

Planning and Rights of Way Panel

Tuesday, 4th June, 2024
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic
Centre

This meeting is open to the public

Members

Councillor Windle (Chair)
Councillor Beaurain
Councillor Cox
Councillor Greenhalgh
Councillor Mrs Blatchford
Councillor Lambert
Councillor Wood

Contacts

Democratic Support Officer
Ed Grimshaw
Tel: 023 8083 2390
Email: ed.grimshaw@southampton.gov.uk

Head of Transport and Planning
Pete Boustred
Email: pete.boustred@southampton.gov.uk

PUBLIC INFORMATION

ROLE OF THE PLANNING AND RIGHTS OF WAY PANEL

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

PUBLIC REPRESENTATIONS

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Southampton: Corporate Plan 2022-2030

sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time.

SMOKING POLICY – The Council operates a no-smoking policy in all civic buildings

MOBILE TELEPHONES:- Please switch your mobile telephones or other IT to silent whilst in the meeting.

USE OF SOCIAL MEDIA:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

FIRE PROCEDURE – In the event of a fire or other emergency a continuous alarm will sound, and you will be advised by Council officers what action to take.

ACCESS – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2022/2023

2025	
4 June	25 June
9 July	6 August
27 August	17 September
8 October	12 November
10 December	

2025	
21 January	11 February
4 March	1 April
22 April	

CONDUCT OF MEETING

TERMS OF REFERENCE

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

RULES OF PROCEDURE

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:
Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (iii) Any contract which is made between you / your spouse etc (or a body in which you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
- (iv) Any beneficial interest in land which is within the area of Southampton.
- (v) Any license (held alone or jointly with others) to occupy land in the area of

- Southampton for a month or longer.
- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council, and the tenant is a body in which you / your spouse etc has a beneficial interests.
- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:
- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
 - b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

OTHER INTERESTS

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

PRINCIPLES OF DECISION MAKING

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability, and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

1 **ELECTION OF VICE-CHAIR**

To elect the Vice Chair for the Municipal Year 2024/2025.

2 **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

3 **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

4 **STATEMENT FROM THE CHAIR**

CONSIDERATION OF PLANNING APPLICATIONS

5 **PLANNING APPLICATION - 22/00695/FUL - FORMER GASWORKS BRITANNIA ROAD**

(Pages 5 - 154)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

6 **PLANNING APPLICATION - 23/01508/FUL - LEISURE WORLD, WEST QUAY ROAD**

(Pages 155 - 182)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

7 **PLANNING APPLICATION - 23/01645/FUL - LAND ADJ. 47 BRYANSTON ROAD**

(Pages 183 - 220)

Report of the Head of Transport and planning recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

8 PLANNING APPLICATION - 24/00170/FUL - LAND ADJ. SYNAGOGUE
MORDAUNT ROAD
(Pages 221 - 248)

Report of the Head of Transport and planning recommending that conditional approval be granted in respect of an application for a proposed development at the above address.

Friday, 24 May 2024

Director – Legal and Governance

Agenda Annex

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 4th June 2024

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
Approximate start time 4:00pm				
5	MP	DEL	15	22/00695/FUL Former Gasworks Britannia Rd
Approximate start time 4:45pm				
6	JT	DEL	15	23/01508/FUL Leisure World, West Quay Rd
Approximate start time 5:30pm				
7	AG	DEL	5	23/01645/FUL Land adj. 47 Bryanston Rd
Approximate start time 6:00pm				
8	AG	CAP	5	24/00170/FUL Land adj. Synagogue Mordaunt Rd

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Case Officers:

MP Mat Pidgeon
JT Jenna Turner
AG Andy Gregory

Southampton City Council - Planning and Rights of Way Panel

Report of Head of Transport & Planning

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning Applications:

Background Papers

1. **Documents specifically related to the application**
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. **Statutory Plans**
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Connected Southampton 2040 Transport Strategy (LTP4) adopted 2019.
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)
 - (g) Bassett Neighbourhood Plan (Adopted 2016)

3. **Statutory Plans in Preparation**

4. **Policies and Briefs published and adopted by Southampton City Council**
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)

- (n) Itchen Valley Strategy (1993)
- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (2013)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (revised 2016)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Cycling Strategy – Cycling Southampton 2017-2027
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) Department for Transport (DfT) and Highways England various technical notes
- (i) CIHT's Manual for Streets and Manual for Streets 2
- (j) Bus Service Improvement Plan (BSIP) 2021.

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (February 2019)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

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

Application address: Former Gasworks, Britannia Road, Southampton			
Proposed development: 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).			
Application number:	22/00695/FUL	Application type:	FUL
Case officer:	Mathew Pidgeon	Public speaking time:	15 minutes
Last date for determination:	07.09.2022 Extension of time agreed	Ward:	Bevois
Reason for Panel Referral:	Referred by the head of Transport and Planning due to wider public interest	Ward Councillors:	Cllr Denness Cllr Kataria Cllr Rayment
Applicant: Hawkstone Properties (Southampton) Ltd and SGN Place		Agent: Savills	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
-------------------------------	---

Community Infrastructure Levy Liable	Yes
---	------------

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).

Appendix attached			
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 (NH₃) 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 17th and Friday 18th 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 it’s 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

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 scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any 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/m²/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/m²/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, 14th 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, 1st 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 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"> ▪ Solent and Dorset Coast SPA ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime SAC ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly [redacted] connected with or necessary to the management of the site (provide details)? [redacted]</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)? [redacted]</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000</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>Solent and Dorset Coast SPA</p>	
<p>Solent and Dorset Coast SPA</p>	<p>SPA Conservation Objectives</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"> • The extent and distribution of the habitats of qualifying features; • The structure and function of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features, and • The distribution of the qualifying features within the site.
<p>Habitat loss</p>	<p>Habitat loss</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>Conclusions</p>	<p>Habitat loss can be scoped out of any further assessment.</p>
<p>Habitat degradation</p>	<p>Habitat degradation</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>Conclusions</p>	<p>Habitat degradation through air and waterborne pollution will need to be assessed further.</p>
<p>Effects on Species not mediated through habitat</p>	<p>Effects on Species not mediated through habitat</p> <p>The habitat within and adjacent to the Site is not suitable for the Qualifying Features (breeding terns) of this SPA.</p>
<p>Conclusions</p>	<p>Effects on species not mediated through habitat can be scoped out of any further assessment.</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.

Solent and Southampton Water SPA/Ramsar site	SPA Conservation Objectives
	<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"> • The extent and distribution of the habitats of qualifying features; • The structure and function of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features, and • The distribution of the qualifying features within the site. <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>
	Habitat loss
	<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>

Conclusion	Habitat loss can be scoped out of any further assessment.
	<p data-bbox="539 304 847 342">Habitat degradation</p> <p data-bbox="539 365 1377 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>
Conclusion	Habitat degradation through mobilisation of contaminants will need to be assessed further.
	<p data-bbox="539 909 999 947">Water quality - eutrophication</p> <p data-bbox="539 947 1377 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 1345 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>
Conclusion	Habitat degradation through eutrophication will need to be assessed further.

	<p>Air quality - road traffic related emissions</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 NO₂ 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>
<p>Conclusions</p>	<p>Habitat degradation through air pollution needs to be assessed further.</p>
	<p>Effects on Species not mediated through habitat</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>
<p>Conclusions</p>	<p>Effects on species arising from noise will not need to be assessed further.</p>

	<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>
Conclusions	Effects on species arising from an increase in recreational activity will need to be assessed further.
	<p>Collision risk Solent and Southampton Water SPA/Ramsar site 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>
Conclusions	Effects on species arising from collisions risk will need to be assessed further.
	<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>

Conclusions	<p>The following potential impacts have been scoped out for any further assessment.</p> <ul style="list-style-type: none"> • Lighting causing disturbance to species; • Movement of people and vehicles on the proposed development 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.
--------------------	--

Solent Maritime SAC

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

Solent Maritime SAC	
Solent Maritime SAC	<p>SAC Conservation Objectives</p> <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"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The population of qualifying species; and • The distribution of the qualifying species within the site.’
	<p>Habitat loss</p> <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>
Conclusions	<p>The potential impacts of habitat loss are scoped out of any further assessment.</p>
	<p>Habitat degradation</p> <p>The Solent Maritime SAC is sufficiently distant from the site to prevent construction stage degradation of designated habitats.</p>

Construction stage	Habitat degradation through mobilisation of contaminants will not need to be assessed further.
	<p>Water quality - eutrophication</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>
Conclusions	Habitat degradation through eutrophication will need to be assessed further.
	Effects on Species not mediated through habitat
	None

The River Itchen SAC

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

River Itchen SAC	SAC Conservation Objectives
	<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"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species;

	<ul style="list-style-type: none"> • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The population of qualifying species; and • The distribution of the qualifying species within the site.'
	<p>Habitat loss</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>
Conclusions	The potential impacts of habitat loss are scoped out of any further assessment.
	<p>Habitat degradation</p> <p>The River Itchen SAC is sufficiently distant from the site to prevent degradation of designated habitats</p>
Conclusions	Habitat degradation through mobilisation of contaminants will not need to be assessed further.
	<p>Effects on Species not mediated through habitat</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>
Conclusions	Disturbance caused through vibration during the construction phase will not impact the tidal river channel and will not need to be assessed further.
	<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>

Conclusions	Habitat degradation through mobilisation of contaminants will need to be assessed further.
New Forest SPA	<p>SPA Conservation Objectives</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"> • The extent and distribution of the habitats of qualifying features; • The structure and function of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features, and • The distribution of the qualifying features within the site.
	<p>Habitat loss</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>
Conclusions	Habitat loss is scoped out of any further assessment.
	<p>Habitat degradation</p> <p>Air quality - road traffic related emissions</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 NO₂ 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>
Conclusion	Habitat degradation through operational stage air pollution will need to be assessed further.

	<p>Recreational activity 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>
Conclusion	Habitat degradation as a result of recreational activity will need to be assessed further.
	<p>Effects on Species not mediated through habitat</p> <p>Recreational disturbance 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>
Conclusions	Effects on species arising from an increase in recreational activity will need to be assessed further.

The New Forest	SAC Conservation Objectives

SAC	<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"> • The extent and distribution of the habitats of qualifying features; • The structure and function of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features, and • The distribution of the qualifying features within the site.
	<p>Habitat loss</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>
Conclusions	Habitat loss is scoped out of any further assessment.
	<p>Habitat degradation</p> <p>Air quality - road traffic related emissions 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 NO₂ 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>
Conclusions	Habitat degradation through operational stage air pollution needs to be assessed further.
	<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>
Conclusions	Habitat degradation through trampling will need to be assessed further.
	<p>Effects on species not mediated through habitat</p> <p>None.</p>

Conclusions	NA
--------------------	----

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

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	
Assessment	<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>Construction stage</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>Mitigation measures</p>	<p>Construction stage 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>Operational stage 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>Conclusions</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>Air pollution from additional vehicles</p>	
<p>Assessment</p>	<p>Air quality - road traffic related emissions <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).

Receptor	210 Northam Road	18 Bitterne Road West
	Annual Mean NO₂ µg/m³	
Without development related traffic	30.46	27.75
With development traffic	30.56	27.81
Increase in NO₂	00.10	00.06
National Air Quality Objective	40	

It can be seen from the table above that the increase in annual mean NO₂ µg/m³ was just 0.1 (0.33%) µg/m³ and 0.06 (0.22%) µg/m³ 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 NO₂ emissions data for this point is detailed in the table below.

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

It can be seen from the table above that the increase in annual mean NO₂ µg/m³ was just 0.13 (0.42%) µg/m³. 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 NO₂ µg/m³ was just 0.13 (0.42%) µg/m³. 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.

Mitigation measures	None required
Conclusions	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.

	Collision risk
--	-----------------------

Assessment	<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>
Mitigation measures	<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>
Conclusions	<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.

	Eutrophication

<p>Assessment</p>	<p><i>Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC</i></p> <p>In their letter date 9th 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>Mitigation measures</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>
Conclusions	<p>With the mitigation detailed above in place there will be no likely effects from nutrient enrichment</p>

Recreational damage and disturbance	
	<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) (http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/). 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>
Assessment	

	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.																
Mitigation	<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>Total</td> <td></td> <td>384</td> <td>£218,936</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	Total		384	£218,936
Size of Unit	Scale of Mitigation per Unit	Number of units	Total														
1 Bedroom	£465	188	£87,420														
2 Bedroom	£671	196	£131,516														
Total		384	£218,936														
Conclusions	Providing the SRMP contribution is secured, the impacts of recreational disturbance can be satisfactorily mitigated, and no likely significant effects will occur.																
Assessment	<p>Solent and Dorset Coast SPA</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>																
Mitigation	None required																
Conclusions	No likely significant effects.																
Assessment	<p>New Forest SPA and The New Forest SAC</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.,

	<p>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.</p> <p>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%).</p> <p>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.</p> <p>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.</p>
<p>Mitigation measures</p>	<p>A number of potential mitigation measures are available to help reduce recreational impacts on the New Forest designated sites, these include:</p> <ul style="list-style-type: none"> • Access management within the designated sites. • Alternative recreational greenspace sites and routes outside the designated sites. • Education, awareness, and promotion <p>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.</p> <p>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</p>

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"> • Access management within the designated sites. • Alternative recreational greenspace sites and routes outside the designated sites. • Education, awareness, and promotion. • Monitoring and research; and • In perpetuity mitigation and funding. <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>Conclusions</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

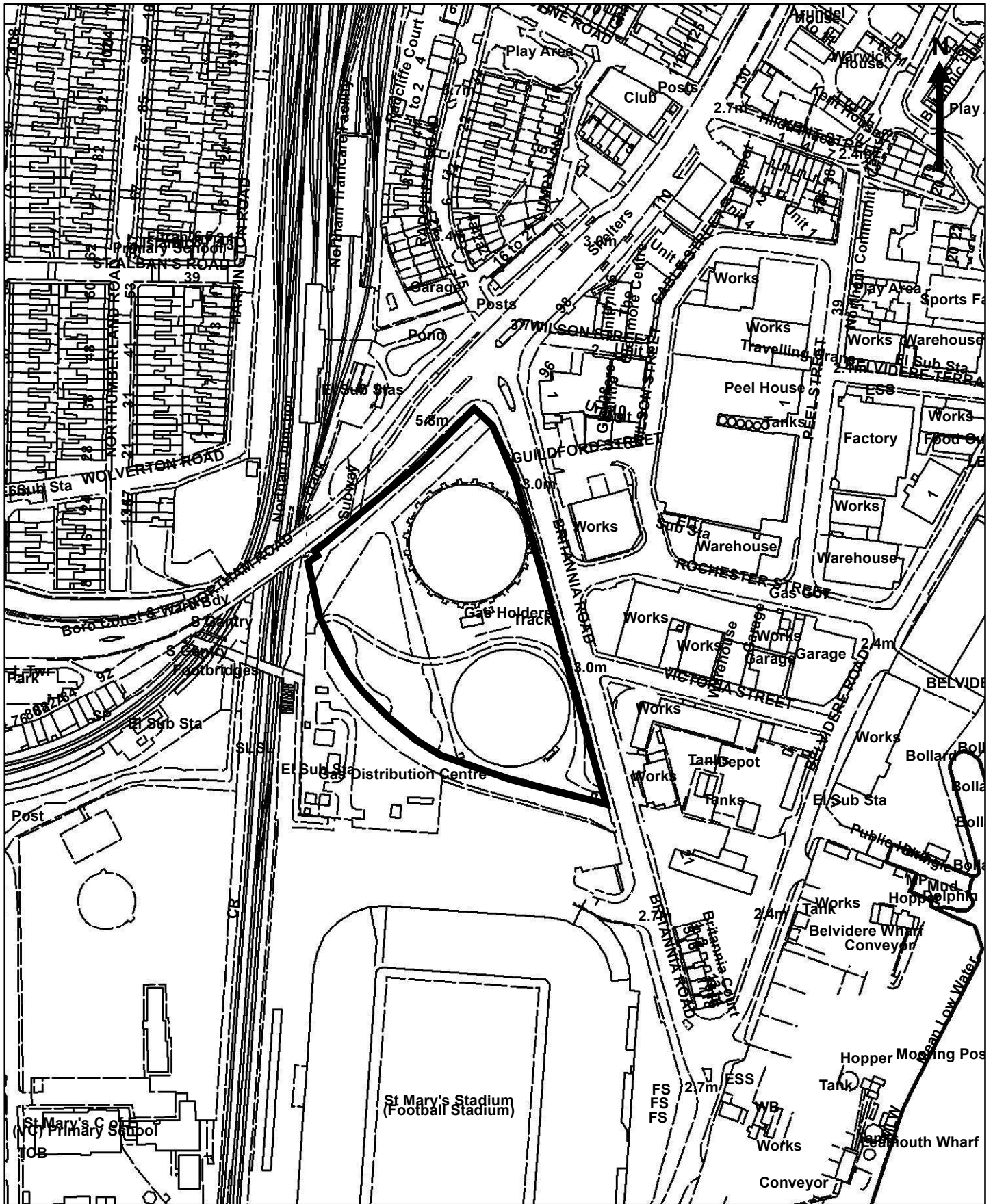
City of Southampton Local Plan Review (Adopted Version 2nd Revision 2015)

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

©Crown copyright and database rights 2020 Ordnance Survey 100019679

This page is intentionally left blank



Valuation Office
Agency

DVS Property Specialists
for the Public Sector

Viability Review Report Land at Former Gasworks Britannia Road Southampton SO14 5RG



Report for:

██████████
Southampton Council

Prepared by:

██████████ MRICS
Principal Surveyor
RICS Registered Valuer
DVS

██████████ @voa.gov.uk

Case Number: 1799886

Client Reference: 22/00695/FUL

Original Report Date: 30 August 2022
Report Update for Policy Date: 1 November 2022

Contents

1.0	Executive Summary	1
1.1	Proposed Development Details.	1
1.2	Instruction.....	1
1.3	Viability Conclusion	1
1.4	Non-Technical Summary of Viability Assessment Inputs	2
2.0	Instruction and Terms	3
3.0	Guidance and Status of Valuer	4
3.1	Authoritative Requirements	4
3.2	Professional Guidance.....	5
3.3	RICS 'Financial Viability in Planning Conduct and Reporting'	5
3.4	Most Effective and Efficient Development.....	6
3.5	Signatory	6
3.6	Bases of Value	7
4.0	Assumptions, and Limitations	7
4.1	Special Assumptions	7
4.2	General Assumptions	7
5.0	Proposed Development.....	9
5.1	Site Plan and Area.....	9
5.2	Location / Situation	10
5.3	Description	10
5.4	Schedule of Accommodation/ Scheme Floor Areas	10
5.5	Planning	11
5.6	Policy Requirements for the Scheme.....	12
5.7	Planning Status	13
6.0	Summary of Applicant's Viability Assessment.....	13
6.1	Report Reference	13
6.2	Summary of Applicant's Appraisal	14
7.0	Development Period/ Programme.....	14
8.0	Gross Development Value (GDV)	15
8.1	Applicant's GDV	15
8.2	Market Value of Private Rented Dwellings.....	16
8.2	Market Value of Affordable Housing Dwellings	22
8.3	Market Value of Ground Rents	22
8.4	Market Value of Commercial Units	22
8.5	Market Value of Car Parking.....	23
8.6	Other Revenue	23
8.7	Total Development Value	24
9.0	Total Development Costs.....	24
9.1	Summary of Costs	24
9.2	Total Construction Cost	24
9.3	Agreed Cost Inputs.....	29
9.4	Tentatively Accepted Costs	29
9.5	Unagreed Costs.....	31

9.6	Omitted Costs.....	31
9.7	Summary of DVS Costs.....	32
10.0	Developer's Profit.....	32
11.0	Benchmark Land Value (BLV).....	33
11.1	Applicant's BLV	33
11.2	Existing Use Value (EUV).....	34
11.3	Alternative Use Value (AUV)	34
11.4	Cross Sector Collaboration Evidence of BLV and Premium.....	36
11.5	Residual Land Value of the Scheme with regard to Plan Policy	36
11.6	Adjusted Land Transaction Evidence.....	36
11.7	Purchase Price	37
11.8	Benchmark Land Value Conclusion.....	37
12.0	DVS Viability Assessment.....	37
12.1	DVS Viability Appraisal 1 Partial Plan Policy Compliant Scheme.....	37
12.2	DVS Appraisal 2 – Maximum Financial Contribution.....	38
13.0	Sensitivity Analysis.....	38
14.0	Conclusion and Recommendations	39
14.1	Viability Conclusion	39
14.2	Review	39
14.3	Other Recommendations.....	40
14.4	Market Commentary	40
15.0	Engagement.....	40
16.0	Disclosure / Publication.....	41
Appendices:		
(i)	Appraisal 1 – 100% PRS CIL only	43
(ii)	Appraisal 2	44
(iii)	AUV appraisal and Information to support AUV inputs.....	47
(iv)	Redacted TOE.....	48

1.0 Executive Summary

1.1 Proposed Development Details.

This report provides an independent review of a viability assessment in connection with:

Proposed Development	Redevelopment of the site. "Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 21 storeys comprising 403 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".
Subject of Assessment:	Land at Former Gasworks , Britannia Road, Southampton, SO14 5RG
Planning Application Ref:	22/00695/FUL
Applicant / Developer:	Hawkstone Properties (Southampton) Ltd
Applicant's Viability Advisor:	ULL Property

1.2 Instruction

In connection with the above application Southampton Council's Planning Department require an independent review of the viability conclusion provided by the applicant in terms of the extent to which the accompanying appraisal is fair and reasonable and whether the assumptions made can be relied upon to determine the viability of the scheme.

A site-specific viability assessment review has been undertaken, the inputs adopted herein are unique to this site and scheme and may not be applicable to other viability assessments undertaken or reviewed by DVS.

1.3 Viability Conclusion

As agreed, the viability has been appraised with regards to CIL and financial contributions towards policy only (no on site affordable housing). Further to the independent assessment undertaken, it is my considered conclusion that the proposed is able to support the required CIL payment of £3,947,030; required financial contributions towards policy and section 106 items of £585,941 plus £155,000 towards other policy provision, such as, towards a payment in lieu of on-site affordable housing.

1.4 Non-Technical Summary of Viability Assessment Inputs

	ULL	DVS Viability Review	Agreed (Y/N)
Assessment Date	March 2022	August 2022 (App2)	N
Scheme	403 build for rent apartments over four blocks from 9 to 21 storey; ground floor commercial to two blocks 176 car parking spaces.		Y
Net Internal Area Gross Internal Area, Site Area	NIA 280,419 sq. m ; GIA 379,892 sq. m Site 1.55 Hectares		Y
Development Period	50 months	44 months	N
Development Value Comprising:	£107,303,092	£112,531,425	Y
Private Rent Dev Value	£100,901,250	£105,604,425	N
Commercial Dev Value	£2,177,842	£2,175,000	Y
Parking Dev Value	£4,224,000	£4,750,200	N
CIL	£3,622,806	£3,947,030	N
Construction Cost Inc. Externals and Abnormals	£77,117,112	£77,117,112 (provisionally accepted)	Y
Contingency %	5% £3,855,866	5% £3,855,866	Y
Professional Fees %	8% £6,169,417	8% £6,169,417	Y
SDLT on individual units	£4,135,311	£0	N
Disposal and monitoring fees	Various rates £544,804	Various rates £1,271,204	N
Finance Interest and Sum	100% debt funded 6.5% debit £4,688,112 (exc. finance on Land)	100% debt funded 6.5% debit (provisional) £6,525,795 (inc. finance on land)	Y N
Land Acquiring Costs	Not stated as negative residual figure	SDLT +1.5% £152,053	n/k
Profit Target % and Sum	Blended 12.55% GDV 15% GDV Commercial 12.5% GDV BTR £13,466,538	10% Profit on Cost £10.23 million.	N
Benchmark Land Value	£3,064,000	£2,500,000 (with Special Assumption)	N
EUV	£3,064,000	£2,500,000 (with Special Assumption)	N
Premium	Nil	Nil	Y
Purchase Price	Not provided	Not Known	n/k
Alternative Use Value	EUV reflects industrial redevelopment £3,064,000	AUV reflects industrial redevelopment £2,500,000	N

Residual Land Value	Negative £6,317,947	Positive c.£2.601 million (see App.1)	N
Viability Conclusion Plan Policy Compliant	Not provided. It follows that a scheme with affordable housing would produce a larger deficit.	Not Assessed. DVS assess that the scheme can support CIL payment of £3,947,030 plus £585,941 towards other policy provision. This is considered viable. A surplus of £155,000 is identified	N
Viability of Proposed Scheme	Unviable. A development deficit in the order of £9.3 million is identified, suggesting an undeliverable development.	The scheme proposed can support further policy requirements than the £3.62 million of CIL appraised by ULL	N

A site-specific viability assessment review has been undertaken, the inputs adopted herein are unique to this site and scheme and may not be applicable to other viability assessments undertaken or reviewed by DVS.

2.0 Instruction and Terms

2.1 The Client is Southampton Council.

2.2 The Subject of the Assessment is Land at Former Gasworks , Britannia Road, Southampton, SO14 5RG.

2.3 The date of viability assessment is 30 August 2022. Please note that values change over time and that a viability assessment provided on a particular date may not be valid at a later date.

2.4 Instructions were received on 10 June 2022. It is understood that Southampton Council require an independent opinion on the viability information provided by U.L.L Property, in terms of the extent to which the accompanying appraisal is fair and reasonable and whether the assumptions made are acceptable and can be relied upon to determine the viability of the scheme. Specifically, DVS have been appointed to:

- Assess the Viability Assessment submitted on behalf of the planning applicant / developer, taking in to account the planning proposals as supplied by you or available from your authority's planning website.
- Advise Southampton Council in writing on those areas of the applicant's Viability Assessment which are agreed and those which are considered unsupported or incorrect, including stating the basis for this opinion, together with evidence.

- If DVS considers that the applicant's appraisal input and viability conclusion is incorrect, this report will advise on the cumulative viability impact of the changes and in particular whether any additional affordable housing and / or s106 contributions might be provided without adversely affecting the overall viability of the development.
- 2.5 Conflict of Interest Statement - In accordance with the requirements of RICS Professional Standards, DVS has checked that no conflict of interest arises before accepting this instruction. It is confirmed that DVS are unaware of any previous conflicting material involvement and is satisfied that no conflict of interest exists.
- 2.6 Inspection – As agreed, the property/site has not been inspected, and this report is provided on a desk top basis.
- 2.7 DVS/ VOA Terms of Engagement were issued on 11 July 2022 a copy will be attached in my subsequent, redacted report provided for publication.
- 2.8 DVS originally provided a viability review report on 30 August 2022. The August report was based on incomplete policy information, the report concluded: *As agreed in the terms of engagement the viability has been appraised with regards to CIL only (no affordable housing and no other financial contributions). Further to the independent assessment undertaken, it is my considered conclusion that the proposed is able to support the required CIL payment of £3,947,030 plus £775,000 towards other policy provision, such as, towards a payment in lieu of on-site affordable housing.*
- 2.9 Policy Information was provided to DVS the w/c 24 October 2022. On 31st October 2022, it was confirmed that DVS were required to update the appraisal for the new information regarding financial policy provision and timings, and that the assessment date has not changed therefore no other inputs require reconsideration for the passage of time.
- 2.10 I am pleased to report on this basis.

3.0 Guidance and Status of Valuer

3.1 Authoritative Requirements

The DVS viability assessment review will be prepared in accordance with the following statutory and other authoritative mandatory requirements:

- The '**National Planning Policy Framework**', which states that all viability assessments should reflect the recommended approach in **the 'National Planning Practice Guidance on Viability'**. This document is recognised as the 'authoritative requirement' by the Royal Institution of Chartered Surveyors (RICS).

- RICS Professional Statement '**Financial viability in planning: conduct and reporting**' (effective from 1 September 2019) which provides the mandatory requirements for the conduct and reporting of valuations in the viability assessment and has been written to reflect the requirements of the PPG.
- RICS Professional Standards PS1 and PS2 of the '**RICS Valuation – Global Standards**'.

3.2 Professional Guidance

Regard will be made to applicable RICS Guidance Notes, principally the best practice guidance as set out in RICS GN '**Assessing viability in planning under the National Planning Policy Framework 2019 for England**' (effective 1 July 2021).

Other RICS guidance notes will be referenced in the report and include RICS GN '**Valuation of Development Property**' and RICS GN '**Comparable Evidence in Real Estate Valuation**'.

Valuation advice (see Note 1) will be prepared in accordance with the professional standards of the of the '**RICS Valuation – Global Standards**' and the '**UK National Supplement**', which taken together are commonly known as the RICS Red Book. Compliance with the RICS Professional Standards and Valuation Practice Statements (VPS) gives assurance also of compliance with the International Valuations Standards (IVS).

(Note 1) Whilst professional opinions may be expressed in relation to the appraisal inputs adopted, this consultancy advice is to assist you with your decision making for planning purposes and is not formal valuation advice such as for acquisition or disposal purposes. It is, however, understood that our review assessment and conclusion may be used by you as part of a negotiation.

The RICS Red Book professional standards are applicable to our undertaking of your case instruction, with PS1 and PS 2 mandatory. While compliance with the technical and performance standards at VPS1 to VPS 5 are not mandatory (as per PS 1 para 5.4) in the context of your instruction, they are considered best practice and have been applied to the extent not precluded by your specific requirement.

3.3 RICS 'Financial Viability in Planning Conduct and Reporting'

In accordance with the above RICS Professional Statement it is confirmed that:

- a) In carrying out this viability assessment review the valuer has acted with objectivity, impartiality, without interference and with reference to all appropriate sources of information.
- b) The professional fee for this report is not performance related and contingent fees are not applicable.

- c) DVS are not currently engaged in advising this local planning authority in relation to area wide viability assessments in connection with the formulation of future policy.
- d) The appointed valuer, [REDACTED] MRICS is not currently engaged in advising this local planning authority in relation to area wide viability assessments in connection with the formulation of future policy.
- e) Neither the appointed valuer, nor DVS advised this local planning authority in connection with the area wide viability assessments which supports the existing planning policy.
- f) The DVS viability review assessment has been carried out with due diligence and in accordance with section 4 of this professional statement
- g) The signatory and all other contributors to this report, as referred to herein, has complied with RICS requirements.

3.4 Most Effective and Efficient Development

It is a mandatory requirement of the **RICS 'Financial viability in planning: conduct and reporting'** Professional Statement for the member or member firm to assess the viability of the most effective and most efficient development.

The applicant's advisor – ULL - has assessed the viability based on forward funded, built to privately rent apartment development, arranged in four blocks, two of the blocks also have ground floor commercial space. The ULL appraisal assumes the land will be bought up front in its entirety, yet divides the revenue into four tranches, assuming A&B are developed together, and C&D are developed together, the commercial revenue being realised in two instalments, six months after the corresponding residential is realised.

The DVS valuer passes no comment on whether this is the most effective and most efficient development. DVS has assessed the viability based upon the same scheme assumptions, with the exception of revenue timing which is explained in the body of the report. The impact on viability of different scheme e.g., build to sell has not been appraised, however should this be pursued another viability assessment may be necessary.

3.5 Signatory

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

As part of the DVS Quality Control procedure, this report and the appraisal has been formally reviewed by [REDACTED] MRICS, Registered Valuer, who also has the appropriate knowledge, skills and understanding necessary to complete this task.

3.6 Bases of Value

The bases of value referred to herein are defined in the TOE at **Appendix IV** and are sourced as follows:

- Benchmark Land Value is defined at Paragraph 014 of the NPPG.
- Existing Use Value is defined at Paragraph 015 of the NPPG.
- Alternative Use Value is defined at Paragraph 017 of the NPPG
- Market Value is defined at VPS 4 of 'RICS Valuation – Global Standards'
- Market Rent is defined at VPS 4 of 'RICS Valuation – Global Standards'
- Gross Development Value is defined in the Glossary of the RICS GN 'Valuation of Development Property' (February 2020).

4.0 Assumptions, and Limitations

4.1 Special Assumptions

As stated in the terms the following special assumptions have been agreed and will be applied:

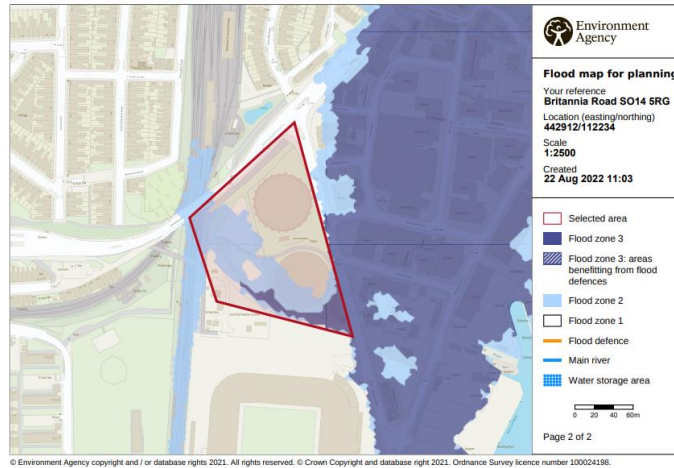
- That the proposed development is complete on the date of assessment in the market conditions prevailing on the date of assessment.
- That your Council's Local Plan policies, or emerging policies, including for affordable housing are up to date.
- That the applicant's abnormal costs, where adequately supported, are to be relied upon to determine the viability of the scheme, unless otherwise stated in our report and/ or otherwise instructed by your Council and that are no abnormal development costs in addition to those which the applicant has identified.

4.2 General Assumptions

There is an additional assumption arriving from the applicant's report, which, as agreed by the council has been carried forward by DVS, specifically: it is assumed that the gas holders and ancillary accommodation have been removed from the site that the site is clear, remediated, free from contamination and ripe for redevelopment.

The below assumptions are subject to the statement regarding the limitations on the extent of our investigations, survey restrictions and assumptions, as expressed in the terms of engagement.

- a) The site has not been inspected at this stage.
- b) Tenure - A report on Title has not been provided. The review assessment assumes that the site is held Freehold.
- c) Easements / Title restrictions - A report on Title has not been provided. The advice is provided on the basis the title is available on an unencumbered freehold or long leasehold basis with the benefit of vacant possession. It is assumed the title is unencumbered and will not occasion any extraordinary costs over and above those identified by the applicant and considered as part of abnormal costs.
- d) Access / highways - It is assumed the site is readily accessible by public highway and will not occasion any extraordinary costs over and above those identified by the applicant and considered as part of abnormal costs.
- e) Mains Services - It is assumed the site is or can be connected to all mains services will not occasion any extraordinary costs over and above those identified by the applicant and considered as part of abnormal costs.
- f) Mineral Stability - This assessment has been made in accordance with the terms of the agreement in which you have instructed the Agency to assume that the property is not affected by any mining subsidence, and that the site is stable and would not occasion any extraordinary costs with regard to Mining Subsidence. I refer you to the DVS Terms of Engagement at **Appendix (iii)** for additional commentary around ground stability assumptions.
- g) Flood Risk. DVS have referred to the Environment Agency's Flooding 'flood risk assessment' mapping tool which indicates the site includes areas in Flood Zone 3 and Flood Zone 2 and subject to a high probability of flood risk as indicated by the illustrative plan below.



Source: Environment Agency.

- h) Asbestos - It is assumed any asbestos where identified present will not occasion any extraordinary costs over and above those identified by the applicant and considered as part of abnormal costs. It is noted that any asbestos removal is expected to be covered under SGN's scope of works.

5.0 Proposed Development

5.1 Site Plan and Area

It is understood from the ULL report that the Site area is 1.55 hectares. VOA digital mapping software measures the site as 1.5 hectares.



5.2 Location / Situation

I have not inspected the site at this stage.

The site is located to the east of Southampton city centre, approximately 20 minutes' walk from the city centre and 25-minutes' walk from Southampton Central railway station. It is located immediately north of Southampton Football Club stadium, St Mary's, in a mixed use location, dominated by industry. It is understood from the ULL report that :

The Site is situated in the St Mary's district, immediately to the north of the St Mary's Stadium, home to Southampton FC. The area immediately to the East of the Site is occupied by a large industrial estate, beyond which is the River Itchen. To the North is the A3024 main road (at this section a dual carriageway) linking Southampton City centre to the wider South East via the M27; beyond this main road is residential, a mix of flats and houses.

5.3 Description

The site is a former gas works, understood to be owned by SGN (Scotia Gas Networks Limited). It is stated in the ULL report that *SGN will be responsible for bearing the cost of demolition of the existing gasholders and associated plant and ancillary buildings; remediation of the site; cut and fill works to form the site levels;*

For the purpose of the viability assessment the site is regarded to be a **cleared brownfield un occupied site, with no abnormal development costs.**

5.4 Schedule of Accommodation/ Scheme Floor Areas

DVS make no comment about the density, design, efficiency, merit or otherwise, of the suggested scheme, the site area and accommodation details have been taken from the ULL report and planning documents and are summarised below.

The development will contain four blocks known as A, B, C and D.

- Building A will extend to 21 storeys with ground floor commercial and 138 residential apartments arranged over nineteen floors and communal facilities (dining etc) on the top floor.
- Building B will be 10 storeys with 85 apartments up to the ninth floor
- Building C will extend to 8 storeys with ground floor commercial and 65 residential apartments
- Building D will extend to 11 storeys with 115 apartments.

There are 4 apartment types as follows:

	1 bed	2 bed small	2 bed large	2 bed duplex	Total
Building A	86	51	1	0	138
Building B	28	16	35	5	85
Building C	22	14	29	0	65
Building D	30	18	61	6	115
Total	166	99	127	11	403

Individual areas of the individual apartments have not been provided, neither has average sizes. The areas have been provided as follows:

	Residential NIA Sq. ft.	Commercial NIA Sq. ft.	Total GIA Sq. ft	Net % of GIA
Building A	84512	3724	113789	77.54
Building B	60258	0	81851	73.62
Building C	44342	4392	63800	76.38
Building D	83191	0	111873	74.36
Total	280419		379892	74.38
Cost plan			379880	

In addition there are 176 car parking spaces in the development.

Please note I have not verified the gross internal areas from the applicant's advisor's report with scaled plans or drawings, their areas are adopted in good faith.

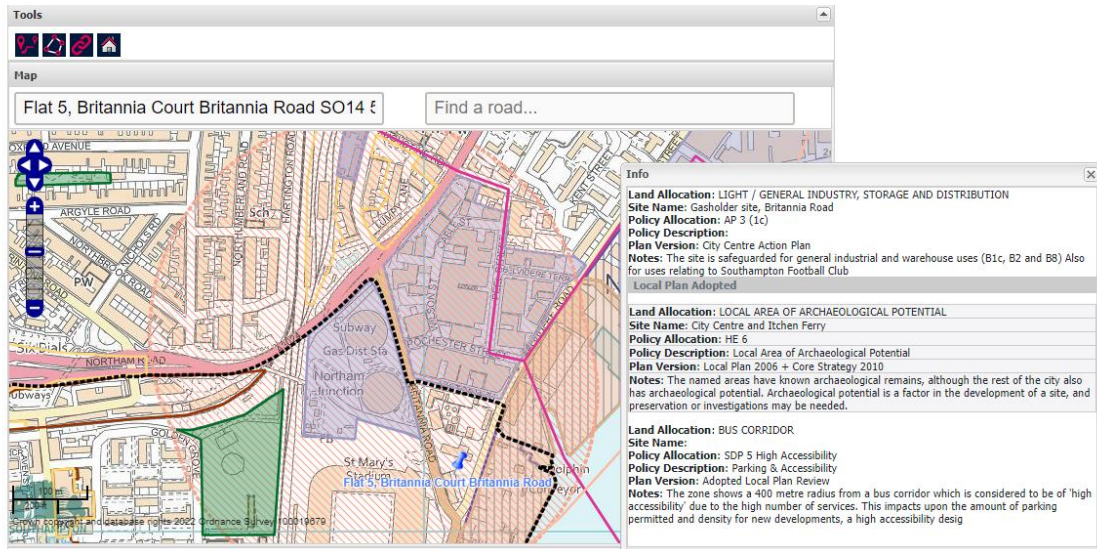
Measurements stated are in understood to be in accordance with the RICS Professional Statement '**RICS Property Measurement' (2nd Edition)** and, where relevant, **the RICS Code of Measuring Practice (6th Edition)**.

As agreed in the terms, any office and/or residential property present has been reported upon using a measurement standard other than IPMS, and specifically Net Internal Area / Gross Internal Area has been used. Such a measurement is an agreed departure from 'RICS Property Measurement (2nd Edition)'.

I understand that you requested this variation because this measurement standard is how the applicant has presented their data, is common and accepted practice in the construction/ residential industry, and it has been both necessary and expedient to analyse the comparable data on a like with like basis.

5.5 Planning

- a) The Local Plan's interactive map indicates the site is allocated as light/ general Industry, storage and distribution land and is to be safeguarded for such uses and also, uses relating to Southampton Football Club. It is also in an area of archaeological potential and a key bus route runs alongside. Extract below:



Source: [Interactive Map \(southampton.gov.uk\)](http://southampton.gov.uk)

- b) DVS have not been made aware of why this scheme has been accepted for site specific viability assessment.

5.6 (a) Policy Requirements for the Scheme

Further to Southampton Council's confirmation I understand the Local Plan Policy requirements to be :

- CIL payment of £3,947,030.
- 35% on site Affordable Housing (Policy CS15) comprising tenures: 65% Socially Rented and 35% Intermediate.
- Highway/ Transport works: £328,000
- Solent Disturbance Mitigation £180,922
- Employment and Skills Plan £30,519
- Carbon Management Plan £46,500

Notes:

The CIL sum is higher than CIL figure adopted by ULL.

The other policy sums total £585,941.

On site affordable housing has not been appraised, as agreed, due to deficits identified and for ease of modelling and comparison with ULL appraisal.

5.6 (b) Policy Payment Schedule

Further to correspondence with Southampton planners, DVS have adopted the following timings:

- CIL - two instalments (1) 50% upon commencement of construction; 50% in month 20 upon commencement of the second phase.

- Highways ,Solent disturbance and employment plan totalling £539,441, in full upon commencement of construction.
- Carbon plan- totalling £46,500 -in full before first occupation.

Planning policy requirements and timings should be factual and agreed between the LPA and the applicant. If the review assessment adopts incorrect timing an incorrect figure and/ or a (significantly) different figure is later agreed the viability conclusion should be referred back to DVS.

5.7 Planning Status

I have made enquiries of the Planning Authority’s website as to the planning status and history (search 11 July-2022) and I understand that there are no extant or elapsed permissions that would give way to an AUV. Screenshot below:

010034868963 | Gas Holder Britannia Road Southampton

[Back to search results](#) Print

Address **Property History (12)** Constraints (11)

Planning Applications (12)

- Continued storage of gas.
Ref. No: 01/00927/HAZ | Status: PER
- 25m high lattice tower with associated antennae and ground based equipment cabin within secure compound and associated access road
Ref. No: 02/01335/FUL | Status: Conditionally Approved
- Erection of a temporary building for use as offices and for storage of electronic equipment (for a period of 3 years)
Ref. No: 870272/M | Status: Conditionally Approved
- BRITISH GAS PLC MARINE PARADE BARGATE WARD NORTHAM SOUTHAMPTON INSTALLATION OF A MICROWAVE DISH
Ref. No: 890430/E | Status: Conditionally Approved
- CHANGE OF USE TO VEHICLE STORAGE (CLASS B8)
Ref. No: 920800/E | Status: Conditionally Approved
- CONTINUED USE AS VEHICLE STORAGE (CLASS B8)
Ref. No: 950595/E | Status: Conditionally Approved
- TEMPORARY CHANGE OF USE TO VEHICLE STORAGE (CLASS B8)
Ref. No: 980887/E | Status: Conditionally Approved
- Two single-storey detached buildings for use as storage of gas processing unit.
Ref. No: 10/00452/FUL | Status: Conditionally Approved
- Application for prior approval for the proposed demolition of 2 gas holders and associated buildings
Ref. No: 14/00696/DPA | Status: Application Refused
- Application for prior approval for the proposed demolition of 2 gasholders and ancillary structures with associated works
Ref. No: 21/01576/DPA | Status: No Objection
- Application for approval of details reserved by condition 1(Archaeological Structure-Recording) of permission ref 21/01576/DPA for demolition of 2 gasholders.
Ref. No: 22/00063/DIS | Status: No Objection
- Redevelopment of the site. Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 21 storeys comprising 403 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.
Ref. No: 22/00695/FUL | Status: Pending Consideration

6.0 Summary of Applicant’s Viability Assessment

6.1 Report Reference

DVS refer to the Economic Viability Appraisal Report prepared by [REDACTED] director at ULL Property dated March 2022 and the appraisal therein.

It is not clear whether the surveyor and firm are member or member firm of the RICS, however the report states that they have carried out this work in accordance with the Professional Statement Financial Viability in Planning Conduct and Reporting.

6.2 Summary of Applicant's Appraisal

In summary ULL's appraisal has been produced using Argus Developer software and follows established residual methodology. This is where the Gross Development Value less the Total Development Costs Less Profit, equals the Residual Land Value, and the Residual Land Value is then compared to the Benchmark Land Value as defined in the Planning Practice Guidance, to establish viability.

ULL outline in their report the following:

- The proposed scheme appraised with regards to estimated CIL of £3,622,806, yet without any Affordable Housing provision, and without any land payment, produces a **negative** Residual Land Value of **(-) £6,317,947**;
- Therefore the applicant seeks to demonstrate that Affordable Housing and other financial planning contributions cannot be viably supported.
- The ULL opinion of Benchmark Land Value is **£3.064 mn** based upon an industrial land redevelopment alternative value (post remediation works) no premium is considered appropriate and thus none has been applied.
- Notwithstanding the significant shortfalls identified, of circa £9.38 million, it is understood the applicant intends to deliver this scheme.

To review the reasonableness of this conclusion, the reasonableness of the ULL appraisal inputs is considered in the next sections.

7.0 Development Period/ Programme

7.1 The development period adopted by the applicant's advisor is 50 months comprising:

- 1 month for site purchase (in full)
- 3 months pre-construction/ site preparation (no outgoings)
- Construction 24 months for Block A & B (commencing month 5, S-curve)
- Construction 24 months for Block C & D (commencing month 20, S-curve)
- Construction for Podium and Externals 24 months (commencing month 5, S-curve)
- Sales – revenue is programmed in five instalments:
 - Residential A & B month 28 (upon practical completion of block)
 - Commercial A – month 35 (6 months after completion)
 - Carparking – all spaces – month 35 (6 months after completion)
 - Residential C&D month 43 (upon practical completion of block)
 - Commercial C – month 50 (6 months after completion)

7.2 This programme is largely considered reasonable with the exception of the five stage payment which is not agreed. It is usual to assume a scheme such as this

would be forward funded by one investor and so the sale of the whole development would occur upon practical completion, or for phased schemes, upon completion of the phase. In phased schemes, I would expect a whole block to sell as one i.e. commercial at the same time as the residential units.

- 1 month for site purchase (in full)
- 3 months pre-construction/ site preparation (Cost plan identifies pre construction works,)
- Construction 24 months for Block A & B (commencing month 5, S-curve)
- Construction 24 months for Block C & D (commencing month 20, S-curve)
- Construction for Podium and Externals 24 months (commencing month 5, S-curve)
- Sales
 - Blocks A & B month 28 (upon practical completion of block)
 - Carparking – all spaces – 50% month 28 & 50% month 43
 - Blocks C & D month 43 (upon practical completion of block).

*it is noted that these external and podium costs are currently compressed early in the scheme yet may be incurred over a longer period. I may revisit this as part of any future discussions.

8.0 Gross Development Value (GDV)

8.1 Applicant's GDV

ULL have adopted a Gross Development Value (GDV) of £107,303,092 this comprises:

Private Rented Housing GDV	£100,901,250
Commercial GDV	£2,177,842
Parking GDV	£4,224,000

The revenue comprises seven sums, and is cash flowed as four payments as follows:

	ULL Development Value £	ULL cashflow
Phase 1 - Revenue		
Commercial - Building A	999,296	Month 35
Build to Rent - Building A	31,387,500	Month 28
Car Parking	4,224,000	Month 35
Phase 2 - Revenue		
Build to Rent - Building B	22,128,750	Month 28
Phase 3 - Revenue		
Commercial - Building C	1,178,546	Month 50
Build to Rent - Building C	16,683,750	Month 43
Phase 4 - Revenue		
Build to Rent - Building D	30,701,250	Month 43
Total GDV	£107,303,092	

I have reviewed the GDV proposed with regards to RICS Guidance Notes 'Assessing viability in planning under the National Planning Policy Framework 2019 for England' and 'Comparable Evidence in Real Estate'

I have considered the reasonableness of each property type in turn and my conclusions are set out below.

8.2 Market Value of Private Rented Dwellings

8.2.1 ULL Private Market Value - £100,901,250.

ULL have applied an opinion of gross market rent depending on the apartment type as follows:

1 bed apartments – £925 pcm / £11,100 pa
2-bed 3 person apartments –£1,150 pcm £13,800 pa
2-bed 4 person apartments - £1,300 pcm £15,600 pa
2-bed 4 person duplexes - £1,450 pcm £17,400 pa

The average size of the apartment type is not provided. The ULL opinion of rental income is £5,381,400 gross.

ULL apply a 25% deduction for management costs and then capitalise the net rent of £4,036,050 at a yield of 4% to give way to a value of £100,901,250. The equivalent aggregate break-up value is £250,375 per unit.

This equates to the following build to net rent rates and rental income per annum at sale:

Building A - £14.86 per sq. ft. per annum (sq. ft. / pa.) and net rent of £1,225,500
Building B - £14.69/ sq. ft. / pa. and net rent at sale of £885,150
Building C £15.05 / sq. ft. / pa. and net rent at sale of £667,350
Building D £ 14.76/ sq. ft. / pa. and net rent at sale of £1,228,050
These figures can be seen in the ULL appraisal.

8.2.2 DVS Review of Private Market Rent

ULL explain that their values assume all apartments have balconies or winter gardens, and that parking is separately assessed. It is understood, flooring, window blinds, white goods, built in wardrobes are included, and that loose furniture, beds, sofas, tables, etc. are excluded.

In the ULL appraisal –

- Building A has a blended gross rental value rate of £18.58/ sq. ft. per annum
- Building B has a blended gross rental value rate of £18.36/ sq. ft. pa

- Building C has a blended gross rental value rate of £18.81/ sq. ft. pa
- Building D has a blended gross rental value rate of £18.45/ sq. ft. pa

The price per square foot per annum rate figures are provided by DVS to enable transparent analysis and comparison to ULL and DVS comps, which are all gross figures.

ULL provide Asking Rents from three schemes as comparable evidence in support of their Private Rented values, which for ease of reference is summarise as:

- **Ocean Village** - noted by ULL to be, *not procured as build to rent* and in a *significantly better location than the subject site*. Around 18 comps are stated, ranging from £850 pcm to £1650 pcm, however only 5 of these include information on the size, floor level, and number of bedrooms, and so are able to analyse.

These range from a first floor 2 bed 2 bath apartment in **Alexandra Wharf** with parking and a marina view at £1450 per month (721 sq. ft./ **£24.13/ sq. ft. pa**) to a ninth floor 2 bed 2 bath apartment in **Hawkins Tower** with parking and access to a communal gym at £1650 per month (990 sq. ft / **£20/ sq. ft. pa**).

Whilst the marina side location is superior, it is noted none of the comps are classified as new build and none have the amenities of PRS. I consider these to be of limited use, and the amenities of subject would hold a premium over these. Ocean village is around a mile south of the subject

- **Grenada House** –11 storey current development 0.5 miles north of the subject site, with views over the River Itchen. Asking rent data on three units is provided; £925 pcm for a 553 sq. ft 6th floor one bed (**£20 / sq. ft. pa**); £1250 pcm for a 710 sq. ft 5th floor two bed with parking (**£21.13/ sq. ft. pa**); £1325 pcm for an 818 sq. ft 5th floor two bed (**£19.43 / sq. ft. pa**).

ULL do not specify whether this is a comparable build to rent development, but I understand it is not. The location is considered comparable, again I would expect the subject to attract a premium over these rates due to the amenities, but it is a suitable lower parameter comp.

- **Bow Square** - noted by ULL to be *bespoke Build to Rent development*, and a *similar development to the subject proposal with full BTR amenities*, albeit in the city centre. ULL state asking rents which devalue at **£24.37/ sq/ft pa** for a one bed and **£18.95/sq. ft. pa** for a 2 bed. Parking is excluded. This is considered a good comp, although this is an older scheme, it has better transport connections.

8.2.3 DVS Private Market Rent comps –August 2022:

From web based searches I consider there to be enough purpose build built for private rented apartments in Southampton to enable an assessment of Market Rent. Three 'for private rent' schemes are located within a short drive from the subject:

- **Vantage Tower** at Centenary Plaza, Southampton, SO19 9UE (1.5 miles south east of subject). Situated on the Woolston (east) side of the river Itchen, with quayside waterfront views. The current 2022 built development includes resident's lounge and terrace, gym / yoga studio, and co-working space. Parking is separately available to rent. The tenant is responsible for paying utility bills and council tax, and the unfurnished prices are advertised as:

A1- 1 bed 1 bath 516 sq. ft £1375 pcm / **£16,500 pa / £31.98/ sq. ft/ pa**

B1 -1 bed 1 bath 526 sq. ft £1365 pcm / **£16,380 pa / £31.14/ sq. ft /pa**

G - 2 bed 2 bath 701 sq ft £1590 pcm / **£19,080 pa / £27.21 / sq. ft/ pa**

G - 2 bed 2 bath 701 sq. ft £1600 pcm / **£19,200 pa / £27.39/ sq. ft/ pa**

Source Rightmove.com

For an additional cost, furniture packages can be rented at £100 per calendar month (pcm) for a 1 bed, £150pcm for a 2 bed apartment and £200pcm for a 3 bedroom apartment. The furniture consisting of bed(s), sofa, dining room table and chairs.

I consider the amenities on offer and the modernity of the subject to be most similar to this comp, yet the location of the subject is inferior and so a downward adjustment is necessary.

- **Gatehouse** located on East Street, in Southampton city centre a mile south west of the subject. Gatehouse is a 14-storey building of 132 one and two bedroom apartments which boasts a range of resident amenity spaces including roof terraces, a gym, communal lounge area, and co-working space, and commercial space at ground floor level. The use of these amenities and superfast broadband/ Wi-Fi is included in the rent. Charging for utilities is not clear. Gatehouse is understood to be Southampton's second Build to Rent scheme. It is published that Grainger plc forward-funded and acquire the Private Rented Sector (PRS) in 2018, in a deal reported to be £27 million (uncorroborated , but equivalent aggregate break-up value of £204,545 / apartment).

The minimum rent of the limited properties currently available in Gatehouse are:

£1019 pcm for a 50.5 sqm (543.6 sq. ft.) one bed apartment (**£12,228 pa / £22.50/ sq. ft. /pa**)

£1265 pcm for a 70 sq. m. (753.5 sq. ft.) two bed apartment (**£15,180 pa / £20.14/ sq. ft. / pa**)

These asking rents are understood to be unfurnished and exclude parking.
Source gatehouse-apartments.co.uk.

I consider the amenities on offer and the to be similar to this comp and that a small adjustment is necessary to reflect the modernity of the subject.

- The final comparable scheme is also cited by ULL. **Bow Square** located on the site of the former market on Bernard Street, in the city centre one mile south west of the subject, and close to Gateway. This development comprises 280 one and two-bed apartments for private rent and was completed in 2018. There are three apartments currently available at Bow Square advertised at:

£925 pcm for a 503 sq. ft one bed apartment (**£11,100 pa £22.06/ sq. ft /pa**)

£995 pcm for 494 sq. ft one bed apartment (**£11,940 pa £24.17/ sq. ft/ pa**)

£1115 pcm for a 734 sq. ft two bed apartment (**£13,380 pa/ £18.22/ sq. ft / pa**)

These asking rents are understood to be furnished and exclude parking.
Source www.mynewplace.com/apartment/bow-square-southampton.

I consider the amenities on offer and the modernity of the subject to be superior to this comp, and that an upward adjustment is necessary.

8.2.3 Private Market Rents adopted by DVS on other schemes:

Western Esplanade Feb 2022 – overall blended rate across all types (fully private scheme) £22.87 per sq. ft per annum.

- 1 Bed - £975 pcm (average size 490 sq. ft (1 block); 496 sq. ft (2 blocks)
- 2 Bed - £1,300 pcm (average size per block 691, 698, 737 per sq. ft)
- 3 Bed - £1,600 pcm (869 sq. ft.)

8.2.4 DVS Opinion of Private Market Rent

Limited information has been provided about the size of the apartments in each block and so only a high level average valuation by type can be provided at this stage. From the overall areas and split of accommodation, it is implied that the apartments will be larger than the comparable units. Based on the above, it is my opinion as an RICS Registered Valuer that the rentals proposed for three types are too low.

The blended gross rent rate proposed by ULL at c. £18.50 per sq. ft pa, is also considered unreasonable considering the above comps, and regarding rental growth this year.

My opinions of Market Rents at the August 2022 assessment date are as:

- 1 bed apartments – £1000 pcm / £12,000 pa
- 2-bed (small) apartments –£1,150 pcm £13,800 pa
- 2-bed (average) apartments - £1,300 pcm £15,600 pa
- 2-bed (large duplex) apartments - £1,500 pcm £18,000 pa

I am unaware of the size of the individual apartments, in particular there is a lack of detail around the duplex properties. Consequently, it should be noted these are high level opinions of Market Rent based on restricted information and may be subject to change.

It is clear from comparable evidence above that the size of the apartment and outlook, influences the rental value, perhaps more so than the number of bedrooms, and so as a 'sense check' I have also considered the resulting devalued rate. I consider a gross rate of in the order of £20/ sq/ft/pa for a typical two bed; and up to £25/ sq. ft / pa for a one bed to be appropriate. Therefore, would expect the blended figure to lie within these two rates, albeit closer to £20/ sq. ft. as there are proportionately more two bed apartments in the development (59% are two bed).

Applying my opinion of Market Rents the equivalent devalued rate is shown below:

Units	1 bed	2 bed small	2 bed large	2 bed duplex	Total Units	Residential GIA sq. ft
Building A	86	51	1	0	138	84512
Building B	28	16	35	5	85	60258
Building C	22	14	29	0	65	44342
Building D	30	18	61	6	115	83191
Total	166	99	127	11	403	
Market rent £ pa	£12000	£13800	£15600	£18000	rent	blended £/ sq. Ft pa
Building A	£1,032,000	£703,800	£15,600	-	£1,751,400	£20.72
Building B	£336,000	£220,800	£546,000	£90,000	£1,192,800	£19.79
Building C	£264,000	£193,200	£452,400		£909,600	£20.51
Building D	£360,000	£248,400	£951,600	£108,000	£1,668,000	£20.05
Gross rental Income					£5,521,800	£20.28/ sq. ft /pa

As part of any future discussion. DVS would welcome further information on the accommodation details, specifically apartment size and outlook.

The disagreement over rental figures bears significant impact on viability, the combined rental is £140,400 pa more, this difference of opinion is significant when capitalised.

8.12.5 Operational Expenditure (opex costs)

For a PRS Scheme it is necessary to make an adjustment for the operational costs which are the Landlord's responsibility. Such costs include; letting fees, allowance for voids, site staff, building operations, tenancy operational expenditure and utilities costs for communal facilities (heating lighting insurance etc.).

The applicant's surveyor' has allowed 25% of gross revenue for operational costs, equivalent to £1,345,350 per annum or £3,338/ unit per annum.

The ULL viability report did not include any commentary justifying the allowance adopted nor the make-up of the figure, however the DVS valuer recognises 25% is a 'default opex adjustment' frequently adopted for high level appraisals.

In 2022, a deduction of 25% for operational costs is considered 'full'. Typically I would expect 23.5%, although I have agreed 25% on multi-building schemes. I note DVS accepted the 25% opex deduction on the proposed multi building PRS developments, Leisure world in 2018 PRS scheme, and on the Western Esplanade in 2022.

It is a widely held view that operating costs bear less relation to rental value and greater correlation to accommodation features such as size and facilities, and that a price per sq. ft. or price per unit more fairly reflects these costs, and the economies of scale that can be achieved through management of larger buildings.

2019 Operational Cost Research by CBRE points at a rate £3,000 per unit, reducing for larger schemes (understood to be over 300 units) but also recognises that a universal approach is not applicable as operational costs will vary, depending on the scale and age, management and specification of the apartment building. It is reasonable to expect that improving building standards will reduce running costs.

Given the deficits identified by the applicant's surveyor I consider the operator would mitigate their risk and work towards maximizing efficiency, I consider it reasonable to assess the viability with an Opex allowance of 23.5%.

The input bears significant impact on viability, it effectively increases development value by £2.75 million (DVS revenues).

8.2.5 Yield

ULL apply a net initial yield of 4%, quoting market reports in support of the rate. I am satisfied that this is suitable for assessing the viability of this scheme. My benchmarking places reliance on market commentary and other viability reviews and agreements.

As recognised by ULL, *Evidence of specific deals indicates a net initial yield of 4% is a reasonable assumption*, notwithstanding the Grainger development mentioned above, was agreed in 2018.

8.2.6 DVS Private Rented Development Value

My opinion of development value for the Private Rented residential accommodation is £105,604,425. As detailed above I may revisit this as part of any future discussion.

8.2 Market Value of Affordable Housing Dwellings

As agreed in the terms the viability assessment review has been appraised excluding on site affordable housing at this stage. Any surplus available for housing will be reported as a monetary sum. This is due to the deficits identified and the understanding that CIL and highways payments sit higher in the hierarchy.

This assessment assumption does not prejudice your authority's privilege to request on site affordable provision.

8.3 Market Value of Ground Rents

The Leasehold Reform (Ground Rent) Act 2022, which received Royal Assent in 2022 will mean dwellings in this development are likely to be sold freehold (or as part of a commonhold) title, or long leasehold and not subject to any ground rent above a peppercorn. This effectively restricts the ground rent of the lease to zero financial value. The legislation also bans freeholders from charging administration fees for collecting a peppercorn rent. Consequently, DVS have not allowed for Ground Rent Investment Value in the viability assessment review.

8.4 Market Value of Commercial Units

Two of the four buildings contain ground floor commercial accommodation:

Building A – 346 sq m (3,724 sq ft) and Building C – 408 sq m (4,392 sq ft).

ULL have applied a rental rate of £18/ sq. ft (overall) and capitalised this at a 6.5% gross yield, allowing for 6 months' rent free.

The combined development value is £2,177,842. (£999,296 for the commercial space in Building A and £1,178,546 for the commercial space in Building B)

To support the valuation, two rental comparables are provided (both from 2019) and market commentary is provided to support the yield, albeit the rate adopted is a judgement in between the two agency reports.

I have reviewed the evidence available, and agreements / assessments on other schemes, including the Meridian Studios redevelopment and evidence submitted and verified on the Western esplanade scheme in Feb 2022.

I am also aware that the commercial unit in Bow Street was available for some time, and the asking rent was reduced to £15 per sq. ft for almost 6,000 sq. ft. in 2021.

Further to this I consider the rental and yield figures proposed to be acceptable for the assessment of viability, I consider the rent free period to also be reasonable.

Note: Despite ULL stating at para 1.5 in the report that commercial rental income during the construction phase is included, the appraisal does not appear to account for rental income during the period from completion to investment sale, this discrepancy is of little impact to viability as detailed above I have cash flowed the investment value of the commercial units at the same time as the main block.

I have rounded the combined development value is £2,175,000 (£1,000,000 for the commercial space in Building A and £1,175,000 for the commercial space in Building B)

8.5 Market Value of Car Parking

ULL have assessed car parking revenue at £100 per month (£1,200 pa), capitalised at 5% yield. £24,000 per space.

The ULL report states at 5.16 that a 4% yield has been applied. However, the appraisal adopts 5%. This discrepancy results in car park revenue being £1.05 million less than described.

It is in my experience, unusual to apply a different yield to the residential car parking as the residential accommodation. I view that secure parking for residents will be sought after, as there are only 176 spaces for 403 units (around 640 bedrooms). I consider there would be ample demand for parking, and that the same yield of 4% is appropriate

Whilst I note there are higher rents being sought in the city centre schemes, I consider the rental value proposed to be reasonable. I appreciate there may be some management costs associated with the parking, it is my opinion that these would not be anything like the same as the residential allowance of 25% (the difference between a 4 and 5% yield in the ULL appraisal). I have allowed a 10% adjustment to the rent for management/ operational costs relating to parking.

My opinion of GDV for the parking is: £4,752,000 (£27,000 per space)

8.6 Other Revenue

There is no other revenue in the assessment however I draw your attention to:

The residential amenity facilities (gym, lounges etc). It is understood these will be for the exclusive use of the tenants and will not be let or revenue generating. If this were to be chargeable such income and value would be expected to improve the viability of the scheme.

Tax Relief. There is no allowance for tax reliefs in the applicant's assessment. Tax relief may be applicable on this site and, if so, may improve the viability of the scheme. You may wish to seek additional guidance on this, from a tax expert.

8.7 Total Development Value

My total development value is £112,531,425 which is around £5.23 million higher than ULL's assessment.

9.0 Total Development Costs

9.1 Summary of Costs

Excluding profit, and excluding demolition and remediation works which are nil, there are over £100,150,000 of costs in the ULL appraisal, I have grouped together as follows:

Item – ULL appraisal	£ Sub Total
Construction Costs - Buildings	£70,219,834
Construction Costs – Amenities	£6,897,878
Contingency	£3,855,886
Professional Fees	£6,169,417
Marketing Fees (commercial)	£20,452
Disposal Fees	£544,804
SDLT on the residential	£4,135,311
CIL	£3,622,806
Finance	£4,688,112
Total	£100,154,500

9.2 Total Construction Cost

Para 12 of the NPPG explains that the assessment of costs should be based on evidence which is reflective of local market conditions. The RICS viability guidance indicates *that site specific costs should be used to assess viability of a scheme where available.*

A site specific cost plan detailing the anticipated development costs for the outline scheme, has been prepared by Rund, and is supplied at appendix 2 of the ULL appraisal.

9.2.1 The Rund Cost Plan

The Rund cost plan includes: *Piled foundations and ground slabs; concrete podium deck to create podium parking and amenity deck at level 1; two-storey (internal double height) glazed and brickwork semi-circular gym space, located between Blocks A and D; construction of 4 no. residential apartment blocks (A - 138 units, 21 storeys; B - 85 units, 10 storeys; C - 65 units, 8 storeys, and D - 115 units, 11 storeys), including back of house, communal amenity and commercial areas (commercial areas priced as shell and core, ready for tenant fit out); landscaping and associated public realm works including construction of external staircases for accessing the level 1 podium deck, surface works to create car parking, and hard and soft landscaping to create resident's amenity.*

In summary, construction, abnormal and external works costs are provided for the development and total £77,117,712. This sum is made up as follows:

Group Element	Overall total	Podium/ Café /Gym/ Bar	Block A	Block B	Block C	Block D
Buildings (inc. substructure)	£60,636,642	£2,547,276	£18,317,214	£12,514,609	£9,556,564	£17,700,979
Externals	£3,746,153 (6.25%)	£3,211,513	£105,595	£145,855	£107,355	£175,855
Prelims	£8,369,763	£748,643	£2,394,965	£1,645,860	£1,256,307	£2,323,988
Contractor	£4,365,154	£390,446	£1,249,066	£858,379	£655,212	£1,212,049
Total const. Costs	£77,117,712	£6,897,878	£22,066,840	£15,164,703	£11,575,438	£21,412,871
Units	403	403	138	85	65	115
£/ Unit	£191,359.09	£17,116.32	£159,904.64	£178,408.27	£178,083.66	£186,198.88
Total GIA sq. ft.	379,880	(8579)	113,789	81,851	63,800	111,873
£/ sq. ft.	£203.01	(804.04)	£193.93	£185.27	£181.43	£191.40
Storeys			21	10	8	11

Sourced from the overall summary table at page 3 of Rund Cost plan at appendix 2 of the ULL report. Additional analysis by DVS. The total cost and unit rate for the podium, shown in brackets (8579 & £804.04 / sq. ft.) are from the ULL appraisal.

The Rund cost plan has not been independently reviewed at this stage. Southampton Council has instructed DVS to review the costs on a high level basis, provide commentary about any concerns, and to comment on the reasonableness of the figure with regard to BCIS and other VOA held information.

DVS are also instructed to adopt the applicant's abnormal costs where sufficiently supported.

Whilst I feel that I have sufficient evidence on construction rates to form a reasoned opinion on total construction costs for the purpose of this initial review, it cannot be ignored that I am a chartered valuation surveyor, not a quantity surveyor (QS), and so I emphasise the importance of getting this cost plan separately checked by an independent QS, as these costs significantly contribute towards the viability conclusion. Please note that, notwithstanding the initial opinion, in the event of an appeal or protracted negotiations, a separate expert in costs will be required.

My high level comments are :

The Rund cost plan is sufficiently detailed and auditable.

Premium finish It is a PRS scheme and costs includes costs the fitting out of the apartments. There are also premium features in regard to the external finish. I recommend that Southampton Council check through the items and confirm that they are satisfied that any unusual, expensive and/or extra over cost items are necessary or justified in terms of planning, and not, for example, an expensive design feature included at the sake of policy delivery.

Cost Inflation. Rund state at para 1.7 that whilst the cost plan was prepared in the 1st Quarter of 2022 *an inflation allowance has been applied to the total costs using the BCIS All-in TPI assuming that a tender price is agreed with a contractor in Q3 2023.*

For viability purposes one must be consistent in the appraisal assumptions it should either be that the inputs for both costs and values account for growth/inflation or, more typically, neither, as we are concerned with viability at the assessment date.

The pre indexation figures are not supplied, neither is the adjustment factor adopted. From the Overall Summary table supplied at 3.0, however, the final shaded row states that the *total construction cost (of £77,200,000) excludes Inflation allowances.* As this is the same total as the build costs adopted in the viability appraisal (albeit rounded in the table, the subtotals do total £77,117,712) I am, reasonably satisfied inflation is excluded from the Rund cost plan, and that para 1.7 contains incorrect wording. Further to this understanding no adjustment has been made.

Your authority should seek assurances on this point before determining the application as the potential impact of inflating the costs is significant.

9.2.2 Costs on Comparable Schemes and BCIS

Notwithstanding the fact each development is specific, the base build cost has been considered against evidence gained by DVS in our reviewing capacity.

BCIS benchmarking information, is, usually, not suitable for such high rise apartment developments, as the BCIS database does not contain comparable schemes. For information the BCIS median cost for new build 6 storey apartments or above is £1844 / sq. m (£171.31 / sq. ft.) (parameters; date: 13 August 2022; location: Southampton; Results: 5 years)

Build costs before abnormals - adopted on high rise PRS scheme reviewed by DVS include:

- Western Esplanade (Feb 2022) - The multi-use development including retail, offices and commercial and 603 private rented apartments, between 7 and 25 storeys, Here residential build costs were independently reviewed by a QS to be £1,859 per sq. m. (£172.70/ sq. ft.) including prelims and overheads plus externals at £139.43 / sq. m £12.95/ sq. ft. Indicating an all-in figure of circa £185.65/ sq. ft.
- Leisure World on West Quay Road (March 2021). The development included a 310 privately rented apartments arranged in up to ten storey* blocks (*TBC, DVS summary report is silent on no. storeys, I have counted from illustration.). Here build costs were independently reviewed by a QS to be £1,749 per sq. m. (£162.49/ sq. m.) including prelims and overheads yet externals were excluded (which were not separately costed in the appraisal but grouped with abnormals and highway costs at (combined) £16.29/ sq. m / all in (£15/sq. ft.) Indicating an all-in figure of circa £178.78/ sq. ft.

In addition; I can provide high level commentary compared to schemes I have knowledge of in Salford and Leeds, which have been reviewed by Quantity Surveyors. Further to this:

- (a) Circa £194/ sq. ft. for 21 storeys is considered reasonable, based upon July 2022 independent QS review of a 24 storeys PRS scheme Leeds, has been costed at £198 sq. ft. inc. externals, foundations, excluding inflation.
- (b) That £181.43 / sq. ft for an 8 storey scheme is considered top side, the most recent (two towers of 7 and 8 storeys, Salford, September 2021) has been agreed at £173.22 sq. ft. inc. externals excluding inflation. It is understood foundations were separately costed.

9.2.3 Construction costs relating to the Podium / amenities

These cost total £6,897,878. In the ULL appraisal they stand out as extraordinary when applied to the gross area to which they relate 8579 sq. ft. and £804 per sq. ft. However, around half of these costs (£3.2million plus overheads and prelims, totalling £3,846,750) are associated with external works of the whole development (fencing, landscaping, parking, and roads etc). The remainder £2.547 million plus overheads and prelims is associated with ancillary PRS facilities (totalling £3,051,127).

I have split these out to consider the reasonableness of the figures.

External works devalue at approximately 5.35% of total build cost (buildings A to D) this is considered reasonable when compared to other PRS and apartment schemes. The entire sum is cash flowed within the first 24 month construction period, it may be more appropriate to spread this over a longer period, or to apportion this over the two phases, however this has not been modelled at this stage.

I am concerned regarding the £3,051,127 costs associated with the Podium, Café Bar, Gym and Yoga suite. As a price per square foot, (£355.65 / sq. ft) the cost is viewed as extraordinarily high. As stated in the revenue section, whilst there is revenue included for carparking, there is no revenue included for these other amenities. These amenities are understood to be exclusive for the benefit of the tenants, and not for public use, yet may be chargeable and thus would be revenue generating. The associated cost is significant to the overall viability. Thus you may wish to consider whether these costs are justified at the sake of policy delivery.

9.2.4 DVS Construction Cost for initial review

Having regard to the value assumptions, which reflect a premium finish, and costs submitted on comparable schemes, and in light of the pressure on construction costs in recent time, I consider that the build costs of the residential elements proposed which are understood to be inclusive of substructure, externals and abnormal costs to be within reasonable levels and that the Rund cost plan can be relied upon at this stage to determine the viability of this specific development as at the assessment date. Notwithstanding my concerns regarding the costs of the communal facilities, my review assessment adopts the same total construction costs with the caveat that DVS reserves right to review these costs in the event of an appeal or if further information becomes available. Particularly if the total construction costs are later independently reviewed and a different conclusion reached by the Council's professionally qualified advisor. In such an event I will update my report and appraisal accordingly.

The above acceptance is specific to this case and does not prejudice any future viability reviews on this site, or similar developments in your authority which will have regard to the information at that time.

Please note:

- With the exception of the summary table which has been checked, the make-up of the sub-totals and carried forward figures have not been checked by DVS.
- A change in assessment date may lead to a change in costs (and values).
- That any future change to costs may also lead to a reconsideration of other appraisal inputs such as the land value, professional fees, contingencies and profit.

I emphasise that the provisional viability conclusion is reliant on the professional integrity of the applicant and their advisors that such costs will be evident in the completed premises, you may wish to seek greater assurances or impose conditions to satisfy this.

Build costs have been subject to much pressure and volatility in recent times, the impact on viability of higher and lower costs are reflected upon as part of the sensitivity tests at the end of this report.

9.3 Agreed Cost Inputs

The following cost inputs have been accepted as reasonable and adopted by DVS in the review assessment

Accepted Cost	Agent	Comments
Professional Fees	8%	8% considered reasonable for schemes such as the proposed.

9.4 Tentatively Accepted Costs

I have carried forward the following ULL appraisal inputs to my viability assessment, however they are tentatively accepted in good faith, and, in the event of further details, negotiations or an appeal this initial acceptance may later be withdrawn.

Tentatively accepted cost	Agent	Comments
Contingency	5%	This is full for a remediated site with itemised cost plan. There appears to be no contractors price risk allowance in the cost plan. 2.5/3% more typical.
Commercial marketing and agency (rental) fees	Various	Applied to Market Rent. 1% for marketing; 10% for agents fee and 3% for legal fees. Depending on the operational responsibilities might be double counted within the operational expenditure allowance. (insignificant sums)
Commercial Disposal Fees (agent & legal)	Various	6.8% for commercial I opine this should be SDLT +1.75%), total is insignificant
Disposal Fees Residential	Combined 0.35% GDV	0.35% GDV is reasonable on a scheme of this size, however, in view of my conclusion regarding the SDLT for the residential (unagreed see below) I have tentatively allowed a full percent of GDV for monitoring/professional costs associated with the investment purchase. My 1% of GDV is the combined allowance adopted for the investors costs (agency, monitoring and legals combined).
Finance	6.5% debit 0% credit A 100% debt funded scheme	6.5% debit rate regarded to be high/ outside of unusual expectations, and out of step with yield. 5% debit is more typical and was agreed on Western Esplanade. It is noted that a credit rate of 2% was also applied in that review. A 100% debt funded scheme is typical for viability yet noted to be atypical for this product. DVS have a larger finance sum as the ULL finance figure takes no account of finance incurred on the land payment. I may re consider this as part of future discussion.
Land purchase	Land purchased in entirety at day one	Phased land purchase may be appropriate to reflect four stages of revenue assumption. I have assumed one land payment and the revenue is paid in two tranches.

9.5 Unagreed Costs

Unagreed Cost	Agent	DVS Comments
CIL	£3,622,806	Southampton Council have provided a figure of £3,947,030 (for a fully private scheme) I have appraised using this higher figure, and cash flowed this as 2 equal payments.
SDLT on the 403 residential properties.	£4,135,311	Not agreed as explained below

SDLT Residential Units. Limited text is provided by ULL to explain this sum, from the ULL appraisal we can see it comprises the combined SDLT of the residential elements for the four blocks. This is a peculiar input, it is our experience that a development such as this, would be forward funded, or similar, and the investor would be not pay the stamp duty payment on both the land purchase and the investment purchase. Furthermore, the application is for a purposed built PRS scheme it is understood that there would be some covenant or condition of planning that prohibits the individual sale of the properties.

Consequently, this £4.135 million cost is not accepted, instead, in line with our PRS assessments and agreements over the country, with several surveying firms, acting on behalf of several applicants (developer and investors), SDLT has been assessed on the Land Value only (see omitted items below). Residential disposal and (investment) monitoring fees are included by DVS, at the same as accepted within the Western Esplanade review, albeit I regard this to full for a development of this nature and value. The ULL figure of 0.35% is more typical of my experience.

I am able to disclose details of firms this principal has been agreed with in a private forum. Please note that in the event of an appeal or protracted negotiations on this point a tax expert will most likely be required.

9.6 Omitted Costs

Omitted Cost	Agent	Comments
Land acquisition Agent and legal fees	Omitted	1.5% of (DVS opinion) of the land value,
Stamp Duty Land Tax	Omitted	At the prevailing (commercial) rate of (DVS opinion) of the land value.
Section 106 and other financial contributions towards policy provision	Omitted	Southampton Council have informed DVs that the scheme would be required to pay £585,941 towards various plan policies as set out in para 5.6.

It is recognised that these may be purposeful omissions, as where the residual land value is a negative figure the appraisal software will not calculate / include SDLT or land acquisition fees . It is also recognised that in order to illustrate a more realistic viability picture) SDLT can be manually input as an 'additional cost', as ULL appear to have done perhaps to emphasise the development deficit (albeit the figure is not agreed).

9.7 Summary of DVS Costs

Item	DVS (App 1)	£ ULL
Construction Costs - Buildings	£70,219,834	£70,219,834
Construction Costs – Amenities/ Externals	£6,897,878	£6,897,878
Contingency	£3,855,886	£3,855,886
Professional Fees	£6,169,417	£6,169,417
Marketing Fees (commercial)	£20,452	£20,452
Disposal & Monitoring Fees	£1,271,204	£544,804
SDLT on the residential	Nil	£4,135,311
CIL	£3,947,030	£3,622,806
Finance	£6,540,838	£4,688,112
Stamp Duty Land Tax & Land acquisition fees (calculated on residual for land sum)	£160,595	Nil
Financial contribution towards policy	£585,941	Nil
Total	£99,669,075	£100,154,500

As illustrated above, DVS total development costs are around £485,425 less than ULL.

10.0 Developer's Profit

- 10.1 The applicant's advisor has included blended profit at 12.55% of GDV or 14.4% of total costs (£13.466 million) which is understood to be a blend based upon 12.5% of value for the residential and 15% of value for the commercial.
- 10.2 I consider a scheme such as this would be forward funded or similar by an investor and so will not be subject the same market risk as a development of flats built to sell to individuals. Risk associated with lettings, void and management are already accounted for within the operational expenditure allowance of around £1.3 million per year.
- 10.3 Text within the PPG explains that for the purpose of plan making '15-20% of gross development value (GDV) may be considered a suitable return to

developers in order to establish the viability of plan policies’ and that ‘Alternative figures may also be appropriate for different development types’. It is a widely held view that PRS is a development type which warrants a different, lower rate.

- 10.4 I consider 12.55% of GDV as a profit level to be too high for this scheme.
- 10.5 In other PRS reviews I have undertaken, profit is more typically assessed as a percentage of cost, and ranges from 6% to 12.5%. I have adopted 8% of value on mixed used schemes. In the south east region, I note DVS have accepted profit levels from 8% of cost to 12.5% of value. All of these rates have been agreed with chartered surveyors and qualified professional advising large developers.
- 10.6 There is no clear picture when viewing profit in isolation. Having regard to the other appraisal inputs adopted in the assessment and the assumption regarding sales and the mixed use nature of this scheme and noting that there is already contractor profit allowed within the cost plan, for this viability review assessment where full policy provision is being challenged, I am satisfied to adopt a profit target of 10% of total development costs. This is my professional opinion. This is equivalent to £10.23 million.
- 10.7 I am aware of profit levels previously adopted within this authority support 12.5% of GDV (blended) and so, for your information, I have also reported the impact on the viability conclusion with this higher profit level. I have also reported the impact adopting the ULL profit of £13.466 million.
- 10.6 To accord with the RICS Guidance Note ‘**Assessing viability in planning under the National Planning Policy Framework 2019**’, I can report that the profit level I have adopted of 10% of Total Development Costs is equivalent to 9.09% GDV and an Internal Rate of Return of 15.72%, please note this IRR is relative to the development period and finance rate adopted.

11.0 Benchmark Land Value (BLV)

11.1 Applicant’s BLV

The applicant's surveyor has adopted a Benchmark Land Value of £3,064,000, this comprises their opinion of EUV is £3,064,000 plus nil premium.

The EUV is based upon industrial land value of £800,000 per acre. ULL state that new industrial development at Britannia Road would attract local trades at lower rents than the better connected more modern and larger space available in the Western Docks. They include three comparables of prime industrial sites in Hampshire and Crawley, one at £2mn/acre and two at £2.75mn/ acre which appear to have been verbally provided by Savills. A 2021 market overview report by Carter Jones is also provided together with what is understood to be verbal advice of a site on the Western Dock of £1.05mn/ acre.

ULL apply a valuer judgement to reflect the inferior location of the subject, and adopt £800,000 per acre, resulting in an EUV of £3.064 million.

In forming my opinion of BLV I have followed the five-step process, which is detailed in RICS GN '**Assessing viability in planning under the National Planning Policy Framework 2019 for England**' (effective 1 July 2021).

11.2 Existing Use Value (EUV)

Step one is to undertake a valuation to determine EUV.

Whilst the viability assessment assumes a cleared, remediated development site for industrial redevelopment. It cannot be ignored that the existing use is a redundant gas works, which, due to being obsolete and the remediation costs required, would, I feel, have a nominal or nil existing use value.

As stated in the assumptions and the site description earlier, prior to acquisition and development the site will be to be presented to the applicant as a cleared and remediated site, thus, for the purpose of the viability assessment the site is regarded to be a cleared brownfield site, with no abnormals.

ULL consider that the *correct measure for the existing use value is as industrial development land.* Further to the allocation in the local plan this is considered reasonable, although it is understood permission would be needed to develop it in this way, and where redevelopment is assumed, this is effectively an alternative use, to which no premium is appropriate.

11.3 Alternative Use Value (AUV)

Step two is the assessment, where appropriate, of the AUV. The PPG explains that AUV may be informative in informing the BLV.

The EUV above effectively assumes the site will be redeveloped as industrial and so, as per the guidance, is regarded to be an Alternative Use Value. It is noted however that there has been no explanation as to why this alternative use has not been pursued. You may wish to seek assurances on this point.

I am satisfied that there is market demand for industrial development in Southampton.

There are no direct industrial land comps in this part of Southampton, I am aware of a sale of industrial land (and ancillary buildings) on Marine Parade at Britannia Wharf in March 2022 for £1.67 mn per acre. This is a superior location than the subject and includes buildings.

I note the applicant's advisor's 'per acre' approach, I am reluctant to apply a universal price per acre to the subject site, each site is unique in its development potential, and regard must be had to this.

The applicant's EUV has been sense checked by a high level residual valuation, assuming speculative industrial redevelopment. Please note this is a high level 'check' valuation, produced to check the reasonableness of the £3.064 million proposed.

Comparables have been sourced from available properties on Co Star and build costs from BCIS. A summary is provided in appendix *(iii) Other appraisal inputs including density are based on comparables and market knowledge.

My AUV appraisal assumptions are summarised below:

Scheme: Site area 3.7 acres (c. 160,000 sq. ft.); buildings coverage 35%; say 55,000 sq. ft. built industrial

Development period. 6months plus 12 months' rent free, sale upon completion of rent free

Market Rent £11.50 /sq. ft.

Yield 6.5%

Build costs (BCIS August 2022, median £59.27/ sq. ft.)

Externals at 10%

Foundations: £100,000

Contingency 5%

Other Abnormals – Nil (remediated site)

CIL/ Policy: Nil

Professional fees 6%

Letting fees: agency 10% MR; legal 3% MR;

Disposal fees SDLT plus 1.75%

Profit 15% of GDV

Finance 6% debit.

The resulting residual land value is £2,396,160 million.

Sensitivity tests :

- Varying the density by 10% (49,500 sq. ft. to 60,500/ sq. ft.) results in a Residual Land Value range from £2,027,294 to £2,765,026).
- Varying the rent by £1 (£10.50/ sq. ft. to £12.50 / sq. ft) results in a Residual Land Value range from £1,858,958 to £2,933,363
- Varying the yield by 0.25% to 6.25% would result in a Residual Land Value of £2,661,403
- Varying the construction cost by 5% (£56.31/ sq. ft. to £62.23/ sq. ft.) results in a Residual Land Value range from £2,211,727 to £2,580,593.

In order to produce a RLV over £3 million, construction costs would have to reduce by 10% coupled with a 5% increase in rent to £12.07 / sq. ft. this combination is considered remote.

Further to the above sense check residual exercise and analysis, I consider the BLV opinion proposed of £3.064 million to be overstated and an AUV in the order of £2,500,000 to be appropriate, on the understanding there would be no financial contribution towards policy provision for industrial redevelopment.

Please note there may be other alternative uses associated with the football club that have not been considered at this stage, the most obvious being parking.

11.4 Cross Sector Collaboration Evidence of BLV and Premium

The RICS GN explains that Step three is to assess a premium above EUV based on the evidence set out in PPG paragraph 016, which is '*the best available evidence informed by cross sector collaboration. which can include benchmark land values from other viability assessments' comparisons with existing premiums above EUV*'.

As the EUV assumes redevelopment, no premium is appropriate.

11.5 Residual Land Value of the Scheme with regard to Plan Policy

Step four is to determine the residual value of the site or typology, assuming actual or emerging policy requirements.

This appraisal has not be necessary, due to the enormous deficits identified by the applicant's surveyor for a scheme devoid of affordable housing, and the understanding that affordable housing would not be required to be delivered on site, it was agreed to assess the viability of the scheme including CIL sum only.

Adopting the inputs described herein this report, the residual land value of the proposed scheme with partial plan policy requirements (excluding affordable housing) is £2,632,223.

11.6 Adjusted Land Transaction Evidence

Step five is to cross-check the EUV+ approach to the determination of the BLV of the site by reference to (adjusted) land transaction evidence and can also include other BLV of compliant schemes (or adjusted if not compliant).

Market Transaction Evidence, needs careful adjustment and analysis, due to the opaque knowledge of the facts it is difficult to place weight on the evidence and the analysis provided.

Benchmark Land Value tone for viability purposes adopted by DVS and applicants on similar sites include:

Western Esplanade, Feb 2022: 4.6 acres: BLV £4,000,000 (based on EUV of 2 retail units and a 290 space car park, assumes refurbishment, no premium)

11.7 Purchase Price

The NPPG on viability encourages the reporting of the purchase price to improve transparency and accountability, however it discourages the use of a purchase price as a barrier to viability, stating *the price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. And under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.*

The PPG does not, however, invalidate the use and application of a purchase price, or a price secured under agreement, where the price enables the development to meet the policies in the plan.

The applicant has not disclosed the price secured for the site. You may wish to make enquiries. If it is less than the BLV adopted, adopting the price paid may lead to greater policy provision.

11.8 Benchmark Land Value Conclusion

The reasonableness of the applicant's £3.064 million Benchmark Land Value has been considered against:

- The EUV of £nominal (as it stands) or £2,500,000 with the special assumption the site is remediated and ripe for industrial development.
- Alternative use value £2,500,000 (assuming industrial redevelopment and no policy contributions)
- Evidence of appropriate premium above the EUV - not applicable
- The Residual Land Value of the partially compliant scheme £2,632,223.
- Benchmark Land Values (BLV) adopted in the local plan study for this typology, not applicable)

It is my balanced and professional opinion having considered all of the above approaches that an appropriate BLV would be £2,500,000 this can be reported as:

EUV (with special assumption) of £2,500,000 and a premium £nil.

12.0 DVS Viability Assessment

12.1 DVS Viability Appraisal 1 Partial Plan Policy Compliant Scheme

My viability review assessment has been produced using Argus Developer software.

Appraisal 1 can be found at **Appendix (i)** reflects the partial plan policy requirements of £3,947,030 of CIL, other policy requirements of £635,941, on site affordable provision is not appraised at this stage.

Based on the inputs I have outlined above and fixing the profit at 10% of development costs the residual output presented as the amount available for land which is then compared to the valuer's opinion of the BLV to determine the viability of the scheme. The appraisal calculates a residual land value of over £2,601,320 which is above my opinion of BLV of £2,500,000.

This indicates the scheme can support a moderate financial contribution towards affordable housing.

12.2 DVS Appraisal 2 – Maximum Financial Contribution

As a surplus has been identified, I have considered the maximum financial contribution towards affordable housing that the scheme could viably support, by programming a financial contribution into the cashflow. I have established that the maximum additional financial contribution that can be supported by the scheme is £120,000. This sum has been cash-flowed as one payment, one month after construction of block C&D begins, in month 21 .

Appraisal 2 - which can be found at appendix (ii) reflects a scheme with partial plan policy requirements of £3,947,030 of CIL, S106 and other policy costs of £585,941 and affordable housing contribution of £155,000. The appraisal generates a residual value for land of £2,500,808 which is approximately equal to my BLV opinion of £2.5mn.

It is my independent conclusion the scheme can support the required CIL payment of £3,947,030 plus £740,941 towards other policy provision.

13.0 Sensitivity Analysis

13.1 Further to mandatory requirements within the RICS Professional Statement 'Financial viability in planning: conduct and reporting', sensitivity tests are included to support the robustness of the viability conclusion described above.

13.2 Sensitivity Test 1 – Appraisal 2 – Adjusting Construction Costs

13.3 I have fixed the land value at £2.5 million. I have adjusted base construction costs in upward and downward steps of 1%, and the output is the residual profit, shown as a both a percentage of cost and as a monetary sum, which can be compared to the Target Developers Profit of 10% and £10.23million.

13.4 Table of Profit on Cost (%) and Profit Amount

Construction: Rate /ft ²				
-2.000%	-1.000%	0.000%	1.000%	2.000%
£ 12,072,788	£ 11,151,997	£ 10,231,207	£ 9,310,417	£ 8,389,626
12.02%	11.00%	10.00%	9.02%	8.06%

13.5 This sensitivity shows that the surplus is very sensitive to costs, a 1% rise in cost would not support the surplus identified in appraisal 2.

13.6 Sensitivity Test 2 – Appraisal 2 – Adjusting Residential Rental Values

13.7 I have adjusted the blended private residential rental value in upward and downward steps of £0.50 per square metre per annum, and the output is the residual profit, shown as both a percentage of cost and as a monetary sum, which can be compared to the Target Developers Profit of 10% cost or £10.23 million.

13.8 Table of Profit on Cost (%) and Profit Amount

Rent: Rate /ft ²				
-1.00 /ft ²	-0.50 /ft ²	0.00 /ft ²	0.50 /ft ²	1.00 /ft ²
17.00 /ft ²	17.50 /ft ²	18.00 /ft ²	18.50 /ft ²	19.00 /ft ²
£ 4,846,432	£ 7,538,820	£ 10,231,207	£ 12,923,594	£ 15,615,982
4.73%	7.36%	10.00%	12.64%	15.29%

13.9 This sensitivity shows that the surplus is very sensitive to the rental rate adopted, a £0.50 rise would support a surplus of over £2.5million, far in excess of that identified. The sensitivity tests show, that the ULL target profit of £13.46 million, can be met, with an increase in rental value of between £0.50/sq. ft. p.a. and £1 per sq. ft. per annum.

13.10 If your council requires any additional or specific testing for future reports, please let me know.

14.0 Conclusion and Recommendations

14.1 Viability Conclusion

Following the above testing work, whilst it is recognised that viability on this scheme is very sensitive it is my considered conclusion that the proposed is able to support the required CIL payment of £3,947,030 plus £585,941 of policy requirements plus a surplus of £155,000 towards other policy provision, such as a payment in lieu of on-site affordable housing.

14.2 Review

Further to my conclusion above and the advice that your Council’s full planning policy requirements will not be met; a review clause might be appropriate as a condition of the permission.

In line with paragraph 009 of the PPG Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities' ability to seek compliance with relevant policies over the lifetime of the project. DVS can advise further on this should you so require.

The council may consider it appropriate to make it a pre commencement condition that viability is reviewed if construction does not start within a prescribed period of time.

14.3 Other Recommendations

The construction costs, particularly those relating to the 'podium' costs are a significant contributing factor to the viability of the scheme, a reduction would enable the scheme to contribute more to local authority's plan policy requirements, therefore Southampton Council may wish to have the independently reviewed by your relevant expert, before determining the application.

14.4 Market Commentary

Analysis published by the British Property Federation (BPF) in 2022 shows the Build to Rent sector continues to grow at pace, with the number of completed homes increasing by a fifth (19%) in the past twelve months. In addition to this rental values have bounced back to the pre-pandemic level offering investors security in the returns of their long-term investment.

15.0 Engagement

- 15.1 The DVS valuer has not conducted any discussions negotiations with the applicant or any of their other advisors
- 15.2 Should the applicant disagree with the conclusions of our initial assessment; we would recommend that they provide further information to justify their position. Upon receipt of further information and with your further instruction, DVS would be willing to review the new information and reassess the schemes viability. Please note that there will be an additional diary charge where fee is expended.
- 15.3 If any of the assumptions stated herein this report and/or in the attached appraisal are factually incorrect the matter should be referred back to DVS as a re-appraisal may be necessary.
- 15.4 Following any new information and discussions a Stage Two report may then be produced, however if the conclusion is unchanged, a redacted version of this report including refence to the discussions will be provided.

16.0 Disclosure / Publication

- 16.2 The report has been produced for Southampton Council only. DVS permit that this report may be shared with the applicant and their advisors as named third parties only.
- 16.3 The report should only be used for the stated purpose and for the sole use of your organisation and your professional advisers and solely for the purposes of the instruction to which it relates. Our report may not, without our specific written consent, be used or relied upon by any third party, permitted or otherwise, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our report. No responsibility whatsoever is accepted to any third party (named or otherwise) who may seek to rely on the content of the report.
- 16.3 Planning Practice Guidance for viability promotes increased transparency and accountability, and for the publication of viability reports. However, it has been agreed that your authority, the applicant and their advisors will neither publish nor reproduce the whole or any part of this initial assessment report, nor make reference to it, in any way in any publication. It is intended that a final report will later be prepared, detailing the agreed viability position or alternatively where the initial review report is accepted, a redacted version will be produced, void of personal and confidential data, and made available for public consumption.
- 16.4 As stated in the terms, none of the VOA employees individually has a contract with you or owes you a duty of care or personal responsibility. It is agreed that you will not bring any claim against any such individuals personally in connection with our services.
- 16.5 (England) This report is considered Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006 and your council is expected to treat it accordingly.

The DVS valuer assume that all parties will restrict this report's circulation as appropriate, given the confidential and personal data provided herein.

If the interested parties do not wish to discuss or contest this report, a redacted version suitable for publication can be issued following your formal request.

I trust that the above report is satisfactory for your purposes, however, should you require clarification of any point do not hesitate to contact me further.

Yours sincerely

██████████ Principal Surveyor
RICS Registered Valuer
DVS
Date: 26 August 2022
Updated for policy amounts/ timings: 1st November 2022.

Reviewed by:

██████████ Principal Surveyor
RICS Registered Valuer
DVS
Date: 30th August 2022

Appendices

- (i) Appraisal 1
- (ii) Appraisal 2
- (iii) Information to support inputs e.g. abnormal review /BCIS extract/ GDV comps
- (iv) Redacted TOE

(i) Appraisal 1 – 100% PRS, CIL and full £S106, No AH

APPRAISAL SUMMARY

VALUATION OFFICE AGENCY

Britannia Road, Southampton
Appraisal 1 - CIL & £s106. NO AH
BLV £2.5 million

Summary Appraisal for Merged Phases 1 2 3 4

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale
Commercial - Building A	1	3,724	18.00	67,032	67,032
Build to Rent - Building A	138	84,512	20.72	12,691	1,339,821
Car Parking	88			1,200	95,040
Build to Rent - Building B	85	60,258	19.79	14,033	912,492
Commercial - Building C	1	4,392	18.00	79,056	79,056
Build to Rent - Building C	65	44,342	20.51	13,994	695,844
Build to Rent - Building D	115	83,191	20.05	14,504	1,276,020
Parking	88			1,200	95,040
Totals	581	280,419			4,560,345

Investment Valuation

Commercial - Building A					
Manual Value					1,000,000
Build to Rent - Building A					
Current Rent	1,339,821	YP @	4.0000%	25.0000	33,495,525
Car Parking					
Current Rent	95,040	YP @	4.0000%	25.0000	2,376,000
Build to Rent - Building B					
Current Rent	912,492	YP @	4.0000%	25.0000	22,812,300
Commercial - Building C					
Manual Value					1,175,000
Build to Rent - Building C					
Current Rent	695,844	YP @	4.0000%	25.0000	17,396,100
Build to Rent - Building D					
Current Rent	1,276,020	YP @	4.0000%	25.0000	31,900,500
Parking					
Current Rent	95,040	YP @	4.0000%	25.0000	2,376,000
					112,531,425

NET REALISATION

112,531,425

OUTLAY

ACQUISITION COSTS

Residualised Price			2,632,223		
				2,632,223	
Stamp Duty			121,111		
Agent Fee & Legal Costs	1.00%		26,322		
Legal Fee	0.50%		13,161		
				160,595	

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost
Construction - Building A	113,789	193.93	22,066,841
Construction - Ancillary PRS	8,579	355.65	3,051,127
Construction - Building B	81,851	185.27	15,164,703
Construction - Building C	63,800	181.43	11,575,418

APPRAISAL SUMMARY**VALUATION OFFICE AGENCY**

Britannia Road, Southampton
Appraisal 1 - CIL & £s106. NO AH
BLV £2.5 million

Construction - Building D	<u>111,873</u>	191.40	<u>21,412,872</u>	
Totals	379,892		73,270,961	73,270,961
Externals/ Parking			3,846,750	
Contingency		5.00%	3,855,886	
Borough CIL			3,947,030	
S.106 Highways			328,000	
S.106 Solent Disturbance Mitigation			180,922	
S.106 Employment and Skills Plan			30,519	
S106 Carbon Plan			46,500	
				12,235,607
PROFESSIONAL FEES				
Professional Fees		8.00%	6,169,417	
				6,169,417
MARKETING & LETTING				
Marketing - Commercial letting		1.00%	1,461	
Letting Agent Fee - Commercial		10.00%	14,609	
Letting Legal Fee - Commercial		3.00%	4,383	
				20,452
DISPOSAL FEES				
Purchaser's Costs			147,900	
Effective Purchaser's Costs Rate		0.13%		
Sales Agent/ Legals Fee - Resi		1.00%	1,079,804	
Sales Agent Fee - Commercial		1.00%	21,750	
Sales Legal Fee - Commercial		1.00%	21,750	
				1,271,204
FINANCE				
Debit Rate 6.500%, Credit Rate 0.000% (Nominal)				
Total Finance Cost				6,540,838
TOTAL COSTS				102,301,297
PROFIT				10,230,128
Performance Measures				
Profit on Cost%		10.00%		
Profit on GDV%		9.09%		

(ii) Appraisal 2 – Max Policy

APPRAISAL SUMMARY

VALUATION OFFICE AGENCY

Britannia Road, Southampton
Appraisal 2 - MAX POLICY CIL & £s106. NO AH
BLV £2.5 million

Summary Appraisal for Merged Phases 1 2 3 4

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale
Commercial - Building A	1	3,724	18.00	67,032	67,032
Build to Rent - Building A	138	84,512	20.72	12,691	1,339,821
Car Parking	88			1,200	95,040
Build to Rent - Building B	85	60,258	19.79	14,033	912,492
Commercial - Building C	1	4,392	18.00	79,056	79,056
Build to Rent - Building C	65	44,342	20.51	13,994	695,844
Build to Rent - Building D	115	83,191	20.05	14,504	1,276,020
Parking	<u>88</u>			1,200	<u>95,040</u>
Totals	581	280,419			4,560,345

Investment Valuation

Commercial - Building A					
Manual Value					1,000,000
Build to Rent - Building A					
Current Rent	1,339,821	YP @	4.0000%	25.0000	33,495,525
Car Parking					
Current Rent	95,040	YP @	4.0000%	25.0000	2,376,000
Build to Rent - Building B					
Current Rent	912,492	YP @	4.0000%	25.0000	22,812,300
Commercial - Building C					
Manual Value					1,175,000
Build to Rent - Building C					
Current Rent	695,844	YP @	4.0000%	25.0000	17,396,100
Build to Rent - Building D					
Current Rent	1,276,020	YP @	4.0000%	25.0000	31,900,500
Parking					
Current Rent	95,040	YP @	4.0000%	25.0000	2,376,000
					112,531,425

NET REALISATION

112,531,425

OUTLAY

ACQUISITION COSTS

Residualised Price			2,500,808		
				2,500,808	
Stamp Duty			114,540		
Agent Fee & Legal Costs		1.00%	25,008		
Legal Fee		0.50%	12,504		
					152,053

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost
Construction - Building A	113,789	193.93	22,066,841
Construction - Ancillary PRS	8,579	355.65	3,051,127
Construction - Building B	81,851	185.27	15,164,703
Construction - Building C	63,800	181.43	11,575,418

APPRAISAL SUMMARY**VALUATION OFFICE AGENCY**

Britannia Road, Southampton

Appraisal 2 - MAX POLICY CIL & £s106. NO AH

BLV £2.5 million

Construction - Building D	<u>111,873</u>	191.40	<u>21,412,872</u>	
Totals	379,892		73,270,961	73,270,961
Externals/ Parking			3,846,750	
Contingency		5.00%	3,855,886	
Borough CIL			3,947,030	
S.106 Highways			328,000	
S.106 Solent Disturbance Mitigation			180,922	
S.106 Employment and Skills Plan			30,519	
S106 Carbon Plan			46,500	
£ SURPLUS For AH			155,000	
				12,390,607
PROFESSIONAL FEES				
Professional Fees		8.00%	6,169,417	
				6,169,417
MARKETING & LETTING				
Marketing - Commercial letting		1.00%	1,461	
Letting Agent Fee - Commercial		10.00%	14,609	
Letting Legal Fee - Commercial		3.00%	4,383	
				20,452
DISPOSAL FEES				
Purchaser's Costs			147,900	
Effective Purchaser's Costs Rate		0.13%		
Sales Agent/ Legals Fee - Resi		1.00%	1,079,804	
Sales Agent Fee - Commercial		1.00%	21,750	
Sales Legal Fee - Commercial		1.00%	21,750	
				1,271,204
FINANCE				
Debit Rate 6.500%, Credit Rate 0.000% (Nominal)				
Total Finance Cost				6,525,795
TOTAL COSTS				102,301,296
PROFIT				10,230,129
Performance Measures				
Profit on Cost%		10.00%		
Profit on GDV%		9.09%		

(iii) AUV appraisal and Information to support AUV inputs

APPRAISAL SUMMARY VALUATION OFFICE AGENCY

AUV - Residual - Industrial redevelopment.

Summary Appraisal for Phase 1

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
units	1	55,000	11.50	632,500	632,500	632,500

Investment Valuation

units						
Market Rent	632,500	YP @	6.5000%	15.3846		
(1yr Rent Free)		PV 1yr @	6.5000%	0.9390	9,136,873	

NET REALISATION 9,136,873

OUTLAY

ACQUISITION COSTS

Residualised Price			2,396,160			
						2,396,160
Stamp Duty			109,308			
Land Acq Fees		1.50%	35,942			
						145,250

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost			
units	55,000	59.27	3,259,850	3,259,850		
Foundations			100,000			
Externals		10.00%	325,985			
Contingency		5.00%	184,292			
						610,277

PROFESSIONAL FEES

All professional Fees		6.00%	221,150			
						221,150

MARKETING & LETTING

Letting Agent Fee		10.00%	63,250			
Letting Legal Fee		3.00%	18,975			
						82,225

DISPOSAL FEES

Sales Fee		5.75%	525,370			
						525,370

FINANCE

Timescale	Duration	Commences				
Construction	6	Aug 2022				
Letting	12	Feb 2023				
Sale	1	Feb 2024				
Total Duration	19					

Debit Rate 6.000%, Credit Rate 0.000% (Nominal)

Land			63,916			
Construction			48,254			
Letting Void			413,888			
Total Finance Cost						526,059

TOTAL COSTS 7,766,342

PROFIT

1,370,531

Performance Measures

Profit on Cost%	17.65%
Profit on GDV%	15.00%

(iv) Redacted TOE



Valuation Office
Agency

██████████
Planning Agreements Officer
Planning and Economic Development
Southampton Council
Civic Centre
SO14 7LY

By Email : ██████████
@southampton.gov.uk

DVS Property Specialists
for the Public Sector

Valuation Office Agency (VOA)
Wycliffe House
Green Lane
Durham
DH1 3UW

Please note that this is our national postal centre, contact by digital channels preferred

Our Reference : 1799886
Your Reference : 22/00695/FUL

Please ask for : ██████████

Tel : ██████████

E Mail : ██████████
@voa.gov.uk

Date : 11 July 2022

Dear ██████████

Terms of Engagement
DVS Independent Review of Development Viability Assessment

Proposed Development	Redevelopment of the site. Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 21 storeys comprising 403 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".
Subject of Assessment:	Land at Former Gasworks , Britannia Road, Southampton, SO14 5AX
Planning Application Ref:	22/00695/FUL
Applicant / Developer:	Hawkstone Properties (Southampton) Ltd
Applicant's Viability Advisor:	ULL Property

I refer to your instructions dated 10 June 2022 and am pleased to confirm my Terms of Engagement in undertaking this commission for you.

This document contains important information about the scope of the work you have commissioned and confirms the terms and conditions under which DVS, as part of the VOA proposes to undertake the instruction.

It is important that you read this document carefully and if you have any questions, please do not hesitate to ask the signatory whose details are supplied above. **Please contact them immediately if you consider the terms to be incorrect in any respect.**

Please note that this Terms of Engagement document is confidential between our client, Southampton Planning and Economic Development, and the VOA. As it contains commercially sensitive and data sensitive information, it should not be provided to the applicant or their advisor without the explicit consent of the VOA. A redacted copy of these terms will be included as an appendix to our final report.

1. Client

This instruction will be undertaken for Southampton Planning and Economic Development and the appointing planning officer is yourself, Mr [REDACTED]

2. Subject Property and Proposed Development

It is understood that you require a viability assessment review of planning application ref: 22/00695/FUL

The land or property (properties) subject to the review is the land at Britannia Road, Southampton, SO14 5AX.

It is understood that the development has:

- the proposed schedule of accommodation is as follows:

Property type	Number	Sq. m	Total Sq. m
1 bed/ 2 person apartments	166	51.47	8,544.02
2 Bed / 3 person apartments	99	64.98	6,433.02
2 Bed / 4 person apartments	127	72.27	9,179.29
2 Bed/ 4 person apartments	11	103.80	1,141.8
Building A Commercial	Flexible		346
Building C Commercial	Flexible		408
Total	403		26,051.13

The applicant's advisor has appraised in imperial measurements;

An overall NIA of 280419 sq.ft and a GIA of 379,892 sq.ft.

I understand you wish DVS to report in metric.

The residential element of the development comprises:

166 x 1-bedroom apartments: average unit area is 51.47 sq m (554 sq ft).

99 x 2-bedroom 3 person apartments: average unit area is 64.98 sq m (699 sq ft).
127 x 2-bedroom 4 person apartments: average unit area is 72.27 sq m (778 sq ft).
11 x 2-bedroom 4 person duplexes: average unit area is 103.80 sq m (1,117 sq ft)
Commercial: Building A – 346 sq m (3,724 sq ft) & Building C – 408 sq m (4,392 sq ft)

3. Purpose and Scope

To complete this assessment DVS will:

- a) Assess the Financial Viability Appraisal (FVA) submitted by / on behalf of the planning applicant / developer, taking in to account the planning proposals as supplied by you or available from your authorities planning website.
- b) Advise you on those areas of the appraisal which are agreed and those which are considered unsupported or incorrect, including stating the basis for this opinion.
- c) If DVS considers that the applicant's appraisal input and viability conclusion is incorrect, we will advise on the cumulative viability impact of the changes and in particular whether any additional affordable housing and / or s106 contributions might be provided without adversely affecting the overall viability of the development. This will take the form of sensitivity tests.

3.1 My report to you will constitute my final report if my findings conclude that the planning applicant / developer cannot provide more affordable housing and s106 payments than have been proposed.

3.2 However, if having completed my assessment, I conclude that the planning applicant / developer may be able to provide more affordable housing and s106 payments than have been proposed, I understand that my findings report may only constitute Stage One of the process as the report will enable all parties to then consider any areas of disagreement and potential revisions to the proposal.

3.3 In such circumstances, I will, where instructed, by you be prepared to enter into discussions on potential revisions to the applicant's proposals, and / or consider any new supporting information. Upon concluding such discussions, I will submit a new report capturing my subsequent determination findings on the potentially revised application; for convenience and to distinguish it, this report on a second stage assessment may be referred to as my Stage Two report.

4. Date of Assessment

The date of the assessment is required to be the date on which the report is signed, which date will be specified in the report in due course.

5. Confirmation of Standards to be applied

The DVS viability assessment review will be prepared in accordance with the following statutory and other authoritative requirements:

Mandatory provisions

- The '**National Planning Policy Framework**', which states that all viability assessments should reflect the recommended approach in **the 'National Planning Practice Guidance on Viability'**. This document is recognised as the 'authoritative requirement' by the Royal Institution of Chartered Surveyors (RICS).
- RICS Professional Statement '**Financial viability in planning: conduct and reporting**' (effective from 1 September 2019) which provides the mandatory requirements for the conduct and reporting of valuations in the viability assessment and has been written to reflect the requirements of the PPG.
- RICS Professional Standards PS1 and PS2 in the '**RICS Valuation – Global Standards**'.

Best Practice provisions

Regard will be had to applicable RICS Guidance Notes:

- RICS GN '**Assessing viability in planning under the National Planning Policy Framework 2019 for England**' (effective 1 July 2021)
- RICS GN '**Valuation of Development Property**'
- RICS GN '**Comparable Evidence in Real Estate Valuation**'

Measurements stated will be in accordance with the RICS Professional Statement '**RICS Property Measurement (2nd Edition)**' and, where relevant, the '**RICS Code of Measuring Practice (6th Edition)**'.

Valuation advice, where applicable, will be prepared in accordance with the professional standards, in particular VPS 1 to 5 of the '**RICS Valuation – Global Standards**' and with the '**UK National Supplement**', which taken together are commonly known as the RICS Red Book. Compliance with RICS Professional Standards and Valuation Practice Statements (VPS) gives assurance also of compliance with the International Valuations Standards (IVS).

6. Agreed Departures from the RICS Professional Standards

As agreed by you, any office and/or residential property present has been reported upon using a measurement standard other than IPMS, and specifically Net Internal Area /

Gross Internal Area/ Net Sales Area has been used. Such a measurement is an agreed departure from 'RICS Property Measurement (2nd Edition)'.

I understand that you requested this variation because this measurement standard is how the applicant has presented their data, is common and accepted practice in the construction /planning industry, and it has been both necessary and expedient to analyse the comparable data on a like with like basis.

RICS Red Book Professional Standards PS1 and PS2 are applicable to our undertaking of your case instruction. As our assessment may be used by you as part of a negotiation, compliance with the technical and performance standards at VPS1 to VPS 5 is not mandatory (PS 1 para 5.4) but best practice and they will therefore be applied to the extent not precluded by your specific requirement.

7. Bases of Value

7.1 Benchmark Land Value (BLV) Paragraph 014 of the NPPG for Viability states that Benchmark Land Value should:

- *be based upon existing use value*
- *allow for a premium to landowners (including equity resulting from those building their own homes).*
- *reflect the implications of abnormal costs; site-specific infrastructure costs; and professional site fees.*

Viability assessments should be undertaken using benchmark land values derived in accordance with this guidance. Existing use value should be informed by market evidence of current uses, costs and values. Market evidence can also be used as a cross-check of benchmark land value but should not be used in place of benchmark land value. There may be a divergence between benchmark land values and market evidence; and plan makers should be aware that this could be due to different assumptions and methodologies used by individual developers, site promoters and landowners.

This evidence should be based on developments which are fully compliant with emerging or up to date plan policies, including affordable housing requirements at the relevant levels set out in the plan. Where this evidence is not available plan makers and applicants should identify and evidence any adjustments to reflect the cost of policy compliance. This is so that historic benchmark land values of non-policy compliant developments are not used to inflate values over time.

In plan making, the landowner premium should be tested and balanced against emerging policies. In decision making, the cost implications of all relevant policy requirements, including planning obligations and, where relevant, any Community Infrastructure Levy (CIL) charge should be taken into account.

Where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan. Local authorities can request data on the price paid for land (or the price expected to be paid through an option or promotion agreement).

7.2 Existing Use Value (EUV): Paragraph 015 of the NPPG for viability states that:

Existing use value (EUV) is the first component of calculating benchmark land value. EUV is the value of the land in its existing use. Existing use value is not the price paid and should disregard hope value. Existing use values will vary depending on the type of site and development types. EUV can be established in collaboration between plan makers, developers and landowners by assessing the value of the specific site or type of site using published sources of information such as agricultural or industrial land values, or if appropriate capitalised rental levels at an appropriate yield (excluding any hope value for development).

Sources of data can include (but are not limited to): land registry records of transactions; real estate licensed software packages; real estate market reports; real estate research; estate agent websites; property auction results; valuation office agency data; public sector estate/property teams' locally held evidence.

7.3 Alternative Use Value (AUV): Paragraph 017 of the NPPG for viability states that:

For the purpose of viability assessment alternative use value (AUV) refers to the value of land for uses other than its existing use. AUV of the land may be informative in establishing benchmark land value. If applying alternative uses when establishing benchmark land value these should be limited to those uses which would fully comply with up to date development plan policies, including any policy requirements for contributions towards affordable housing at the relevant levels set out in the plan. Where it is assumed that an existing use will be refurbished or redeveloped this will be considered as an AUV when establishing BLV.

Plan makers can set out in which circumstances alternative uses can be used. This might include if there is evidence that the alternative use would fully comply with up-to-date development plan policies, if it can be demonstrated that the alternative use could be implemented on the site in question, if it can be demonstrated there is market demand for that use, and if there is an explanation as to why the alternative use has not been pursued. Where AUV is used this should be supported by evidence of the costs and values of the alternative use to justify the land value. Valuation based on AUV includes the premium to the landowner. If evidence of AUV is being considered the premium to the landowner must not be double counted.

7.4 Gross Development Value (GDV) is defined in the Glossary of the RICS GN 'Valuation of Development Property' (February 2020) as:

The aggregate Market Value of the proposed development on the special assumption that the development is complete on the date of valuation in the market conditions prevailing on the date. Where an income capitalisation approach is used to estimate the GDV, normal assumptions should be made within the market sector concerning the treatment of purchaser's costs. The GDV should represent the expected contract price.

7.5 Market Value (MV) is defined by RICS VPS 4, paragraph 4 as:

“The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.”

7.6 Market Rent (MR) is defined by RICS VPS 4, paragraph 5 as:

“The estimated amount for which an interest in real property should be leased on the valuation date between a willing lessor and a willing lessee on appropriate lease terms in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.”

8. Special Assumptions

On occasion, it may be agreed that a basis of value requires to be modified and a Special Assumption added, for example where there is the possibility of Special Value attaching to a property from its physical, functional, legal or economic association with some other property.

Any Special Assumptions agreed with you have been captured below under the heading Special Assumptions, in accordance with VPS 4, para 9 of the professional standards of the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement and will be restated in my report.

The following special assumptions have been agreed and will be applied:

- That the proposed development is complete on the date of assessment in the market conditions prevailing on the date of assessment.
- That your Council's Local Plan policies, or emerging policies, including for affordable housing are up to date.
- That the applicant's abnormal costs, where adequately supported, are to be relied upon to determine the viability of the scheme, unless otherwise stated in our report and/ or otherwise instructed by your Council and that are no abnormal development costs in addition to those which the applicant has identified.

9. Extent of Valuer's Investigations, Restrictions and Assumptions

An assumption in this context is a limitation on the extent of the investigations or enquiries that will be undertaken by the assessor.

The following agreed assumptions will apply to your instruction and be stated in my report, reflecting restrictions to the extent of our investigations.

- Such inspection of the property and investigations as the Valuer decides is professionally adequate and possible in the particular circumstance will be undertaken.
- No detailed site survey, building survey or inspection of covered, unexposed or inaccessible parts of the property will be undertaken. The Valuer will have regard to the apparent state of repair and condition and will assume that inspection of those parts that are not inspected would neither reveal defects nor cause material alteration to the valuation unless the valuer becomes aware of indication to the contrary. The building services will not be tested, and it will be assumed that they are in working order and free from defect. No responsibility can therefore be accepted for identification or notification of property or services' defects that would only be apparent following such a detailed survey, testing or inspection. If the Valuer decides further investigation to be necessary, separate instructions will be sought from you.
- It will be assumed that good title can be shown, and that the property is not subject to any unusual or onerous restrictions, encumbrances or outgoings.
- It will be assumed that the property and its value are unaffected by any statutory notice or proposal or by any matters that would be revealed by a local search and replies to the usual enquiries, and that neither the construction of the property nor its condition, use or intended use was, is or will be unlawful or in breach of any covenant.
- It will be assumed that all factual information provided by you or the applicant or their agent with regard to the purpose of this request and details of tenure, tenancies, planning consents and all other relevant information is correct. The advice will therefore be dependent on the accuracy of this information and should it prove to be incorrect or inadequate the basis or the accuracy of any assessment may be affected.
- Valuations will include that plant that is usually considered to be an integral part of the building or structure and essential for its effective use (for example building services installations) but will exclude all machinery and business assets that comprise process plant, machinery and equipment unless otherwise stated and required.

- No access audit will be undertaken to ascertain compliance with the Equality Act 2010 and it will be assumed that the premises are compliant unless otherwise stated by the applicant
- No allowances have been made for any rights obligations or liabilities arising from the Defective Premises Act 1972 unless identified as pertinent by the applicant.

10. Nature and Source of Information to be relied upon by Valuer.

10.1 From the client

Information that will be provided to the VOA by the client comprises the following material, which will be relied upon by the viability assessor without further verification.

- a) The Planning application details. **Provided**
- b) Confirmation of Local plan policy requirement such as CIL / S106 / S278 planning obligations. In particular whether the applicant's assumptions on these matters are correct, if they are incorrect then please provide the correct details.

I understand the plan policy requirements to be:

- **CIL estimate of £3,947,030. (Provided by S Mackie email dated 30 June 2022. Note this is higher than the applicant's advisor's CIL figure)**
- **35% on site Affordable Housing (Policy CS15) comprising tenures: 65% Socially Rented and 35% Intermediate.**
- **It is understood that no other financial contributions towards plan policy are required. If incorrect provide the relevant sums, and details of likely trigger payments**

- c) Details of any extant or elapsed consents relating to permitted Alternative Use.

Planning website search 11 July-2022 no extant or elapsed permissions that would give way to a AUV . Screenshot below:

[← Back to search results](#)[Print](#)Address **Property History (12)** Constraints (11)**Planning Applications (12)**

- Continued storage of gas.
Ref. No: 01/00927/HAZ | Status: PER
- 25m high lattice tower with associated antennae and ground based equipment cabin within secure compound and associated access road
Ref. No: 02/01335/FUL | Status: Conditionally Approved
- Erection of a temporary building for use as offices and for storage of electronic equipment (for a period of 3 years)
Ref. No: 870272/M | Status: Conditionally Approved
- BRITISH GAS PLC MARINE PARADE BARGATE WARD NORTHAM SOUTHAMPTON INSTALLATION OF A MICROWAVE DISH
Ref. No: 890430/E | Status: Conditionally Approved
- CHANGE OF USE TO VEHICLE STORAGE (CLASS B8)
Ref. No: 920800/E | Status: Conditionally Approved
- CONTINUED USE AS VEHICLE STORAGE (CLASS B8)
Ref. No: 950595/E | Status: Conditionally Approved
- TEMPORARY CHANGE OF USE TO VEHICLE STORAGE (CLASS B8)
Ref. No: 980887/E | Status: Conditionally Approved
- Two single-storey detached buildings for use as storage of gas processing unit.
Ref. No: 10/00452/FUL | Status: Conditionally Approved
- Application for prior approval for the proposed demolition of 2 gas holders and associated buildings
Ref. No: 14/00696/DPA | Status: Application Refused
- Application for prior approval for the proposed demolition of 2 gasholders and ancillary structures with associated works
Ref. No: 21/01576/DPA | Status: No Objection
- Application for approval of details reserved by condition 1(Archaeological Structure-Recording) of permission ref 21/01576/DPA for demolition of 2 gasholders.
Ref. No: 22/00063/DIS | Status: No Objection
- Redevelopment of the site. Construction of 4 buildings (Blocks A, B, C, D) ranging between 2 and 21 storeys comprising 403 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.
Ref. No: 22/00695/FUL | Status: Pending Consideration

- d) If the applicant has relied on an alternative use that is not permitted, a statement as to whether this alternative would be an acceptable development.

Not applicable

- e) If the applicant has applied vacant building credit, a statement as to whether this is agreed by your Council, if not the appropriate figure.

Not applicable

- f) A copy of the applicant's financial viability appraisal.

Provided, prepared by ULL dated March 2022.

ULL assess the viability of a scheme with CIL only (no affordable housing and no other financial contributions). Due to the significant deficit identified, it is my intention to follow this approach, rather than my usual approach to assess full plan policy first.

In the event I conclude the scheme can support some or full policy I will contact you at that time to request further information to complete my review, such as the hierarchy of policy requirements and/or whether a sum in lieu of on-site AH would be a suitable method of reporting any surplus.

10.2 Information from the applicantSite access

If DVS deem an inspection is required. Please can the applicant confirm if the is accessible or can be sufficiently viewed from the roadside) and no appointment to inspect is required. In particular it is understood there are no extraordinary health and safety issues to be aware of. Alternatively if an accompanied inspection is appropriate, please provide contact details for access arrangements and information about any PPE requirements.

Viability assessment

The applicant should provide sufficient detail to enable DVS to assess their contention that the scheme would not be viable if the Policy requirements in the Local Plan were met.

The applicant's Viability Assessment is expected to meet the authoritative requirements of the NPPF and NPPG for Viability. Where completed by a member the RICS, it is also expected that the applicant's report will comply with RICS Professional Standards PS 1 and PS 2 and the **RICS Professional Statement 'Financial Viability in planning: conduct and reporting'**. In all cases the applicant's viability report is expected to include:

- a) A schedule of accommodation which accords with the planning application.
- b) A plan showing the respective boundaries and the site area
- c) An appraisal compliant with the policy requirements of the Local Plan.
- d) A report with text and evidence in support of the:
 - (i) Gross Development Value adopted
 - (ii) Benchmark Land Value, with reference to EUV and premium.
 - (iii) Gross Development Costs including any Abnormal Costs
 - (iv) Profit assumptions.
 - (v) Finance assumptions.
 - (vi) Cash flow assumptions.

Whilst the author of the viability assessment and their qualifications are not clearly identified, it appears that much of the expected information is provided. Save for; a site plan; which is available from the application documents, and the complaint appraisal. The compliant appraisal is understood not to have been provided due to their opinion a fully market scheme is not viable, it follows that an appraisal with lower revenue would be less viable. I consider this to be sufficient for my reviewing purposes.

I will contact ULL directly for an electronic copy of the non-compliant appraisal and cashflow.

10.3 DVS Information

DVS will make use of VOA held records and information. The sources of any other information used that is not taken from our records will be identified in the review report.

10.4 Information Outstanding

I confirm I have in my possession a copy of the applicant's viability report / appraisal and the information provided is sufficient for my review assessment.

DVS will contact the applicant's viability advisor directly for the appraisal.

Please could you confirm by email matters raised herein, such as the schedule of accommodation and the policy assumptions listed above are correct, and that these terms are agreed.

The report delivery date will be dependent upon timely receipt of this information/ conformation.

11. Identity of Responsible Valuer and their Status

It is confirmed that the valuation will be carried out by a RICS Registered Valuer, acting as an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the assessment competently.

The valuer responsible will be myself [REDACTED] and my contact details are as stated above in the letterhead.

Any graduate involvement will be detailed in the report.

12. Disclosure of any Material Involvement or Conflict of Interest

In accordance with the requirements of the RICS standards, the VOA has checked that no conflict of interest arises before accepting this instruction.

It is confirmed that DVS are unaware of any previous conflicting material involvement and am satisfied that no conflict of interest exists. Should any such difficulty subsequently be identified, you will be advised at once and your agreement sought as to how this should be managed.

It is confirmed that the valuer appointed has no personal conflict undertaking this instruction.

13. Resignation of Independent Expert

In the rare event of the independent expert becoming ill or otherwise incapable of conducting the determination, or where for any reason it would be improper to continue, then they may have no alternative but to resign. In these circumstances, DVS would seek agreement with the parties as to the best way forward, such as through the appointment of another suitably qualified DVS surveyor. It is agreed that permission for this would not be unreasonably withheld by the parties in such special circumstances.

14. Description of Report

A side headed written report as approved by you for this purpose will be supplied and any differences of opinion will be clearly set out with supporting justification, where inputs are agreed this will be stated also. The DVS report will be referred to as a *viability review assessment*.

Further to the requirements of the RICS a non-technical summary will be included in the review assessment, together with sensitivity tests to support the viability conclusion.

Further to the requirements of the PPG a redacted version of the DVS viability review assessment detailing the final or agreed position will be supplied for transparency purposes.

15. Report Date

It is my intention to submit my review assessment by 26th August 2022.

If unforeseen problems arise that may delay my report, you will be contacted before this date with an explanation and to discuss the position.

In order to meet the above reporting date, it is essential that the information requested with section 10 of these terms is supplied by 29 July 2022

16. Validity Period

The report will remain valid for 4 (Four) months unless circumstances change, or further material information becomes available. Reliance should not be placed on the viability conclusion beyond this period without reference back to the VOA for an updated valuation.

17. Restrictions on Disclosure and Publication

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

18. Limits or Exclusions of Liability

Our viability advice is provided for your benefit alone and solely for the purposes of the instruction to which it relates. Our advice may not, without our specific written consent, be used or relied upon by any third party, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our valuation report.

If we do provide written consent to a third party relying on our valuation, any such third party is deemed to have accepted the terms of our engagement.

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

19. Fee Basis

19.1 You have asked for a fixed fee quote for the viability appraisal. Having considered the initial details of this application, we have agreed a fixed fee basis of £ [REDACTED] in order to complete the work set out above.

The personnel involved in this assessment will be as follows:

Personnel:	Role	Task
[REDACTED]	Development Consultant	Viability review assessment report and appraisal.
Graduate Valuer	Residential and commercial Valuer	Residential and commercial research and Valuation

19.2 This fixed fee proposal is for the provision of a report stating my findings on the development viability appraisal as initially provided by the planning applicant / developer. It will include a meeting with you to deal with initial issues. It may require revision if the information supplied by you or the applicant is not quickly forthcoming at our request or if the initial task is varied by you and in both cases, we would revert to you for advice on the way forward. Abortive fees would be based on work already carried out.

19.3 If there is a subsequent need following the delivery of my report to discuss issues with the planning applicant / developer or you, including the consideration of potential revised proposals, or to attend meetings, this will constitute a second stage requiring a Stage 2 report and we would need to charge on a time spent basis as an additional cost at hourly rates as shown in the table above for this Stage 2 work. I am able to reduce the amount of time I need to spend upon your work by delegating some functions to colleagues who have a lower cost, and this will be reflected in the invoice for this work.

Role	Task	Hourly Fee Excluding VAT
[REDACTED]	Report, valuation and viability assessment, advice, discussions, appeal work, (inspection if applicable),	[REDACTED]
RICS Principal Valuer		
RICS Senior Valuer	Valuation and viability	[REDACTED]
RICS Graduate Surveyor	Research, valuation, inspection	[REDACTED]
Quantity Surveyor	Cost estimates, advice	[REDACTED]

RICS Principal Valuers	Formal case review / Quality Assurance	
Administration	Typing/ Research	

19.4 **Payer of fees:** With regard to the payment of fees, Homes and Communities Agency has issued a Good Practice Note: “Investment and Planning obligations - Responding to the downturn”. In this GPN is a comment that it is common practice for developers to fund the cost of independent validation. The reasoning for this is that you have a planning policy which the applicant is seeking to vary. In order to assess the applicant appraisal, you need advice which it is reasonable for the applicant to bear in these circumstances. I understand that the planning applicant / developer has agreed to reimburse your reasonable costs incurred in this review.

Please note that you will be our named Client. As such, our contractual obligation is to you and not to the applicant and your authority will be responsible for payment of our fees. Any arrangement between your authority and the Applicant relating to payment of the fees would be a matter between yourselves.

20. Currency

All prices and values are stated in pounds sterling.

21. Fee Payment and Interim Billing

Our fees are payable by our client within 30 days from the receipt of our invoice whether or not the amount is disputed or is being passed on to a third party for reimbursement.

The VOA reserves the right, subject to prior notification of details of time spent, to invoice at suitable points during the financial year for work in progress undertaken but not yet formally reported. In order to ensure timely cash flows within the public sector, such interim bills may be issued at either monthly or two monthly intervals. You will be advised beforehand that any such bill is imminent.

Where a case is cancelled before completion, our fees will be calculated on a ‘work done’ basis with added reasonable disbursements unless alternative arrangements have been prior agreed.

***Please note** under HM Treasury Managing Public Money we are required to review our charging on a regular basis. The VOA reserves the right to undertake an annual review of our rates going forward.

22. Purchase Order Numbers

Thank you for PON 20060002 which will be quoted on correspondence and invoice.

23. Complaints

The VOA operates a rigorous QA/QC system. This includes the inspection by Team Leaders of a sample of work carried out during the life of the instruction together with an audit process carried out by experienced Chartered Surveyors upon completion of casework. It also includes a feedback cycle to ensure continuous improvement.

The VOA has a comprehensive complaint handling procedure if you are not getting the service you expect. If you have a query or complaint it may be best to speak first to the person you have been dealing with or their manager. If you remain dissatisfied, you should be offered a copy of our brochure "Our Code of Practice on Complaints". If it is not offered to you, please request a copy or access it on our website www.voa.gov.uk.

24. Freedom of Information

We take our duty of confidentiality very seriously and will keep any information gathered or produced during this instruction confidential unless you tell us otherwise.

Also, we will advise you of any Freedom of Information Act (FOIA) and / or Environmental Information Regulation (EIR) requests we receive in regard to information we 'hold' relating to this instruction.

The VOA, as part of HM Revenue and Customs, is subject to the Freedom of Information Act 2000. The VOA undertakes to make reasonable endeavours to discuss the appropriateness of disclosure, or the applicability of any exemptions allowed by the Act, with you prior to responding to any FOIA request. However, the VOA reserves the right to comply with its statutory obligations under the Act in such manner as it deems appropriate. If we receive a FOIA request that relates to you or a named member of your staff (legal or actual person) or they can be deduced from the disclosure of the information sought, we must have regard to section 18 (1) of the Commissioners for Revenue and Customs Act (CRCA) 2005 and apply the exemption at section 44 of the FOIA due to section 23 of the CRCA (as amended).

However, outside of FOIA we will seek your views about whether you wish to put the information sought in the public domain or authorise us to disclose it on your behalf.

In turn, the VOA requires you to make all reasonable endeavours to discuss with us the appropriateness of disclosure, or the applicability of any exemptions allowed by the Act, prior to your responding to any third-party requests which you receive for information provided to you by the VOA.

The VOA is subject to the Environmental Information Regulations (EIR) 2004. We will apply the same legal thought process as FOIA but will also need to seek your views on where the greater public interest lies and it may necessitate, upon request, the disclosure of information provided by you unless an exemption can be sustained.

25. Monitoring Compliance by RICS

It is possible that the RICS may at some stage ask to see the valuation for the purposes of their monitoring of professional standards under their conduct and disciplinary regulations.

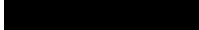
26. Revisions to these Terms

Where, after investigation, there is in my judgement a need to propose a variation in these Terms of Engagement, you will be contacted without delay prior to the issue of the report.

For example, should it become apparent that the involvement of specialist colleagues would be beneficial, your consent will be sought before their involvement and we shall, if not included in the original fee estimate, provide an estimate of their costs.

The valuer will be grateful to receive at your earliest convenience brief written confirmation by email or letter that these terms and conditions are accepted and approved by you. If you have any queries, please do not hesitate to contact the valuer listed above.

Yours Sincerely


BSc (Hons) MRICS
Principal Surveyor
RICS Registered Valuer
DVS
11 July 2022

END OF REPORT

This page is intentionally left blank

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

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

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
-------------------------------	---

Community Infrastructure Levy Liable	Not applicable
Biodiversity Net Gain Applicable	Not applicable

Reason for granting Permission

Notwithstanding that proposal is a departure from Policy AP9 of the City Centre Action Plan, when taking into account all the policies of the Development, as set out below, and other material considerations, including the current absence of redevelopment interest and temporary nature of the proposal, the scheme is judged to be acceptable. Furthermore, where applicable, conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023). Policies CS1, CS13, CS18, CS19 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – AP4, AP16, AP18 and AP19 of the City of Southampton City Centre Action Plan (2015) and Policies SDP1,

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

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

Recommendation in Full

1. Delegate to the Head of Transport and Planning to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement in accordance saved policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013), to secure site-specific transport contributions for highway improvements to Dock Gate 10 and West Quay Road including:
 - i. The alteration of the phasing of traffic lights along West Quay Road to manage the traffic flows and green light time to reflect peak times and days for cruise traffic;
 - ii. Works to remove traffic signs to direct traffic to turn left out of Dock Gate 10 during peak times and days for cruise times.
2. That the Head of Transport and Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

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

1.3 The site abuts The Port of Southampton with City Cruise Terminal located to the south and the new Horizon Cruise Terminal to the south-west of the site. Immediately to the south-east, is the West Quay Industrial Park. The site is also broadly opposite the Ikea store.

1.4 Southampton City Council is the freeholder of the site. The land is subject to a long ground lease to UBS.

2. Proposal

2.1 The application proposes to use the site primarily for car parking for cruise passengers, following the demolition of the existing buildings on site, with the exception of Grosvenor Casino, which will continue to operate. The use is sought on a temporary basis for a period of 5 years.

2.2 A total of 1493 car parking spaces would be provided, which is an increase of 700 spaces when compared with the existing situation. Cruise passengers would enter and leave the site via the Port's Solent Road and into and out of the site via a new access along the south-western boundary.

2.3 Outside of peak cruise season (May to October) the site would also be used for other port-related storage. This is envisaged to be for the storage of import/export vehicles. HGVs serving the port-related storage would also enter and exit the site via Solent Road.

2.4 Access to the site would be barrier controlled and there would be a small hut used by parking management attendants on cruise arrival/departure days.

2.5 The application includes 2 rapid charge EV charging spaces, which would also be available for members of the public to use.

2.6 The application also proposes landscape improvements to the West Quay Road frontage to complement the landscape treatment in front of Grosvenor Casino.

2.7 Following an initial objection from the Council's Highway Team, the applicant has carried out an appraisal of the anticipated transport impacts of the development. The applicant initially suggested that the development, being a replacement for a previous cruise parking facility in Redbridge, would have no impact on the city's road network. The new Transport Appraisal assesses the likely impacts arising from the additional parking spaces at the Leisure World site, when compared with the previous use of the site. Furthermore, since validation, it has also been agreed that no access/egress would be taken directly from West Quay Road. When initially submitted, the application proposed that the site would be accessed from Solent Road and that vehicles would exit onto West Quay Road. These amendments have been reviewed by the Council's Highway Team and their comments are summarised in section 6 of this report.

3. Relevant Planning Policy

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

4. Relevant Planning History

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

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

5. Consultation Responses and Notification Representations

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

Response

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

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

Response

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

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

Response

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

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

Response

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

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

Response

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

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

5.7 *The application would not generate any jobs.*

Response

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

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

Response

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

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

Response

This is not a planning matter.

6. Consultation Responses

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

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

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

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

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

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

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

7. **Planning Consideration Key Issues**

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

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

7.2 Principle of Development

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

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

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

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

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

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

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

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

7.3 Parking highways and transport

- 7.3.1 The applicant sets out that, providing cruise passengers with the ability to leave their vehicles close to their departure point (as opposed to parking off site and having to be transported into the Port), is a critical aspect of cruise operations, and necessary to enable the Port of Southampton to continue to compete globally in respect of cruise activities. There is clearly a need for cruise parking in the city that is currently partly met by various independent sites throughout the city. The development would contribute to meeting this travel demand.
- 7.3.2 The Council's policies support the location of car parking at the periphery of the city centre, rather than the destination and the proposal would clearly be at odds with this approach. However, the Port have cited a pressing need for the space, following the cessation of the use of the Redbridge parking facility, that they are unable to accommodate elsewhere in the Port. The proximity of the site to the Port and the cruise terminals makes it extremely convenient for the Port to use on a short-term basis, whilst their longer-term masterplan is developed in detail.

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

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

7.4 Effect on Character and Amenity

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

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

7.5 Air Quality and the Green Charter

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

exceedance of the National Air Quality Strategy Standards.

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

8. Summary

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

9. Conclusion

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

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

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

Planning Conditions:

1. Full Permission Timing (Performance)

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

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

2. Temporary Permission (Performance)

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

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

3. West Quay Road Access Restriction (Performance Condition)

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

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

4. Restricted Use (Performance)

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

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

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

5. Height of Storage (Performance)

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

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

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

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

- a. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials including permeable surfacing where appropriate, external lighting, structures and ancillary objects (refuse bins etc.);
- b. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- c. An accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- d. details of any proposed boundary treatment, including retaining walls and;
- e. a landscape management scheme.

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

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

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

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

7. Ecological Mitigation Statement (Pre-Commencement)

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

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

8. Protection of nesting birds (Performance)

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

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

9. Use of Security Cabin (Performance)

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

Reason: In the interests of safety.

10. Construction Management Plan (Performance)

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

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

11. Hours of work for Demolition / Clearance / Construction (Performance)

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

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

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

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

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

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

13. Tree Retention and Safeguarding (Pre-Commencement)

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

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

14. Approved Plans (Performance)

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

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

Core Strategy - (as amended 2015)

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

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

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

City Centre Action Plan - March 2015

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

Supplementary Planning Guidance

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

Other Relevant Guidance

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

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

Relevant Planning History

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

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

Application 23/01508/FUL

APPENDIX 3

SCC Highways & Transport Comments

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

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

Trip Generation

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

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

Trip Impact Assessment

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

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

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

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

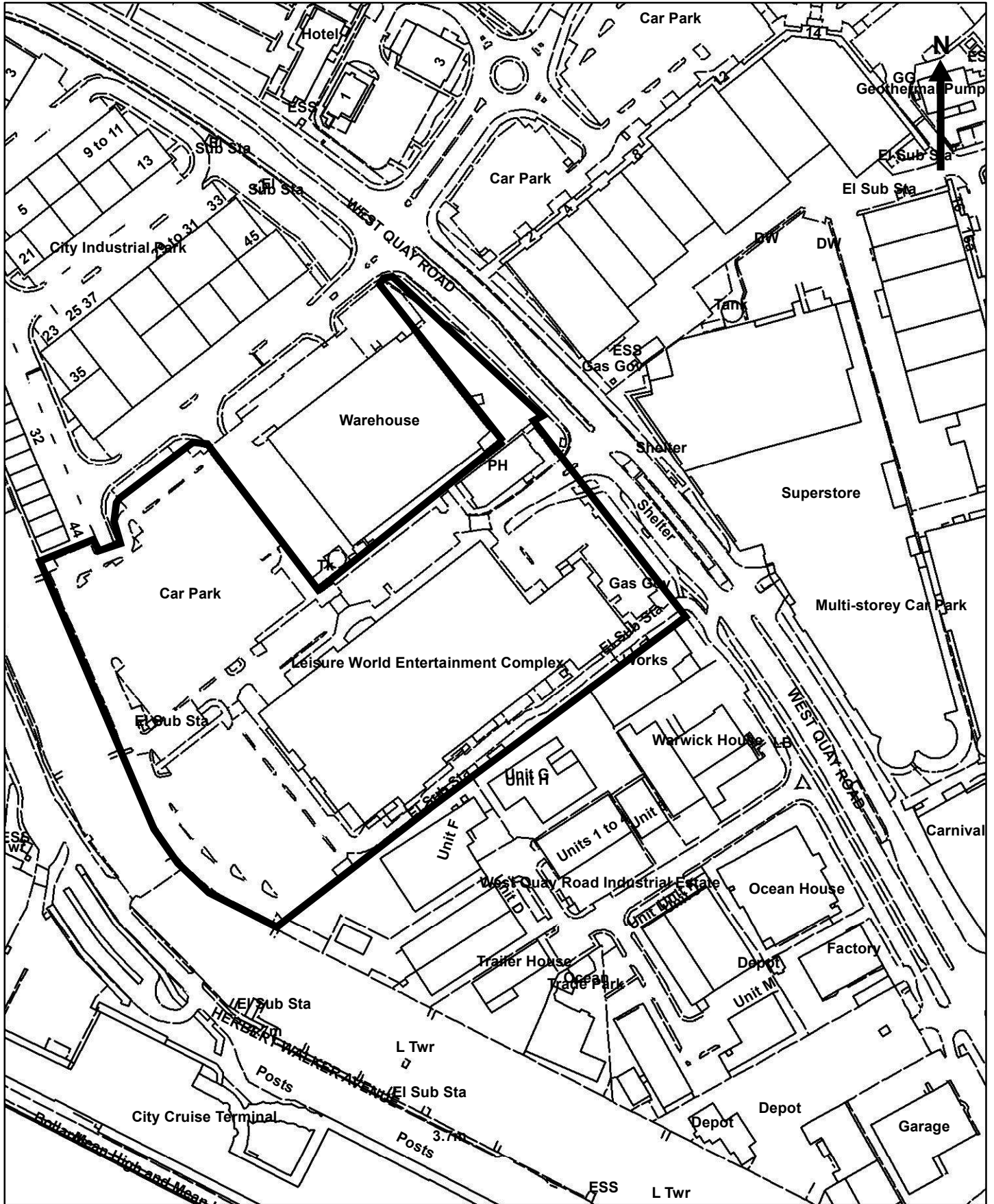
Other Uses

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

Summary

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

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



Scale: 1:2,500

©Crown copyright and database rights 2020 Ordnance Survey 100019679

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

Application address: Land adjacent 47 Bryanston Road, Southampton			
Proposed development: Redevelopment of the site. Erection of 3 x 2-storey buildings comprising of 8 dwellings (4 x2-bedroom, 4 x3-bedroom) with associated amenities			
Application number:	23/01645/FUL	Application type:	FUL
Case officer:	Andrew Gregory	Public speaking time:	5 minutes
Last date for determination:	28.02.2024 (ETA)	Ward:	Peartree
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Houghton Cllr Keogh Cllr Letts
Referred to Panel by:	Cllr Keogh Cllr Letts	Reason:	Loss of car parking; Access; Construction Traffic: Impact on wildlife habitat; Surface Water Drainage; and impact on protected trees
Applicant: Mr Richard Darch		Agent: n/a	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
-------------------------------	---

Community Infrastructure Levy Liable	Yes
---	------------

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023). Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP12, SDP13, SDP16, SDP23, H1, H2, H7, HE6 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS7, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies

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
 - review and agree the slope stability analysis and foundation design;
 - to consult with Network Rail and agree any appropriate mitigation;and to then grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Either an equivalent financial contribution or the developer enters into an agreement with the Council under s.278 of the Highways Act to provide a new vehicular access to be built to adoptable standard and Parking restrictions in the form of double yellow lines to protect the new access from kerbside parking which may hinder emergency vehicle access into the new access (Section 278 and/or Traffic Regulation Orders will likely be required to enable the works and shall need to be entered into and funded by the developer). To also secure a row of parking spaces as shown on the approved site plan drawings of the planning application to be built and maintained to adoptable standards and retained for public use to offset the loss of kerbside parking. 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. 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.
 - iii. 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.

3. That the Head of Transport and Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

4. In the event that Network Rail object, the legal agreement is not completed and/or the slope stability and foundation design is not agreed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure a safe scheme and/or the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 The proposal site has an area of 0.38 hectares and is located on the eastern side of the city within Peartree Ward. The site is allocated for housing within the development plan and is covered by a group Tree Preservation Order (The Southampton (Bryanston Road) Tree Preservation Order) 2018). There are 33 individual trees and 9 small tree groups across the plot.
- 1.2 The site is accessed from a cul-de-sac on Bryanston Road and is bounded by residential plots on three sides and a railway line on the north-western boundary. Hazel Road Industrial Estate is located on the opposite side of the railway line. The topography of the area falls from higher ground of Peartree Green/Peartree Avenue/Gainsford Road down to the River Itchen.
- 1.3 Historic maps up to 1910 show this as land and gardens associated with Ridgeway House. The estate was subsequently sold off and the land was converted into a golf course in the 1920s. The Council's historic and land contamination maps indicate that a gravel pit was historically located in the northern corner of the site.

2. Proposal

- 2.1 The development proposal seeks to provide 8 no. two-storey family dwelling houses in a linear arrangement comprising small terraces and a semi-detached pair. The scheme is proposed as 'affordable housing' by Abria (Registered Social Landlord). The 4 x 3-bed and 4 x 2-bed properties will meet the national space standards ranging from 79.1sqm – 93.4sqm. Each property has a private rear garden (minimum 10m length). The dwellings would have a traditional pitched roof form with contemporary detailing and finished in face brick.
- 2.2 The site access would be from Bryanston Road and 16 car parking spaces are provided for the residential development (2 spaces per dwelling). The proposal also provides 4 no. public car parking spaces to off-set existing resident on-street carparking spaces lost as a result of the new vehicle access. Double yellow lines are proposed within the cul-de-sac to facilitate site access for refuse trucks and larger vehicles.
- 2.3 The proposal seeks removal of 17 no. trees (1x cat B, 7 x cat C and 9 x cat U) and proposes 32 new replacement trees on site.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (amended 2015) and the City of Southampton Core Strategy (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 This is an allocated housing site under saved policy H1 of the saved Local Plan Review and is identified as having estimated capacity for 14 dwellings.

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.

4. Relevant Planning History

4.1 The last planning application on this site was in 1993 for the erection of 14 houses (ref 930555/E). This development was recommended for approval subject to the resolution of land stability and land contamination remediation matters, and details of mitigation against vibration from the railway line. It would appear that issues in relation to slope stability were unresolved and the planning application was subsequently withdrawn.

4.2 A historic file note from 1989 briefing Councillors, advised that the site was zoned for residential purposes in the 1956 City of Southampton Development Plan with 12 planning applications for various forms of residential development on the site since then which included planning permission as part of a larger site for 62 homes (ref E28/1666). However, the file note highlighted that slope stability was a constraint to development and required careful consideration to prevent risk to other housing in the area.

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 and erecting a site notice (12.01.2024). At the time of writing the report **29 objections** have been received from surrounding residents, including a petition against with 55 signatories. The following is a summary of the points raised:

5.2 **Not a suitable site for housing and the proposal is out of character.**
Officer Response – The site is allocated for housing in the development plan and the city has an identified housing need. The surrounding area is residential in character. The proposed two-storey terraced and semi-detached properties would not be out of keeping

5.3 **The proposed access will result in the loss of existing on-street car parking within the cul-de-sac and parking overspill from the development will lead to increased on-street car parking pressures.**
Officer Response – The proposal meets the Council's parking standards by providing the maximum of 2 car parking spaces per dwelling. Furthermore, the development seeks to compensate the on-street spaces lost by providing 4 no. public spaces within the development site.

5.4 **Bryanston Road is not suitable for construction traffic**
Officer Response – The site access bell mouth has been designed to provide access for refuse vehicles and larger construction vehicles. A construction environment

management plan will need to consider and introduce appropriate controls (to be agreed with the Council) to manage construction traffic. Double yellow lines are provided in the cul-de-sac to achieve an appropriate swept path for larger vehicles.

5.5 Loss of trees and wildlife habitat

Officer Response – This site is allocated for housing. A biodiversity mitigation and enhancement plan has been agreed on consultation with the Council’s Ecologist. The loss of 17 no. existing trees is a shortcoming and needs to be balanced against the merits of (affordable) housing delivery. 32 new replacement trees are proposed.

5.6 Slope stability

Officer Response – A geotechnical ground condition report has been carried out in support of the development. The proposal does not seek to build within the tree lined bank within the southern part of the site, other than the incorporation of a low retaining wall which must be designed to preserve the natural drainage of the site.

Piled foundations will be required and the surface water drainage design has also had regard to infiltration and localised hydrology. It should be noted that whilst there have been historic concerns regarding land stability in this area because of topography and geology, planning permission was granted in 2007 for 11 x 4-bed houses at 37-49 Gainsford Road (07/00068/FUL) and piled foundations were approved for that development. Delegation is sought from panel to enable to the Council’s Structural Engineers to review and agree the slope stability analysis, and foundation and retaining wall drainage design with the applicants.

5.7 Surface Water Drainage

Officer Response – The scheme is supported by a surface water drainage strategy, which acknowledges that ground conditions do not support surface water infiltration and, therefore, a solution is proposed which connects into Southern Water surface water drainage.

Consultation Responses

5.10

Consultee	Comments
Highways	No objection The proposed development is accessed off the end of a cul-de-sac on Bryanston Road. It is noted that cars are parked on what may have been originally designed as a small turning head – likely due to the fact that some of the end properties do not have driveways. As such, creating a new access and the required vehicle swept paths would require this area to be clear of kerb side parking for the access to be usable. This would of course have an impact for people who currently use this area as parking. As such, a parking area for 4 vehicles has been provided just as you enter the new access road to the proposed development. Suitable condition or preferably Section 106 clause will be required to ensure that these parking bays are maintained and retained to be used by the public.

Although it would not be as ideal for the residents as they cannot park as near to their front doors, the removal of the parking at the end of the cul-de-sac as well as providing a new access road into the site will provide a better route for larger vehicles such as delivery/servicing vehicles, emergency vehicles etc. With cars parked on the street and at the end, larger vehicles would likely struggle to reach the end with no on site turning and therefore would result in reversing a significant distance. With the proposed development, these vehicles could at least have the option to turn at the end of the cul-de-sac if the vehicle is able to; furthermore they could also use the additional land available for the new access road. Alternatively, larger vehicles could enter the new development and turn within the car park which is designed to accommodate turning for emergency vehicles and refuse vehicles.

Tracking diagrams have been provided which demonstrate that the removal of bays would likely be 3 spaces as double yellow lines would be required to ensure that no parking would obstruct the new access including swept paths required for emergency and refuse vehicles. The new proposed displaced parking will create 4 spaces which is an increase of one additional space available for the public. The tracking diagrams do demonstrate that the larger articulated lorries could access the site but if the tandem spaces are occupied, it may require multiple turning manoeuvres which is not ideal. As it is a residential site, articulated lorries may not necessarily be required and if so, usually there are systems in place where this would be highlighted before the vehicle is booked/turns up. This is no different to many existing situations with residential streets whereby larger articulated lorries cannot access.

Due to the importance of keeping the access road and turning head clear with the development site, it is requested that a car park management plan should be required as a condition to secure means and management details to prevent informal parking which could obstruct access for refuse/delivery/emergency vehicles.

In summary, the proposed development is considered acceptable in principle. The main impact would be the loss of kerb side parking at the end of the cul-de-sac but replacement parking (with a net gain of one additional space) is being provided. However, restricting parking at the end will provide benefits including highway safety as vehicles can at least turn at the end of the road which prevents situations where vehicles would potentially reverse significant distances due to the lack of turning space. As such, the application can be supported by the Transport team subject to the following conditions and Section 106 requirements:

	<p>Conditions:</p> <ol style="list-style-type: none"> 1) On-site private parking management plan. A parking management plan shall be submitted to and agreed upon in writing. The plan shall provide details on how informal parking (outside designated bays) would be prevented and enforced if needed in order to protect access and turning space for HGVs including the refuse and emergency vehicles. 2) EV Parking space. Electric vehicle car parking spaces shall be provided.
<p>SCC Urban Design Manager</p>	<p>No objection</p> <p>I don't object to the design of the layout, the house types and their elevations, or the landscape proposals. It is unfortunate that there is such a deep set-back to the tandem parking spaces between the two runs of houses, but I appreciate that this is unavoidable given the turning circle required for a refuse vehicle.</p>
<p>SCC Housing</p>	<p>This application is strongly supported as it will deliver much needed affordable housing for the city. Also because it includes some 3 bed family houses – our greatest need.</p> <p>The level of affordable housing delivered has significantly reduced in recent years. For example there were 153 affordable housing completions in 2021/22 and 64 in 2022/23, whereas there were over 400 in both 2010/11 and 2014/15.</p> <p>Meanwhile there are now over 8,000 applicants on the housing register who are seeking affordable rented housing. (As of January 2024 there were 8,165 applicants on the housing register).</p> <p>When you look at the breakdown of applicants waiting for 1, 2, 3 and 4+ bedroomed accommodation, plus the average waiting times for each sized property (this takes account of the make up of the city's existing social housing stock and the vacancies arising within it), it can be seen that 3 bed properties are our greatest need – families without an urgent priority can wait over 9 years.</p> <p>Abri are a Registered Provider of affordable housing and a strategic partner of Homes England, meaning they have access to grant funding to enable the delivery of affordable homes.</p> <p>Abri are a longstanding partner of the city council, have significant existing stock in the city and have stated their intention to deliver this site as 100% affordable housing. (Abri will make a decision as to whether this will be at social rent or Affordable Rent levels upon receipt of a planning permission).</p>

<p>SCC Trees</p>	<p>The current proposal is rather low impact in relation to trees. Many of the trees identified to be removed all have specific arboricultural reasons to support their felling and the scheme has a landscape plan to return green infrastructure to the open areas and to increase canopy coverage to the wooded area that abuts the rear of properties in Gainsford Road.</p> <p>The design still requires the felling of a B grade sycamore near the entrance of the site. This is shown as T11 in the Broad oak arboricultural impact assessment of the 15th of April 2024. It has been highlighted in the past that I am not in support of the felling of this tree as it provides screening to the development from the entrance from Bryanston Road. I do understand that there will be replacement planting on site, which includes trees in the area where this sycamore stands, however if there is no arboricultural justification to fell, I cannot support its removal. The loss of the tree needs to be balanced up against the scale and requirement of the development, however this is not my decision to make and all I can advise is that the tree is established and of a condition that would retain it as part of the development.</p> <p>If permission is granted to the scheme, there will be a requirement to ensure that all retained trees are fully protected during construction on the site, and further details regarding the tree planting and establishment.</p> <p>As there is a 2 for 1 tree planting requirement, if there is a shortfall in the planting numbers, this will require a contribution toward off site tree planting and can be agreed via a s106 agreement.</p> <p><i>Officer Response – The applicants have reviewed layout options to see if T42 sycamore (Cat B) tree can be retained. They are of the opinion that the canopy in proximity to the end unit would lead to shading and honeydew fall on the end house. Retention of this tree would result in the reduction of 1 affordable housing unit and the scheme is already proposing 8 units (below the site allocation and estimated capacity of 14 units). Given the acute need for affordable housing, on balance, this is considered to outweigh the loss of the sycamore having regard to the 32 on-site replacements proposed.</i></p> <p><i>The proposal would provide a net addition of 15 trees on the site. Whilst this is 2 trees short of 2:1 provision. The proposed amount of re-provision is considered acceptable given that a number of low grade (category U) trees are being removed and further on-site trees may result in overplanting.</i></p>

	<p>SCC Ecologist</p>	<p>No objection I've been through all the documents and I'm happy with the proposed habitat creation and, specifically, that it meets the 10% BNG target.</p> <p>The ecology condition doesn't need to secure a mitigation and enhancement plan because there is already sufficient information for us to be able to take enforcement action if required. The condition will need to secure delivery of the measures detailed in the Small Sites Metric, the BNG report and the landscape plan, and the provision of evidence (e.g. photographs and a sort report from the ecologist) to demonstrate that the measures have been implemented appropriately.</p> <p>The nesting bird condition is the standard one and I would also like a lighting condition to ensure that the new woodland and scrub planting isn't illuminated up by any external lighting.</p>
	<p>SCC Flood</p>	<p>Holding objection Although inclusion of sustainable drainage in minor development is not mandatory, Southampton Core Strategy CS20 requires the use of sustainable drainage to help support the management of surface water, with the request made for all greenfield developments to be assessed by the Lead Local Flood Authority to ensure flood risk is not increased elsewhere in the city in line with paragraph 173 of the National Planning Policy Framework (as revised December 2023).</p> <p>This site is currently classified as undeveloped greenfield, therefore in line with the Southampton Local SuDS Design Guidance (2017) requires the post developed peak runoff rates for the 1 in 1 year and 1 in 100 year rainfall events to be restricted to the greenfield runoff rate to ensure that the site does not increase flood risk from surface water elsewhere.</p> <p>The Site Specific Flood Risk Assessment (dated June 2023) states that infiltration testing was completed on site with infiltration rates returned that were outside of acceptable parameters to enable discharge to ground on site. The Drainage Strategy proposed is therefore use of lined permeable paving to provide attenuation prior to discharge to the public surface water sewer at a controlled rate that matches greenfield runoff rate. The Drainage Strategy has not however included an assessment of the pre and post developed runoff rates and volumes to identify what the greenfield runoff rate is in order to use this as the restriction, or whether the permeable paving provides the required storage for the 1 in 100 year rainfall event plus 45% allowance for climate change as outlined in section 4.0 of the Flood Risk Assessment, and as such this</p>

Without the assessment of pre and post developed runoff rates and volumes for the 1 in 1 year, 1 in 30 year and 1 in 100 year rainfall events, the Lead Local Flood Authority is unable to make an informed assessment of the suitability of the surface water drainage to ensure that the development does not increase flood risk off-site.

It is also noted that within Appendix E the drainage calculations have flagged that the 'outfall is too low with the design being unsatisfactory'. This requires checking prior to acceptance by the Lead Local Flood Authority.

A holding objection is being placed as the Drainage Strategy is missing information. This information is required to ensure that the new development does not increase flood risk elsewhere.

Additional information is therefore required from the applicant:

- Details of Greenfield peak runoff rates and discharge volumes for 1 in 1 year, 1 in 30 year and 1 in 100 year events. Please also include information on calculation method used. This is required for both greenfield and brownfield developments to determine the pre-developed characteristics for comparison to proposed.
- Details of existing peak discharge rates and discharge volumes for 1 in 1 year, 1 in 30 year and 1 in 100 year events. Please also include information on calculation method used.
- Details of proposed peak discharge rates and discharge volumes for 1 in 1 year, 1 in 30 year and 1 in 100 year events. Please also include information on calculation method used.
- Details of total requirement on-site storage volume to meet the proposed rates for the 1 in 100 year rainfall event plus allowance for climate change. Please include information on calculation method used.
- Requirements for the long-term operation of SuDS including flood risk within the development, including exceedance and flow paths to direct water to less vulnerable areas on site, construction plan method statement and structural integrity of the proposed system.
- Detailed cross sections, and where appropriate, long-section drawings of all proposed SuDS components with proposed materials, levels and slopes identified.
- A suitably detailed management and maintenance plan setting out who will be responsible for the management of the SuDS System and the frequency and requirements for maintenance of each element to the design to ensure it remains in working order for the design life.

Officer Response – The consultant drainage engineers are reviewing the run-off calculations, and an update will be provided at the Panel meeting. If this remains unresolved by the Panel meeting then further delegation to resolve this will be requested. Please note that the applicants have lodged a s185

	<i>application with Southern Water for connection into their surface water drainage.</i>
Environmental Health Officer	No objection I have looked at the application and the Clarke Saunders Acoustics Report AS12977.230517.R1, I can confirm Environmental Health are pleased with the report that has been completed looking at both noise and vibration from train passby's. I can confirm that the Environmental Health Neighbourhoods Team have no objections in principle to this application. However, I recommend a suitably worded condition to require that the findings of Section 7.0 namely improved windows and trickle ventilators are implemented.
Sustainability	No objection subject to water and energy use improvements
Southern Water	Request a pre-commencement condition to protect any southern water apparatus crossing the site and request an informative regarding foul and surface water connection. <i>Officer Comments: The applicants have entered into a S185 process with Southern Water.</i>
Archaeology	No objection subject to conditions to secure Archaeological Watching Brief investigation.
SCC Contamination	No objection I am happy with the ground gas assessment and agree that no protection measures are required. The ground investigation report does make recommendations for further testing following a site strip due to the presence of elevated lead at 1 location. Therefore a tailored <i>Land Contamination investigation and remediation</i> condition is requested
Natural England	Objection Adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site through increasing visitor numbers <i>Officer Response – The Council has committed to an interim position which allocates CIL funding to mitigate against New Forest Recreational Disturbance. 4% of CIL receipts are ringfenced for Southampton based measures and 1% is 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.”</i>

6.0 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;
 - Residential amenity;
 - Parking highways and transport and;
 - Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 The principle of additional housing is supported. The site is allocated for 14 additional dwellings under saved policy H1 of the Local Plan Review. However, a lesser amount of 8 dwellings is more realistic having regard to the site constraints in relation to land stability, trees, wildlife habitat, sewer infrastructure and to provide suitable separation distance from the railway line. 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. Furthermore, 'Abri' are a Registered Provider and seek to deliver 8 affordable housing units. The Panel should note that there is no planning policy requirement for affordable housing because the scheme is less than 10 dwellings and therefore the affordable housing proposed cannot be secured as a S106 head term.

6.2.2 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"]

6.2.3 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). It is acknowledged that the proposal would make a contribution to the Council's five-year housing land supply and is allocated for housing in any event. 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.

6.2.4 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in low accessibility locations such as this, density levels should generally accord with the range of 35-50 dwellings per hectare (dph), although caveats this in

terms of the need to test the density in terms of the character of the area and the quality and quantity of open space provided. The proposal would achieve a residential density of 21 dph which is considered acceptable having regard to the existing low density of the neighbourhood and constraints of the site.

6.2.5 In summary, it would be difficult to sustain an argument at appeal that the principle of housing on this site is not acceptable; when it is allocated for housing and the Council is unable to demonstrate that it is meeting its existing housing need (through the 5 year housing land supply data).

6.3 Design and effect on character

6.3.1 The proposed two-storey building scale, pitched roof form and mix of terraced and semi-detached housing will be in keeping with the character and appearance of the area. No objection has been raised by the Council's Urban Design Manager. Conditions are recommended to secure appropriate finishing materials however the materials palette as shown on the proposed plans is acceptable. The layout includes private rear gardens and landscape enhancement and additional tree planting.

6.4 Residential amenity

6.4.1 The proposal will not have an adverse impact on the residential amenities of neighbouring occupiers in terms of the built form. The building orientation and layout will ensure adequate outlook, privacy and daylight/sunlight to neighbouring properties. Plot 1 at the southern end of the development has been designed with high level windows at first-floor in the front elevation to prevent overlooking to the rear garden of 47 Bryanston Road with a 7m separation distance.

6.4.2 The layout will introduce two-storey development close to the rear garden boundaries of 8-10 Ashburnham Close, however those properties have circa 22m depth rear gardens and as a consequence will not be subject to adverse loss of outlook or shadowing having regard to BRE daylighting standards which recommends that at least 50% of an amenity space should receive at least two hours of sunlight on 21 March.

6.4.3 The Panel will note the level of local objection to the proposal and officers acknowledge that providing access through an existing cul-de-sac will see additional trips and disturbance. Officers do not consider this change to be significant, or harmful, given that only 8 dwellings are proposed and the site is allocated for housing in any event. This is the only possible way of accessing the site.

6.5 Parking highways and transport

6.5.1 The access and parking layout has been designed in consultation with the Council's Highways team throughout the evolution of the design. The Highways team have raised no objection to the impact of the development on road safety and the additional trips to the local network. This is subject to a completed S106 agreement to secure a new vehicular access to be built to adoptable standard and Parking restrictions in the form of double yellow lines to protect the new access from kerbside parking which may obstruct larger vehicle and emergency vehicle access into the new access (Section 278 and/or Traffic Regulation Orders will likely be required to enable the works and shall need to be entered into and funded by the developer).

6.5.2 The s106 will also secure a row of parking spaces as shown on the approved site plan drawings of the planning application to be built and maintained to adoptable standards and retained for public use to offset the loss of kerbside parking. The details of cycle and bin storage/collection will be secured via condition. The submission has demonstrated that a refuse truck can enter and manoeuvre on site. Bins and cycles will be stored within the rear gardens with the exception of dwellings 2 and 5 which are provided with an enclosed bin storage area within the car park.

6.5.3 The Parking Standards SPD shows the site located in a low accessibility zone. The provision of the 16 on-site parking spaces (2 per dwelling), satisfies the maximum car parking standards. Therefore, the development is unlikely to lead to harmful parking overspill. However, the development has sought to compensate existing on-street parking within the cul-de-sac as a result of the new access by providing 4 no. public spaces within the development.

6.6 Likely effect on designated habitats

6.6.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites. The requisite contribution will be secured via the S106.

6.6.2 The development is also required to mitigate against its nitrogen load of 13.65kg/TN/yr and a condition is recommended to secure appropriate mitigation as set out within the Habitats Regulations Assessment.

7. Summary

7.1 The principle of new residential development is acceptable on this allocated housing site. The proposed development will provide needed affordable family housing and 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, as set out in this report. A slope stability analysis and foundation design will be reviewed by the Council's structural engineers ahead of a design to ensure slope stability is not undermined and this detail can be secured ahead of planning permission being granted.

7.2 Taking into account the benefits of the proposed development, the limited harm arising from the conflict with the policies in the development plan as set out above, would be significantly and demonstrably outweighed by 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 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions set out below and conclusion of the slope stability assessment and Network Rail consultation.

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) (f) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Andrew Gregory for 04.06.24 PROW Panel

PLANNING CONDITIONS to include:

01. Full Permission Timing (Performance)

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

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

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

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out 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, 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.

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

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

- (i) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials including permeable surfacing where appropriate, external lighting, structures and ancillary objects (refuse bins etc.);
- (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- (iii) An accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis with 32 trees to be re-provided.
- (iv) details of any proposed boundary treatment, including retaining walls and;
- (v) a landscape management scheme.

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

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

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

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

04. No Other Windows or Doors (Performance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations and front elevations of dwelling units 1 and 8 hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residential properties.

05. Site Levels (Pre-Commencement)

No development shall take place (excluding demolition and site set up) until further details of finished levels have been submitted to and approved in writing by the Local Planning Authority. These details shall include Above Ordnance Datum (AOD) for the proposed finished ground levels across the site, building finished floor levels and building finished eaves and ridge height levels and shall be shown in relation to off-site AOD. The development shall be completed in accordance with these agreed details.

Reason: To ensure that the heights and finished levels of the development are built as agreed in the interests of visual and neighbour amenity.

06. Foundation and retaining wall design (Pre-Commencement)

Prior to the commencement of development hereby approved, a foundation and retaining wall design and method statement, to include measures to preserve the natural drainage characteristics of the soils and not to interfere with the existing groundwater regime, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. The foundation design shall be informed by the recommendations by the Main Investigation Report by Soils Ltd (Ref 21029/MIR Rev 1.0 October 23).

Reason: In the interest of residential amenity and slope stability

07. Hours of work for Demolition / Clearance / Construction (Performance)

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

08. Noise Mitigation Measure (Performance)

The development shall be carried out and retained in accordance with the recommendations of the the Clarke Saunders Acoustics Report AS12977.230517.R1 before the development first comes into use/occupation

Reason: In the interests of residential amenity

09. Water and Energy [Pre-Construction]

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 a maximum 100 Litres/Person/Day internal water use. 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. Written documentary evidence shall be submitted demonstrating that the development is on track to achieve the energy targets set out in the Energy Statement dated October 2023.

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).

10. Water & Energy [Performance]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved 100 Litres/Person/Day internal water use in the form of a final water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval. Written documentary evidence shall be submitted demonstrating that the development has been constructed in accordance with the details provide in the Energy Statement dated October 2023.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

11. APPROVAL CONDITION Archaeological watching brief investigation [Pre-Commencement Condition]

No ground disturbance (including enabling works) 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. APPROVAL CONDITION Archaeological watching brief work programme
[Performance Condition]

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

Reason: To ensure that the archaeological investigation is completed.

13. APPROVAL CONDITION - Southern Water

The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

Reason: To safeguard the public sewer network.

14. Nitrates

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

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

15. Construction Management Plan (Pre-Commencement)

Before any development works are commenced, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority which 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)
- (d) details of temporary lighting
- (e) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (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, protecting the amenity of local land uses, neighbouring residents, and the character of the area and highway safety.

16. 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 the additional investigations following an initial site strip (as recommended in report 21029/MIR Rev 1.0).
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 (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme of remediation and setting out any measures for maintenance, further monitoring, reporting and Arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use Of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority

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

17. 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

18. Unsuspected Contamination (Performance)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

19. 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

20. APPROVAL CONDITION - Biodiversity (Performance)

The development shall be carried out and retained in accordance with the Small Sites Metric and Biodiversity Net Gain Assessment by MM Ecology dated April 2024 Rev 2.

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

21. APPROVAL CONDITION - Trees (Performance)

The development shall be carried out in accordance Arboricultural Implications Assessment by Broad Oak Tree Consultancy Ltd dated 15 April 2024.

Reason: In the interests of tree protection.

22. Parking (Performance)

The vehicle parking spaces, and their access, shall be provided in accordance with the plans hereby approved before the development first comes into occupation/use and shall thereafter be retained as approved for the lifetime of the development. Vehicles associated with the development shall only park in the marked bays (where provided).

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety and the free flow of traffic.

23. Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, the bins shall be returned to the storage areas within rear gardens and the dedicated storage area for units 2 and 5.

Reason: In the interest of visual and residential amenity.

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 at least 8 weeks prior to occupation of the development to discuss requirements

24. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation/use, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved for the lifetime of the development.

Reason: To encourage cycling as an alternative form of transport.

25. APPROVAL CONDITION - On-site private parking management plan.

A parking management plan shall be submitted to and agreed upon in writing. The plan shall provide details on how informal parking (outside designated bays) would be prevented and enforced if needed in order to protect access and turning space for HGVs including the refuse and emergency vehicles.

Reason: In the interests of highway and pedestrian safety

26. APPROVAL CONDITION - Electric Vehicle Charging Point (Performance)

Before the use hereby approved first comes into use a minimum of one electric vehicle charging points shall be provided on site and rendered operational in accordance with a specification to be first agreed in writing by the Local Planning Authority. The charging point shall be thereafter retained and maintained as approved.

REASON: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20

27. Sustainable Drainage (Performance)

No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the submitted Sustainable urban Drainage Systems are provided as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

28. External Lighting Scheme (Pre-Occupation)

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be

thereafter retained as approved.

Reason: In the interest of residential amenity/to minimise the impact on protected species.

29 Residential Permitted Development Restriction (Performance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Parts 1 and 2, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Part 1

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development with regard to the amenities of the surrounding area.

30. Approved Plans (Performance)

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

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

Habitats Regulations Assessment (HRA)

Application reference:	23/01645/FUL
Application address:	Land adjacent 47 Bryanston Road Southampton
Application description:	Redevelopment of the site. Erection of 3 x 2-storey buildings comprising of 8 dwellings (4 x2-bedroom, 4 x3-bedroom) with associated amenities
HRA completion date:	21st May 2024

HRA completed by:

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

Summary

The project being assessed is as described above.

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

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

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

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

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

Section 1 - details of the plan or project

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

Regulations 62 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are clear that the assessment provisions, ie. Regulations 63 and 64 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The

assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, as required under Regulation 63 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

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

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

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be both temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built.

The following effects are possible:

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

Conclusions regarding the likelihood of a significant effect

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

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

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

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

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

The analysis below constitutes the city council's assessment under Regulation 63(1) of the Habitats Regulations

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

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

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

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

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

TEMPORARY, CONSTRUCTION PHASE EFFECTS

Mobilisation of contaminants

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

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

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

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

Disturbance

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

Sites considered: Solent and Southampton Water SPA

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

Collision risk

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

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

PERMANENT, OPERATIONAL EFFECTS

Recreational disturbance

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

New Forest SPA/Ramsar site/New Forest SAC

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

Nightjar

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

Woodlark

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

Dartford warbler

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

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

Visitor levels in the New Forest

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

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

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

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

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

Mitigation

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

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

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

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

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

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

The City Council has committed to ring fencing 4% of CIL receipts to cover the cost of upgrading the footpath network within the city's greenways. This division of the

ring-fenced CIL allocation is considered to be appropriate based on the relatively low proportion of visitors, around 6%, recorded originating from Southampton. At present, schemes to upgrade the footpaths on Peartree Green Local Nature Reserve (LNR) and the northern section of the Shoreburs Greenway are due to be implemented within the next twelve months, ahead of occupation of this development. Officers consider that these improvement works will serve to deflect residents from visiting the New Forest.

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

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

Funding mechanism

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

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

has been agreed.

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

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

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

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

Solent and Southampton Water SPA/Ramsar site

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

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

Water quality

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

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

Eutrophication is the process by which excess nutrients are added to a water body leading to rapid plant growth. In the case of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site the problem is predominately excess

nitrogen arising from farming activity, wastewater treatment works discharges and urban run-off.

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

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

An Integrated Water Management Study for South Hampshire, commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities, examined the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty in some locations as to whether there will be enough capacity to accommodate new housing growth. There is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether the upgrades to wastewater treatment works will be enough to accommodate the quantity of new housing proposed. Considering this, Natural England have advised that a nitrogen budget is calculated for larger developments.

A methodology provided by Natural England has been used to calculate a nutrient budget and the full workings have been provided by the applicant as part of the planning application submission. The calculations conclude that there is a predicted Total Nitrogen surplus arising from the development. This is based on the additional population from the residential units using 110litres of wastewater per person per day. Due to the nature of the site, and the surrounding urban environment, there are no further mitigation options on site. At present strategic mitigation measures are still under development and it is therefore proposed that a record of the outstanding amount of nitrogen is made.

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

Conclusions

The following conclusions can be drawn from the evidence provided:

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

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

Demolition and Construction phase

- Provision of a Construction Environmental Management Plan, where appropriate.
- Use of quiet construction methods where feasible;

- Further site investigations and a remediation strategy for any soil and groundwater contamination present on the site.

Operational

- Contribution towards the Solent Recreation Mitigation Partnership scheme. The precise contribution level will be determined based on the known mix of development;
- 4% of the CIL contribution will be ring fenced for footpath improvements in Southampton's Greenways network. The precise contribution level will be determined based on the known mix of development;
- Provision of a welcome pack to new residents highlighting local greenspaces and including walking and cycling maps illustrating local routes and public transport information.
- 1% of the CIL contribution will be allocated to the New Forest National Park Authority (NFNPA) Habitat Mitigation Scheme. A Memorandum of Understanding (MoU), setting out proposals to develop a Service Level Agreement (SLA) between SCC and the NFNPA, has been agreed. The precise contribution level will be determined based on the known mix of development with payments made to ensure targeted mitigation can be delivered by NFNPA ahead of occupation of this development.
- All mitigation will be in place ahead of the first occupation of the development thereby ensuring that the direct impacts from this development will be properly addressed.

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

References

Fearnley, H., Clarke, R. T. & Liley, D. (2011). The Solent Disturbance & Mitigation Project. Phase II – results of the Solent household survey. ©Solent Forum/Footprint Ecology.

Liley, D., Stillman, R. & Fearnley, H. (2010). The Solent Disturbance and Mitigation Project Phase 2: Results of Bird Disturbance Fieldwork 2009/10. Footprint Ecology/Solent Forum.

Liley, D., Panter, C., Caals, Z., & Saunders, P. (2019) Recreation use of the New Forest SAC/SPA/Ramsar: New Forest Visitor Survey 2018/19. Unpublished report by Footprint Ecology.

Liley, D. & Panter, C. (2020). Recreation use of the New Forest SAC/SPA/Ramsar: Results of a telephone survey with people living within 25km. Unpublished report by Footprint Ecology.

POLICY CONTEXT

Core Strategy (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS7	Employment
CS13	Fundamentals of Design
CS14	Historic Environment
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP23	Unstable Land
H1	Housing Supply
H7	The Residential Environment
HE6	Archaeology

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

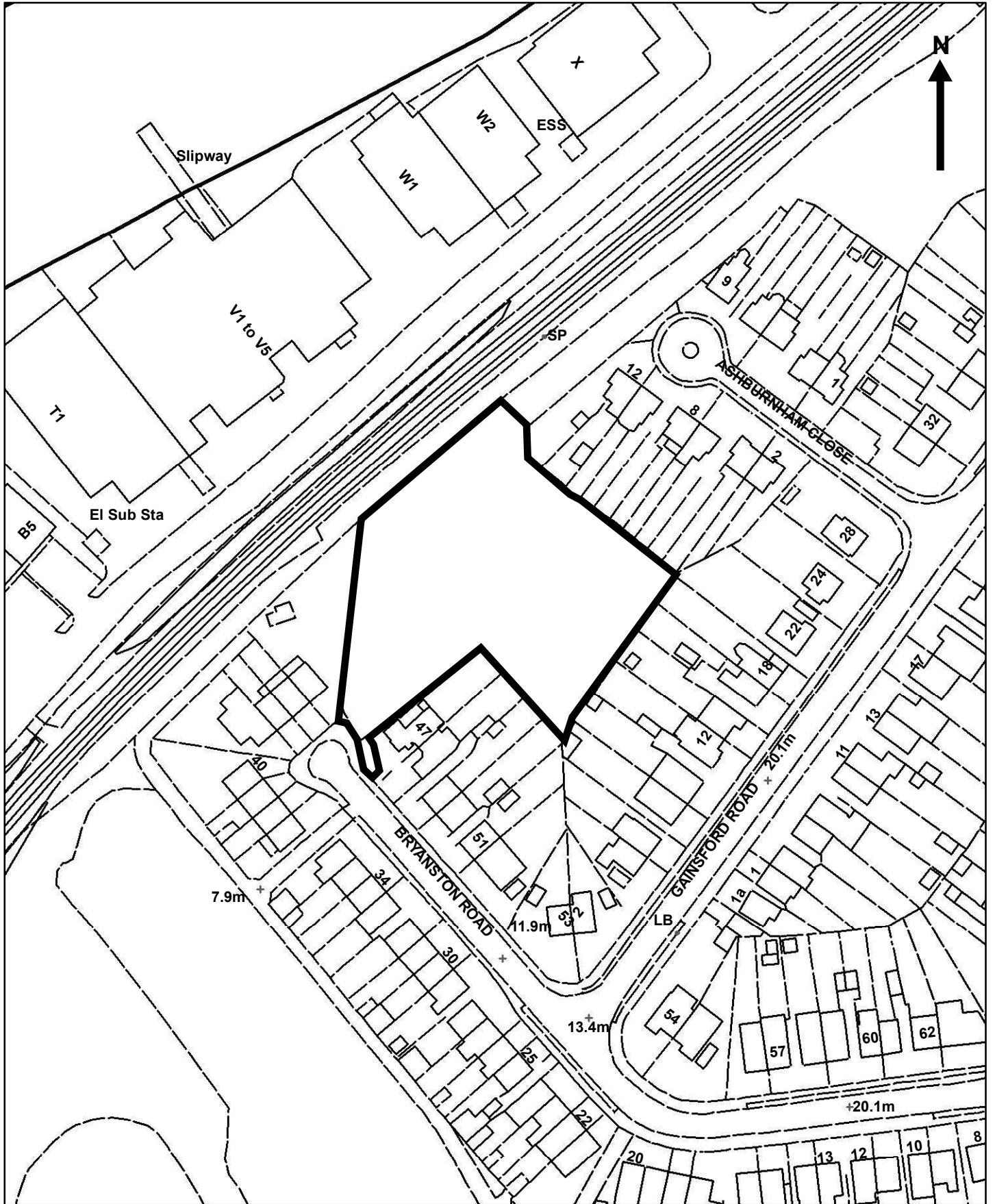
Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)



Scale: 1:1,250

©Crown copyright and database rights 2020 Ordnance Survey 100019679

This page is intentionally left blank

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

Application address: Land adjacent The Synagogue Mordaunt Road			
Proposed development: Erection of a two-storey building comprising of 4 x 1-bedroom flats with solar panels on roof, associated amenities and retention of temporary boundary fence (resubmission of: 23/01534/FUL)			
Application number:	24/00170/FUL	Application type:	FUL
Case officer:	Andrew Gregory	Public speaking time:	5 minutes
Last date for determination:	28.02.2024 (ETA)	Ward:	Bevois
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr Denness Cllr Kataria Cllr Rayment
Referred to Panel by:	Cllr Denness	Reason:	Over development, out of keeping with the area and domineering for the site. Furthermore, a boundary fence has been erected around the site without planning permission.
Applicant: Mr Bagir Bazorov		Agent: Porter Robson	

Recommendation Summary	Delegate to the Head of Transport and Planning to grant planning permission subject to criteria listed in report
-------------------------------	---

Community Infrastructure Levy Liable	Yes
---	------------

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2023). Policies – SDP1, SDP4, SDP5, SDP7,

SDP9, SDP10, SDP13, SDP16, SDP23, H1 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS5, CS7, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached

1	Habitats Regulation Assessment	2	Development Plan Policies
---	--------------------------------	---	---------------------------

Recommendation in Full

Conditionally Approve

1. The site and its context

1.1 This application site has an area of 0.05 hectares and is located at the corner of Mordaunt Road and Liverpool Street. The land is laid to grass and formerly part of the adjacent Synagogue but has now been sold off separately. Historically bounded by a dwarf wall and gated access and comprises land formally part of the adjacent synagogue but has been sold off. The land is laid to grass and was bounded by a low wall with gated access, with signage indicating the land is private property. The site has recently been hoarded off with close boarded fencing.

1.2 The surrounding area is characterised as suburban residential with a mainly 2 storey terraced properties of various styles in a tight urban grain. There are recent examples of nearby residential infill and plot subdivision along Liverpool Street and Mordaunt Road. The Avenue Conservation Area is located 50m to the west long the edge of Meuthen Road. Kerbside parking restrictions are in force within the area with double yellow lines and TRO controls with permit holder and 1hr public parking.

2. Proposal

2.1 The development proposal seeks a two-storey end terrace building comprising 4 x 1-bed studio flats. The proposed building has a pitched roof form with contemporary detailing and finished in face brick. A small communal amenity space (circa 40sqm) is located at the rear with secure gated access to bin and bicycle. The proposal is a car free development.

2.3 Since the original submission, the scheme has been subject to design amendments to provide an improved urban design response. The layout has been amended and the building brought forward to pick up the established building line within Liverpool Street. A chimney has been added to the roof design to reflect existing housing in the area. A brick boundary wall has been added to enclose the rear garden. A first-floor window has been added to provide design interest within the end gable.

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. This is an allocated housing site under saved policy H1 of the Local Plan Review and is identified as having estimated capacity for 14 dwellings.

3.2 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.

4. **Relevant Planning History**

4.1 On 18.01.2024 planning permission was refused for the erection of a three-storey building with mansard roof, comprising of 5 x flats (2 x 1-bedroom, 3 x studio) with associated ancillary spaces, landscaping, and parking. The application was refused on the following grounds:

1. The three-storey scale and mansard roof form design were considered out of keeping with the existing two-storey housing within Liverpool Street; and
2. The proposal was considered to represent a poor living environment because:
The private external amenity space was considered cramped and overshadowed and was insufficient both in terms of size and usability. Furthermore, the ground floor unit was considered to have a lack of privacy and defensible space given the habitable room windows on the back edge of the pavement. Moreover, the floor space of unit 5 will fall below the minimum floorspace for a studio flat as set out in Nationally Described Space Standards

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 and erecting a site notice (01.03.2024). At the time of writing the report **36 representations** have been received from surrounding residents (19 in support and 17 against. The following is a summary of the points raised:

5.2 **Against**

Overdevelopment, unduly dominant and out of keeping.

Officer Response – The 2-storey building scale and layout is in keeping with the existing build environment within the Inner Avenue. The depth of building is comparable to the adjoining terrace and whilst the rear amenity space at 4m depth/40sqm area is limited in size. The limited external amenity area will not have a discernible impact on the spatial character of the area having regard to the tight urban grain and this shortcoming is outweighed by the housing need when applying the titled balance. The proposed 1-bed studios are unlikely to be occupied by families and occupiers will have access to nearby open space at the Common and city centre parks. The development has a density of 80 dwellings per hectare and the site is located in an accessible area where densities between 50-100dph can be

supported having regard to policy CS5 of the Core Strategy.

Loss of green space

Officer Response – This private land is not protected as open space or protected habitat. The public have no right of access over the land. It is recognised that this green space provides a visual amenity and green landscape within this urban area, however the land is not afforded protection from housing development.

Loss of light

Officer Response – The proposal reflects the established grain of housing in this area and the building separation distances would reflect the established relationship between houses crossing a street.

Overlooking/Loss of privacy

Officer Response – There would be no unreasonable overlooking with windows having outlook across the street and the privacy distances across the street would reflect the established layout of housing within the area.

Increased on-street car parking pressures

Officer Response – The site is located within an accessible location in close proximity to the city centre and public transport services. There are existing TRO parking controls within double yellow lines and permit/1hr parking bays. The new flats are not entitled to apply for parking permits. As such nil car parking is considered acceptable in this accessible location and existing parking controls will guard against increased parking pressure.

Poor living accommodation

Officer Response – It is recognised that the proposed flats are limited in size, but the provision of studio/1-bed units will still assist in meeting housing need and will help provide a mix of housing types to meet the needs of the community. The proposed 1-bed flats have a minimum area of 39sqm and are therefore compliant with the national space standards.

Failure to provide family housing

5.2 *Officer Response – There is no policy requirement for family housing to be delivered on this site having regard to policy CS16 of the Core Strategy.*

In favour

Comments summarised as follows:

No objection to the new design but housing should be in line with the rest of Liverpool St (the scheme has been amended to achieve this);

Support for a no parking scheme;

Will assist in meeting housing need, including need for 1-bed units; and

The inclusion of solar panels promotes sustainability.

Consultation Responses

5.3

Consultee	Comments
Highways	No objection subject to a condition to ensure that the soft landscaping section fronting Mordaunt Road (hatched green section on the floor plan) has a height restriction of 600mm in order to secure sightlines around the corner. Also a condition to ensure that the bins are designed so that they can be collected from the shown location and not having to obstruct the footway.
SCC Urban Design Manager	<p>No objection</p> <p>I don't object to what's proposed with regard to the general building layout, scale and mass. Red brick would be a more appropriate choice of brick colour than the biscuit/beige shown, as red-brick is the majority brick colour in this terrace and the terraces of the wider area. It may also be worth considering using subtle variation of red brick colour to allude to the plot widths of the existing terrace as this run of buildings would account for two and a half existing terraced houses. The introduction of a first floor window in the Mordaunt Street frontage would also be beneficial in providing subtle interest to the corner.</p> <p>No boundary treatments are identified, but the width of line implies that side and rear boundaries might be panel fences which would not be acceptable as an appropriate boundary to the Synagogue and would not be typical of the terraced streets where side and rear boundaries are defined by brick walls, so from beyond the opening to the bin store the boundary should be a brick wall. The front boundaries to Liverpool and Mordaunt Streets are shown as defined only by planting. These boundaries need to be defined by a low wall with railings (Max 1.2m high) with the planting set behind to provide a level of defensible space whilst maintaining natural surveillance and a welcoming street frontage. The side gate and bin store gate should be solid.</p> <p><i>Officer Response – The proposed layout has been amended to bring the building forward to match the existing building line of the terrace in Liverpool Street. A rear boundary wall has been introduced. Furthermore, the finishing brick colours have been amended as requested.</i></p>

Environmental Health	No objection subject to conditions to secure a noise report to determine appropriate glazing specification for windows facing the synagogue, also to control hours of work and no bonfires.
Sustainability	No objection subject to conditions regarding energy and water performance.
Environmental Health Officer	No objection I have looked at the application and the Clarke Saunders Acoustics Report AS12977.230517.R1, I can confirm Environmental Health are pleased with the report that has been completed looking at both noise and vibration from train passby's. I can confirm that the Environmental Health Neighbourhoods Team have no objections in principal to this application. However, I recommend a suitably worded condition to require that the findings of Section 7.0 namely improved windows and trickle ventilators are implemented.
Sustainability	No objection subject to water and energy use improvements
Southern Water	Provide information regarding foul and surface water connection and due diligence regarding construction near existing sewers. The sewer map shows the sewer pipe under the footway.
Natural England	Objection Adverse effect on the integrity of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site through increasing visitor numbers <i>Officer Response – The Council has committed to an interim position which allocates CIL funding to mitigate against New Forest Recreational Disturbance. 4% of CIL receipts are ringfenced for Southampton based measures and 1% is 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.”</i>

6.0 **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;
 - Residential amenity;
 - Parking highways and transport and;
 - Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 This private area of land laid to grass is not safeguarded as public open space and therefore the principle of additional housing is supported. 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.

6.2.2 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"]

6.2.3 There are no policies in the Framework protecting areas or assets of particular importance in this case, such that there is no clear reason to refuse the development proposed under paragraph 11(d)(i). 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.

6.2.4 In terms of the level of development proposed, policy CS5 of the Core Strategy confirms that in medium accessibility locations such as this, density levels should generally accord with the range of 50-100 dwellings per hectare (dph), although caveats this in terms of the need to test the density in terms of the character of the area and the quality and quantity of open space provided. The proposal would achieve a residential density of 80 dph which is considered acceptable having regard to the existing density of the neighbourhood and constraints of the site. Moreover the scale and layout of development respects the character of existing housing in the area.

6.2.5 The provision of 1-bed flatted accommodation will assist in providing a mix of housing types to meet the needs of the community.

6.3 Design and effect on character

6.3.1 It is recognised that this grassed area offers a landscaped visual amenity within the street scene. However, the land has been sold and is no longer within the ownership of the adjoining synagogue. The proposed development would reflect the existing perimeter block layout in the area and the scale, form and external appearance would be in keeping with existing housing in the area. An acceptable material palette is proposed comprising face brick to elevation and details of finishing materials can be

secured by planning condition.

6.3.2 In terms of the spatial character of the area the proposed building has a comparable footprint depth to the adjoining properties in Liverpool Street. However the plot depth is shorter than adjoining properties and as a consequence the development has a limited 4m depth rear amenity area. This shortcoming will not be discernibly harmful to the spatial character of the area having regard to the general tight urban grain within the Inner Avenue.

6.3.2 The proposed 1-bed studios satisfy the minimum national space standard requirements of 39sqm per unit. All habitable room windows will receive natural outlook and daylighting and reflect the layout of buildings within the area. It is recognised that the ground floor windows will be close to the pavement on Liverpool Street however this is typical of the historical street pattern.

6.3.4 This submission is now considered to address the previous reasons for refusal (ref 23/01534/FUL) by revising the scale and roof form to provide a two-storey pitched roof building in keeping with the area. Furthermore, the quantum of development has been reduced to 4 no. studio units with improved rear amenity space provision given the reduced development density.

6.4 Residential amenity

6.4.1 The proposal will not have an adverse impact on the residential amenities of neighbouring occupiers. The development reflects the established building scale and separation distances within the area and will not give rise to harmful loss of privacy or loss of daylighting.

6.5 Parking highways and transport

6.5.1 The provision of car free development is considered acceptable in this sustainable location in close proximity to the city centre and frequent public transport services. Existing parking controls are in force within the area to prevent increased on street car parking demands. It should be noted that new flats do not qualify for a parking permit. Secure cycle and bin storage is provided to meet the needs of the development.

6.6 Likely effect on designated habitats

6.6.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see **Appendix 1**. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

The requisite contribution has been secured via a S111 agreement. The development is also required to mitigate against its nitrogen load of 1.78kg/TN/yr and a condition is recommended to secure appropriate mitigation as set out within the Habitats Regulations Assessment.

7. Summary

- 7.1 The existing land is not safeguarded open space and the proposed development will 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, as set out in this report. Furthermore the development addresses the previous reasons for refusal in relation to scale, form, layout and living environment.
- 7.2 Taking into account the benefits of the proposed development, the limited harm arising from the conflict with the policies in the development plan as set out above, would be significantly and demonstrably outweighed by 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 It is recommended that planning permission be granted subject to a Section 106 agreement and conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

Andrew Gregory for 04.06.24 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing (Performance)

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

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

02. Approved Plans (Performance)

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

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

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

No development works shall be carried out until a written schedule of external materials and finishes, in accordance with the materials palette and detailing as shown on elevation drawing numbers 1058-PRA-NB-XX-DR-A-1211-D and 1058-PRA-NB-XX-DR-A-1210-D, 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, 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.

04. Hours of work for Demolition / Clearance / Construction (Performance)

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

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

05. Construction Management Plan (Pre-Commencement)

Before any development works are commenced, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority which 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)
- (d) details of temporary lighting
- (e) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (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, protecting the amenity of local land uses, neighbouring residents, and the character of the area and highway safety.

06. Glazing- Soundproofing from external noise (Performance)

Unless otherwise agreed in writing by the Local Planning Authority, the glazing for the residential accommodation shall be either:

Outer pane of glass - 10mm

Air gap between panes - 12mm Inner pane of glass - 6 mm

or, with secondary glazing with a - Outer pane of glass - 6mm

Air gap between panes - 100mm Inner pane of glass - 6.4 mm

Any trickle vents must be acoustically rated. The above specified glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from noise from the adjacent synagogue.

07. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

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

08. Amenity Space Access (Pre-Occupation)

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

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

09. Nitrates

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

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

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

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

- (i) proposed means of enclosure/boundary treatment; pedestrian access and circulations areas, hard surfacing materials including permeable surfacing where appropriate and external lighting;
- (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules plants, noting species, plant sizes and proposed numbers/planting densities where appropriate; and
- (iii) a landscape management scheme.

The rear and side boundary to enclose the external amenity/cycle/bin storage area shall comprise a brick boundary wall at a minimum height of 1.8m with secure gated access.

The soft landscaping section fronting Mordaunt Road (hatched green section on the floor plan) and any boundary treatment adjacent to the back of the footway shall have a height restriction of 600mm in order to secure sightlines around the corner.

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

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

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

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

11. Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved.

Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

Reason: In the interest of visual and residential amenity.

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 at least 8 weeks prior to occupation of the development to discuss requirements

12. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation/use, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved for the lifetime of the development.

Reason: To encourage cycling as an alternative form of transport.

13. Water & Energy [Pre-Construction]
 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 a maximum 100 Litres/Person/Day internal water use. 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. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the design. Energy supply must be from a renewable or low carbon source, or as a minimum, radiators supplied to deliver lower temperatures at sub- 50 degrees to futureproof for the installation of ASHP when this becomes viable.

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).

14. Water & Energy [Performance]
 Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved 100 Litres/Person/Day internal water use in the form of a final water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the construction. Energy supply must be from a renewable or low carbon source, or as a minimum, radiators supplied to deliver lower temperatures at sub- 50 degrees to futureproof for the installation of ASHP when this becomes viable.

Reason:
 To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

Appendix 1

Habitats Regulations Assessment (HRA)	
Application reference:	24/00170/FUL
Application address:	Land adjacent The Synagogue Mordaunt Road Southampton
Application description:	Erection of a two-storey building comprising of 4 x 1-bedroom flats with solar panels on roof, associated amenities and retention of temporary boundary fence (resubmission of: 23/01534/FUL)
HRA completion date:	24th May 2024

HRA completed by:

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

Summary

The project being assessed is as described above.

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

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

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

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

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

Section 1 - details of the plan or project

<p>European sites potentially impacted by plan or project: 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</p>	<ul style="list-style-type: none"> ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development is not connected to, nor necessary for, the management of any European site.</p>

Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

- Southampton Core Strategy (amended 2015) (<http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf>)
- City Centre Action Plan (<http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx>)
- South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm)

The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq. m of office floorspace and 462,000 sq. m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.

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 this site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.

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

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

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

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

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

temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built.

The following effects are possible:

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

Conclusions regarding the likelihood of a significant effect

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

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

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

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

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

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

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

The conservation objective for Special Areas of Conservation is to, *“Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of*

the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.”

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

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

TEMPORARY, CONSTRUCTION PHASE EFFECTS

Mobilisation of contaminants

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

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

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

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

Disturbance

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

Sites considered: Solent and Southampton Water SPA

The distance between the development and the designated site is substantial and it is considered that sound levels at the designated site will be negligible. In addition, background noise will mask general construction noise. The only likely source of

noise impact is piling and only if this is needed. The sudden, sharp noise of percussive piling will stand out from the background noise and has the potential to cause birds on the inter-tidal area to cease feeding or even fly away. This in turn leads to a reduction in the birds' energy intake and/or expenditure of energy which can affect their survival.

Collision risk

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

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

PERMANENT, OPERATIONAL EFFECTS

Recreational disturbance

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

New Forest SPA/Ramsar site/New Forest SAC

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

Nightjar

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

Woodlark

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

Dartford warbler

Adverse impacts on Dartford warbler were only found to be significant in heather dominated territories where high levels of disturbance increased the likelihood of

nests near the edge of the territory failing completely. High disturbance levels were also shown to stop pairs raising multiple broods.

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

Visitor levels in the New Forest

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

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

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

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

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

Mitigation

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

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

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

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

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

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

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

Discussions have also been undertaken with the New Forest National Park Authority (NFNPA) since the earlier draft of this Assessment to address impacts arising from visitors to the New Forest. The NFNPA have identified a number of areas where visitors from Southampton will typically visit including locations in the eastern half of the New Forest, focused on the Ashurst, Deerleap and Longdown areas of the eastern New Forest, and around Brook and Fritham in the northeast and all with good road links from Southampton. They also noted that visitors from South

Hampshire (including Southampton) make up a reasonable proportion of visitors to central areas such as Lyndhurst, Rhinefield, Hatchet Pond and Balmer Lawn (Brockenhurst). The intention, therefore, is to make available the remaining 1% of the ring-fenced CIL monies to the NFNPA to be used to fund appropriate actions from the NFNPA's Revised Habitat Mitigation Scheme SPD (July 2020) in these areas. An initial payment of £73k from extant development will be paid under the agreed MoU towards targeted infrastructure improvements in line with their extant Scheme and the findings of the recent visitor reports. This will be supplemented by a further CIL payment from the development with these monies payable after the approval of the application but ahead of the occupation of the development to enable impacts to be properly mitigated.

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

Funding mechanism

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

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

has been agreed.

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

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

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

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

Solent and Southampton Water SPA/Ramsar site

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

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

Water quality

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

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

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

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

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

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

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

A methodology provided by Natural England has been used to calculate a nutrient budget and the full workings have been provided by the applicant as part of the planning application submission. The calculations conclude that there is a predicted Total Nitrogen surplus arising from the development. This is based on the additional population from the residential units using 110litres of wastewater per person per day. Due to the nature of the site, and the surrounding urban environment, there are no further mitigation options on site. At present strategic mitigation measures are still under development and it is therefore proposed that a record of the outstanding amount of nitrogen is made.

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

Conclusions

The following conclusions can be drawn from the evidence provided:

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

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

Demolition and Construction phase

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

Operational

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

development with payments made to ensure targeted mitigation can be delivered by NFNPA ahead of occupation of this development.

- All mitigation will be in place ahead of the first occupation of the development thereby ensuring that the direct impacts from this development will be properly addressed.

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

References

Fearnley, H., Clarke, R. T. & Liley, D. (2011). The Solent Disturbance & Mitigation Project. Phase II – results of the Solent household survey. ©Solent Forum/Footprint Ecology.

Liley, D., Stillman, R. & Fearnley, H. (2010). The Solent Disturbance and Mitigation Project Phase 2: Results of Bird Disturbance Fieldwork 2009/10. Footprint Ecology/Solent Forum.

Liley, D., Panter, C., Caals, Z., & Saunders, P. (2019) Recreation use of the New Forest SAC/SPA/Ramsar: New Forest Visitor Survey 2018/19. Unpublished report by Footprint Ecology.

Liley, D. & Panter, C. (2020). Recreation use of the New Forest SAC/SPA/Ramsar: Results of a telephone survey with people living within 25km. Unpublished report by Footprint Ecology.

POLICY CONTEXT

Core Strategy (as amended 2015)

CS4	Housing Delivery
CS5	Housing Density
CS7	Employment
CS13	Fundamentals of Design
CS14	Historic Environment
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP23	Unstable Land
H1	Housing Supply
H7	The Residential Environment
HE6	Archaeology

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

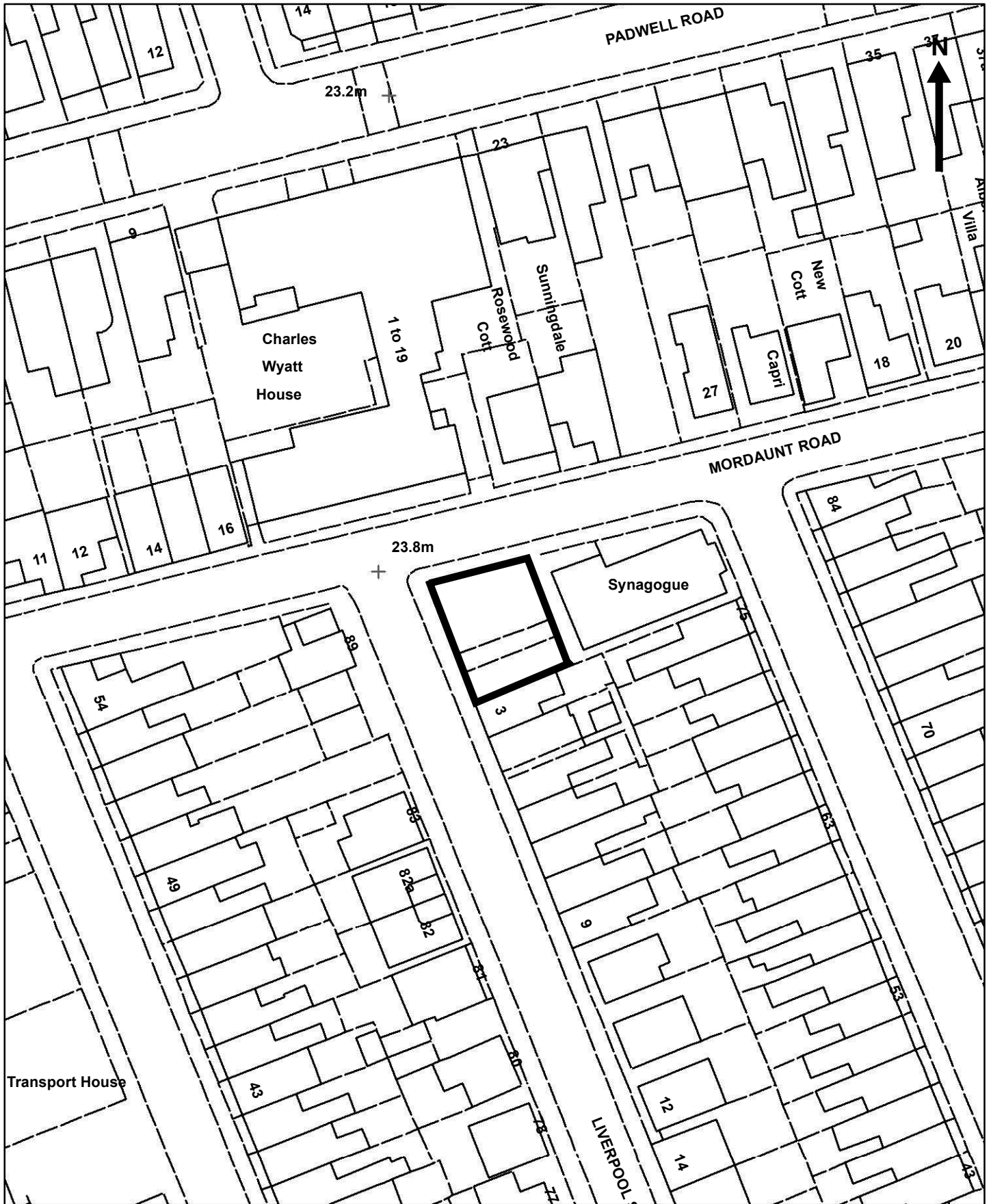
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

24/00170/FUL



Scale: 1:625

©Crown copyright and database rights 2020 Ordnance Survey 100019679

This page is intentionally left blank