

Planning, Transport & Sustainability Division
Planning and Rights of Way (West) Panel 3rd May 2016
Planning Application Report of the Planning and Development Manager

Application address: Land at junction of St Denys Road and Belmont Road			
Proposed development: Erection of a part 3-storey and part 4-storey building to provide 73 sheltered housing flats for the elderly (49 x one bedroom and 24 x two bedroom) including lodge manager, communal facilities, access, car parking and landscaping.			
Application number	15/02468/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	04.04.16	Ward	Portswood
Reason for Panel Referral:	Major planning application subject to objections	Ward Councillors	Cllr Norris Cllr Claisse Cllr O'Neill

Applicant: Churchill Retirement Living	Agent: Planning Issues
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Recommendation Summary	Delegate to Planning and Development Manager 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 including parking pressure, impact on neighbouring amenity, design and character 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 judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and 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 186-187 of the National Planning Policy Framework (2012). "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review – Amended 2015 as supported by the adopted LDF Core Strategy (amended 2015) Policies CS3, CS4, CS5, CS7, CS13, CS15, CS16, CS18, CS19, CS20, CS22 and CS25 and the Council's current adopted Supplementary Planning Guidance. The guidance within the National Planning Policy Framework (2012) is also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Delegate to the Planning and Development Manager to grant planning permission subject to:

1. Securing a scheme of measures to mitigate the significant effects of the development on the New Forest National Park and to complete a Habitats Regulation Appropriate Assessment to satisfy Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010;
2. The planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions 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 (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPD relating to Planning Obligations (September 2013);
 - ii. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - iii. Financial contributions towards Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved policy SDP12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013). Measures to mitigate 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.
 - iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPD relating to Planning Obligations (September 2013).
 - vii. Submission and implementation of a Travel Plan.
 - viii. Submission and implementation of a Waste Management Plan.

3. In the event that the legal agreement is not completed within 2 months of the panel meeting the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1. The site and its context

- 1.1 The application site is part of a wider site which previously contained the First Bus depot. The bus depot buildings have since been demolished, the site cleared and part recently developed to provide the Sainsbury's supermarket.
- 1.2 This application relates to the south-eastern part of the former bus depot site which adjoins St Denys Road to the south and Belmont Road to the east. Immediately to the north-west of the site is the Sainsbury's supermarket. There is a change in levels across the site, with the land sloping downwards from the supermarket towards Belmont Road. The site is subject to a Tree Preservation Order which protects two mixed species tree groups to the street frontages of the site.
- 1.3 The site context is varied and comprises the vibrant District Centre, the boundary of which is just 80 metres to the north-west, together with more traditional residential streets. Whilst St Denys Road is a busy 'A' class road with a mixed character, Belmont Road is a quieter, residential street mainly comprising two-storey houses. The neighbouring Sainsbury's supermarket is a two-storey, flat roof building, although ranges in height from 12 to 17 metres.

2. Proposal

- 2.1 The application seeks full planning permission to develop the site to provide a purpose-built block of retirement flats. Following concerns raised by officers regarding the design approach, the scheme has been amended since originally submitted. The changes include the relocation of the communal owner's lounge and 'shopper's entrance to the building, together with elevational changes to simplify the appearance and better articulate the massing of the building.
- 2.2 The accommodation comprises a single block which wraps the corner of St Denys Road and Belmont Road. The flats are entirely self-contained. The building steps up from three-storeys in scale on the Belmont Road frontage to four-storeys fronting St Denys Road (between 10 and 14 metres in height). The building has a traditional hipped roof appearance with mainly brick elevations and a repeating pattern of projecting bay windows. Window openings are purposefully large to ensure that internally, the accommodation benefits from a good level of natural daylight and an open outlook.
- 2.3 Residents would benefit from an on-site lodge manager and all flats would be served by a linked emergency call system. A communal lounge is provided to the ground floor for social activities and a guest suite is also provided for visitors. Lift access to all floors is incorporated. The average age of occupants across

Churchill Retirement Living developments is 79, with over 30% of residents being over the age of 80.

- 2.4 A single vehicular access would be provided from Belmont Road. This would access a communal car parking area to the rear of the building containing 33 car parking spaces. Pedestrian access would be provided from the car parking area into the communal owner's lounge and reception area. A further pedestrian 'shopper's entrance' would also be provided from St Denys Road.
- 2.5 An integral refuse store would be provided to the northern elevation of the building, adjacent to the vehicular access into the development. The development also makes provision for the storage of mobility scooters to the St Denys Road frontage.
- 2.6 A communal garden of 436 sq.m in area would be provided to the rear of the site and to the front of the site is a further 1529 sq.m landscaped area. The development would retain the two protected tree groups along the site boundaries and although 17 lower-quality trees would be removed, the application proposes 26 new trees across the development.

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). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The site is not identified for development within the Development Plan but the Portswood Bus Depot site, as a whole, is included as a housing site in the Council's Strategic Housing Land Availability Assessment. 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) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy 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 There have been a number of previous applications for the whole bus depot site seeking the redevelopment of the site for a supermarket and residential accommodation. The planning history includes 4 previous planning permissions. The relevant planning history of the site is summarised in **Appendix 2** of this report.

5. Consultation Responses and Notification Representations

- 5.1 Prior to the submission of this application, the applicant carried out pre-application consultation with the local community. This involved writing to local residents, businesses and Councillors and making the plans available for comment. A total

of 8 responses were received (5 in support, 1 undecided and 2 objections). Concerns raised included the proximity of the development to student housing, the lack of family housing and the traffic impact of the development.

5.2 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 (05.02.16) and erecting a site notice (15.01.16). At the time of writing the report **8** representations have been received from surrounding residents, together with an objection from Councillor Claisse, The Highfield Residents Association, Portswood Residents Gardens Conservation Area Association and the Portswood Central Residents Association. The following is a summary of the points raised:

5.2.1 *Over-development of the site, particularly since the building will cover more than half of the site.*

Response

The proposed building and associated hard surfacing areas would account for less than half of the site area (44%). This accords with The Residential Design Guide which generally encourages new development to cover no more than 50% of a site area. Core Strategy Policy CS5 guides high-density development in the city to the most accessible areas, which includes areas close to and within the district centres. The site is located at the edge of Portswood District Centre (within 80 metres) and so is appropriate for a significant level of development.

5.2.2 *The scale and massing of development is out-of-keeping with neighbouring buildings and will appear dominating when viewed from neighbouring residential properties in Belmont Road.*

Response

The principle of a four-storey block in this part of the site, has been previously approved by the Council (outline planning permission 09/00513/OUT refers). The development is designed with a significant set-back from the street frontages of between 10 and 17 metres. This provides separation distances of between 38 and 41 metres between the development and the nearest dwellings on Belmont Road. Furthermore, the scale steps down from four-storeys on the St Denys Road frontage to three-storeys to the Belmont Road frontage. These factors will ensure that the scale and massing of the building does not have an over-dominant effect when viewed from nearby residential properties.

5.2.3 The amendments to the design have also improved the perceived massing of the building, whereby the building is physically articulated with a series of projecting bays. Furthermore, the development will be viewed in the context of the recently approved student scheme on the north section of the former Bus Depot site, which also includes three and four-storey frontage buildings to Belmont Road, and the large supermarket building. These factors are considered to enable the scale of the building to successfully assimilate into the surrounding area. It is also important to note that Policy SDP9 of the Local Plan is supportive of taller buildings (5 storeys upwards) on sites in and adjacent to District Centres and on major development sites.

5.2.4 *Insufficient outdoor amenity space will be provided and this will be over-shadowed or affected by noise and disturbance from the busy St Denys Road.*

Response

The total amount of external amenity space would equate to 26 sq.m per flat

which is more than the 20 sq.m per flat that the Residential Design Guide suggests is appropriate. It is acknowledged that the usability of this space is constrained by road transport noise and the physical presence of the neighbouring supermarket however, the landscaping information accompanied by the application demonstrates that a high-quality approach to the design of these areas. All ground floor residents would have direct access to the outdoor garden space from within the individual flats and four points of access are proposed from within the building onto the gardens for the benefit of upper floor residents. Furthermore, given the nature of the accommodation proposed, it is important to note that the internal space of the development provides a good standard of amenity for all prospective residents.

5.2.5 *Loss of TPO trees*

Response

The application has been accompanied by a detailed Arboricultural Assessment which comprehensively assesses all the trees on site in terms of the proposed development. There are currently some 44 trees on site and four groups of trees. A total number of 17 trees are proposed to be removed, although none of the highest quality trees on the site will be affected. Furthermore, 6 of the trees to be removed are in such poor condition that they require removal for management reasons, irrespective of whether development proceeds on the site. Of the remaining trees to be removed, the assessment concludes that their removal can be mitigated with replacements to ensure that the impact on the visual amenity of the area is not harmed. The application proposes the planting of 26 large tree species.

5.2.6 The Council's Tree Officer agrees with the conclusion of the Arboricultural Assessment and whilst two-for-one tree replacements will not be provided, the suggested replacements would enable the increase in the tree canopy over time and furthermore, there is sufficient space on site to enable those replacements to reach their full potential.

5.2.7 *Loss of light to the neighbouring residential properties*

Response

Whilst residents in Belmont Road will experience some additional over-shadowing as a result of the development, the separation distances achieved, together with the orientation of the site means that they will continue to enjoy access to sunlight for the majority of the day. As such, the over-shadowing that will occur does not represent significant harm to residential amenity.

5.2.8 *The development is designed with insufficient car parking, less than half of the adopted Council's standard. This would lead to over-spill car parking on surrounding streets, exacerbating existing problems.*

Response

The adopted Parking Standards Supplementary Planning Document confirms that the maximum number of spaces to be provided for a development of this nature is 1 space per flat. The Guidance goes on to confirm that provision of less spaces than the maximum standards is permissible, subject to justification. In this case, the level of car parking proposed equates to 0.45 spaces for each unit. This is more than Churchill Retirement usually provide on schemes of this nature which are typically served by 0.32 spaces per flat. The level of car parking has been justified by examining the demand associated with 8 other comparable Churchill Retirement developments. Furthermore, given the site is at the edge of the District

Centre which incorporates a number of local shops and facilities, and within a High Accessibility Bus Corridor, the level of car parking is considered to be acceptable.

- 5.2.9 *The applicant's community consultation with the local residents did not include a public exhibition.*

Response

There is no planning requirement to carry out a public exhibition as part of pre-application consultation with residents.

5.3 Consultation Responses

- 5.3.1 **SCC Highways** - The principle of development in this location is acceptable. The location of the vehicular access is appropriate in terms of the safety and convenience of the users of the highway, subject to the relocation of existing traffic calming measures in Belmont Road being secured through the section 106 legal agreement. The level of car parking is more than sufficient given the sustainable location of the site. The layout of the development would benefit from more convenient links to the District Centre and a more convenient location for the mobility scooter store.

Response: The 'shoppers' entrance has been located to link better to the District Centre and the mobility scooter store.

- 5.3.2 **SCC Historic Environment** – No objection or conditions suggested.

- 5.3.2 **SCC Housing** – As the scheme comprises of 73 dwellings in total the affordable housing requirement from the proposed development is 26 dwellings and the preferred approach is for this to be provided on site. This proposal differs substantially from the applicant's pre-application submission in terms of site area and size of scheme / number of units. We can see no reason, with the increased site area, why affordable housing should not have been designed on the additional land as opposed to increasing the size of the retirement scheme from that submitted at pre-app stage. Evidence submitted as part of this planning application confirms that the minimum number of units required to operate this type of scheme is much less than the number of units proposed here and our wish to see on-site affordable provision is supported by both the number of applicants on the housing register seeking 1, 2 and 3 bed rented accommodation (not sheltered) and applications to Help to Buy South for shared ownership properties (again 1, 2 and 3 bed, but predominantly 2).

Response: In planning terms, there is no objection in principle to develop the site for sheltered accommodation rather than general purpose accommodation. Indeed, Policy CS16 of the Core Strategy recognises the need for accommodation for the elderly and supports its delivery in the city and the development would fulfil this policy requirement. A detailed viability appraisal has been submitted with the application which is in the process of being independently reviewed by the District Valuer. A verbal update regarding the District Valuer's conclusions will be provided at the Panel meeting.

- 5.3.3 **SCC Sustainability Team** – No objection subject to conditions to secure energy and water efficiencies.

- 5.3.4 **Design Advisory Panel** – Suggest a ‘u’ shaped building form is explored to reduce the number of apartments with north-facing outlook. Raise concerns that the owner’s lounge will be over-shadowed. The height of the building is acceptable, however, the design is monotonous and the turrets serve no purpose.

Response: The design has been amended since these comments were made and is much improved. The owner’s lounge has been re-positioned to ensure it benefits from sunlight and the turrets omitted from the design approach.

- 5.3.5 **SCC Environmental Health (Contaminated Land)** – No objection subject to conditions to secure a contaminated land assessment and any required remediation.

- 5.3.6 **SCC Ecology** – Holding objection. The site itself has a low ecological value. Conditions can be used to secure careful lighting design to avoid disturbance to foraging bats and to ensure any vegetation clearance does not adversely affect breeding birds. Further information is required regarding the possible adverse effects that may arise from occupants of the development visiting the protected habitats in the New Forest National Park.

Response: There are ongoing discussions with the applicant regarding measures to mitigate the effect of the development on protected habitats. The recommendation set out above, will ensure that planning permission for the development is not issued before these matters are fully resolved. The mitigation is likely to centre on the accessibility of occupiers of the development to other suitable nearby greenspaces.

- 5.3.7 **SCC Trees** – No objection subject to conditions to ensure the development proceeds in accordance with the submitted Arboricultural Method Statement and that the tree planting schedule set out in the application is provided.

- 5.3.8 **BAA** – No objection. Suggest an informative be attached to the permission which makes the developer aware of requirements relating to the use of cranes.

- 5.3.9 **Natural England** – Objection. More information is required in relation to the possible effects of the development on the New Forest Special Protection Area.

Response: The applicant has provided further information regarding the likely effects of the development on the New Forest and further comments are awaited from Natural England. A verbal update will be provided at the Panel meeting. As set out above, the recommendation set out seeks delegation to officers to resolve this matter before planning permission is granted.

- 5.3.10 **Southern Water** – No objection subject to conditions.

- 5.3.11 **City of Southampton Society** – No objection in principle.

6. Planning Consideration Key Issues

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

- (i) The principle of development;
- (ii) Suitability of the Design;

- (iii) Impact on nearby residents;
- (iv) Parking and highways;
- (v) Impact on designated habitats and;
- (vi) Affordable housing and the direct local effects.

6.2 (i) Principle of Development

6.2.1 Whilst the site is not allocated for housing purposes in the adopted Development Plan, the principle of developing the site for residential has been previously established by outline planning permission. Furthermore, the site is identified in the Council's Strategic Housing Land Availability Assessment as contributing towards meeting the city's housing need. The provision of homes for senior citizens is encouraged by Policy CS16 of the Core Strategy and, as such, the specialist nature of the accommodation proposal is welcome.

6.2.2 The development would achieve a residential density of 132 dwellings per hectare which is consistent with Core Strategy Policy CS5 which guides high-density development to locations close to the District Centres and within key public transport routes.

6.3. (ii) Suitability of the Design

6.3.1 The applicant has engaged with the Council's pre-application process, evolving the design to address the key site constraints, consultee input and third-party comments. In terms of scale, it is important to note that the principle of three and four-storey buildings has previously been accepted by the Council for this part of the site. The proposed building is between 10 and 14 metres in height which would sit comfortably within the context of the neighbouring Sainsbury's store (between 12 and 17 metres in height) and the recently approved student scheme on the corner of Belmont Road and Portswood Road (between 3 and 6 storeys). Whilst existing properties in Belmont Road are predominately two-storeys, the scale of buildings within the wider context includes buildings of between 2 and 4 storeys in height. As such, the scale and massing of the development would not appear unusual within the area.

6.3.3 Given the nature of accommodation and the associated operational requirements, the building inevitably takes the form of a single, flatted block. Nonetheless, the design has evolved to articulate the elevations of the building, providing projecting elements which break the massing. A relatively traditional design approach has been employed and it is considered that this would provide a successful transition from the more traditional houses to the south and the Sainsbury's store. Indeed, the building would successfully screen the blank elevations of the supermarket when viewed from the south which would benefit the character of the area. The development is set well back from the street frontages to enable the retention and enhancement of the trees and vegetation along the site boundaries.

6.3.4 The application proposes a good-quality environment for prospective occupants of the development. Outlook from habitable rooms would be good and large window openings would allow for a light and open internal environment for occupants. The provision of a communal lounge area is also welcome and the re-location of this lounge within the building ensures that the quality of this space would be good. Residents would also benefit from close links to the local shops and facilities within the District Centre.

6.4 (iii) Impact on nearby residents

6.4.1 In terms of the physical impact of the proposed building, as set out above, the scale of the building steps down where a closer relationship to the domestic properties in Belmont Road occurs. The building is set back from the boundaries with the street and a significant tree and landscape edge would be provided to the fronts of the building. The separation achieved across the street to nearby residential properties (between 38 and 41 metres) would comfortably mitigate the impact of the taller scale building on these houses.

6.5 (iv) Parking and Highways

6.5.1 Saved policy SDP5 of the Local Plan confirms that the provision of car parking is a key determinant in the mode of travel. The adopted Development Plan seeks to reduce the reliance on private car for travel and instead promotes more sustainable modes of travel such as public transport, walking and cycling. The provision of on-street car parking at a ratio of 0.45 spaces for each flat is more than typically expected for a development of this nature and fully justified in the submitted Transport Assessment in terms of anticipated demand from prospective residents. The site lies within the High Accessibility bus corridor meaning it has excellent links to public transport together with the shops and services within the District Centre. As such, the level of car parking is considered to be acceptable.

6.5.2 The location of the vehicular access into the site closely follows that previously approved by the Council for this site. A single point of access would minimise disruption to the flow of traffic on adjoining highway and a good level of visibility can be achieved from this access. The development is also designed to accommodate the necessary servicing vehicles. As such, the Highways Team are satisfied that the proposal would not have a detrimental impact on the safety and convenience of highway users and that the direct impacts of the development can be mitigated by measures secured through the suggested conditions and the section 106 legal agreement.

6.6 (v) Protected Habitats Impact

6.6.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £176 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

6.6.2 The site is also within close proximity to the New Forest which also comprises a Special Protection Area, Special Area of Conservation, Ramsar site and Site of Special Scientific Interest. In a similar way to the impact on the Solent, the recreational use of this area by prospective residents of the development could impact on these protected habitats. At this point in time, there is not a strategic approach to mitigating these impacts in a similar way to Solent Mitigation Project. As such, Natural England have lodged a holding objection to the application on the basis that the impact of the development on the New Forest National Park has not been adequately assessed. The applicant has now provided an assessment of the likely effects and these have been forwarded to Natural England for comment. A verbal update will be provided at the panel meeting. However, secured by the recommendation set out, any necessary mitigation will be agreed before planning permission is issued, in consultation with Natural England and the Council's Ecologist. A Habitats Regulation Appropriate Assessment would also be need to be completed and conclude that the development would not have a significant adverse effect on the protected habitats before the planning permission is issued.

6.7 (vi) Affordable Housing and Other Direct Local Impacts

6.7.1 The application also 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 Developer Contributions Supplementary Planning Document. Given the wide ranging impacts associated with a development of this scale, a package of contributions and obligations is proposed as part of the application.

6.7.2 A development of this scale would normally trigger the need for 35% affordable housing in accordance with Core Strategy Policy CS15. A viability assessment has been submitted with the application and this is subject to an independent assessment by the District Valuer. A verbal update will be provided regarding this at the Panel meeting.

7. Summary

7.1 The proposed development would bring a long-term vacant, and prominent previously developed site back into active use. The specialist nature of accommodation would meet a specific housing need identified by Policy CS16 of the Core Strategy. The development has been designed to integrate into the character of the area and would not have a harmful impact on nearby residential occupiers. The level of parking has been adequately justified in the submission and the location of the vehicular access previously approved.

8. Conclusion

8.1 It is recommended that planning permission be granted subject to satisfying the Habitats Regulations and Core Strategy policy regarding the potential for recreational disturbance to protected habitats, a Section 106 agreement and conditions.

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) 3. (a) 4. (g) 6. (a) (c) (f) (i) 7. (a) 9. (a) (b)

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development works hereby permitted shall begin not 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

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

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

03. Details of building materials to be used

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

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. Refuse and Mobility Scooter Storage

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

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

05. Landscaping, lighting & means of enclosure detailed plan

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority, 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, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. 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;
- iii. details of any proposed boundary treatment and;

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. Any changes to the agreed remediation actions will require the express written consent of 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.

10. Protection of nesting birds

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been 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

11. Ecological Mitigation Statement

The Ecological Mitigation Measures shall be implemented fully in accordance with the submitted Ecology Report and 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.

12. Sustainable Drainage Systems

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

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

13. Energy & Water (Pre-Commencement)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and 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.

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).

14. Energy & Water (Performance)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and 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.

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).

15. Foul and Surface Water Drainage

No development shall commence, apart from demolition of the existing buildings, until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied that the development would not increase the risk of flooding in the area.

16. Public Water Supply Main

No development shall commence until a scheme of measures to protect the public water supply main has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed measures.

Reason: To protect the public water supply.

Core Strategy - (as amended 2015)

CS3	Promoting Successful Places
CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
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
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
H1	Housing Supply
H2	Previously Developed Land
H3	Special Housing Need
H7	The Residential Environment
REI5	District Centres

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

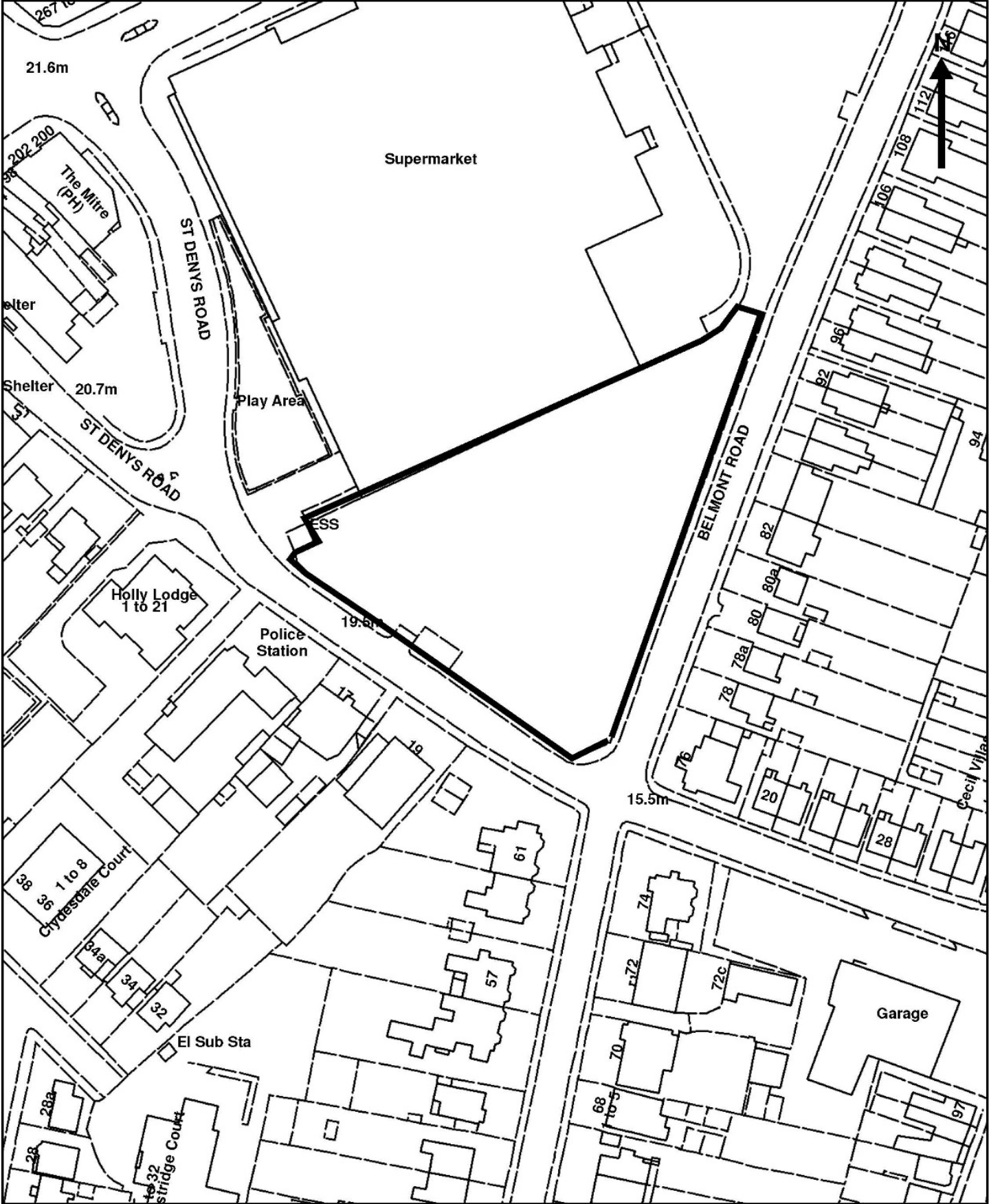
The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Application Number	Proposal	Decision	Summary
05/01407/FUL	Demolition of existing buildings. Redevelopment of the site to provide a supermarket of 6907 sq.m gross floor space (Class A1 retail) provision of 14 residential units, vehicular access from Portswood Road and St Denys Road with 398 car parking spaces. (Note: this application is for part of the site only - see also application number 05/01409/OUT)	Refused 03.07.07	Subject to a Planning and Rights of Way Panel resolution of grant planning permission. Application was called in for determination by the Secretary of State and refused for the impact on character and living conditions. This related to the flats relationship with the decked car park and the decked car parks poor appearance within the street.
05/01409/OUT	Demolition of existing buildings. Redevelopment of the site to provide a supermarket of 6907 sq.m gross floorspace (Class A1 retail), provision of 73 residential units, vehicular access from Portswood Road, St Denys Road and Belmont Road with a total of 441 car parking spaces and a primary care health facility. (Outline application for the whole site seeking approval for siting of buildings and means of access - see also application number 05/01407/FUL)	Refused 03.07.07	Submitted and refused concurrently with the application listed above.
08/00386/OUT	Demolition of the existing buildings. Redevelopment of the site to provide a new supermarket (Class A1 retail - 6,578 square metres gross floorspace) with associated 325 space car park, medical centre (Class D1), with associated 40 space car park and public play area (no matters reserved for later approval) and 140 residential units (22 houses, 118 flats) with 119 associated car parking spaces (details of appearance reserved for later approval).	Conditionally Approved 11.12.07	Hybrid application. All matters approved for the supermarket and residential approved in outline. The scale of the residential ranged from 3 storeys fronting Belmont Road and 4-storeys to the Portswood Road frontage.

Application Number	Proposal	Decision	Summary
09/00513/OUT	Demolition of the existing buildings. Redevelopment of the site to provide a new supermarket (Class A1 retail - 7,492 square metres gross floorspace) with associated 325 space car park, medical centre (Class D1) with associated 40 space car park and a public play area (no matters reserved for later approval) and 140 residential units (22 houses and 118 flats) with 119 associated car parking spaces (details of appearance reserved for later approval - revised application)	Conditionally Approved 18.01.10	Hybrid application. All matters approved for the supermarket and residential approved in outline. This application amended the initial planning permission with an increase in the height of the buildings fronting Portwood Road and other amendments which included changes to the access points.
10/01399/OUT	Redevelopment of the site to provide a new supermarket (Class A1 retail 9,730 square metres gross floorspace with associated 344 space car park, new community use (Class D1 1,166 square metres gross floorspace) and public play area (no matters reserved for later approval) and 59 residential units (29 houses and 30 flats) with 49 associated car parking spaces (details of landscaping and appearance reserved for later approval)	Conditionally Approved 02.11.11	Hybrid application. All matters approved for the supermarket and residential approved in outline. The key changes to this application included the omission of the health centre and subsequent increase in the size of the supermarket and a reduction in the number of residential units due to the provision of more family housing.
11/01877/FUL	Variation or removal of the following conditions of planning permission ref 10/01399/OUT relating to store opening times, delivery hours and numbers and use of car parking	Appeal Allowed 10.10.12	Non-determination appeal

Application Number	Proposal	Decision	Summary
12/00094/NMA	Non-material amendment to 10/01399/OUT comprising: Roof mounted flue to serve bio-mass boiler, 3 x external access ladders to roof, balustrades to raised walkways, alterations to window detail at 2nd floor level on south elevation (to D1 Use), additional windows to first floor level on south elevation (facing St Denys' Road), Fire escape stair to rear elevation, repositioning of canopy support in north east corner of site (fronting Portswood Road), removal of solid canopy section above store entrance and additional fencing to rear boundary along retaining wall.	Approved 28.02.12	
12/00091/FUL	Relocation of substation.	Approved 17.11.2014	
14/01783/OUT	Redevelopment of the site to provide 59 dwellings (29 houses and 30 flats) with associated access and parking (Outline application seeking approval for access, layout and scale)	Withdrawn	Resolution to grant planning permission subject to the completion of the s106 legal agreement. This applications renews the residential planning permission
15/01510/FUL	Development of the site to provide 252 Purpose Built Student Accommodation flats (435 bed spaces) in three buildings of between 3-storey's and 6-storey's plus lower ground floor level with vehicle access from Belmont Road and associated landscaping.	Conditionally Approved 25.11.15	

15/02468/FUL



Scale: 1:1,250

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