests close to footpaths were found to be more likely to fail as a consequence of predation, probably due to adults being flushed from the nest by dogs allowing predators access to the eggs.

Woodlark

Density of woodlarks has been shown to be limited by disturbance with higher levels of disturbance leading to lower densities of woodlarks. Although breeding success rates were higher for the nest that were established, probably due to lower levels of competition for food, the overall effect was approximately a third fewer chicks than would have been the case in the absence of disturbance.

Dartford warbler

Adverse impacts on Dartford warbler were only found to be significant in heather dominated territories where high levels of disturbance increased the likelihood of nests near the edge of the territory failing completely. High disturbance levels were also shown to stop pairs raising multiple broods.

In addition to direct impacts on species for which the New Forest SPA/Ramsar site is designated, high levels of recreation activity can also affect habitats for which the New Forest SAC is designated. Such impacts include trampling of vegetation and compaction of soils which can lead to changes in plant and soil invertebrate communities, changes in soil hydrology and chemistry and erosion of soils.

Visitor levels in the New Forest

The New Forest National Park attracts a high number of visitors, calculated to be 15.2 million annually in 2017 and estimated to rise to 17.6 million visitor days by 2037 (RJS Associates Ltd., 2018). It is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths.

Research undertaken by Footprint Ecology, Liley et al (2019), indicated that 83% of visitors to the New Forest were making short visits directly from home whilst 14% were staying tourists and a further 2% were staying with friends or family. These proportions varied seasonally with more holiday makers (22%) and fewer day visitors (76%), in the summer than compared to the spring (12% and 85% respectively) and the winter (11% and 86%). The vast majority of visitors travelled by car or other motor vehicle and the main activities undertaken were dog walking (55%) and walking (26%).

Post code data collected as part of the New Forest Visitor Survey 2018/19 (Liley et al, 2019) revealed that 50% of visitors making short visits/day trips from home lived within 6.1km of the survey point, whilst 75% lived within 13.8km; 6% of these visitors were found to have originated from Southampton.

The application site is located within the 13.8km zone for short visits/day trips and residents of the new development could therefore be expected to make short visits to the New Forest.

Whilst car ownership is a key limitation when it comes to be able to access the New Forest, there are still alternative travel means including the train, bus, ferry and bicycle. As a consequence, there is a risk that recreational disturbance could occur as a result of the development. Mitigation measures will therefore be required.

Mitigation

A number of potential mitigation measures are available to help reduce recreational impacts on the New Forest designated sites, these include:

- Access management within the designated sites;
- Alternative recreational greenspace sites and routes outside the designated sites;
- Education, awareness and promotion

Officers consider a combination of measures will be required to both manage visitors once they arrive in the New Forest, including influencing choice of destination and behaviour, and by deflecting visitors to destinations outside the New Forest.

The New Forest Visitor Study (2019) asked visitors questions about their use of other recreation sites and also their preferences for alternative options such as a new country park or improved footpaths and bridleways. In total 531 alternative sites were mentioned including Southampton Common which was in the top ten of alternative sites. When asked whether they would use a new country park or improved footpaths/ bridleways 40% and 42% of day visitors respectively said they would whilst 21% and 16% respectively said they were unsure. This would suggest that alternative recreation sites can act as suitable mitigation measures, particularly as the research indicates that the number of visits made to the New Forest drops the further away people live.

The top features that attracted people to such sites (mentioned by more than 10% of interviewees) included: Refreshments (18%); Extensive/good walking routes (17%); Natural, 'wild', with wildlife (16%); Play facilities (15%); Good views/scenery (14%); Woodland (14%); Toilets (12%); Off-lead area for dogs (12%); and Open water (12%). Many of these features are currently available in Southampton's Greenways and semi-natural greenspaces and, with additional investment in infrastructure, these sites would be able to accommodate more visitors.

The is within easy reach of a number of semi-natural sites including Southampton Common and the four largest greenways: Lordswood, Lordsdale, Shoreburs and Weston. Officers consider that improvements to the nearest Park will positively encourage greater use of the park by residents of the development in favour of the New Forest. In addition, these greenway sites, which can be accessed via cycle routes and public transport, provide extended opportunities for walking and connections into the wider countryside. In addition, a number of other semi-natural sites including Peartree Green Local Nature Reserve (LNR), Frogs Copse and Riverside Park are also available.

The City Council has committed to ring fencing 4% of CIL receipts to cover the cost of upgrading the footpath network within the city's greenways. This division of the ring-fenced CIL allocation is considered to be appropriate based on the relatively low proportion of visitors, around 6%, recorded originating from Southampton. At present, schemes to upgrade the footpaths on Peartree Green Local Nature Reserve (LNR) and the northern section of the Shoreburs Greenway are due to be implemented within the next twelve months, ahead of occupation of this development. Officers consider that these improvement works will serve to deflect residents from visiting the New Forest.

Discussions have also been undertaken with the New Forest National Park Authority (NFNPA) since the earlier draft of this Assessment to address impacts arising from visitors to the New Forest. The NFNPA have identified a number of areas where visitors from Southampton will typically visit including locations in the eastern half of the New Forest, focused on the Ashurst, Deerleap and Longdown areas of the eastern New Forest, and around Brook and Fritham in the northeast and all with good road links from Southampton. They also noted that visitors from South Hampshire (including Southampton) make up a reasonable proportion of visitors to central areas such as Lyndhurst, Rhinefield, Hatchet Pond and Balmer Lawn (Brockenhurst). The intention, therefore, is to make available the remaining 1% of the ring-fenced CIL monies to the NFNPA to be used to fund appropriate actions from the NFNPA's Revised Habitat Mitigation Scheme SPD (July 2020) in these areas. An initial payment of £73k from extant development will be paid under the agreed MoU towards targeted infrastructure improvements in line with their extant Scheme and the findings of the recent visitor reports. This will be supplemented by a further CIL payment from the development with these monies payable after the approval of the application but ahead of the occupation of the development to enable impacts to be properly mitigated.

The NFNPA have also provided assurance that measures within the Mitigation Scheme are scalable, indicating that additional financial resources can be used to effectively mitigate the impacts of an increase in recreational visits originating from Southampton in addition to extra visits originating from developments within the New Forest itself both now and for the lifetime of the development.

Funding mechanism

A commitment to allocate CIL funding has been made by Southampton City Council. The initial proposal was to ring fence 5% of CIL receipts for measures to mitigate recreational impacts within Southampton and then, subsequently, it was proposed to use 4% for Southampton based measures and 1% to be forwarded to the NFNPA to deliver actions within the Revised Habitat Mitigation Scheme SPD (July 2020). To this end, a Memorandum of Understanding between SCC and the NFNPA, which commits both parties to,

“work towards an agreed SLA whereby monies collected through CIL in the administrative boundary of SCC will be released to NFNPA to finance infrastructure works associated with its Revised Habitat Mitigation Scheme SPD (July 2020), thereby mitigating the direct impacts from development in Southampton upon the New Forest’s international nature conservation designations in perpetuity.”

has been agreed.

The Revised Mitigation Scheme set out in the NFNPA SPD is based on the framework for mitigation originally established in the NFNPA Mitigation Scheme (2012). The key elements of the Revised Scheme to which CIL monies will be released are:

- Access management within the designated sites;

- Alternative recreational greenspace sites and routes outside the designated sites;
- Education, awareness and promotion;
- Monitoring and research; and
- In perpetuity mitigation and funding.

At present there is an accrued total, dating back to 2019 of £73,239.81 to be made available as soon as the SLA is agreed. This will be ahead of the occupation of the development. Further funding arising from the development will be provided.

Provided the approach set out above is implemented, an adverse impact on the integrity of the protected sites will not occur.

Solent and Southampton Water SPA/Ramsar site

The Council has adopted the Solent Recreation Mitigation Partnership's Mitigation Strategy (December 2017), in collaboration with other Councils around the Solent, in order to mitigate the effects of new residential development on the Solent and Southampton Water SPA and Ramsar site. This strategy enables financial contributions to be made by developers to fund appropriate mitigation measures. The level of mitigation payment required is linked to the number of bedrooms within the properties.

The residential element of the development could result in a net increase in the city's population and there is therefore the risk that the development, in-combination with other residential developments across south Hampshire, could lead to recreational impacts upon the Solent and Southampton Water SPA. A contribution to the Solent Recreation Mitigation Partnership's mitigation scheme will enable the recreational impacts to be addressed. The developer has committed to make a payment prior to the commencement of development in line with current Bird Aware requirements and these will be secured ahead of occupation – and most likely ahead of planning permission being implemented.

Water quality

Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site

Natural England highlighted concerns regarding, *“high levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites.”*

Eutrophication is the process by which excess nutrients are added to a water body leading to rapid plant growth. In the case of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site the problem is predominately excess nitrogen arising from farming activity, wastewater treatment works discharges and urban run-off.

Features of Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site that are vulnerable to increases in nitrogen levels are coastal grazing marsh, inter-tidal mud and seagrass.

Evidence of eutrophication impacting the Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site has come from the Environment Agency data covering estimates of river flow, river quality and also data on WwTW effluent flow and quality.

An Integrated Water Management Study for South Hampshire, commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities, examined the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty in

some locations as to whether there will be enough capacity to accommodate new housing growth. There is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether the upgrades to wastewater treatment works will be enough to accommodate the quantity of new housing proposed. Considering this, Natural England have advised that a nitrogen budget is calculated for larger developments.

A methodology provided by Natural England has been used to calculate a nutrient budget and the calculations conclude that there is a predicted Total Nitrogen surplus arising from the development as set out in the applicant's submitted Calculator, included within the submitted Sustainability Checklist, that uses the most up to date calculators (provided by Natural England) and the Council's own bespoke occupancy predictions and can be found using Public Access: <https://www.southampton.gov.uk/planning/planning-applications/>

This submitted calculation has been checked by the LPA and is a good indication of the scale of nitrogen that will be generated by the development. Further nitrogen budgets will be required as part of any future HRAs. These nitrogen budgets cover the specific mix and number of proposed overnight accommodation and will then inform the exact quantum of mitigation required.

SCC is satisfied that, at this point in the application process, the quantum of nitrogen likely to be generated can be satisfactorily mitigated. This judgement is based on the following measures:

- SCC has adopted a Position Statement, 'Southampton Nitrogen Mitigation Position Statement' which is designed to ensure that new residential and hotel accommodation achieves 'nitrogen neutrality' with mitigation offered within the catchment where the development will be located;
- The approach set out within the Position Statement is based on calculating a nitrogen budget for the development and then mitigating the effects of this to achieve nitrogen neutrality. It is based on the latest advice and calculator issued by Natural England (March 2022);
- The key aspects of Southampton's specific approach, as set out in the Position Statement, have been discussed and agreed with Natural England ahead of approval by the Council's Cabinet in June 2022;
- The Position Statement sets out a number of potential mitigation approaches. The principle underpinning these measures is that they must be counted solely for a specific development, are implemented prior to occupation, are maintained for the duration of the impact of the development (generally taken to be 80 – 125 years) and are enforceable;
- SCC has signed a Section 33 Legal Agreement with Eastleigh Borough Council to enable the use of mitigation land outside Southampton's administrative boundary, thereby ensuring the required ongoing cross-boundary monitoring and enforcement of the mitigation;
- The applicant has indicated that it will purchase the required number of credits from the Eastleigh BC mitigation scheme to offset the nutrient loading detailed within the nitrogen budget calculator (Appendix 2);
- The initial approach was to ensure an appropriate mitigation strategy was secured through a s.106 legal agreement but following further engagement with Natural England a Grampian condition, requiring implementation of specified mitigation measures prior to first occupation, will be attached to the planning permission. The proposed text of the Grampian condition is as follows:

Outline PP where phased and/or unit quantum or mix unknown:

Not to commence the development of each phase unless the nitrogen budget for that phase has been submitted to and approved by the council. The development of each phase hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from the **Eastleigh Borough Council – tbc with applicant Nutrient Offset Scheme for that phase has been submitted to the council.**

Reason:

To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from the **Eastleigh Borough Council – tbc with applicant Nutrient Offset Scheme for the development has been submitted to the council.**

Reason:

To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on the Protected Sites around The Solent.

With these measures in place nitrate neutrality will be secured from this development and as a consequence there will be no adverse effect on the integrity of the protected sites.

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

Conclusions

The following conclusions can be drawn from the evidence provided:

- There is potential for a number of impacts, including noise disturbance and mobilisation of contaminants, to occur at the demolition and construction stage.
- Water quality within the Solent and Southampton Water SPA/Ramsar site could be affected by release of nitrates contained within wastewater.
- Increased levels of recreation activity could affect the Solent and Southampton Water SPA/Ramsar site and the New Forest/SAC/SPA/Ramsar site.
- There is a low risk of birds colliding with the proposed development.

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

Demolition and Construction phase

- Provision of a Construction Environmental Management Plan, where appropriate.
- Use of quiet construction methods where feasible;
- Further site investigations and a remediation strategy for any soil and groundwater contamination present on the site.

Operational

- Contribution towards the Solent Recreation Mitigation Partnership scheme. The precise contribution level will be determined based on the known mix of development;
- 4% of the CIL contribution will be ring fenced for footpath improvements in Southampton's Greenways network. The precise contribution level will be determined based on the known mix of development;
- Provision of a welcome pack to new residents highlighting local greenspaces and including walking and cycling maps illustrating local routes and public transport information.
- 1% of the CIL contribution will be allocated to the New Forest National Park Authority (NFNPA) Habitat Mitigation Scheme. A Memorandum of Understanding (MoU), setting out proposals to develop a Service Level Agreement (SLA) between SCC and the NFNPA, has been agreed. The precise contribution level will be determined

based on the known mix of development with payments made to ensure targeted mitigation can be delivered by NFNPA ahead of occupation of this development.

- A Grampian condition, requiring evidence of purchase of credits from the Eastleigh B C mitigation scheme prior to first occupation, will be attached to the planning permission. The mitigation measures will be consistent with the requirements of the Southampton Nitrogen Mitigation Position Statement to ensure nitrate neutrality.
- All mitigation will be in place ahead of the first occupation of the development thereby ensuring that the direct impacts from this development will be properly addressed.

As a result of the mitigation measures detailed above, when secured through planning obligations and conditions, officers are able to conclude that there will be no adverse impacts upon the integrity of European and other protected sites in the Solent and New Forest arising from this development.

**Local Development Framework Core Strategy Development Plan Document
(Amended Version
March 2015)**

CS1 – City Centre Approach
CS4 – Housing Delivery
CS5 – Housing Density
CS6 – Economic Growth
CS7 – Safeguarding Employment Sites
CS13 – Fundamentals of Design
CS14 – Historic Environment
CS15 – Affordable Housing
CS16 – Housing Mix and Type
CS18 – Transport
CS19 – Car and Cycle Parking
CS20 – Tackling and adapting to Climate Change
CS22 – Biodiversity and Protected Species
CS23 – Flood Risk
CS25 – Delivery of Infrastructure and Developer Contributions

City Centre Action Plan (Adopted March 2015)

AP9 – Housing Supply
AP12 – Green Infrastructure and Open Space
AP13 – Public Space in New Developments
AP15 – Flood Resilience
AP16 – Design
AP17 – Tall Buildings
AP18 – Transport and Movement
AP19 – Streets and Spaces

City of Southampton Local Plan Review (Adopted Version 2nd Revision 2015)

SDP1 – Quality of Development
SDP4 – Development Access
SDP5 – Parking
SDP10 – Safety and Security
SDP11 – Accessibility and Movement
SDP12 – Landscape and Biodiversity
SDP13 – Resource Conservation
SDP14 – Renewable Energy
SDO16 – Noise
SDP19 – Aerodrome Safeguarding
NE1 – International Sites
H1 – Housing Supply
H2 – Previously Developed Land
H7 – The Residential Environment
H13 – New Student Accommodation
HE1 – New Development in Conservation Areas
HE3 – Listed Buildings
HE6 – Archaeological Remains

The Community Infrastructure Levy Charging Schedule April 2013

Supplementary Planning Documents:

Developer Contributions Supplementary Planning Document April 2013

Parking Standards Supplementary Planning Document September 2011

The Residential Design Guide 2006