

**Planning and Rights of Way Panel 4<sup>th</sup> June 2024**  
**Planning Application Report of the Head of Transport and Planning**

<b>Application address:</b> Former Gasworks, Britannia Road, Southampton			
<b>Proposed development:</b> Redevelopment of the site. Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 17 storeys comprising 384 residential units including ancillary residential facilities, with Block C comprising commercial floorspace (Class E), the link building comprising class E and class F2(b) uses, together with associated access from Britannia Road, internal roads and footways, car and cycle parking (including drop off facilities), servicing, hard and soft landscaping, amenity space, sustainable drainage systems, engineering and infrastructure works (amended description).			
<b>Application number:</b>	22/00695/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Mathew Pidgeon	<b>Public speaking time:</b>	15 minutes
<b>Last date for determination:</b>	07.09.2022 Extension of time agreed	<b>Ward:</b>	Bevois
<b>Reason for Panel Referral:</b>	Referred by the head of Transport and Planning due to wider public interest	<b>Ward Councillors:</b>	Cllr Denness Cllr Kataria Cllr Rayment
<b>Applicant:</b> Hawkstone Properties (Southampton) Ltd and SGN Place		<b>Agent:</b> Savills	

<b>Recommendation Summary</b>	<b>Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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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). CS1, CS4, CS5, CS6, CS7, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – AP9, AP12, 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, H1, H2, H7, and HE6 of the City of Southampton Local Plan Review (Amended 2015).

<b>Appendix attached</b>			
1	Habitats Regulation Assessment	2	Development Plan Policies
4	Viability Review	3	Parking Survey

### **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:
  - a) the planning conditions recommended at the end of this report;
  - b) the receipt of a revised/updated viability assessment to reflect the current amended scheme, and the necessary fee to enable an independent review on behalf of the Council, within 3 months from this Panel meeting; and,
  - c) the completion of a S.106 Legal Agreement within 3 months of the receipt of the independent review of b) above to secure the following:
    - i. Either the developer enters into an agreement with the Council under s.278 of the Highways Act to undertake a scheme of works or provides a financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted Developer Contributions SPD (April 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) taking into account the submitted build programme and the findings of any independently assessed viability appraisal – as updated by 2B) above - with a commitment to regular and on-going review mechanisms throughout the build process.
    - iii. Submission of a highway condition survey (both prior to and following completion of the development) to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
    - iv. Financial Contribution towards Northam Road/Brittania Road junction incorporating an upgrade to the traffic signals, provide new pedestrian/cycle crossings and street lighting.
    - v. Footway surfacing, serving bays and traffic regulation orders on Britannia Road.

- vi. Land reservation, Northwest corner to of the site for Northam Rail Bridge improvement scheme.
- vii. Retain land for public access (amenity space) and Public Permitted Route.
- viii. Travel Plan and Future Mobility Hub including Car Club Management Plan.
- ix. Limit occupation to Build to prevent units from being sold separately.
- x. Provision of community use room(s) to be managed through a community use agreement detailing hours of use, how the facility will be advertised and charging schedule.
- xi. Submission of a Training & Employment Management Plan (with financial contribution where applicable) committing to adopting local labour and employment initiatives with financial contributions towards supporting these initiatives during both the construction and operational phases (as applicable), 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).
- xii. 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).
- xiii. 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.
- xiv. The submission, approval and implementation of a Travel Plan for both the commercial and residential uses (where applicable) to promote sustainable modes of travel in accordance with Policy SDP4 of the City of Southampton Local Plan Review and policies CS18 and CS25 of the adopted LDF Core Strategy.
- xv. Provision, retention and management/maintenance of the public open and play space together with securing public access for the lifetime of the development in accordance with policy AP13 of the City Centre Action Plan.
- xvi. Provision of relevant on site public art in accordance with the adopted Council's Public Art Strategy and the Council's Developer Contributions Supplementary Planning Document.
- xvii. Provision of on-site CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as

supported by LDF Core Strategy policies CS13 and CS25.

- xviii. The submission, approval and implementation of a waste management plan.
  - xix. The submission, approval and implementation of a servicing management plan.
  - xx. The submission, approval and implementation of a Flood Management Plan for both the commercial and residential uses (where applicable) to promote safe evacuation in flood events – with ongoing review - in accordance with Policy CS23 of the adopted LDF Core Strategy and Policy AP15 of the City Centre Action Plan.
  - xxi. The submission, approval and implementation of a construction traffic management plan.
- 3 That the Head of Transport & Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary; and
  - 4 In the event that either the updated viability appraisal isn't received and/or the s.106 legal agreement is not completed within the time periods listed above (or another timeframe first agreed in writing with the Council) following the Panel meeting the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

## **1. The site and its context**

- 1.1 This vacant 1.5 hectare site was last used for the storage and distribution of gas. It is located within the defined eastern edge of the City Centre, to the north of the St Mary's football stadium. The gasholders, that were on site until *circa* 2022/23, have been removed following the grant of a demolition prior approval. They were 'locally listed', but not protected from demolition. An operational gas Pressure Reduction Station (PRS) is located outside the application site boundary to the south-west.
- 1.2 The site is mostly situated within Flood Zone 1 (low probability of tidal flooding), although a small proportion is within Flood Zone 2 (medium probability) and Flood Zone 3 (high probability).
- 1.3 Vehicular access is provided from Britannia Road to the east, which is also used to access Northam Industrial Estate, beyond which is the River Itchen. To the North is Northam Road linking Southampton City centre to the wider southeast via the M27; beyond this is residential, a mix of flats and houses. Extending along the western and northern boundary is a cycle/pedestrian route (national cycle network route 23), and along the western boundary is a railway line linking Southampton Central to London.

## **2. Proposal**

2.1 Full planning permission is sought to redevelop the former Britannia Road gasworks site. The scheme has been amended since validation and the key components of the scheme are now as follows:

- 384 Build to Rent residential units (Use Class C3 – reduced from 403)
- 968 sqm of commercial floorspace, including ground floor restaurant/café (Use Class E) and community hall/meeting space (Use Class F2b)
- 4 separate development blocks (A – D) with blocks A, B & D linked by a ground floor podium; and block C linked by a second floor walkway to block B.
  - Block A: 17 storeys in height (reduced from 21 storeys)
  - Block B: 10 storeys
  - Block C: 11 storeys
  - Block D: 8 storeys
- 176 car parking spaces
- 8,700 sqm of ground floor external amenity space & 3,900 sqm of residents only amenity space at podium and roof level; including a rain garden, swale, hedgerows, wildflower meadow, remnants of the historic industrial infrastructure and at least 125 additional trees.
- Ground lowering across the site resulting in most of the site being located within Flood Zone 3 (with a high probability of tidal flooding)
- BREEAM ‘Excellent’ targeted in terms of being a sustainable construction

2.2 The proposed accommodation has the following housing mix:

	1 bedroom 2 person	2 bedroom 3 person	2 bedroom 4 person	total
Number	186	69	129	384
Percentage	48	18	34	100

2.3 The apartments are proposed to be managed ‘build-to-rent’ units served by a concierge desk with 24/7 support. Residents are provided with access to shared internal and external amenity spaces, such as lounge areas, co-working space and gym/fitness studio, roof terrace gardens; and residents lounge and dining areas on the top floor of block A. 264 (69%) of the flats will also enjoy private outside space in the form of balconies.

2.4 The overall design of the scheme is landscape led with building materials and design aesthetic chosen to reflect the industrial nature of the existing site and its wider context. The design also retains key parts of the existing gas infrastructure within the landscape. This allows the history of the site to be read within the context of the new design; interpretation boards are proposed to help link the new scheme to its past use as part of a wider public art scheme.

2.5 The buildings will increase in height from south to north from 8 storeys to 17 storeys. The tallest block seeks to become a landmark building.

2.6 A pedestrian route through the site would link Britannia Rd with the cycling and pedestrian route extending along the western boundary.

### **3. Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

3.3 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 225 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

3.4 The site is safeguarded for light industry, general industry and storage and distribution uses within classes B1(c) (now class E(g)), B2 and B8 under policy AP 3 (1c) of the City Centre Action Plan. Residential-led development is, therefore, a departure from this policy allocation although the Panel will note that the site has been marketed without success as an employment site.

3.5 The Southampton City Vision - Draft Plan with Options - has now been published and, whilst very little weight can be afforded to the new draft policy SI8 (Brittania Road Gas Works) and the supporting Draft Strategic Land Availability Assessment (SLAA), it lists the site for delivery of c.400 (estimated) residential units. In addition, both local and national planning policy encourage the reuse of previously developed land in accessible locations, and given the ‘tilted balance’ explained below there is a presumption in favour of housing delivery across the city despite Policy AP3(1c).

### **4. Relevant Planning History**

4.1 The site has been used as a gas works and holder station since the 1880s,. Gasholder No 9 was constructed in 1902 by C W Walker, whilst Gasholder No 1 was built in 1934 by R&J Dempster Ltd. Following reduction and ultimately cessation of gas storage on site later in the 20th Century, prior notification for demolition of the gas holders was achieved in November 2021 (21/01576/DPA). There is no other planning history relating to redevelopment of the site for uses other than gas storage.

## 5. **Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (17.06.2022) and erecting a site notice (24.06.2022). At the time of writing the report **3 representations** have been received. The following is a summary of the points raised:

### 5.2 ***Insufficient parking resulting in overspill.*** **Response**

The Council has maximum parking standards. The city centre location is highly accessible by sustainable modes of transport and reduces the need for car ownership. With 176 car parking spaces the proposed parking ratio of 46% is considered reasonable for this edge of centre location. The submitted parking survey also demonstrates that there is some capacity to accommodate overspill parking if needed and the closest residential streets would not be significantly negatively impacted due to parking restrictions (residents only). The overall proportional contribution to traffic within the local area caused by the development will also be low.

### 5.3 ***The geographical area is primarily industrial with HGVs and commercial transport on congested roads around this site not residential.*** **Response**

The area is not exclusively industrial; residential uses are also found locally and the site is located in the defined city centre where residential uses are supported in principle. The draft local plan also seeks to update the site allocation to allow for housing delivery.

### 5.4 ***The development is being 'shoe horned' into the site.*** **Response**

The density of the development is appropriate for this city centre location and based on Draft Strategic Land Availability Assessment (SLAA) seeking c.400 units. The scheme also achieves an appropriate balance of hard and soft landscaping as well as achieving some parking, refuse and cycle storage. The design and layout of the scheme are assessed below, but have both been found to be appropriate for this site context.

### 5.5 ***Spin words such as 'landmark development', 'gate way to the city' do not reflect the remaining architectural history of the site nor, the pre existing site conditions; an industrial area with heavy traffic on the surrounding roads/railway.*** **Response**

The application has been the subject of pre-application discussions, which have involved the independent Design Advisory Panel to help guide the architectural approach. The resulting design incorporates landscape features, materials and facade treatment chosen to reflect the industrial heritage, and is not opposed by the Council's Urban Design Manager or Heritage Officer.

5.6 ***Loss of industrial heritage.***

**Response**

The redundant gas holding tanks have been removed. The structures were not considered to be nationally important by English Heritage and, therefore, as only 'locally listed' structures their retention could not be supported on heritage grounds. Conditions will be used to secure the retention of historic features in the landscape and interpretation boards.

5.7 ***The 21 storey tower block height will significantly impact on pre-existing buildings.***

**Response**

The height of the tallest building has been reduced to 17 storeys since validation. The closest residential occupiers are located on the opposite side of Northam Road (approximately 50m away). The impact of the development is not considered to be significantly harmful to existing residential properties primarily due to separation distances, building size, shape and orientation.

5.8 ***It's important that the largest economic city on the South Coast looks modern and vibrant, particularly from the railway line. This development should be less dense and in fact taller.***

**Response**

The tallest building is 17 storeys and cannot be made taller due to the constraint caused by Southampton Airport and the safety protections afforded to its flight paths. The design has not been opposed by the Council's Urban Design Manager or Heritage Officer; and has developed in discussion with the independent Design Advisory Panel.

5.9 ***St Mary's football stadium and adjacent railway line will generate noise.***

**Response**

A noise report has been produced by the applicants to consider this issue, and the Council's Environmental Health Team do not object to the application following their review. Noise generated by the football stadium will be at a comparatively low frequency, and infrequent, compared to other background noises. Conditions can be used to secure the detail of the noise report.

5.10 ***Proximity to St Mary's football stadium and the industrial estate will generate traffic and pollution creating an inadequate location for residential use.***

**Response**

The site is not within, or adjacent to, a defined Air Quality Management Area (AQMA). Separate legislation manages vehicle emissions. The report has been supplemented by a detailed Transport Assessment. Objections have not been received from the Council's Environmental Health or Highways Teams and it is not uncommon to see high density residential schemes within this urban context.



5.11 ***Contravenes SCC environmental and residential policies.***

**Response**

Objections have not been received from the Councils' Environmental Health or Sustainability Teams. The accommodation meets the nationally described internal space standards, and the communal facilities provided offset the lack of private balconies that occupiers of 31% of the flats will not have access to. Each unit will also achieve reasonable outlook, access to daylight/sunlight and ventilation and there is a wider external communal offer proposed for all residents. The location is also highly accessible, and a reasonable number of car parking spaces have also been provided. The planning balance is discussed in the 'Considerations' section below.

5.12 ***Are significant solar panels or rainwater harvesting tanks being installed?***

**Response**

If approved conditions will be added to ensure the development achieves the Council's sustainability requirements, and the applicant has sought to achieve BREEAM 'Excellent', including the incorporation of solar panels following the promotion of a fabric first approach.

5.13 ***Fire risks and access to heights above existing firefighting capabilities.***

**Response**

Amendments have been made to the internal layout of the buildings to ensure that they comply with recent updates to fire safety legislation (which have changed during the lifetime of the planning application). The amendments include additional stair cores and firefighting lifts.

5.14 ***The river Itchen is a 'water stressed' zone. Current abstraction levels by Southern Water are capped.***

**Response**

Southern Water have not objected to the application.

5.15 ***Insufficient school/primary care infrastructure nearby.***

**Response**

The development will contribute to the Community Infrastructure Levy (CIL), which can be used to improve local schools if required by local education providers. The same is also true of any local healthcare gaps. That said, the Council's 'Early Years' team have commented that there is existing capacity to accommodate this development should the 2 bed units be taken by young families.

**Consultation Responses**

5.16 ***Cllr Bogle (Bargate Ward):*** I regret the loss of the locally listed gasholders dating back to 1909 and 1935 respectively but do recognise this is an important opportunity to kickstart regeneration in this area of the city. I welcome any aspects of the proposals that allow community use.

Please can the incorporation of the gasholder heritage be a condition for

planning permission which I note are in the latest designs in the public domain. This is another blow for our industrial heritage and in an ideal world, would have rather seen something more imaginative in terms of design a la Kings Cross for such a landmark site. The design needs to be of the highest quality and would expect renewable energy, green walls/rooves, electric charging points and secure cycle storage in the plans.

The site is contaminated and is also in an area with environmental risks, particularly air quality and flood risk.

Another planning condition could include some contribution to flood resilience in the area, and that the nitrates policy in place will not be adversely affected by this development. I am concerned about water supply and quality as well as any increased pressure on water supply networks that also need considerable investment.

#### 5.17 **SCC Planning Policy – Support**

Firstly, whilst the development should be considered against adopted policies, it should be noted that the Southampton City Vision Draft Plan with Options has now been published, and some weight can be afforded to the new draft policies albeit minimal at this early stage. Nevertheless, in terms of the principle of the proposed uses, Policy AP3 of the City Centre Action Plan which safeguards the site for B1c (now class E(g) - uses which can be carried out in a residential area without detriment to its amenity), B2 (general industry) and B8 (storage and distribution) uses still applies and the residential-led scheme requires full justification given the proposal is a departure from the adopted plan.

In response to the requirement to justify the proposed departure, a letter from Cushman and Wakefield, dated 29th December 2022, was submitted providing overview marketing/alternative use details for the past 10 years, in particular confirming limited interest in the site for employment use other than as part of a mixed-use scheme including residential. The submitted Planning Statement further explains that the site has been vacant for a number of years and highlights the proposal as an opportunity to deliver well needed housing for the city as well as the provision of employment opportunities as a result of the proposed commercial uses included in the current mixed-use proposal. It is also suggested that the redevelopment of the site could act as a catalyst to development in the wider Itchen Riverside area, which is a strategic aim of the Council. The team is in agreement with these assertions and is supportive of the principle of residential use on the site with the inclusion of commercial uses at ground floor level, as part of a mixed-use scheme. This is clearly expressed in the draft Southampton City Vision policy SI8 (Brittania Road Gas Works) and the supporting Draft Strategic Land Availability Assessment (SLAA) which lists the site for delivery of c.400 (estimated) residential units to contribute to the delivery of housing need in Southampton, despite the current safeguarding for employment use.

As correctly suggested in the supporting Planning Statement, the site also has the potential to act as a key 'gateway' linking the city centre and Itchen Riverside areas, as reaffirmed in Southampton City Vision draft policy SI2 (Itchen Riverside) and it is noted that the proposal provides a clear and wide pedestrian route through the site to realise the strategic link from the city centre, to old Northam Road, the footbridge across the railway, alongside the football stadium and to the Itchen Riverside waterfront area (a key strategic development area for the Council). In line with City centre Action Plan policy AP16, this route should link to the green grid, where possible, and the team will support the consultee response from the Council's Ecology team on this matter. Although the desire for AP16 is to help realise the delivery of active frontages along this pedestrian route, this seemingly cannot be achieved given the necessary site layout. However, public realm should ensure a clear definition of public and private spaces and create a unique sense of space and increased permeability. There is also the need to strengthen the unique distinctiveness of the city's heritage and local characteristics through contemporary interpretation of architectural and landscape styles and features, materials and colours. In a similar fashion to the above ecological considerations, the team will support the response of the Council's Urban Design Manager on these design-related expert matters.

To summarise, provided that the Ecology team and Urban Design Manager are satisfied that the proposal appropriately delivers on the aforementioned requirements of adopted planning policy, the Strategic Planning Team support the principle of the proposed scheme.

#### **5.18 SCC Urban Design – No objection subject to conditions**

The elevational changes that have been made since the original submission to the tower are a significant improvement and the use of one predominant material has unified positively the aesthetic of the building. The use of both symmetrical and asymmetrical elements within the façade adds additional visual interest.

The crown has always been an important feature of this building's design to give a nod to the former gasholders. It is important that the building has a clean line in longer range views and that those upper floors appear recessive so as not to draw attention away from the building's framed crown.

#### **5.19 SCC Heritage – No objection subject to conditions**

The demolition of the gasometers was approved separately, and they have now been removed, thus the harm resulting from the loss of locally listed building/s has already occurred, so the current scheme could not be refused on heritage grounds.

The submitted Archaeology & Heritage Statement and the Townscape Character & Visual Impact Statement has identified all the heritage assets

near the development site, as well as a protected view through from Mayflower Park identified in the Tall Buildings Study. The documents conclude the impact of the development on the setting of these heritage assets, and the identified key view, would be negligible or minor given the distances from the nearest assets, the topography of the land, and the intervening level of development. I see no reason to disagree with these findings. I also agree that the most heritage harm would result from the loss of the gasholders themselves, albeit their demolition has already been approved. That said, and although the retention of some remnants of the gasholder structure would be welcome, it is disappointing that a more effective adaptive, and imaginative reuse of these assets has not been considered. For instance, why couldn't the frame be kept in full, or why is the tower element (Block A) not circular, or at least much more distinctive in its appearance that would equal the unique quality of the gasholders that it seeks to replace. As such, should the proposals be supported in the wider planning balance, an appropriate level of on-site interpretation should be requested by way of condition, particularly the role women played in the gas industry in the early C20.

**Officer Response:**

*Amended plans have been received to improve the link between the development and the historic use of the site. It would be unreasonable to refuse the scheme on heritage grounds should it be demonstrated that there would be clear and sufficient public benefits to override this harm as per the guidance set out in the NPPF. Public benefits include (but are not limited to) housing delivery, environmental benefits and economic development. The planning balance is discussed in the considerations section below.*

**5.20 SCC Archaeologist – No objection subject to conditions**

The application site lies at the northern end of the nationally significant Middle Saxon town of Hamwic (c650AD to c850AD) and is immediately north of St Mary's Stadium site where much evidence of Saxon occupation and at least three Saxon cemeteries were found. Archaeological remains, if present on the site, would be non-designated heritage assets under the National Planning Policy Framework. Any remains associated with Hamwic would be of national importance. Remains of the late 18th century canal would also be considered of archaeological significance.

**5.21 SCC Highways Development Management – No objection subject to conditions**

Principle:

- Highways have no objection in principle but also note that there has been a long-standing request to use some of the land as a site compound to build the Council's Transport scheme for the Northam Rail Bridge.

Access:

- A new vehicular access is proposed on Brittonia Road to access the car parking and bin collection. Large articulated lorries would use loading bays proposed on Brittonia Road, requiring alterations to the footway.

#### Car Parking:

- 176 car parking spaces are proposed, 175 for residential use and managed by rental agreement (a ratio of 0.43 spaces per unit) and 1 allocated as a disabled bay for the commercial unit. As this is lower than the Council's maximum parking standard, a parking survey has been conducted to assess impact. Residential streets nearby include parking restrictions and as no additional permits will be given no harm to residential occupants is anticipated. Roads within the industrial estate opposite are, however, unrestricted.
- The survey shows that the parking demand is at its highest during the opening hours of the local businesses although still remains relatively high outside of business hours with an occupancy of around 56%-65% between hours of 19:00-05:00 (up to 63 spaces). To help relieve parking pressure on the local roads, on site car club spaces have also been put forward.
- Overall, there is a risk that residential parking may overspill onto the industrial estate roads but the risk may slightly be lower in this instance considering the location of the bays and the fact that there are still event day restrictions whereby residents if using these roads would have to relocate them somewhere outside event days (which could include evenings).

#### Electric Vehicle Charging:

- 15% of parking spaces will have active charging facilities and the rest to be passive.

#### Cycle Parking:

- The level and type of cycle parking is considered acceptable and complies with our parking standards.

#### Servicing:

- The refuse vehicle tracking diagram shows that a refuse vehicle will be able to enter, turn on site and leave in a forward gear. The tracking may need to be adjusted for a full-size collection vehicle (11m long) but it is anticipated that a full size vehicle will be able to be accommodated on site; or otherwise a smaller vehicle will need to be used. The waste management plan will be needed to move bins to collection points on collection days with collection frequency managed to prevent waste overflow.
- Articulated lorries serving commercial units will need to use loading bays fronting Brittonia Road.

**Summary:** the application is supported subject to conditions and Section 106 requirements:

- 1) Financial Contribution towards Northam road/Britannia Road junction incorporating an upgrade to the traffic signals, provide new pedestrian/cycle crossings and street lighting
- 2) Footway surfacing, serving bays and traffic regulation orders on Britannia Road.
- 3) Land reservation, Northwest corner to of the site for Northam Rail Bridge improvement scheme.
- 4) Car Club Management plan.
- 5) Public Permitted Route.
- 6) Travel Plan and Future Mobility Hub.

**Officer Response:** *The development cannot be delayed to facilitate re-development of Northam bridge. Each application must be considered on its own merits.*

#### 5.22 **SCC Housing – No objection**

As the scheme comprises of 384 dwellings in total the affordable housing requirement from the proposed development is 35% (CS15- sites of 15+ units = 35%). The affordable housing requirement is therefore 134 dwellings (134.4 rounded down).

**Officer Response:** *The DVS viability review found the submitted scheme to be viable with a small surplus (approximately £155,000), however the viability position is now over 18 months and the amount of development proposed has been reduced from 403 to 384.*

*The DVS report at **Appendix 4** is, therefore, out of date and cannot be fully relied upon. It does give a useful steer for the purposes of determining the planning application. As such, the above officer recommendation seeks delegation to secure a further review of the viability of the current scheme prior to the final Section 106 agreement being completed. Given that we know the scheme was largely unviable in 2022 officers expect that the scheme's amendments, and changes in CIL and other costs, are likely to eliminate the small surplus previously reported. This is discussed in more detail in the Planning Considerations section of this report.*

#### 5.23 **SCC Ecology – No objection subject to conditions**

The proposed management regime needs to be amended to enhance biodiversity, most notably the timing of the mowing & cutting back regime and the location of bird and bat boxes, needing to be on the building as well as trees. *Impacts on protected Habitats are covered by the Appropriate Assessment, and the mitigation highlighted, as set out at Appendix 1.*

#### 5.24 **SCC Trees – No objection subject to conditions**

Trees on site are mostly pioneer species, which are not a viable long-term option. A tree protection plan is needed for the trees to be retained on site.

## 5.25 **SCC Sustainability – No objection subject to conditions**

### Energy and carbon

- central air source heat pumps and photovoltaic panels (PV) are proposed.
- It is positive to see that the reduction on building regulations Target Emission Rates for the residential elements is 58-59% over part L 2013 (or approx. 28%) over current Building Regulations.
- It is stated in the energy and sustainability report that the proposed development meets the required CO2 emissions reduction, therefore contributions to a carbon offset fund will not be required. Offset for any remaining emissions will be required, regardless of whether targets are met. This will be required through the s106 process.
- At the pre-application stage it was requested that energy storage was to be considered at either site- or phase-/building-level, and to detail any proposals as part of any application. Similarly, information on embodied carbon, pre-demolition audit, and post Occupancy Evaluation (POE) and energy performance were highlighted. I cannot see any reference to these in the sustainability report. A condition is recommended if this information is not available at this stage.
- Review the high-level embodied carbon implications of the proposals and which demonstrates that embodied carbon has been considered when making decisions regarding structure, architecture, and materiality. Consider conducting a detailed embodied carbon assessment in line with the RICS methodology on key buildings to benchmark the design.

### Overheating

- The overheating assessment demonstrates that the risk of overheating has been reduced as far as practical, with all available passive measures explored. Active cooling is therefore not proposed.
- In residential dwellings the use of natural ventilation via openable windows/doors and increased mechanical ventilation will generally sufficiently reduce the risk of overheating.
- The apartments that the windows cannot be opened (due to noise) the risk of overheating will be reduced by tempering the fresh air supply temperature using a hybrid Mechanical Ventilation with Heat Recovery (MVHR)

### BREEAM

- Pre-assessment confirms a minimum rating of 'Excellent' is achievable, and that all mandatory elements can be met.

### Water Use

- Water efficiency has been addressed. To reduce impacts on nitrate pollution, Natural England and Southern water are looking for a maximum 100 l/p/d internal water use.
- At pre-application stage it was requested 'Review the viability and feasibility of rainwater harvesting and greywater recycling for each phase and summarise within the Sustainability Statement at

application stage. Where rainwater harvesting is not to be utilised, it must be adequately justified.' I cannot see any information in reference to rainwater recycling in the sustainability statement. Please can this information be provided, otherwise a condition is recommended.

Green Infrastructure

- There is a good amount of green infrastructure including green roofs, climbers and swales in the varied landscaping.
- The requirements of the green space factor have been met.

**5.26 SCC Contamination – No objection subject to conditions**

Land contamination investigation and remediation is required along with a condition to ensure that any imported soils/fill do not introduce additional contaminants to the site.

**5.27 SCC Environmental Health, (noise & odour) – No objection subject to conditions**

The main noise source for the scheme is rail and road traffic, and nearby commercial activities. Environmental Health are satisfied with the noise assessment and the intended mitigation. There are also occasional live music events at the stadium that have not been included in the assessment, but as these are infrequent no additional mitigation is necessary and other legislation can be used if necessary.

**5.28 SCC Environmental Health, (air quality) – No objection**

Agree with the amended air quality assessment and recognise the conclusions made that the development is unlikely to have a significant negative impact on local air quality.

**5.29 SCC Public Health – No objection**

We support the emphasis on sustainable travel within the development, particularly the provision of secure cycle parking, cycle workshop and link to the national cycle network.

**5.30 SCC Community Infrastructure Levy – No objection**

The development is CIL liable as new residential units and over 100 sq. m of new commercial floorspace would be created.

**5.31 SCC Building Control – No objection subject to conditions**

Further details requested of the ramped/stepped approach to Block A, to include: gradients, handrails, guarding, visual contrast and tactile paving.

*Officer Response – Conditions added and finer details can be resolved at*



*building regulation stage.*

**5.32 SCC Early Years & Childcare Service - No objection**

Any increased impact of parental demands for childcare can be met within the existing capacity that exists within the established high quality childcare provision within the local area.

**5.33 SCC Employment and Skills - No objection**

An Employment and Skills Plan obligation will be required for this development and applied via the section 106 Agreement and will cover new opportunities for skills and jobs with local training provision and residents.

**5.34 SCC Flood Risk Management - No objection subject to conditions**

The amended plans show the ground floor commercial units, stairwell access and plant rooms below the future flood level, therefore flood resistance and resilience measures will be required via condition to ensure water ingress and/or damage does not occur.

The updated the site plans include a bridge walkway connecting block C and Block A to provide a safe route through the buildings to support emergency evacuation towards the most northern point of the site (out to Northam Road).

Given the potential 'risk to all' flood hazard rating that will impact the site within the design life, and transient nature of the occupants, it is recommended that a Site Flood Plan (including evacuation route signage) is secured via S.106 (developed in conjunction with advice from Emergency Planning) to ensure that the appointed management company retains the responsibility to update and distribute the revised Site Flood Plan to residents of the site every 3 years, with a copy supplied to the Local Authority. This will ensure that all future occupants are aware of the risk and how to avoid the hazard by using the flood evacuation route instead of normal stairwells, and have appropriate time to prepare, including removal of vehicles from the site to avoid damage.

If the Local Planning Authority case officer is satisfied that the development is suitable to be located within an area defined as present day flood zone 3 and not benefiting from flood defences, including meeting of the Sequential Test, and both parts of the Exception Test (including benefit of the site outweighs the risk of flooding, and that the site will be designed to be safe over the lifetime of the development including allowance for climate change), and is minded to approve the application, then the recommended conditions should be applied.

***Officer Response:*** *Flood risk management is discussed in the planning considerations below and the recommended conditions have been applied.*

**5.35 Environment Agency – No objection subject to conditions**

Following a revised Flood Risk Assessment previous objections have been removed subject to recommended conditions.

**5.36 HSE Land Use - No objection**

**5.37 HSE Fire - No objection**

Amendments to the scheme, resulting in additional fire safe stair wells and lift shafts being added, have resulted an initial objection being removed.

**5.38 Southampton Airport – No objection**

Amendments to the scheme, resulting in a reduced maximum height of the building to 57.75m AOD have resulted an initial objection being removed.

**5.39 Crime Prevention Design Advisor – No objection subject to conditions**

**5.40 Hampshire Swifts - No objection subject to conditions**

Requests, in accordance with NPPF section 15, inclusion of multiple integral Swift bricks, installed in accordance with best practice. RIBA & British Standard 42021:2022.

**5.41 Southern Water - No objection subject to conditions**

**5.42 Natural England - Holding objection**

As submitted, the application could have potential significant effects on the Solent and Dorset Coast Special Protection Area (SPA), Solent and Southampton Water SPA and the Solent Maritime Special Area of Conservation, the New Forest SAC, SPA, and Ramsar sites, as well as the nationally designated site, the Lee-on-the-Solent to Itchen Estuary SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- An outline of mitigation measures in place to offset the positive nitrogen load arising from this development.
- Appropriate mitigation to address increased recreational impacts on the New Forest and Solent designated sites
- Further assessment of air quality impacts arising from this development, including from ammonia (NH<sub>3</sub>) emissions.
- A Construction Environmental Management Plan

***Officer Response – A Habitats Regulations Assessment (HRA) has been produced to cover the impacts of the operational phase of the development on the designated sites. A copy of the HRA is appended to the report at Appendix 1 and has been sent to Natural England for further comments.***

#### 5.43 **Football Club – No objection**

The Club is fully supportive of the new development and feels it would be a great addition into the local area. Existing road closure must remain in place to maintain security from a counter-terrorism and safety perspective.

#### 5.44 **Network Rail – No objection**

#### 5.45 **City of Southampton Society - Objection**

We recognise that the argument to retain the locally listed gas-holder structures has been lost and that planning permission has already been granted for their demolition. Having said that, this is not a suitable site for residential development. It is surrounded by the busy Northam Road (a main arterial route into the city), the branch railway to the docks, St Mary's Stadium and Britannia Road (with heavy commercial vehicles for the riverside gravel works). Noise and pollution levels from all these sources will be unacceptably high.

Without future development of the riverside as residential accommodation, the site is isolated. There are no local shops, restaurants, bars or cafes to support a new community of young professionals, such as graduates, who we understand are the key clients for this development. The attractions of new 'Build to Rent' developments at The Bargate, Toys 'R' Us and Debenhams sites far exceed this site in view of their central location.

We are again disappointed that no family or Affordable Housing is being provided. The site is more suited to commercial or industrial development.

In so far as the details of the plans are concerned, we would add three comments:

- Once again bathrooms are positioned adjacent to kitchen areas with the associated health risks - Floor plans need to be redrawn.
- All the roof-top gardens (including those between blocks B and D) will need a built-in watering system.
- Although the average size of each type of flat is provided (Economic Viability Appraisal Report, sect 5.3), no details of individual flat sizes are given. These figures are required to ensure that all flats meet the Government's Nationally Described Space Standards (NDSS).

We consider this to be a case of Over-Development, adversely affected by noise, traffic and pollution and built too close to the site boundaries. Whilst 'Financial Viability' is not a planning issue we would not want to see an under-utilised development falling into a state of neglect and disrepair, especially in such a prominent site.

***Response:** It has not been possible to put family housing on the site as access to outside private garden space cannot be easily provided due to flooding. The site has not been considered unsuitable for housing by the*

*Council's Environmental Health Team subject to conditions being imposed to manage contaminated soils, noise, and wind. The site is also not within an air quality management area. The location is sustainable given its location in the city centre within walking distance of goods and services necessary for day to day living. Living standards for residents are considered acceptable when considering relevant guidance and overall, the site is considered suitable for housing and not overdeveloped in the wider planning balance.*

## **6. Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- The principle of development;
  - Design and effect on character & heritage;
  - Residential amenity & residential environment;
  - Parking highways and transport;
  - Flooding;
  - Development mitigation, affordable housing and viability; and
  - Habitats Regulations

### Principle of Development

- 6.2 The site is allocated in the City Centre Action Plan, under policy AP3, for – light industry, general industry and storage and distribution uses with classes B1(c) (now class E(g) uses which can be carried out in a residential area without detriment to its amenity), B2 (general industry) and B8 (storage and distribution). As a departure from this policy the residential-led scheme requires full justification to release a site from employment safeguarding based on strong and distinctive planning / regeneration benefits, in accordance with the requirements of Core Strategy Policy CS7. The supporting text for policy AP3 (1c) of the City Centre Action Plan. indicates: *“The Gasholder site has now been decommissioned. It would be suitable for industrial uses or facilities complementary to the adjacent football ground, should there be a need for expansion.” (para 4.21 refers)*. Currently the proposed scheme does not provide any associated uses linking with the football club. Links, or lack of, to the football club therefore need to be weighed in the planning balance also whilst noting that they are supportive of the application itself.
- 6.3 Further to this, the Southampton City Vision Draft Plan with Options has now been published, and some weight can be afforded to the new draft policies including policy SI8 (Brittania Road Gas Works) and the supporting Draft Strategic Land Availability Assessment (SLAA) which lists the site for delivery of c.400 (estimated) residential units. Additionally draft policy SI2 (Itchen Riverside) identifies that the site has the potential to act as a ‘gateway’ linking the city centre and Itchen Riverside area, strategic development area for the Council.
- 6.4 To justify the departure from City Centre Action Plan policy AP3 the

application has been supplemented with a letter from a commercial real estate firm, which outlines the limited commercial interest in the site for employment use and the sites vacancy for 10 years supports this assertion. Planning Policy also support the conclusions set out by the applicant and do not object to the departure in principle provided that the scheme contributes to the green grid, with support from the Council's Ecologist, and that the scheme creates a unique sense of space with active frontages to the public realm; and achieves support from the Council's Urban Design Manager.

- 6.5 The proposed dwellings would represent windfall housing development. The LDF Core Strategy identifies the Council's current housing need, and this scheme would assist the Council in meeting its targets. As detailed in Policy CS4 an additional 16,300 homes need to be provided within the City between 2006 and 2026 and CCAP Policy AP9 suggests approximately 5,450 dwellings will be built in the city centre between 2008 and 2026. The NPPF and our saved policies, seeks to maximise previously developed land potential in accessible locations.
- 6.6 The NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs. Set against the latest Government 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. This means that the Panel will need to have regard to paragraph 11(d) of the NPPF, which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, it should grant permission unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- [the so-called 'tilted balance']
- 6.7 Due to the allocation of the site for employment there could be reason to refuse the development proposed under paragraph 11(d)(i). However, 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 dwellings, and their subsequent occupation, and these are set out in further detail below to enable the Panel to determine 'the Planning Balance' in this case.
- 6.8 Whilst the site is not identified for residential use the Council's policies promote the efficient use of previously developed land to provide housing. Policy AP9 of the City Centre Action Plan supports residential development in the city centre through the conversion or redevelopment of other sites as appropriate. Similarly, CS1 of the Core Strategy supports significant residential growth in the city centre to assist in addressing the city's housing need.

- 6.9 Policy CS16 of the Core Strategy requires the provision of 30% family homes within new developments of 10 or more dwellings. The policy goes on to define a family home as that which contains 3 or more bedrooms with direct access to private and useable garden space that conforms to the Council's standards. The proposal does not provide true family units as there are no 3 bed dwellings proposed, and no private outdoor spaces at ground level are provided. As such the scheme does not accord with this policy however, given the constraints of the site; namely the specific location within the industrial part of the city centre, the adjacency to noise sources and the housing delivery targets imposed on the City, it is considered that the site is not conducive to family housing. Further to this the flooding constraint of the site means private outside gardens for families is difficult to achieve. The mix of units is suitable in this locality and there is need for such units within the city centre.
- 6.10 The proposal would achieve a residential density of 256 d.p.h, which is acceptable given the location within the city centre, current adopted policy, and based on the emerging policies of the City Vision and the supporting SLAA. As such the principle of redevelopment is supported.

#### Design and effect on character & heritage

- 6.11 The proposed design has evolved through pre-application negotiations, and has been informed by consultation with the Council's Urban Design Manager, Heritage Officer and at pre-application stage has been subject to review by our independent Design Advisory Panel. The resulting design is led by the site's industrial heritage and its prominent corner location which acts as a gateway to the city centre and link to the football stadium.
- 6.12 The bulk, scale and mass of the building; and overall design concept, including facade treatment, public permitted routes through the site and landscaping, is considered to achieve the ambition of the adopted City Centre Action plan (in particular AP16 and AP17) and the emerging City Vision (in particular SI2 Itchen Riverside and SI8 Britannia Road Gas Works), which requires development to relate well to the predominant scale and mass of existing buildings, be designed to reflect the position and importance of the site in the hierarchy of the city centres streets and spaces, define public and private spaces clearly, create a unique sense of space, increase permeability, create active frontages, introduce commercial and community uses whilst at the same time enhancing heritage assets and securing flood risk control measures.
- 6.13 As such the scheme has gained support from the Council's Urban Design Manager and, whilst showing some reservations, the Council's Heritage Officer, subject to the inclusion of conditions to secure key parts of the existing infrastructure within the landscape and interpretation boards to include the role women played in the gas industry in the early C20.

#### Residential amenity & residential environment

- 6.14 The area has a mixed industrial and residential character, and the site is within the city centre, which supports residential use at higher densities within this location. The proposed layout provides reasonable separation between the blocks to achieve acceptable levels of outlook, daylight, sunlight and privacy for a high-density residential scheme of this nature. The application is supported by a BRE Daylight and Sunlight Assessment, which demonstrate that the compliance rates are good and more than the compliance rates typically seen on large scale development. The application has also been supplemented by a noise assessment, and wind microclimate study, and both conclude that there will be no significant harm to residents as a consequence of the scheme subject to conditions.
- 6.15 The scheme has been designed to meet nationally described space standards (1 bed, 2 person 50 sq.m, 2 bed, 3 person 61 sq.m, 3 bed, 4 person 70 sq.m) and residents will have access to communal internal space including gym & studio, café and reception lounge. Occupants of the development will also be able to access residents only communal external amenity space measuring 3,900sq.m at roof and podium levels. 264 of the flats (69%) will also benefit from private balconies. Not all flats have been allocated balconies partly due to design reasons and whilst clearly this is a shortcoming of the scheme this arrangement is considered acceptable having regard to the wider Planning balance, the need for housing, the character and design of the building and the specific managed nature of the BTR product. Further to this the indicative landscaping details for communal gardens are judged to create high quality environment for residents who will also have easy access to other city centre amenities including public parks.
- 6.16 The noise report has also demonstrated that appropriate sound levels can be achieved by use of correct façade materials, and of suitable glazing sets with alternative ventilation. The glazing sets will be different dependant on the elevation and storey level.
- 6.17 The proposal is not considered to have an adverse impact on the nearest residential properties on the adjacent side of Northam Road, some 50m away. The proposal is not considered to lead to unreasonable overlooking within this city centre context and having regard to the emerging city vision policies. The Daylight & Sunlight Assessment also demonstrates no adverse impact on nearby residential properties.
- 6.18 The scheme also includes a room on the ground floor of block A which will be available for the public to book and use for a mix of purposes and meetings.

#### Parking highways and transport

- 6.19 Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The 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 proposed development would provide less than the maximum

car parking standards for the quantum of development with 176 car parking spaces proposed. The maximum permissible for this development mix would be 384 residential car parking spaces and 15 commercial spaces. Having regard to the nature of the proposed uses, and the city centre location of the site, this approach is considered to be appropriate. There are existing on-street car parking restrictions in residential areas nearby and as such, the proposal would be unlikely to generate significant over-spill car parking on surrounding residential streets. The car parking survey, undertaken on Thursday 17<sup>th</sup> and Friday 18<sup>th</sup> February 2022 also demonstrates that there is capacity of up to a further 63 vehicles to park on-street overnight within the local area when residents who own a vehicle would be expected to generate parking demand. Additionally, the applicant has committed to providing car club spaces on site.

- 6.20 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.
- 6.21 Financial contribution towards improvements on Britannia Road/Northam Road junction to improve and connect the site to the local walking & cycling network, provide access to bus stops and accommodate vehicle trips generated by the development will need to be secured to ensure no adverse impact on highway safety nor increased congestion on the highway network. A servicing management plan will be used to manage refuse collection and adequate bin and bicycle storage will be secured by condition with one secure cycle space for each unit. Residential bins are located at ground floor and will need to be moved through the under croft car park for collection; cars will need to be protected from damage by barriers controlled by condition. Additionally, a highway condition survey will be required to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.

#### Flooding

- 6.22 As the development proposals involve ground lowering across the site, the site's flood risk will increase significantly, being almost entirely located within the present-day Flood Zone 3 (high probability of tidal flooding). This conflicts with the Southampton Strategic Flood Risk Assessment which recommends ground raising for improving flood resilience. The Flood Risk Assessment partially mitigates this increase in risk by setting the finished floor levels for the more vulnerable aspects of the development at 7.5 mAOD. However, the ground floor of the development is still at significant flood risk. This increased flood risk will affect the ability of occupants to safely enter and exit the development in a flood event and will also have implications for surface water drainage and the structural integrity of the building.
- 6.23 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 NPPF confirms that more vulnerable developments, such as residential accommodation, should meet an Exception Test.

- 6.24 As set out above, the development would lie mostly within areas of medium to high flood risk so a Sequential Test is first required to ensure there are no other sites capable of accommodating the development in areas of lower flood risk. In response 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. Then 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.
- 6.25 To ensure that the development is safe throughout its lifetime the application has been supplemented by a detailed flood model to understand flooding depths around the site and water flow rates; removing the Environment Agency’s holding objection. Additionally, amended plans have raised ground floor levels with block B co-working space & block C commercial floor space being set to 4.15mAOD; and block A being set at 4.2mAOD allowing a safe evacuation in a flood event out to Northam bridge. All residential use would also now be at first floor level, with a floor height of at least 7.5mAOD, and direct link to the evacuation point within block A can be achieved from all residential units, including block C via the bridge link to block B at second-floor level. These changes have addressed the holding objection raised by the Council’s Flood Risk Management Team.
- 6.26 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 including this one would be used to help fund this infrastructure with £10m already committed.
- 6.27 Overall, having regard to the package of measures agreed, and the wider sustainability benefits of the proposal including housing delivery, the Exception Test is considered to have been met and the scheme can be supported.

Development mitigation, affordable housing and viability

- 6.28 The development proposal needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide-ranging impacts associated with a development of this scale, an extensive package of contributions and obligations would be required as part of the application if the application were approved. The main areas of contribution for this development, to mitigate against its wider impact, is the provision of affordable housing and highway works. Contributions would be secured via a Section 106 legal agreement with the applicant.
- 6.29 In terms of highway works these would include improvements aimed at pedestrian and cycle facilities to improve the Britannia Road/Northam Road junction to upgrade the traffic signals, provide new pedestrian/cycle crossings and street lighting. This would connect the site to the local walking & cycling network, provide access to the bus stops on Northam Road and accommodate vehicle trips generated by the site. Britannia Road footway resurfacing would also be achieved for the length of the development frontage, including the vehicle entrance and service laybys.
- 6.30 Regarding Affordable Housing, Policy CS15 sets out that *'the proportion of affordable housing to be provided by a particular site will take into account the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model).'*' In this case 134 dwellings would equate to 35% provision. The original application was accompanied by a viability 'open book' assessment, which sets out that the development would not be viable and able to commence should the usual package of financial contributions and affordable housing be sought. The viability assessment (dated March 2022) has been reviewed by an independent adviser to the Council; in this case the District Valuation Service (DVS). A copy of their report (dated November 2022) is appended to this report at **Appendix 4**.
- 6.31 The DVS review appraised the scheme based on the development quantum/mix as originally submitted and build costs in 2022, and was subject to outstanding questions around residential unit sizes and build cost queries. The review concluded that the development proposal could potentially provide a small surplus (approximately £155,000 [based on a total affordable housing, 35% value of £6.8 million]), once all values and costs have been taken into account alongside a developer's profit (£10.2 million based on a Gross Development Value of £112.5 million). This review is now over 18 months old, and doesn't reflect the revised scheme (reduced from 403 to 384 dwellings) including changes to accommodate flood protection, fire safety and the airport's initial objection to height or the current viability position. It does provide an indicative position. Therefore, officers are recommending delegation to secure a further updated viability assessment to be received within 3 months of the Panel meeting, and a further 3 months to complete the agreement once the independent review of the assessment has been completed. Normally officers would seek to bring an up to date appraisal to Panel, but in this case it is not considered

necessary given that an appraisal has been undertaken and can be tidied up post-Panel without the potential for abortive costs to the applicant.

### Habitats Regulations

- 6.32 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.
- 6.33 Furthermore, 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 accommodation 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 planning condition is suggested to ensure that the nitrate generation from the development will be properly mitigated.

## **7. Summary**

- 7.1 The proposal represents a comprehensive high-density mixed-use development delivering 384 residential units and will create a high quality and distinctive gateway at the eastern edge of the city centre. New high quality public realm and green spaces, including sustainable urban drainage, hedge rows, wildflower meadow, remnants of the industrial heritage and 125 additional trees, will also be provided which integrate into the overall street pattern.
- 7.2 Whilst the scheme represents a departure from the current development plan's site allocation for employment uses, the need to deliver more housing across the city, especially in the city centre, and the length of time that the site has been vacant for with little other commercial or industrial interest has been afforded significant weight; additionally no uses with links to the football club have been forthcoming either in the past 10 years.
- 7.3 The loss of the former gas holders themselves has already been approved under separate legislation, and is not a material consideration. Further to this, although greater reference could have been made to the former gas holders in the design of the buildings the scheme has evolved to improve the link between the development and the historic use of the site, and

officers are satisfied that there are clear and sufficient public benefits overriding this harm.

- 7.4 Likewise, the location of the development, in what will become an area of high risk to flooding within the lifetime of the development, is considered acceptable due to the sequential and exception tests being met, the siting of residential uses above ground floor level and the wider mitigation package on offer. On this occasion the site is needed to help deliver housing and will be safe over the lifetime based on a flood risk management plan that includes flood evacuation measures. As such the benefit developing the site is judged to outweigh the risk of flooding and the CIL generated by the scheme can be used to support RIFAS should the Council wish.
- 7.5 Overall, 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 dwellings, and their subsequent occupation. Considering 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, including heritage impacts, development in a flood zone, loss of employment land and a lack of affordable housing position, 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 would point to approval. In this instance it is considered that the above assessment, alongside the stated benefits of the proposal, 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.

## **8. Conclusion**

- 8.1 The positive aspects of the scheme are not judged to be outweighed by the negative and as such the scheme is recommended for conditional approval following receipt of an updated affordable housing viability appraisal and the subsequent completion of the S106 legal agreement.

### **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 **Mathew Pidgeon** PROW Panel 04/06/2024

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## **PLANNING CONDITIONS to include:**

### **1. 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).

### **2. 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.

### **3. Phasing Plan (Pre-Above Ground Works)**

No development works shall be carried out above ground until a phasing plan has been submitted to and approved in writing by the local planning authority. The phasing plan shall detail:

- construction and occupation/use of residential block;
- construction and occupation/use of commercial units;
- construction and occupation/use of communal facilities (residents only);
- construction and delivery of external landscape/amenity areas;
- construction and delivery of public routes through the site;
- construction and delivery of parking spaces;
- construction and use of resident's cycle parking; and
- construction and use of resident's refuse storage.

Once agreed the development shall take place in accordance with the agreed plan unless it is again amended prior to the relevant phase being implemented.

Reason: To ensure that development takes place in an ordered and agreed methodology, to enable housing delivery in a timely manner and to deliver external landscaped/amenity areas

### **4. Details of Building Materials to be Used (Pre-Above Ground Works)**

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works and below ground works, no development works shall be carried out above ground until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, bridge link, crown, 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. Development shall be implemented only in accordance with the agreed details.

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

### **5. Building façade detailed construction (Pre-Above Ground Works)**

Notwithstanding the information shown on the approved drawings, with the exception of site clearance, demolition and preparation works and below ground works, no development works shall be carried out above ground until details of the construction (including joinery, finishes, window reveals, building A 'crown' and bridge link between blocks B and C) have been submitted to and approved in writing by the Local Planning Authority. Plans provided showing the detail shall be at a scale of no greater than 1:50. The development shall be implemented only in accordance with the agreed details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and given the local context of conservation areas and listed buildings.

### **6. Active Ground Floor Frontage (Performance)**

Notwithstanding the provisions of 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 shall be retained with clear glazing and at no time shall window vinyl or equivalent be added 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.

### **7. Landscaping, lighting & means of enclosure (Pre-Internal Fit Out)**

Notwithstanding the submitted and agreed landscape layout plan, before any internal fit out to the building (post shell and core construction) is carried out a detailed landscaping scheme and implementation timetable (and in accordance with the agreed phasing plan) shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels or contours;
- ii. means of enclosure (gates, fences and walls);
- iii. construction specification for all hard landscaping – in particular vehicle cross over, servicing, parking areas and public paths;
- iv. detailed plans of external steps and ramped approaches to all public and private spaces including: gradients, handrails, guarding, visual contrast and tactile paving to assist the visually impaired.
- v. hard surfacing materials, including materials consistent with the existing public realm where appropriate.
- vi. structures and ancillary objects (refuse bins, lighting columns, visitor parking spaces etc);
- vii. details relating to the retained features of industrial heritage and measures to prevent unwanted climbing on larger structures;
- viii. details of play equipment to be provided, allowing play provision for all ages (including external table tennis tables);
- ix. interpretation boards for historic use of site incorporating the role women played in the gas industry in the early C20;
- x. measures to prevent unwanted desire lines through the landscaped areas;
- xi. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate and to include 125 (as a minimum) trees,

additional new hedge rows, wild flower meadow, ruderal planting, raingarden and swale; and

- xii. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out in accordance with the phasing plan.

The approved scheme shall be maintained throughout the lifetime of the development. 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

#### **8. Roof Terrace Management (Pre-Occupation)**

Prior to the first occupation of each building hereby approved a 'Roof Terrace Management and Landscape Maintenance Plan' shall be submitted to and agreed in writing by the Local Planning Authority. The submitted plan shall provide details of the communal use of the roof terraces, including permitted activities and hours of use for residents with means for securing ongoing management of this space, alongside details of landscape maintenance. The roof terraces shall be made available for use by residents and their visitors, prior to the first occupation of the development and shall also be made available thereafter for these users for the lifetime of the development in accordance with the agreed 'Roof Terrace Management and Landscape Maintenance Plan'.

Reason: To ensure the provision of adequate external amenity space for residents and to ensure the roof terraces are maintained as a safe and attractive space for all users.

#### **9. Loading/Unloading (Performance)**

The development hereby permitted shall not be brought into use until the areas of the site to be used as vehicle manoeuvring; and for loading and unloading have been provided in accordance with the agreed landscaping requirements/condition. The areas shall be surfaced as agreed and subsequently retained and kept available at all times for these purposes to the satisfaction of the Local Planning Authority throughout the lifetime of the development.

Reason: In the interests of highway safety.

#### **10. Archaeological damage-assessment [Pre-Commencement]**

No ground disturbance shall take place within the site until the type and dimensions of all proposed groundworks have been submitted to and agreed by the Local planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

Reason: To inform and update the assessment of the threat to the archaeological deposits.

#### **11. Archaeological evaluation investigation [Pre-Commencement]**

No ground disturbance shall take place within the site until the implementation of a programme of archaeological work 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 archaeological investigation is initiated at an appropriate point in development procedure.

#### **12. Archaeological evaluation work programme [Performance]**

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.

#### **13. Archaeological investigation (further works) [Performance]**

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.

#### **14. Archaeological work programme (further works) [Performance]**

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.

#### **15. Land Contamination investigation and remediation [Pre-Commencement & Occupation]**

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

1. A report of the findings of additional exploratory site investigation, characterising the site and allowing for potential risks (as identified in the Hydrock Factual Report) to be assessed.

2. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (2) 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.

#### **16. Use of Uncontaminated Soils and Fill (Performance)**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the development hereby approved first coming into use or occupation.

Reason: To ensure imported materials are suitable and do not introduce any land contamination risks onto the development

#### **17. Contamination Remedial Action (Performance)**

If during development, any significant evidence of contamination is observed then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, an assessment of the risks and a Method Statement detailing how this contamination shall be dealt with.

Reason: To identify unacceptable risks human health and the environment and ensure remediation of the site is to an appropriate standard

#### **18. Hazardous Substances Consents (Pre-Occupation)**

No part of the development shall be occupied until all of the Hazardous Substances Consents for Southampton Gas Holder Station at Britannia Road have been revoked or varied in accordance with the Planning Hazardous Substances Act 1990, as amended, such that the Land Use Planning advice team of the Health and Safety Executive does not advise that permission should be refused on safety grounds, and written confirmation of the necessary revocation or variation has been issued by the Southampton City Council as Hazardous Substances Authority.

Reason: In the interests of health and safety, it is necessary to ensure that the adjoining major hazard site will not present a risk to people at the development.

#### **19. Wastewater Network Capacity (Pre-Commencement)**

No development shall commence until such time as a phasing scheme for the construction of the waste water disposal services and connection to them has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The scheme shall be implemented in accordance with the design and timetable agreed as part of the approved scheme including phased occupation where necessary.

Reason: To ensure that adequate wastewater network capacity is available to adequately drain the development and to align with the delivery by Southern Water of any sewerage network reinforcement necessary to facilitate the development.

#### **20. Surface Water Drainage Scheme (Pre-Commencement)**

No development shall commence until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the design and timetable agreed as part of the approved scheme.

Reason: Infiltration drainage has the potential to mobilise any contamination beneath the site. This condition is required to ensure that any surface water drainage arrangements do not harm controlled waters in line with paragraph 180 of the National Planning Policy Framework.

### **21. Site Flood Plan (pre-occupation) (Pre-Occupation)**

Prior to the first occupation of the development a Site Flood Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southampton City Council Emergency Planning (or Hampshire Local Resilience Forum) who are responsible for overseeing the response to flood incidents. This should include the procedures in place for flood alerts and warnings (operators of the building will need to sign up to the flood warnings through Floodline), and clearly identify the safe access and egress routes in a flood event. This should also include signage internally and externally (including within car parking and landscaped areas) to advice of the flood risk in these spaces. The Site Flood Plan should also include the requirement for ground floor units to close on receipt of a flood warning to ensure people vacate these spaces in advance of a flood. The Plan shall be implemented before the development first comes into use and thereafter adhered to for the lifetime of the development.

Reason: To demonstrate that the site and its users are safe from the hazard presented by flooding over the full life of the development.

### **22. Flood Resistance and Resilience Measures (Pre-Occupation)**

Prior to occupation of each separate block hereby approved, the resilience measures as outlined in the Flood Risk Assessment dated 20/11/2023, ref: P450730-WW-XX-XX-RP-C-0001, Rev: P6, (in particular) paragraphs 5.4.1 and 5.4.2, for each separate block, shall be secured, including not setting the finished floor levels lower than those specified within the approved site drawings including Ground Floor Plan, 20359-0303, 04/10/21 Rev 06 and floor levels for all habitable rooms no lower than 7.5m AOD. 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.

### **23. Bridge Link between Blocks B and C (Performance)**

Prior to occupation of block C the hereby approved second floor bridge link between blocks B and C shall be provided in accordance with the site flood plan and retained thereafter as approved throughout the lifetime of the development.

Reason: To demonstrate that the occupiers of block C have an acceptable flood emergency escape route over the lifetime of the development.

### **24. Sustainable Drainage (Pre-Commencement)**

No development shall take place until full detailed details of the Drainage Strategy have been submitted and approved by the Local Planning Authority. The Drainage Strategy should include the final detailed design drawings showing all components that form part of the surface water drainage system, supported by cross sections drawings, locations of all inlets, outlets and flow control structures and appropriate drainage calculations. Confirmation of the final point of discharge (with written approval to connect to the public sewer from Southern Water) and management and maintenance plan identifying who will be responsible for the maintenance over the design life.

Reason: To secure inclusion of sustainable drainage to manage surface water on site, meeting the requirements of the National Planning Policy Framework and Policy CS20 of the Southampton Core Strategy (amended 2015)

### **25. Sustainable Drainage Verification Report (Pre-Occupation)**

Prior to the first occupation of the development, a Drainage Verification Report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations) with as built drawings and photographs showing that the key components have been installed (i.e. surface water attenuation devices/areas, flow restriction devices and outfalls etc). The full details of the appointed management company or person(s) who will be responsible for the ongoing management and maintenance of the drainage system should also be included, with appropriate evidence for example a letter or contract agreement.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and will be maintained appropriately over the lifetime of the development.

### **26. Zero or Low Carbon Energy Sources (Pre-Commencement)**

Prior to the commencement of each Block an energy strategy shall be submitted to and approved in writing by the Local Planning Authority which provide details of enhanced passive measures and zero or low carbon energy technologies (including details of their management and maintenance) that:

- Aspire to net zero carbon, with a minimum reduction in target emission rates as set out in the Energy and Sustainability Strategy dated March 2022.
- Aspire to a space heating demand of less than 15 kWh/m<sup>2</sup>/yr at building level for all building types. This may be demonstrated through building regulations calculations (SAP / BRUKL), although for some buildings more detailed energy modelling may be considered.

The strategy shall set out the total amount of regulated carbon dioxide emissions (in tonnes) expected to be produced from the relevant Block comprised in the Development per annum based on buildings regulations calculations and having regard to such measures.

The measures set out in the approved strategy shall be installed and rendered fully operational prior to the first occupation of the relevant Block comprised in the development and shall be retained and maintained thereafter in accordance with the approved strategy.

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), and the Southampton Green City Charter and Plan (2020).

### **27. Energy (Performance)**

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has aspired to net zero carbon, with a minimum reduction in a minimum reduction in target emission rates as set out in the Energy and Sustainability Strategy dated March 2022.

Space heating demand should be close to or less than 15 kWh/m<sup>2</sup>/yr at building level for all building types. This may be demonstrated through building regulations

calculations (SAP / BRUKL), although for some buildings more detailed energy modelling may be considered.

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), and the Southampton Green City Charter and Plan (2020)

### **28. Water Efficiency (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 100 Litres/Person/Day water use in the form of a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA. The appliances/ fittings to be installed as specified.

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 (Amended 2015).

### **29. BREEAM Standards (Pre-commencement)**

For any Building of more than 500sqm of non-domestic floorspace, a New Construction assessment achieving 'Excellent' as a minimum will be delivered; multiple BREEAM assessments per use type may be delivered where this is deemed the most suitable route to compliance.

With the exception of site clearance, demolition and preparation works, before the development commences on non-residential uses, the developer demonstrates that the Design Stage BREEAM assessment(s) is (are) progressing with the ability and intention to achieve the targeted BREEAM 'Excellent' rating as advised by the qualified BREEAM assessor appointed for each assessment. The Design Stage Assessment(s) shall be concluded and a Design Stage Certificate(s) achieving an 'Excellent' rating as a minimum shall be provided to the Local Planning Authority within six months of commencement of construction on site (with the exception of site clearance, demolition and preparation works).

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).

### **30. BREEAM Standards (Performance)**

Within 6 months of occupation of any Development Plot requiring BREEAM Assessment, written documentary evidence proving that the development has achieved a BREEAM New Construction rating of 'Excellent' as a minimum in the form of post construction assessment and certificate as issued by the BRE 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).

### **31. Sustainable Measures (Pre-commencement)**

Prior to the commencement of each development plot phase of the development (excluding site setup/demolition/site investigation preparation works) the following

information for that development plot phase shall be submitted to and approved in writing by the Local Planning Authority:

- Pre-demolition audit Conduct a pre-demolition audit on all existing buildings and hardstanding, considering opportunities for reuse on site and maximising the proportion of waste taken offsite which is recycled. Audit to be completed at a site-level prior to any works or at a phase-level, details of which should be provided. Set out how exploration of embodied carbon has informed decision making on materials
- Embodied carbon review the high-level embodied carbon implications of the proposals and which demonstrates that embodied carbon has been considered when making decisions regarding structure, architecture, and materiality. Consider conducting a detailed embodied carbon assessment in line with the RICS methodology on key buildings to benchmark the design.
- Energy storage appraisal To be considered at either site- or phase-/building-level, review the potential for energy storage. Detail any proposals.
- Post Occupancy Evaluation (POE) and energy performance Review the benefit of POE and energy performance in the context of each building. Outline any commitments to conduct POE at this stage.
- Rainwater harvesting, and greywater recycling Review the viability and feasibility of rainwater harvesting and greywater recycling for each phase and provide detail.

The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development hereby granted consent.

Reason: To ensure the development minimises overall demand for resources and is compliant with the City of Southampton Core Strategy Development Plan Document (January 2010) policy CS20, the City of Southampton Local Plan (March 2006) policies SDP13 and SDP6, Southampton's Green City Charter and Plan (2020)

### **32. 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) details of construction vehicles wheel cleaning; and,
- i) 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.

### **33. 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.

### **34. Green Roof Implementation (Pre-Above Ground Works)**

Prior to any above ground works hereby approved, a specification and management plan for the green roof shall be submitted to and agreed in writing by the Local Planning Authority. The green roof must be installed to the approved specification before the building to which it relates hereby approved first comes into use or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained throughout the lifetime of the development. If the green roof dies, fails to establish or becomes 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.

Reason: To reduce flood risk and manage surface water runoff in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13.

### **35. Ecological Mitigation Statement (Pre-Commencement)**

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

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

*Note to applicant: It is recommended that this scheme should include measures to provide habitat for Swifts.*

### **36. Protection of nesting birds (Performance)**

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

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

### **37. Bird Hazard Management Plan (Pre-Above Ground Works)**

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.

### **38. Lighting and CCTV (Pre-Occupation)**

Prior to the occupation of the development a scheme of safety and security measures, including a lighting and CCTV plan for the public route through the site shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first use of the public routes through the site and retained thereafter throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

The lighting scheme will include the intensity of illumination and predicted lighting contours; and demonstrate that light spill into adjacent tree canopies will not exceed 1lux. In addition, the lighting will use warm white (2700k to 3000K) luminaires, with a peak wavelength higher than 550nm. The design of lighting scheme must comply with BS 5489-1:2020 and discharge any liabilities attached to that standard.

Reason: To ensure safe and secure development, contribute to reducing crime and disorder, in accordance with the adopted Local Plan (Core Strategy), Policy CS13 and the NPPF (As Amended) and in the interests of nature conservation.

### **39. Tree Retention and Safeguarding (Pre-Commencement)**

Prior to the commencement of the development hereby approved, including site clearance and demolition, details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be provided in accordance with the agreed details before the

development commences and retained, as approved, for the duration of the development works. No works shall be carried out within the fenced off area. All trees shown to be retained on the plans and information hereby approved and retained pursuant to any other condition of this decision notice, shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations.

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

#### **40. Piling (Pre-Commencement)**

Prior to the commencement of development hereby approved, a piling/foundation design and method statement, with contamination of controlled waters risk assessment shall be submitted to and approved in writing by the Local Planning Authority following consultation with southern water. The development shall be carried out in accordance with the agreed details. No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development unless agreed by discharge of this condition.

Reason: In the interest of residential amenity and areas of contamination may be present on this site. Piling or deep foundations using penetrative methods has the potential to mobilise contamination. This could adversely impact controlled waters beneath the site. This condition is in line with paragraph 180 of the National Planning Policy Framework.

#### **41. Wind Microclimate Mitigation (Pre-Above Ground Works)**

Prior to the commencement of any above ground works hereby approved, a scheme of measures to protect the occupiers of the development from harmful wind speeds, based on the conclusions and recommendations of the Wind Microclimate Study, by WSP, 14<sup>th</sup> March 2022, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved before the building to which they relate first comes into occupation and shall thereafter be retained as approved throughout the lifetime of the development.

Reason: In the interests of residential amenity and pedestrian safety

#### **42. Noise & Vibration (external noise sources) (Pre-Above Ground Works)**

Prior to the commencement of any above ground works hereby approved, a scheme of measures (including glazing and mechanical ventilation) to protect the occupiers of the development from external noise and vibration sources, based on the findings of the Noise Assessment by Hawkins Environmental, 1<sup>st</sup> march 2022 – in particular tables 3.4 & 6.2) achieving compliance with BS8233, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved before the building to which they relate first comes into occupation and shall thereafter retained as approved throughout the lifetime of the development.

Reason: In the interests of residential amenity.

*Informative: Section 12 of the noise report states: Plant associated with the development would be expected to be adequately controlled such that the Rating noise level from the plant would not exceed the background noise level at any sensitive receptor.* Noise levels quoted are '54 dB/44 dB closer to Northam Road and 51 dB/43dB closer to St Mary's Stadium, during the daytime/night-time



respectively' (section 7).

#### **43. Extract Ventilation from cooking facilities (Pre-Commencement of food/drink uses)**

No extractor fans and other equipment, necessary to control odour from any cooking facilities for food and drink uses (within class E) shall operate until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment has been submitted to and approved in writing by the Local Planning Authority. The extractor fans and other equipment shall thereafter only be implemented in accordance with the approved details and findings.

Reason: In the interests of residential amenity.

#### **44. 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.

#### **45. Residential Cycle Storage (Pre-Occupation)**

The residential cycle storage facilities shall be provided in accordance with the plans hereby approved, before the dwellings, to which the facilities relate, are occupied; and in accordance with the agreed phasing plan. The storage shall thereafter be retained and made available for that purpose throughout the lifetime of the development. At least 1 secure and covered cycle storage space shall be provided for each residential unit (total 384).

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

#### **46. Commercial/visitor cycle parking spaces (Pre-Occupation)**

Prior to the occupation of the commercial units hereby approved details of visitor cycle parking facilities including design (Sheffield style cycle hoops or similar) and location shall be submitted to and approved in writing by the Local Planning Department. Once agreed the approved cycle storage shall thereafter be retained and made available for use at all times for the lifetime of the development

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

#### **47. Residential Euro Bin Storage (Performance)**

Before the development hereby approved first comes into residential occupation, the residential bin stores shall be provided in accordance with the plans hereby approved, and the phasing plan, and shall include the following:

- Ventilation;
- Outwardly opening doors, or roller shutter doors which do not encroach onto the public highway, with no less than 1.4 metre wide opening and capable of being secured in place whilst bins are moved;
- Level threshold access;
- A lock system to be operated by a coded key pad;

- Internal lighting;
- Facilities for cleaning and draining the store and;
- Dropped kerb access to the adjacent highway.

The stores shall thereafter be retained and made available for use at all times for the lifetime of the development, and other than on collection day, at no time shall any refuse be stored outside without on the buildings.

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

Note: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at [Waste.management@southampton.gov.uk](mailto:Waste.management@southampton.gov.uk) at least 8 weeks prior to occupation of the development to discuss requirements.

#### **48. Commercial Euro Bin Storage (Performance)**

Before the commercial units hereby approved first come into occupation, the commercial bin stores shall be provided in accordance with plans that are first submitted to and approved in writing by the Local Planning Authority and shall include the following:

- Ventilation;
- Outwardly opening doors, or roller shutter doors which do not encroach onto the public highway, with no less than 1.4 metre wide opening and capable of being secured in place whilst bins are moved;
- Level threshold access;
- A lock system to be operated by a coded key pad;
- Internal lighting;
- Facilities for cleaning and draining the store and;
- Dropped kerb access to the adjacent highway.

The stores shall thereafter be retained and made available for use at all times for the lifetime of the development and other than on collection day, at no time shall any refuse be stored outside without on the buildings.

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

#### **49. On site vehicular parking and management (Pre-Occupation)**

Prior to the use of the car parking spaces hereby approved, for each phase of development, a car parking management plan shall be submitted to and approved in writing by the local planning, based on the management details covered by the submitted Transport Assessment; and the 176 approved vehicular parking spaces (measuring at least 5m x 2.4m) and adjacent vehicular manoeuvring space (measuring at least 6m wide) shall be constructed and laid out in accordance with the approved plans prior to the first occupation of the hereby approved development in accordance with the agreed phasing plan. At no time shall the parking spaces and manoeuvring areas be used for any other purpose.

Reason: To ensure that sufficient off-street car parking is available in the interests of highway safety, to protect residential amenity and to ensure appropriate parking is provided to serve the development.

**50. Electric Vehicle Spaces (Performance)**

Prior to the development hereby approved first coming into use, or otherwise as agreed by the phasing plan) 15% (27, rounded up) of the car parking spaces approved shall be fitted with charging facilities for electric vehicles and ready to use (ACTIVE) and the remainder of the parking spaces shall have access to infrastructure such as ducting/wiring/access points to allow future access to charging facilities should the need arise in the future (PASSIVE). The spaces and charging infrastructure shall thereafter be retained throughout the lifetime of the development as approved and allocated with priority to occupants with electric vehicles.

Reason: In the interest of reducing emissions from private vehicles and improving the city's air quality.

**51. Building max height 57.75 AOD (Performance)**

At no time shall the building hereby approved exceed a maximum height of 57.75AOD.

Reason: In the interests of airport safeguarding and air born transport safety.

**52. Community use room details. (Pre-Occupation of Block A)**

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing a specification for the design and fit out of the community use room hereby approved and management arrangements, including kitchenette and access arrangements for bathroom facilities, cleaning/maintenance details, hours of use, advertising method and payment schedule/arrangements. The community use room shall be provided in accordance with the agreed details prior to the occupation of Block A, unless otherwise agreed by the phasing plan, and thereafter retained as approved throughout the lifetime of the development.

Reason: To provide facilities which benefit the local community.

**53. Ancillary Use Only (Performance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking, re-enacting or modifying that Order) the communal facilities hereby approved (including roof terraces, dog wash, lounge areas, reception, lettings room, gym, studio, and roof top private dining) shall be restricted to use as ancillary accommodation to be used by residents of the development and shall not be let, sold separately, or severed thereafter.

Reason: In the interests of residential amenity.

**54. Nitrate Mitigation Vesting Certificate (Pre-Occupation):**

The development hereby permitted shall not be occupied unless a Nitrate Mitigation Vesting Certificate confirming the purchase of sufficient nitrates credits from a suitable and recognised Eastleigh Borough Council 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.

**55. Road Construction (Pre-Commencement)**

Prior to the commencement of the development hereby approved, the following

details shall be submitted to and approved in writing by the Local Planning Authority:

1. A specification of the type of construction proposed for the vehicle cross over and access, cycle ways and footpaths including all relevant horizontal cross-sections and

longitudinal sections showing existing and proposed levels together with the method of disposing of surface water.

2. A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

3. Details of a management process which will maintain these areas in the future. The vehicle cross over, access, cycleway & footways shall be completed in accordance with the agreed details before the development first comes into occupation and thereafter retained as approved for the lifetime of the development.

Reason: To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority.

### **56. Vehicle Protection Measures (Pre-Use)**

Prior to the use of the hereby approved parking spaces measures to protect vehicles, in particular from bins during collection, shall be submitted to and approved in writing by the local planning authority. The vehicle protection measures shall be completed in accordance with the agreed details before the development first comes into occupation and thereafter retained as approved for the lifetime of the development.

Reason: To protect vehicles from damage.

### **57. Hours of Use and Delivery times (Performance)**

The commercial/public uses hereby approved shall not operate outside of the hours hereby set out:

Blocks B & C: 06:00 – 22:00

Block A: Café/Restaurant: 06:00 – 22:00

No deliveries shall be taken or despatched outside the hours hereby set out:

06:00 – 20:00

Reason: In the interests of residential amenity.

## Habitats Regulations Assessment (HRA)

Application reference:	22/00695/FUL
Application address:	Former Gasworks Britannia Road Southampton
Application description:	Redevelopment of the site. Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 17 storeys comprising 384 residential units including ancillary residential facilities, with Block C comprising commercial floorspace (Class E), the link building comprising class E and class F2(b) uses, together with associated access from Britannia Road, internal roads and footways, car and cycle parking (including drop off facilities), servicing, hard and soft landscaping, amenity space, Sustainable Drainage systems, engineering and infrastructure works (amended description).
HRA completion date:	26/04/2024

### HRA completed by:

Lindsay McCulloch  
Planning Ecologist  
Southampton City Council  
Lindsay.mcculloch@southampton.gov.uk

### Summary

The project is located 150m to the west of the Solent and Dorset Coast Special Protection Area (SPA) and 370m from sections of the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI) and the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site.

The River Itchen Special Area of Conservation (SAC) is located approximately 4.8km upstream and Atlantic salmon, *Salmo salar*, an interest feature of the SAC, pass along the tidal Itchen on their migration to and from the breeding grounds in the upper reaches of the river.

The application site is located outside the designated sites and consequently the proposed development will not have any direct impacts upon protected habitats or species. There is, however, a low risk of indirect impacts on interest features of the designated sites resulting from construction stage disturbance and pollution and operational stage recreational activity, nutrient release, air quality and collision risk.

The site currently consists of ruderal vegetation and aggregate having previously contained two gas holders and supporting structures. It is located close to sites which are part of the National Sites Network and, as such, there is potential for construction stage impacts to occur. 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, waste-water 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.

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.**

<p>European sites potentially impacted by plan or project: [redacted] European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at [redacted]</p>	<ul style="list-style-type: none"> <li>▪ Solent and Dorset Coast SPA</li> <li>▪ Solent and Southampton Water SPA</li> <li>▪ Solent and Southampton Water Ramsar Site</li> <li>▪ Solent Maritime SAC</li> <li>▪ River Itchen SAC</li> <li>▪ New Forest SAC</li> <li>▪ New Forest SPA</li> <li>▪ New Forest Ramsar site</li> </ul>
<p>Is the project or plan directly [redacted] connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development consists of new residential and commercial buildings which are 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"> <li>▪ Southampton Core Strategy (amended 2015) (<a href="http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf">http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf</a>)</li> <li>▪ City Centre Action Plan (<a href="http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx">http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx</a>)</li> <li>▪ South Hampshire Strategy (<a href="http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm">http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm</a>)</li> </ul> <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000</p>

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.

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.

Whilst the dates of the two plans do not align, it is clear that the proposed development of the Leisure World 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.

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

#### Test 1: the likelihood of a significant effect

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

The project is located 150m to the west of the Solent and Dorset Coast Special Protection Area (SPA) and 370m from sections of the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI) and the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site.

The River Itchen Special Area of Conservation (SAC) is located approximately 4.8km upstream and Atlantic salmon, *Salmo salar*, an interest feature of the SAC, pass along the tidal Itchen on their migration to and from the breeding grounds in the upper reaches of the river. The Solent Maritime SAC is located approximately 5km downstream.

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 are likely to be both temporary, arising from the construction phase of the development, and permanent arising from the operational phase.

#### **Screening Assessment**

A screening assessment of potential impacts upon the designated sites and their features was undertaken and details of the findings can be found in the following tables:

**The Solent and Dorset Coast SPA**

The eastern boundary of the Site is approximately 150m from this SPA.

<p><b>Solent and Dorset Coast SPA</b></p>	
<p><b>Solent and Dorset Coast SPA</b></p>	<p><b>SPA Conservation Objectives</b></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying features;</li> <li>• The structure and function of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
<p><b>Habitat loss</b></p>	<p><b>Habitat loss</b></p> <p>There will be no direct loss of land within the Solent and Dorset Coast SPA due to the Site being located 150m to the west of the SPA boundary and separated from the SPA by a road and existing buildings.</p>
<p><b>Conclusions</b></p>	<p><b>Habitat loss can be scoped out of any further assessment.</b></p>
<p><b>Habitat degradation</b></p>	<p><b>Habitat degradation</b></p> <p>The Proposed Development will involve the construction of four large buildings plus roadways and landscaping. Construction activities, for example piling, have the potential to release contaminants (dust or chemical pollutants) directly into the Solent and Dorset SPA via the air and/or groundwater or indirectly through rainwater runoff from hard surfaces.</p> <p>Furthermore, there is a risk of interruption to groundwater movements through foundation structures, which may also pollute the Solent and Dorset SPA.</p>
<p><b>Conclusions</b></p>	<p><b>Habitat degradation through air and waterborne pollution will need to be assessed further.</b></p>
<p><b>Effects on Species not mediated through habitat</b></p>	<p><b>Effects on Species not mediated through habitat</b></p> <p>The habitat within and adjacent to the Site is not suitable for the Qualifying Features (breeding terns) of this SPA.</p>
<p><b>Conclusions</b></p>	<p><b>Effects on species not mediated through habitat can be scoped out of any further assessment.</b></p>



The following potential impacts have been scoped out of any further assessment.

- Construction stage lighting causing disturbance to species;
- Movement of people and vehicles on the site causing disturbance to species;
- Vehicle movements generating noise and light along routes to the Proposed Development causing disturbance to species;
- Predatory/scavenging animals attracted by food sources at the Proposed Development that then predate animals in the SPA.

**The Solent and Southampton Water SPA/Ramsar site**

Part of the Solent and Southampton Water SPA/Ramsar site lies 370m to the east of the Site, on the other side of the River Itchen which runs alongside the Site. This part of the Solent and Southampton Water SPA is a Habitat of Principal Importance, namely mudflats and sand. The Solent and Southampton Water SPA extends south from the River Itchen into parts of Southampton Water and the Solent.

<b>Solent and Southampton Water SPA/Ramsar site</b>	<b>SPA Conservation Objectives</b>
	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying features;</li> <li>• The structure and function of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and</li> <li>• The distribution of the qualifying features within the site.</li> </ul> <p>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 sites within the National Sites Network.</p>
	<b>Habitat loss</b>
	<p>There will be no direct loss of land within the Solent and Southampton Water SPA/Ramsar site due to the Site being located 370m to the west of the SPA boundary and separated from the SPA by a road, existing buildings, and the river channel. Similarly, the habitats on the Site are not suitable supporting habitat for overwintering waterfowl, which are also Qualifying Features.</p>

<b>Conclusion</b>	<b>Habitat loss can be scoped out of any further assessment.</b>
	<p data-bbox="539 304 847 342"><b>Habitat degradation</b></p> <p data-bbox="539 365 1378 763">The Proposed Development will involve the construction of four large buildings plus roadways and landscaping. Construction activities, for example piling, have the potential to release contaminants (dust or chemical pollutants) directly into the Solent and Southampton Water SPA/Ramsar site via the air and/or Furthermore, there is a risk of interruption to groundwater or indirectly through rainwater runoff from hard surfaces. movements through foundation structures, which may also pollute the Solent and Southampton Water SPA/Ramsar site.</p>
<b>Conclusion</b>	<b>Habitat degradation through mobilisation of contaminants will need to be assessed further.</b>
	<p data-bbox="539 909 999 947"><b>Water quality - eutrophication</b></p> <p data-bbox="539 947 1378 1420">In 2018, 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 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 the Solent and Southampton Water SPA/Ramsar site that are vulnerable to increases in nitrogen levels are inter-tidal mud.</p> <p data-bbox="539 1458 1347 1673">Evidence from the Environment Agency and Partnership for South Hampshire (PfSH) has identified that there is uncertainty in some locations as to whether there will be enough capacity to accommodate new housing growth. Natural England have therefore advised that a nitrogen budget is calculated for all developments.</p>
<b>Conclusion</b>	<b>Habitat degradation through eutrophication will need to be assessed further.</b>

	<p><b>Air quality - road traffic related emissions</b></p> <p>An air quality assessment has been carried out for the proposed development, however; it did not specifically assess impacts on the designated sites. The conclusion of the air quality assessment was that the development would lead to only a negligible increase in NO<sub>2</sub> and PM10 emissions in the area local to the development and that, as traffic spreads out into the wider network, the effects of the emissions would reduce further away from the development.</p> <p>However, as it is not possible to take conclusions directly from the air quality assessment, further assessment will be required.</p>
<b>Conclusions</b>	<b>Habitat degradation through air pollution needs to be assessed further.</b>
	<p><b>Effects on Species not mediated through habitat</b></p> <p>Over-wintering wildfowl have been shown to be sensitive to high noise levels when feeding. Noise levels above 50dB can cause changes in behaviour ranging from increased levels of alertness to flying away. Such behaviour reduces feeding time and can affect the fitness of the birds. A reduction in fitness can lead to reduced breeding success.</p> <p>Piling activity can result in high levels of noise sufficient to disturb birds however, the nearest section of inter-tidal mud used by over-wintering birds is approximately 370m to the east and the noise level is likely to have dropped below 50dB by the time the sound reaches the edge of the habitat.</p> <p>Sound from percussive piling is therefore unlikely to be at levels capable of disturbing birds.</p>
<b>Conclusions</b>	<b>Effects on species arising from noise will not need to be assessed further.</b>

	<p>Recreational activity, particularly walking and dog walking, has been identified as a type of human disturbance which can adversely impact the species for which the Solent and Southampton Water SPA is designated.</p> <p>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.</p> <p>Such disturbance will not arise directly for the development site due its distance from the designated site and separation provided by the river channel. However, impacts could occur indirectly due to new residents travelling to coastal sites around the Solent. Although the number of additional visits arising from the site on its own is unlikely to be significant, when considered in-combination with visits arising from other residential developments, significant effects are likely to occur.</p>
<b>Conclusions</b>	<b>Effects on species arising from an increase in recreational activity will need to be assessed further.</b>
	<p><b>Collision risk</b>  <b>Solent and Southampton Water SPA/Ramsar site</b>  Research has indicated that tall buildings pose a collision risk to birds. In addition to height, lighting, which can draw birds towards buildings especially in bad weather, and reflective surfaces pose particular risks.</p> <p>One of the proposed buildings is 20 storeys tall and could therefore pose a risk to birds flying in the local area.</p>
<b>Conclusions</b>	<b>Effects on species arising from collisions risk will need to be assessed further.</b>
	<p>The habitat within and adjacent to the Site is not suitable for the Qualifying Features (breeding terns and Mediterranean gull and overwintering waterfowl) of this SPA the following potential impacts have been scoped out for any further assessment.</p>

<b>Conclusions</b>	<p>The following potential impacts have been scoped out for any further assessment.</p> <ul style="list-style-type: none"> <li>• Lighting causing disturbance to species;</li> <li>• Movement of people and vehicles on the proposed development causing disturbance to species;</li> <li>• Vehicle movements generating noise and light along routes to the proposed development causing disturbance to species;</li> <li>• Predatory/scavenging animals attracted by food sources at the proposed development that then predate animals in the SPA.</li> </ul>
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**Solent Maritime SAC**

The nearest section of the Solent Maritime SAC lies approximately 5km downstream of the site.

<b>Solent Maritime SAC</b>	<b>SAC Conservation Objectives</b>
	<p>‘Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species;</li> <li>• The structure and function (including typical species) of qualifying natural habitats;</li> <li>• The structure and function of the habitats of qualifying species;</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;</li> <li>• The population of qualifying species; and</li> <li>• The distribution of the qualifying species within the site.’</li> </ul>
	<b>Habitat loss</b>
	<p>The nearest section of the Solent Maritime SAC is approximately 5km away from the site and there will be no direct loss of land within the SAC as a consequence of the development footprint.</p>
<b>Conclusions</b>	<b>The potential impacts of habitat loss are scoped out of any further assessment.</b>
	<b>Habitat degradation</b>
	<p>The Solent Maritime SAC is sufficiently distant from the site to prevent construction stage degradation of designated habitats.</p>

<b>Construction stage</b>	<b>Habitat degradation through mobilisation of contaminants will not need to be assessed further.</b>
	<p><b>Water quality - eutrophication</b></p> <p>In 2018, 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 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 the Solent Maritime SAC that are vulnerable to increases in nitrogen levels are salt marsh and inter-tidal mud.</p> <p>Evidence from the Environment Agency and Partnership for South Hampshire (PfSH) has identified that there is uncertainty in some locations as to whether there will be enough capacity to accommodate new housing growth. Natural England have therefore advised that a nitrogen budget is calculated for all developments.</p>
<b>Conclusions</b>	<b>Habitat degradation through eutrophication will need to be assessed further.</b>
	<b>Effects on Species not mediated through habitat</b>
	None

**The River Itchen SAC**

The River Itchen SAC lies approximately 4.8km upstream from the Site.

[Redacted]	
<b>River Itchen SAC</b>	<b>SAC Conservation Objectives</b>
	<p>‘Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species;</li> <li>• The structure and function (including typical species) of qualifying natural habitats;</li> <li>• The structure and function of the habitats of qualifying species;</li> </ul>

	<ul style="list-style-type: none"> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;</li> <li>• The population of qualifying species; and</li> <li>• The distribution of the qualifying species within the site.'</li> </ul>
	<p><b>Habitat loss</b></p> <p>The nearest section of the River Itchen SAC is approximately 4.8km away from the site and there will be no direct loss of land within the SAC as a consequence of the development footprint.</p>
<b>Conclusions</b>	<b>The potential impacts of habitat loss are scoped out of any further assessment.</b>
	<p><b>Habitat degradation</b></p> <p>The River Itchen SAC is sufficiently distant from the site to prevent degradation of designated habitats</p>
<b>Conclusions</b>	<b>Habitat degradation through mobilisation of contaminants will not need to be assessed further.</b>
	<p><b>Effects on Species not mediated through habitat</b></p> <p>Atlantic salmon are sensitive to vibration and can alter their behaviour in response by, for example, avoiding areas of high vibrations or delaying their passage through such water.</p> <p>The use of percussive piling on riverbanks can result in vibration affecting the river channel. However, the proposed development is located 180m from the nearest section of the channel and the intervening land supports a range of built development. The distance from the water and nature of the land in between means that vibrations caused by piling on the site will have been dampened to safe levels by the time they reach the water. In addition, the channel is 185m wide providing individual salmon with the opportunity to move away from any vibration.</p>
<b>Conclusions</b>	<b>Disturbance caused through vibration during the construction phase will not impact the tidal river channel and will not need to be assessed further.</b>
	<p>The Proposed Development will involve the construction of four large buildings plus roadways and landscaping. Construction activities, for example piling, have the potential to release contaminants (dust or chemical pollutants) and/or cause an interruption of groundwater which could result in pollution being released into the River Itchen affecting movement of salmon.</p>

<b>Conclusions</b>	<b>Habitat degradation through mobilisation of contaminants will need to be assessed further.</b>
<b>New Forest SPA</b>	<p><b>SPA Conservation Objectives</b></p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying features;</li> <li>• The structure and function of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
	<p><b>Habitat loss</b></p> <p>There will be no direct loss of land within the New Forest SPA/Ramsar site as a consequence of the site being located 5.7km (straight line distance) from the boundary of the designated site.</p>
<b>Conclusions</b>	<b>Habitat loss is scoped out of any further assessment.</b>
	<p><b>Habitat degradation</b></p> <p><b>Air quality - road traffic related emissions</b></p> <p>An air quality assessment has been carried out for the proposed development, however; it did not specifically assess impacts on the designated sites. The conclusion of the air quality assessment was that the development would lead to only a negligible increase in NO<sub>2</sub> and PM10 emissions in the area local to the development and that, as traffic spreads out into the wider network, the effects of the emissions would reduce further away from the development.</p> <p>However, as it is not possible to take conclusions directly from the air quality assessment, and further assessment will be required.</p>
<b>Conclusion</b>	<b>Habitat degradation through operational stage air pollution will need to be assessed further.</b>



	<p><b>Recreational activity</b> As a residential scheme, the proposed development is likely to result in an increase in recreational activity during its operational phase. Such recreational activity could include walking and cycling across designated habitats with the New Forest SPA which would lead to trampling of plants and degradation of habitats used by ground nesting birds.</p>
<b>Conclusion</b>	<b>Habitat degradation as a result of recreational activity will need to be assessed further.</b>
	<p><b>Effects on Species not mediated through habitat</b></p> <p><b>Recreational disturbance</b> Recreational activity, particularly walking and dog walking, has been identified as a type of human disturbance which can adversely impact the species for which the New Forest SPA is designated. 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 loss of nests/eggs/chicks and lower levels of breeding success.</p> <p>Such disturbance will not arise directly for the development site due its distance from the designated site however, impacts could occur indirectly due to new residents travelling to the New Forest. Although the number of additional visits arising from the site on its own is unlikely to be significant, when considered in-combination with visits arising from other residential developments, significant effects are likely to occur.</p>
<b>Conclusions</b>	<b>Effects on species arising from an increase in recreational activity will need to be assessed further.</b>

<b>The New Forest</b>	<b>SAC Conservation Objectives</b>

<b>SAC</b>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying features;</li> <li>• The structure and function of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and</li> <li>• The distribution of the qualifying features within the site.</li> </ul>
	<p><b>Habitat loss</b></p> <p>There will be no direct loss of land within the New Forest SPA/Ramsar site as a consequence of the site being located 5.7km (straight line distance) from the boundary of the designated site.</p>
<b>Conclusions</b>	<b>Habitat loss is scoped out of any further assessment.</b>
	<p><b>Habitat degradation</b></p> <p><b>Air quality - road traffic related emissions</b>  An air quality assessment has been carried out for the proposed development, however; it did not specifically assess impacts on the designated sites. The conclusion of the air quality assessment was that the development would lead to only a negligible increase in NO<sub>2</sub> and PM10 emissions in the area local to the development and that, as traffic spreads out into the wider network, the effects of the emissions would reduce further away from the development.</p> <p>However, as it is not possible to take conclusions directly from the air quality assessment, further assessment is required.</p>
<b>Conclusions</b>	<b>Habitat degradation through operational stage air pollution needs to be assessed further.</b>
	<p>As a residential scheme, the proposed development is likely to result in an increase in recreational activity during its operational phase. Such recreational activity could include walking and cycling across designated habitats within The New Forest SAC which would lead to trampling of plants and degradation of those habitats.</p>
<b>Conclusions</b>	<b>Habitat degradation through trampling will need to be assessed further.</b>
	<p><b>Effects on species not mediated through habitat</b></p> <p>None.</p>

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

The project being assessed would lead to redevelopment of the former gas holder site leading to the construction of will involve the construction of four large buildings plus roadways and landscaping.

Screening of activities that are likely to arise from the proposed development has established that the proposed development will not have any direct impacts upon protected habitats or species. however, there is, a low risk of indirect impacts, including disturbance by construction stage noise and air and waterborne pollution, and operational stage air pollution, recreational activity, and eutrophication, on interest features of the designated sites.

Habitat loss	
Effects on species arising from vibration	
Habitat degradation through construction stage air and waterborne pollution.	
Sites affected:	
<ul style="list-style-type: none"> <li>• Solent and Dorset Coast SPA.</li> <li>• Solent and Southampton Water SPA/Ramsar site.</li> </ul>	
Habitat degradation through operational stage eutrophication.	
Sites affected:	
<ul style="list-style-type: none"> <li>• Solent and Dorset Coast SPA</li> <li>• Solent Maritime SAC</li> <li>• Solent and Southampton Water SPA/Ramsar site.</li> </ul>	
Habitat degradation through operational stage air pollution.	
Sites affected:	
<ul style="list-style-type: none"> <li>• New Forest SPA</li> <li>• The New Forest SAC.</li> </ul>	
Effects on species arising from an increase in recreational activity	
Sites affected:	
<ul style="list-style-type: none"> <li>• Solent and Southampton Water SPA/Ramsar site</li> <li>• New Forest SPA</li> <li>• The New Forest SAC</li> </ul>	

As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives  
 The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

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

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152>. The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive." Whilst the conservation objective for the 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."

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.

Mobilisation of contaminants including dust, chemicals, and surface water / runoff	
<b>Assessment</b>	<p><i>Solent and Dorset Coast SPA, Solent and Southampton Water SPA/Ramsar site, River Itchen SAC</i></p> <p>A Flood Risk Assessment (FRA) and Drainage Strategy were prepared by Whitby Wood in March 2022 in respect of the Proposed Development. The FRA considers the impact of the Proposed Development in addition to the common ways in which flooding can occur. The FRA assesses the current conditions within the Site and provides mitigation measures to avoid and/or reduce the impacts caused by the Proposed Development.</p> <p><b>Construction stage</b></p> <p>Surface water run-off from the proposed development could potentially result in pollution of the inter-tidal mudflats and in-channel habitats as a result of the production of dust, mobilisation of historic contaminants, pollution events during construction work or the release of contaminated surface water runoff. The resultant degradation could reduce the habitat available to passage/over-wintering waterfowl or ingestion by individual birds. Ingestion has the potential to result in a loss of condition and reduced survival rates leading to higher mortality and a reduction in population levels. Such an impact could lead to significant effects.</p>

<p><b>Mitigation measures</b></p>	<p><b>Construction stage</b>  A Construction Environmental Management Plan (CEMP) containing measures such as dust suppression, designated areas for refuelling, no discharges into surface water drainage or the river and the use of spill kits which will be required reduce the potential for release of pollutants to a negligible level.</p> <p><b>Operational stage</b>  The proposed surface water drainage strategy for the Site involves the provision of Sustainable Drainage System (SuDS) to manage flow rates and provide water quality and biodiversity benefits.  The proposed measures include the use of blue roofs and permeable surfacing to attenuate all run-off up to the 100 year event plus an allowance of 40% for climate change. Swales are also proposed in the landscaping with a filter drain running beneath the base of the swale to provide additional attenuation. The blue roof will include a vegetated layer to provide additional water quality and biodiversity benefits.  Permeable surfacing will be provided in the car park which will be lined with an impermeable membrane to enable it to act as a storage tank. All of the proposed SuDS measures will provide effective treatment of runoff; the vegetation in the swale, blue roof and the aggregate sub-base in the permeable surfacing and filter drain will remove oil, silt, and other pollutants. In addition, as a result of the proposed number of car parking spaces being above the threshold for an oil interceptor, a bypass separator will also be provided.  All the measures being proposed will result in an improvement in the quality of the water leaving the site and a reduction in the rate of runoff to the greenfield rate</p>
<p><b>Conclusions</b></p>	<p>It is considered that the mitigation proposals in respect of surface water attenuation and pollution prevention will be sufficient to reduce the potential effects of the Proposed Development so that they are no longer considered to be significant.</p>

<p><b>Air pollution from additional vehicles</b></p>	
<p><b>Assessment</b></p>	<p><b>Air quality - road traffic related emissions</b>  <i>Solent and Southampton Water SPA/Ramsar site, New Forest SPA and The New Forest SAC</i></p> <p>Data from within the air quality report has been selected to enable consideration of the potential for likely significant effects.</p> <p>It is accepted that significant effects are likely if there is an increase of at least 1000 AADT (annual average daily traffic) on any given road and that designated habitats are present within</p>

200m of the edge of the road. Trip generation data indicates that the number of trips occurring as a consequence of the proposed development will be 342 AADT which is well below the 1000 AADT threshold for significant effects. In addition, the increase in AADT for any given road as a result of the development typically will decline with increasing distance from the development site.

In terms of proximity to designated sites, only the Solent and Dorset Coast SPA is situated within 200m of the site, however a section of the Solent and Southampton Water SPA is present within 200m of one of the roads close to the proposed development whilst the A35 passes through habitat designated within the New Forest SPA and The New Forest SAC.

### **Solent and Southampton Water SPA/Ramsar site**

To assess whether there are any impacts on intertidal habitat forming part of the Solent and Southampton Water SPA/Ramsar site are likely, data for receptors located either side of Northam Bridge were selected. These receptors were 210 Northam Road (western side) and 18 Bitterne Road West (eastern side).

<b>Receptor</b>	<b>210 Northam Road</b>	<b>18 Bitterne Road West</b>
	<b>Annual Mean NO<sub>2</sub> µg/m<sup>3</sup></b>	
Without development related traffic	30.46	27.75
With development traffic	30.56	27.81
<b>Increase in NO<sub>2</sub></b>	<b>00.10</b>	<b>00.06</b>
National Air Quality Objective	40	

It can be seen from the table above that the increase in annual mean NO<sub>2</sub> µg/m<sup>3</sup> was just 0.1 (0.33%) µg/m<sup>3</sup> and 0.06 (0.22%) µg/m<sup>3</sup> respectively. These changes are very small, and it can be concluded that there will be no likely significant effects from road traffic emissions.

### **New Forest SPA and The New Forest SAC**

Habitat for which the SAC is designated, and which supports species for which the SPA is designated, namely lowland heathland, is found within 200m of the boundary of the A35 at

Ashurst which is the closest section of the New Forest SPA to the development site accessible by road. The distance, by road between the development site and SPA at Ashurst is 11.8km. The point nearest to the SPA for which air quality emissions have been modelled, is the Crescent Place Student Housing, Charlotte Place Roundabout. It is 11.5km away from the SPA. The NO<sub>2</sub> emissions data for this point is detailed in the table below.

Receptor	Crescent Place Student Housing
	Annual Mean NO <sub>2</sub> µg/m <sup>3</sup>
Without development related traffic	31.29
With development traffic	31.42
Increase in NO <sub>2</sub> µg/m <sup>3</sup>	00.13
Increase in NO <sub>2</sub> %	00.42
National Air Quality Objective	40

It can be seen from the table above that the increase in annual mean NO<sub>2</sub> µg/m<sup>3</sup> was just 0.13 (0.42%) µg/m<sup>3</sup>. This change is very small and will diminish further by the time it reaches the SPA boundary. It can therefore be concluded that there will be no likely significant effects from road traffic emissions.

It can be seen from the table above that the increase in annual mean NO<sub>2</sub> µg/m<sup>3</sup> was just 0.13 (0.42%) µg/m<sup>3</sup>. This change is very small and will diminish further by the time it reaches the SPA and SAC boundaries. It can therefore be concluded that there will be no likely significant effects from road traffic emissions.

<b>Mitigation measures</b>	None required
<b>Conclusions</b>	From the evidence presented above it can be seen that the level of additional emissions will be extremely small and likely significant effects will not occur.

	<b>Collision risk</b>
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<b>Assessment</b>	<p>The Southampton Wetland Bird Flight Path Study 2009, which was undertaken to support the development of the Core Strategy, established the majority of flight activity occurred over the river corridors with little movement into the city centre area. A moderate level of activity was recorded along the southern section of the River Itchen, close to the site, although there was no movement away from the river channel.</p> <p>Of the interest species for which the SPA is specifically designated, rather than as part of an assemblage, Dark-bellied Brent Goose and small numbers of Mediterranean Gull were noted as flying within the vicinity of the site.</p> <p>The majority of Brent Goose activity was confined to the river corridor, although a small number of birds were recorded within close proximity to buildings within the city centre. There is therefore minor potential for Dark-bellied Brent (and to a lesser extent Mediterranean Gull) to be adversely affected by development proposals at the site as a result of disruption to flight lines and collision risk. In regard to other species, Black-tailed Godwit, Ringed Plover, and Teal were all noted to be flying on paths well away from the city centre.</p>
<b>Mitigation measures</b>	<p>The built form of the proposed development has been designed to minimise disruption to flightpaths and reduce collision risk. This has been achieved by breaking up the built form into a number of buildings with landscaping being used to provide open spaces enabling birds to fly between buildings. Further detailed design measures, including, the avoidance of large areas of glass, glazed areas to have high levels of 'visual noise', use of angled windows and use of bird screens, will be incorporated into individual buildings.</p>
<b>Conclusions</b>	<p>Use of the mitigation measures detailed above will allow the risk of collision to be reduce to negligible level and significant effects will not occur.</p>

**In-combination effects**

Two of the potential activities identified at the screening stage, eutrophication caused by inputs of nitrogen from wastewater and recreational disturbance, are unlikely to have significant effects if they were simply arising from the development on it's own. However, these activities are common to all residential development and, in-combination with residential developments across south Hampshire, significant effects are likely. These two activities are therefore considered further as follows.

	<b>Eutrophication</b>



<p><b>Assessment</b></p>	<p><i>Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC</i></p> <p>In their letter date 9<sup>th</sup> January 2019, 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.”</p> <p>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.</p> <p>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.</p> <p>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 Wastewater Treatment Works (WwTW) effluent flow and quality.</p> <p>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.</p>
<p><b>Mitigation measures</b></p>	<p>A methodology provided by Natural England has been used to calculate a nutrient budget and the full workings are provided in Appendix 1. The calculations conclude that there is a predicted Total Nitrogen surplus arising from the development of 326.2kg/TN/yr. This is based on the additional population from the residential units using 110litres of wastewater per</p>

	<p>person per day.</p> <p>The applicant has confirmed that they have secured the necessary Nitrate Credits from the Eastleigh Borough Council Offset Scheme</p>
<b>Conclusions</b>	<p>With the mitigation detailed above in place there will be no likely effects from nutrient enrichment</p>

Recreational damage and disturbance	
<b>Assessment</b>	<p><i>Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site.</i></p> <p>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.</p> <p>The proposed development will result in an increase in human population which is likely to lead to a rise in recreational activity at SPA locations, both in the immediate vicinity of the development but also further afield. Increases in recreational activity at SPA locations have the potential to result in mortality in the SPA bird populations due to increased disturbance. For a review of the in-depth analysis which has taken place on this issue at the Solent, please see the Solent Disturbance and Mitigation Project (SDMP) (<a href="http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/">http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/</a>). A key conclusion of the research was that residential development within 5.6km of a Solent SPA could lead to a likely significant effect as a consequence of disturbance from recreation. The Council has adopted the Solent Recreation Mitigation Partnership's Mitigation Strategy (SRMP) (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.</p> <p>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</p>

	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.																
<b>Mitigation</b>	<p>Working on the basis of 384 units in the scheme, the contribution necessary to meet requirements of the SRMP mitigation scheme is approximately £219,000. The calculations are set out in the table below. This figure may vary as the precise number of units delivered within the development could change ahead of implementation.</p> <table border="1"> <thead> <tr> <th>Size of Unit</th> <th>Scale of Mitigation per Unit</th> <th>Number of units</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1 Bedroom</td> <td>£465</td> <td>188</td> <td>£87,420</td> </tr> <tr> <td>2 Bedroom</td> <td>£671</td> <td>196</td> <td>£131,516</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>384</b></td> <td><b>£218,936</b></td> </tr> </tbody> </table>	Size of Unit	Scale of Mitigation per Unit	Number of units	Total	1 Bedroom	£465	188	£87,420	2 Bedroom	£671	196	£131,516	<b>Total</b>		<b>384</b>	<b>£218,936</b>
Size of Unit	Scale of Mitigation per Unit	Number of units	Total														
1 Bedroom	£465	188	£87,420														
2 Bedroom	£671	196	£131,516														
<b>Total</b>		<b>384</b>	<b>£218,936</b>														
<b>Conclusions</b>	Providing the SRMP contribution is secured, the impacts of recreational disturbance can be satisfactorily mitigated, and no likely significant effects will occur.																
<b>Assessment</b>	<p><b>Solent and Dorset Coast SPA</b></p> <p>As set out above in relation to disturbance, the SPA is designated for its importance as foraging habitat for terns, rather than for breeding or roosting, with the principal breeding areas in the Solent located some distance from the site. Although breeding coastal birds can be particularly vulnerable to human disturbance, and in particular dog walkers, the principal breeding locations are all located beyond 5.6km from the site and are therefore unlikely to be subject to recreational disturbance associated with residents of the development. In regard to foraging, terns are aerial rather than sedentary feeders, and as such are unlikely to be sensitive to recreational disturbance. Accordingly, it is considered unlikely recreational disturbance would result in adverse effects on tern populations associated with the SPA.</p>																
<b>Mitigation</b>	None required																
<b>Conclusions</b>	No likely significant effects.																
<b>Assessment</b>	<p><b>New Forest SPA and The New Forest SAC</b></p> <p>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</p>																

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 measures**

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, a scheme to upgrade the footpaths on Peartree Green Local Nature Reserve (LNR) has recently been completed whilst the northern section of the Shoreburs Greenway is 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.

However, hotels are not CIL liable and therefore a contribution

	<p>(equivalent to the CIL rate) will be secured as part of the s106 agreement, and this approach has been agreed with the applicants.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Access management within the designated sites.</li> <li>• Alternative recreational greenspace sites and routes outside the designated sites.</li> <li>• Education, awareness, and promotion.</li> <li>• Monitoring and research; and</li> <li>• In perpetuity mitigation and funding.</li> </ul> <p>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. The CIL contribution from the development will generate approximately £45.3k for the NFNPA mitigation scheme and £182k for alternative recreation areas in Southampton.</p>
<p><b>Conclusions</b></p>	<p>Provided the approach set out above is implemented, an adverse impact on the integrity of the protected sites will not occur.</p>

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

**Conclusions**

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

- A Construction Environment Management Plan covering:
  - Piling methodologies
  - Timing of works
  - Noise levels
  - Control use of fuel, oil, and other chemicals
  - Control of surface water runoff
  - Dust suppression.
- 4% of the CIL contribution, which will be a minimum of £181,183 will be ring fenced for footpath improvements in the city's Greenways.
- 1% of the CIL contribution, which will be a minimum of £45,296 be allocated to the New Forest National Park Authority Habitat Mitigation Scheme.
- A contribution of £218,936 towards the Solent Recreation Mitigation Partnership.
- A detailed lighting plan.
- Building design aimed at reducing collision risk.



As a result, there should not be any adverse impacts upon European and other protected sites in the Solent and New Forest arising from this development in relation to construction activities, building design, surface water run-off and recreational pressure.

It can therefore be concluded that, subject to the implementation of the identified mitigation measures, **significant effects arising from these impacts will not occur.**

## European Site Qualifying Features

### Solent and Dorset Coast Special Protection Area

The Solent and Dorset Coast potential Special Protection Area is being proposed to protect the following species which are listed on Annex 1 of the Birds Directive:

- Sandwich tern, *Sterna sandvicensis*.
- Common tern, *Sterna hirundo*

Little tern, *Sternula albifrons*

### Solent and Southampton Water SPA

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

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

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

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

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

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

### Solent and Southampton Water Ramsar Site

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

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

### **Solent Maritime SAC**

The Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Estuaries (primary reason for selection)
- *Spartina* swards (*Spartinion maritimae*) (primary reason for selection)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) (primary reason for selection)
- Sandbanks which are slightly covered by sea water all the time.
- Mudflats and sandflats not covered by seawater at low tide.
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- *Salicornia* and other annuals colonising mud and sand.
- Shifting dunes along the shoreline with *Ammophila arenaria* (“white dunes”)

Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Desmoulin's whorl snail *Vertigo moulinsiana*

### **River Itchen SAC**

The River Itchen SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitat:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

River Itchen SAC also qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- European Bullhead *Cottus gobio* (primary reason for selection)
- White-clawed Crayfish *Austropotamobius pallipes*
- European Brook Lamprey *Lampetra planeri*
- European River Lamprey *Lampetra fluviatilis*

- Atlantic Salmon *Salmo salar*
- European Otter *Lutra lutra*

### **The New Forest SAC**

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) (primary reason for selection)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea* (primary reason for selection)
- Northern Atlantic wet heaths with *Erica tetralix* (primary reason for selection)
- European dry heaths (primary reason for selection)
- *Molinia* meadows on calcareous, peaty or clayey-silt laden soils (*Molinion caeruleae*) (primary reason for selection)
- Depressions on peat substrates of the *Rhynchosporion* (primary reason for selection)
- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*) (primary reason for selection)
- *Asperulo-Fagetum* beech forests (primary reason for selection)
- Old acidophilous oak woods with *Quercus robur* on sandy plains (primary reason for selection)
- Bog woodland (primary reason for selection)
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (primary reason for selection)
- Transition mires and quaking bogs.
- Alkaline fens

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- Stag Beetle *Lucanus cervus* (primary reason for selection)
- Great Crested Newt *Triturus cristatus*

### **The New Forest SPA**

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

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

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

- Hen Harrier *Circus cyaneus*

### **New Forest Ramsar Site**

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

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

**Application 22/00695/FUL  
APPENDIX 2**

**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

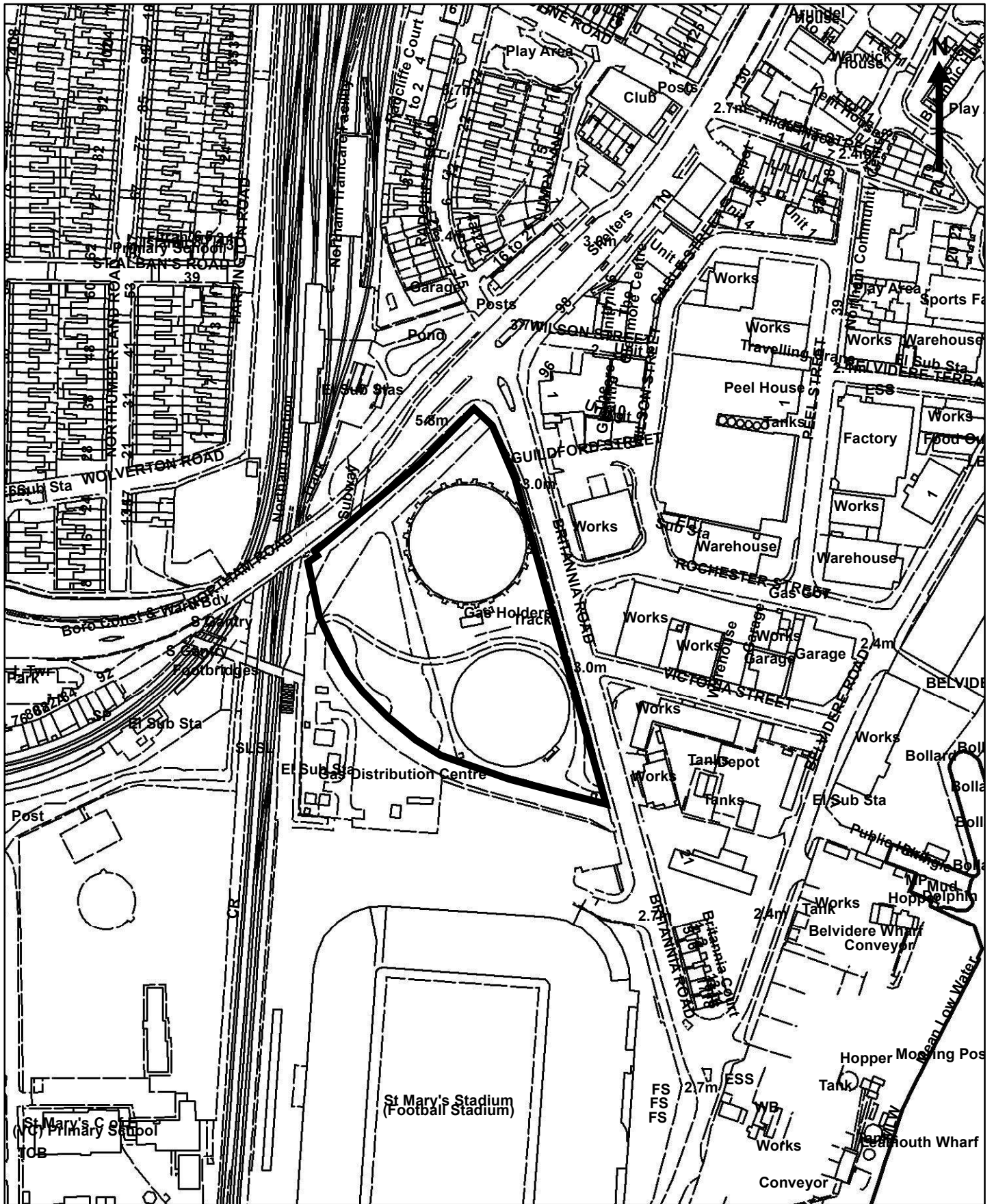
**City of Southampton Local Plan Review (Adopted Version 2nd Revision 2015)**

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  
SDP16 – Noise  
SDP19 – Aerodrome Safeguarding  
H1 – Housing Supply  
H2 – Previously Developed Land  
H7 – The Residential Environment  
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



Scale: 1:2,500

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