

PORTSWOOD CENTRE

PORTSWOOD ROAD

SOUTHAMPTON

SO17 2NH

PLANNING STATEMENT

ATRI7 3 LTD

MAY 2025



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1.0 INTRODUCTION

1.1 This Planning Statement (the Statement”) has been prepared by Montagu Evans on behalf of ATRI7 3 Ltd (the Applicant) to support an application (the Application) for full planning permission in respect of the Portswood Shopping Centre on Portswood Road in Southampton (the Site).

1.2 The Application seeks planning permission for:

- The demolition of all existing built form occupying the Site which comprises a 2 storey shopping centre;
- Removal of the existing surface level car park associated with the shopping centre;
- The development of a purpose-built student accommodation (PBSA) comprising of 2 buildings to provide 519 beds and ancillary communal student amenity facilities;
- The re-provision of flexible commercial uses at ground floor;
- Reconfigured access and servicing proposals alongside substantial public realm enhancements on Portswood Road; and
- Extensive external amenity spaces for students located in courtyard gardens.

1.3 This Statement accompanies submission of an application seeking full planning permission for the following description of development (the Proposed Development):

“Demolition of existing buildings and redevelopment of the site to provide purpose-built student accommodation and flexible commercial floorspace (Use Class E), internal and external amenity spaces, public realm, vehicle access and servicing, cycle stores, plant, boundary treatments and other associated works”.

1.4 This Statement is provided to assist Southampton City Council (SCC or the Council) in its determination of the Application. A detailed overview of the Proposed Development is provided within the Design and Access Statement, prepared by Corstorphine & Wright, which accompanies the planning application.

Introduction to the Applicant

1.5 The Applicant for this application is ATRI7 3 Ltd, however the development is being brought forward as a joint venture between Fusion and Tri7.

1.6 Fusion delivers a purpose-built solution for students offering unparalleled design and specification. Fusion has a track record for delivering high quality student accommodation across the UK and challenge the usual conventions for how students live and use space as part of their studies.

1.7 Their high quality of development mean Fusion appeal to a wide spectrum of students from all ages, nationalities and academic stages. Facilities are specifically designed around students’ needs with access to interior designed common areas, sports and health suites, cinemas, a selection of social and study spaces, free bike rentals and high speed Wi-Fi. Fusion has established a strong reputation as an operator/developer, having delivered all schemes that have achieved a successful Planning Consent.

1.8 By building strong relationships based on the successful delivery of high-quality and innovative schemes, Fusion have consistently delivered on a series of prominent and large-scale developments in recent years. Schemes are developed in close collaboration with the relevant local authorities and

involved in-depth discussions with local residents and interest groups, in addition to offering improved public realm spaces and art installations.

- 1.9 Tri7 is a real estate investment and asset management firm established in 2018 to transform investment opportunities in the UK. They are a specialist team that work corroboratively alongside partners to deliver schemes that realise significant improvements to the places and communities in which they develop. Tri7 has market leading track record in repurposing retail and town centre sites.

Planning Application Documents

- 1.10 This Statement forms part of the information which has been submitted in support of the Application and should be read in conjunction with the following documents:

1. Covering Letter, prepared by Montagu Evans;
2. Planning Application Form (including competed notices), prepared by Montagu Evans;
3. Community Infrastructure Levy Additional Information Form, prepared by Montagu Evans;
4. Site Location Plan, prepared Corstorphine and Wright Architects;
5. Schedule of Application Drawings, prepared Corstorphine and Wright Architects;
6. Planning Application Drawings, prepared Corstorphine and Wright Architects;
7. Accommodation Schedule, prepared Corstorphine and Wright Architects;
8. Design and Access Statement, prepared Corstorphine and Wright Architects;
9. Streetscenes, prepared Corstorphine and Wright Architects;
10. Landscape Design and Access Statement and Drawings, prepared by Park Hood;
11. Preliminary Ecological Appraisal, Biodiversity Statement and Metric Assessment and Habitats Regulations Assessment, prepared by Middlemarch;
12. Flood Risk Assessment and Drainage Strategy, prepared by Farrow Walsh;
13. Heritage, Townscape and Visual Impact Assessment, prepared by Montagu Evans;
14. Archaeology Report, prepared by Wardell Armstrong;
15. Air Quality Assessment, prepared by Wardell Apex;
16. Phase 1 Geoenvironmental Desk Study Report, prepared by EEGSL;
17. Fire Statement, prepared by Helios;
18. Noise Impact Assessment, prepared by Apex;
19. Statement of Community Involvement, prepared by Redwood;
20. Transport Statement, prepared by TPA;
21. Travel Plan, prepared by TPA;
22. Energy Statement and BREEAM Pre-Assessments, prepared by Amber and Ensphere;
23. Daylight, Sunlight and Overshadowing Report, prepared by GIA; and
24. Student Needs Assessment, prepared by Cushman and Wakefield.

- 1.11 The above list of supporting documentation has been discussed through the pre-application process and agreed with Officers at SCC as being required for a valid application submission.

Structure of the Planning Statement

- 1.12 The purpose of the Planning Statement is to assess the planning considerations associated with the Proposed Development in the context of national and local planning policy and guidance. The Planning Statement comprises the following:

- Section 2.0 describes the Site context and surroundings;
- Section 3.0 provides an overview of the pre-application discussions completed with the Council and local residents;
- Section 4.0 describes the Proposed Development;

- Section 5.0 outlines the planning policy framework against which the Proposed Development is assessed;
- Section 6.0 assesses the Proposed Development against planning policy and guidance.
- Section 7.0 describes the planning obligations relevant to the Proposed Development; and
- Section 8.0 presents the conclusion which demonstrates the planning justification that warrants the grant of planning permission for the Application.

Summary of the Proposed Development

1.13 In summary, this Statement demonstrates that the proposed scheme delivers a number of substantial planning benefits. These social, economic and environmental benefits are strong material considerations and weigh heavily in favour of the Proposed Development being granted planning permission as set out in the NPPF. They are summarised below:

- Securing a long-term viable future for an underutilised site;
- The removal of unattractive buildings and hardstanding that offer little visual amenity nor a positive contribution to the streetscene;
- The redevelopment of previously developed land in the designated District Centre of Portswood;
- The construction of new buildings responsive to local context by featuring a proportionate scale and quality architectural treatments, to underpin the regeneration of Portswood;
- The delivery of purpose-built student accommodation to meet a clear and identified need within the city and help bridge the gap between growing need and unmet supply;
- Indirect benefits of releasing family sized homes in the city currently occupied by HMOs through increased purpose built PBSA stock;
- Assisting Southampton to hit their 5 year housing land supply
- Provision of extensive on-site internal communal amenity areas for all students;
- High quality site wide landscaping including two private courtyard amenity spaces for the students designed to maximise functionality whilst delivering ecological enhancements;
- Public realm enhancements across the Portswood Road frontage including potential for external seating and places to dwell;
- Removal of existing vehicular entrance at the junction of Portswood Road and Brookvale Road to the benefit of pedestrian and cycle journeys along Portswood Road;
- Replacement town centre uses at ground floor including provision of modern, flexible Class E space that would maintain an active street frontage;
- Revised servicing proposals to enable servicing along Portswood Road in a safe, efficient arrangement, whilst providing a student drop off facility off the highway to the rear of the Site;
- Delivering a highly sustainable development including BREEAM excellent;
- Environmental benefits derived from the operation of the building (energy) and reduction in associated car movements compared to existing use.
- Achieving biodiversity net gain; and
- The delivery of up to 185 construction jobs (full time equivalent) and 66 jobs (full time equivalent) in operation, with an additional 74 student part time jobs generated in the local area.
- Economic benefits related to the new student population and their resultant spend capacity along Portswood Road and the wider area

2.0 SITE AND SURROUNDING AREA

The Application Site

- 2.1 The Site is located on Portswood Road at the junction with Brookvale Road and comprises a two-storey linear shopping centre with a surface car park to the rear. The Site is located within Portswood District Centre, which is recognised for its role in serving the north of the City and includes a number of retail and commercial uses, including Waitrose adjacently west of the Site.
- 2.2 The Site is not located in a Conservation Area and the shopping centre building is not locally or statutorily listed. The closest Conservation Area is Portswood Gardens Conservation Area, approximately 70 metres west of the Site. The Conservation Area was designated to recognise the distinctive character of residential development in the area itself and to restrict inappropriate development which may be harmful to prevailing local character in the Conservation Area. We highlight that 154 Portswood Road (adjacently north of the Site) and Addis Square (west of the Site) are both locally listed (non-statutory).
- 2.3 Vehicular access to the Site is provided by Portswood Road which leads to a surface car park and servicing area to the rear of the existing retail units. There is an additional egress abutting the Site's western boundary with a left turn only restriction in place, which is used by servicing vehicles. Entrances to each of the existing commercial units is from the Portswood Road frontage.
- 2.4 The existing car park has a capacity of approximately 98 parking spaces (including 7 disabled spaces) with access restricted solely to shopping centre customers who are permitted to park on the Site for up to 2 hours only.
- 2.5 The Site is highly accessible by all modes of transport including walking, cycling, public transport (buses and rail). The Site is within 20 minutes walking distance of the University of Southampton (Highfield Campus). Portswood benefits from good links into the city centre via a number of bus services. The nearest bus stops to the site are approximately 60 m to the southwest of the site's vehicle access, and are served by six bus routes, including the 2, 20, U1N*, U6H*, U1C* and U1A which provide access to surrounding areas including Eastleigh and Southampton Airport.
- 2.6 St Denys railway station can be accessed within 1 km walking distance of the Site, via Portswood Road. The station is located on the Salisbury and Southampton line, providing a stopping service towards Southampton Central and Portsmouth.
- 2.7 There are two local cycle links (S5 and S6) within the immediate vicinity of the Site including along Portswood Road and The Avenue. The local cycle links connect the Site to National Cycle Route 23 to the north and feature advisory cycle lanes
- 2.8 The Environment Agency Flood Map indicates that the Site is located within Flood Zone 1, confirming the Site is not exposed to flood risk.

Surrounding Area

- 2.9 The surrounding context is characterised by a mix of both residential and commercial uses, with the defined high street along Portswood Road featuring a mix of retail, food and drink and services, including several places of worship. The wider context surrounding Portswood Road is predominantly residential in nature. To the east, the urban grain is characterised by terraced housing. To the west, the character is defined by larger, detached dwellings on larger plots, beyond which is Southampton Common.
- 2.10 The architectural and townscape character of Portswood is eclectic, comprising pre-20th century buildings, interwar development, and more contemporary interventions. Much of the linear development along Portswood Road dates from the 1930s, including the Addis Centre and Broadway Cinema. Recent additions to the built environment include the brick and tile-clad Waitrose supermarket, the modern Sainsbury's store,

and the large-scale Vita student residential block, which introduces a more contemporary, high density and institutional scale to Portswood.

Relevant Planning History

- 2.11 In 1985 planning permission was granted for the construction of the shopping centre including 13 retail units and 89 car parking spaces (ref: M26/1662/4). We understand that the existing centre was constructed pursuant to this permission. A review of the Council's online planning register establishes that there have been no historic applications seeking the comprehensive redevelopment of the Site since its construction.
- 2.12 Notwithstanding, there have been a series of planning permissions granted for PBSA developments (or resolution to grant permission subject to a S106 agreement being signed) in the city. Below are several planning applications we consider relevant to the Proposed Development.

224 Portswood Road, Junction of Portswood Road & Belmont Road Southampton SO17 2LB

- 2.13 Planning permission (Ref. 15/01510/FUL) was granted on 25 November 2015 for *“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.*

St Margarets House 6 Hulse Road Southampton SO15 2JX

- 2.14 Planning permission (Ref. 23/01548/FUL) was granted on 14 March 2024 for the *“Redevelopment of the site. Erection of purpose-built student accommodation with a 5-storey building containing 198-bed spaces with associated amenity space, cycle and refuse storage, following demolition of existing building*

119-122 High Street and 55-59 Castle Way Southampton SO14 2HP

- 2.15 Planning Committee resolved to grant planning permission (Ref. 23/01474/FUL) on 22 May 2024 for *“Erection of purpose-built student accommodation with a 5-6 storey building containing 249-bed spaces and a 3-storey building containing 8-bed spaces, with associated infrastructure including pedestrian access from High Street to Castle Way and realignment of Castle Way, following demolition of existing buildings (affects a right of way)”.*

Mercury Point, 20 Duke Street Southampton

- 2.16 Planning Committee resolved to grant planning permission (Ref. 24/01247/FUL) on 4 March 2025 for the *“Demolition of existing buildings and erection of a building of between 1 storey and 21 storeys to provide Purpose Built Student accommodation containing 783 bed spaces (166 studio flats and 84 cluster flats), and flexible commercial floorspace (Use Class E or F1), internal and external amenity spaces, public realm and associated hard and soft landscaping, servicing, cycle store, boundary treatments and other associated works”.*

3.0 PRE-APPLICATION ENGAGEMENT

Pre-Application Engagement

- 3.1 The Applicant has engaged in an extensive pre-application process involving meetings with SCC officers, undertaking a design review, public consultation and a members briefing between June 2024 and April 2025.

Southampton City Council

- 3.2 Pre-application discussions with Planning Officers at SCC took place through the formal pre-application process under a Planning Performance Agreement prior to the submission of the Application. These discussions covered a range of matters including land uses and quantum, urban design and architecture, landscaping and public realm, highways, servicing, heritage and townscape, daylight and sunlight. The meetings took place on the following dates:

- 05 June 2024;
- 01 August 2024; and
- 03 April 2025.

- 3.3 During the period between the meetings held on 01 August 2024 and 03 April 2025, while no formal pre-application meeting took place, informal discussions were held with Surrey County Council (SCC) Officers, which contributed to the development of the detailed design.

- 3.4 The scheme has been designed in an iterative process and amendments to the layout, massing and elevations of the Proposed Development were made at each stage as the design progressed. This ensured that the building form was appropriately developed, with careful consideration of its appearance from key viewpoints and its relationship with neighbouring buildings.

- 3.5 A key consideration was ensuring that the Proposed Development effectively responded to and engaged with the street at ground level. Revisions to the façade treatment were made, which were intended to better reflect the surrounding context and introduce greater architectural interest. The DAS outlines the feedback received throughout the process and details how the design has evolved in response.

Southampton Design Advisory Panel

- 3.6 In addition to formal pre-application meetings with SCC, the project team has also engaged with Southampton's Design Advisory Panel (DAP), with a meeting held on 15 October 2024. The DAP provided design-focused feedback, offering valuable commentary on the emerging proposals as the scheme developed.

- 3.7 The design proposals were well received by the DAP, with a clear recognition that both the Site and its surrounding area are in need of improvement to support the regeneration of Portswood. Accordingly, the DAP acknowledged that the proposed redevelopment PBSA represented a positive addition to the Site and surrounding locality. The Panel explained that the scale and massing was proportionate to the surrounding built form and was appropriate.

- 3.8 The DAP concluded that the proposed elevational treatments reflected local character through application of local architectural precedents successfully. Alongside the high-quality architectural approach, the Panel also highlighted the wider benefits of the scheme, particularly those relating to the proposed public realm enhancements and the improvements to pedestrian permeability in the town centre.

Public Consultation

- 3.9 Alongside formal pre-application with SCC and the DAP, the Applicant has undertaken extensive consultation with neighbours and stakeholders. This included:
- Engagement with business owners along Portswood Road;
 - Individual meetings with the owners and occupiers of neighbouring properties along Tennyson Road;
 - Public exhibitions held at October Books on Portswood Road;
 - Regular contact with Ward Councillors, including briefings at various stages of the pre-application process; and
 - Engagement with the Highfield Residents' Association.
- 3.10 Overall, consultation with local key stakeholders has been generally positive with many respondents noting the potential to revitalise the Site and to provide public realm space that is not catered for in the town centre currently. Further details of this engagement are detailed within the Statement of Community Involvement, prepared by Redwood.
- 3.11 The Applicant remains committed to ongoing engagement with local community members and stakeholders throughout the determination period.

Members Briefing

- 3.12 Prior to the submission of the application, the Applicant and design team presented the Proposed Development to Council Members on 28th April 2025. The presentation provided Council Members with an overview of the development proposals, after which there was an open discussion and opportunity for feedback. Below were the main discussion points:
- Type of accommodation – Members asked for further information on the types of accommodation proposed. Fusion explained that the Proposed Development will provide a range of types of accommodation to cater for the varied needs of students. The intention is for the scheme to provide accommodation for both undergraduate and postgraduate students comprising a mix of ensuite rooms, social studios (cluster style accommodation) and studios and apartments.
 - Student drop off arrangements – the Applicant confirmed that the Site layout has been designed to accommodate student drop-offs within the Site, to the rear of the PBSA blocks. This is integral to Fusion's active management of the accommodation once built, to avoid disruption to the local road network or any negative residential amenity impacts. A detailed management plan will be implemented once the scheme is constructed, incorporating a staggered arrival system when students move into the scheme to avoid causing disturbance. Fusion are extremely experienced at managing this process.
 - Scope for conversion to alternative use / residential dwellings – the Applicant confirmed that the Proposed Development has been designed to cater for potential conversion to residential dwellings in the future, should this be necessary. Again, this is standard practice for Fusion in all of its development schemes to ensure the building is sustainable and can be reused for alternative purposes if the student market declines. Other uses considered appropriate could include hotel, serviced apartments or co-living.

4.0 DEVELOPMENT PROPOSALS

4.1 As set out in Section 1.0, this Application seeks planning permission for:

“Demolition of existing buildings and redevelopment of the site to provide purpose-built student accommodation and flexible commercial floorspace (Use Class E), internal and external amenity spaces, public realm, vehicle access and servicing, cycle stores, plant, boundary treatments and other associated works”.

4.2 The proposal involves the demolition of the existing shopping centre and the redevelopment of the Site for a modern replacement commercial offer, alongside PBSA in two blocks of development between 4 and 6 storeys in height designed to fit into the streetscape. We describe the key elements of the Proposed Development below.

Town Centre Use Proposals

4.3 The development proposals include the provision of several flexible commercial units (Class E) along Portwood Road. The Proposed Development will deliver the reprovision of 461 sqm (GIA) of flexible commercial floorspace along the ground floor of Portwood Road. To ensure maximum flexibility for future commercial occupiers, the space has been designed to be subdivided to suit the specific operational requirements of tenants, as well as the adaptability and long-term viability of the commercial offer as demands change over time.

4.4 The reprovision of commercial floorspace along Portwood Road will preserve and reinforce the active frontage, which is a key characteristic of the high street's character. Commercial provision at ground floor will be complemented by public realm improvements that will ensure the Proposed Development is integrated with the wider town centre, whilst providing a place for the local community to dwell.

Student Housing

4.5 The proposals comprise a range of bedroom types (see Design and Access Statement) to cater for a variety of student requirements and incomes, including:

- 4 bed en-suite clusters (with associated communal spaces);
- 6 bed en-suite clusters (with associated communal spaces);
- 4 bed social studios;
- 5 bed social studios;
- 6 bed social studios;
- Studios; and
- 1 bed apartments (which can be converted to accessible rooms).

4.6 The Proposed Development will also provide dedicated communal amenity space for residents on the ground floor, which has been strategically positioned to maximise its use by students alongside the extensive external amenity courtyard spaces. The entrance to the commercial units and the PBSA entrance are located on Portwood Road.

Design

4.7 The Proposed Development has been designed to reflect the local context, including through the use of materials and detailing which respects the character of Portwood. The architectural approach presents a

contemporary art deco aesthetic, including use of curves, streamlining and geometric decoration. The scheme comprises two blocks presenting a strong commercial frontage to respond to the town centre character, which are configured as courtyards to the rear where the PBSA is located alongside the external amenity areas for the students to use.

- 4.8 The materials palette selected predominately comprises red and off-white brick, alongside blue toned window frames and extensive fenestration to provide a distinctive scheme that reflects local vernacular. For a much fuller description refer to the accompanying DAS.

Scale and Massing

- 4.9 The scale and massing of the development has been carefully considered through contextual analysis to determine the appropriate quantum of development within the Site's envelope as part of its optimisation through redevelopment. The scale of the Proposed Development ranges from 4 to 6 storeys.
- 4.10 The tallest element of the Proposed Development is Block A which is part 6 storeys where it fronts Portswood Road. The scale then steps down to 5 storeys for Block B along Portswood Road and both blocks then step down towards the rear of the Site to respect the residential amenity of properties on Tennyson Road.
- 4.11 The built form along Portswood Road is broken down vertically, with variation introduced across the blocks to create visual interest. The articulation of the principal elevations incorporates detailing that respond to key contextual buildings, notably the former cinema building immediately north of the Site, as well as Addis Square, and takes cues from the historic Alec Bennett Showroom that used to occupy the Site.

Landscaping and Public Realm

- 4.12 The Site currently lacks any landscaping or public realm, owing to its continuous linear configuration (other than the existing vehicular access) and the extensive surface car park to the rear of the Site. As part of the Proposed Development, a comprehensive landscaping scheme is proposed, which includes substantial public realm improvements along Portswood Road, in addition to three external amenity areas for students to utilise. This equates to 628sqm of public realm, as well as 278 sqm external amenity space.
- 4.13 The proposed public realm improvements are underpinned by the removal of the existing junction which has resulted in a larger space for the local community to utilise. This provides a place for local people to enjoy and will provide a more dynamic streetscape. Enhancements to the public realm will work alongside the new commercial offer to create an inviting and high-quality pedestrian experience both for students and the public.
- 4.14 The student external amenity areas will provide a series of safe, welcoming and attractive areas for use by students to foster social interaction and wellbeing. To optimise the functionality of the landscaped courtyards, the building elevations facing the internal courtyard will be enhanced with native climbing plants, creating a visually attractive green façade.
- 4.15 The rear of the Site will be transformed through hard landscaping and boundary planting to ensure a holistic approach to landscaping is achieved, as well as to enclose the Proposed Development and assist with screening to maintain residential amenity for the proposed students as well as the residents of Tennyson Road.

Servicing and Refuse

- 4.16 Servicing and refuse collection for the student accommodation will be carried out on-site via the internal access at the rear of the Site. As part of this arrangement, sufficient manoeuvring space will be provided to ensure vehicles can turn and exit in forward gear.

- 4.17 In respect of commercial servicing, the strategy is for the units to be serviced on Portswood Road at a dedicated loading bay on Portswood Road. The proposals include modifications to the highway along Portswood Road to support this servicing strategy.
- 4.18 The servicing strategy for the commercial units has been developed in close consultation with the SCC Highways team to ensure the most effective solution is achieved. A series of options were presented to SCC during pre-application discussions which demonstrated that commercial servicing could not be achieved within the Site owing to topography and drag distances from the proposed commercial on Portswood Road that rendered this solution unworkable.
- 4.19 This collaborative approach has ensured that the proposed servicing arrangements align with, and do not conflict with, the forthcoming plans for Portswood Road that are being developed by SCC.

Access and Parking

- 4.20 The existing access into the Site, which forms part of the signalised junction onto Portswood Road, will be removed to prioritise pedestrians along Portswood Road. Vehicle access and egress is to be relocated to the southern boundary of the Site, which has been agreed with SCC in principle as part of the pre-application discussion.
- 4.21 The proposed access arrangement is designed to improve highway safety by reducing conflict points along the Site's frontage and the removal of the existing car park will result in lower traffic volumes compared to the existing situation. To align with sustainable transport objectives, the development is proposed as a car-free scheme, following the principles of the Fusion model.
- 4.22 The Site benefits from excellent access to local rail and bus services, as well as good provisions for active travel modes, including walking and cycling. The Travel Plan submitted as part of this application outlines further measures to encourage the use of sustainable transportation options including use of cycles and public transport.
- 4.23 Bicycle storage facilities have been integrated into the design in accordance with the Council's parking standards, through provision of a cycle store in the external amenity space. Additional cycle spaces are provided for the commercial uses too.
- 4.24 Detailed information on the proposed cycle parking provision can be found in the Design and Access Statement and the Transport Assessment prepared by TPA.

5.0 LEGISLATION, PLANNING POLICY AND GUIDANCE

- 5.1 The Proposed Development has been informed by adopted Development Plan policies and other relevant policy and guidance that is material to the planning application scheme. This section of the Statement provides a summary of the planning policy context that is relevant to the Site. It does not provide a verbatim account of all relevant policy as this is dealt with in Section 6.0 which provides an assessment of the Application proposals against the policies and guidance contained within the documents identified in this Section.

Statutory Framework

- 5.2 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise. In this instance the NPPF is relevant as the Development Plan is out of date (2015) and cannot demonstrate a 5 year housing land supply and has a housing delivery test of 50%.

The Statutory Development Plan

- 5.3 The Development Plan for SCC comprises the following:
- Amended Core Strategy including partial review (2015);
 - Amended Local Plan Review (2015); and
 - Policies Map (2015).

Site Specific Designations

- 5.4 The Policies Map (2015) confirms the Site falls within the following designations:
- Within Portswood District Town Centre (Policy CS3);
 - Within a Secondary Retail Frontage (Policy REI 4));
 - Within a Local Area of Archaeological Potential (Policy HE 6); and
 - Within a Bus Corridor (Policy SDP 5).
- 5.5 Figure 5.1 includes an extract of the Policies Map and identifies the town centre boundary in a black dotted line. The extent of the Site designated as a Secondary Retail Frontage is shown in light blue. The Policies Map also shows the Portswood Residents' Gardens Conservation Area to the west of Portswood Road, outlined in green. Notably the Conservation Area boundary excludes the properties on both sides of Portswood Road.

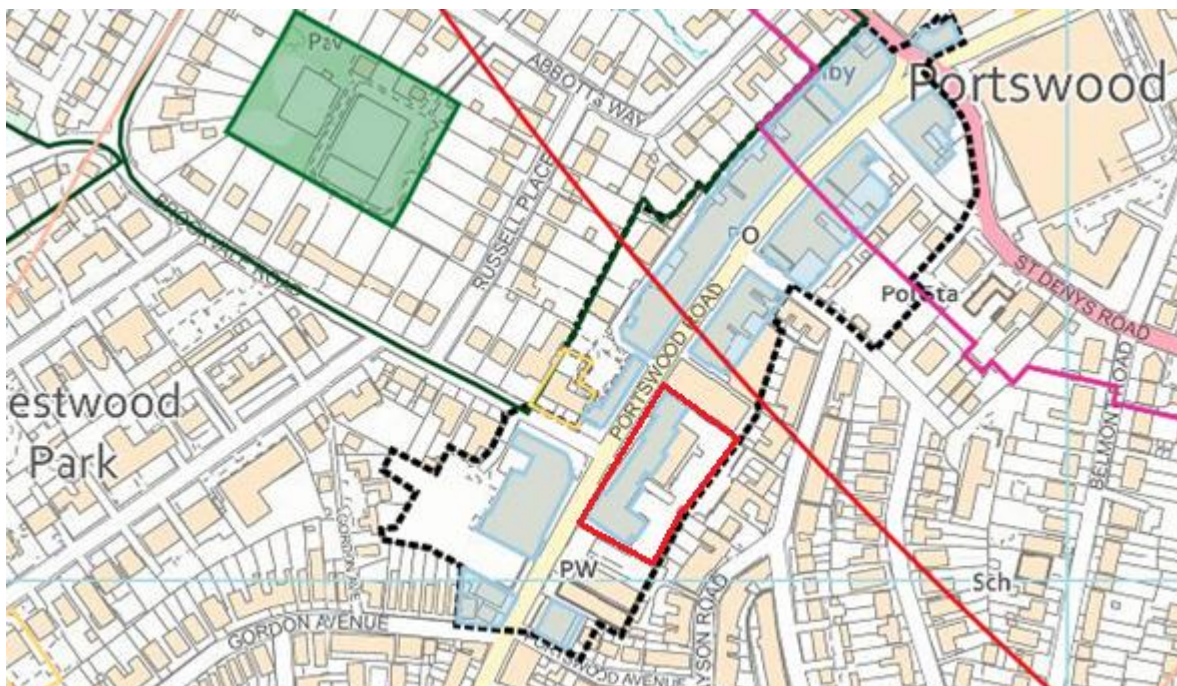


Figure 5.1: SCC Policies Map (application boundary shown indicatively only)

Core Strategy

5.6 Relevant policies from the Core Strategy include the following:

- Policy CS3 (Town, district and local centres, community hubs and community facilities);
- Policy CS4 (Housing delivery);
- Policy CS5 (Housing density);
- Policy CS10 (A healthy City);
- Policy CS13 (Fundamentals of design);
- Policy CS14 (Historic environment);
- Policy CS16 (Housing mix and type);
- Policy CS18 (Transport: reduce – manage – invest);
- Policy CS19 (Car and cycle parking);
- Policy CS20 (Tackling and adapting to climate change);
- Policy CS22 (Promoting biodiversity and protecting habitats);
- Policy CS23 (Flood Risk); and
- Policy CS25 (The delivery of infrastructure and developer contributions).

Local Plan Saved Policies (as amended 2015)

5.7 The Local Plan was adopted in 2006 and was revised in 2010 when the Core Strategy was adopted, resulting in a number of policies being 'saved'. The Local Plan was reviewed again in 2015. The saved policies relevant to this application are:

- Policy SDP1 (Quality of Development);
- Policy SDP5 (Parking);
- Policy SDP6 (Urban Design Principles);
- Policy SDP7 (Context);
- Policy SDP8 (Urban Form and Public Space);
- Policy SDP9 (Scale, Massing and Appearance);
- Policy SDP10 (Safety and Security);
- Policy SPD11 (Accessibility and Movement);

- Policy SDP12 (Landscape and Biodiversity)
- Policy SDP13 (Resource Conservation);
- Policy SDP14 (Renewable Energy);
- Policy SDP15 (Air Quality);
- Policy SDP16 (Noise);
- Policy SDP17 (Lighting);
- Policy SPD21 (Water Quality and Drainage);
- Policy SDP22 (Contaminated Land);
- Policy H1 (Housing Supply);
- Policy H2 (Previously Developed Land);
- Policy HE7 (The Residential Environment);
- Policy HE6 (Archaeological Remains);
- Policy H13 (New Student Accommodation);
- Policy REI4 (Secondary Retail Frontages); and
- Policy REI5 (District Centres)

Supplementary Planning Documents

5.8 SCC has a number of adopted Supplementary Planning Documents or Guidance (SPD/SPG) of which some are of relevance to the Site including the following:

- Residential Design Guide SPD (2006);
- Development Design Guide SPG (2004);
- Parking Standards SPD (2011); and
- Developer Contributions SPD (2013).

National Planning Policy Framework (NPPF)

5.9 The most recent version of the NPPF was published in December 2024. It sets out the Government's approach to planning matters and is a material consideration in the determination of planning applications.

5.10 At the heart of the NPPF is a presumption in favour of sustainable development (Paragraph 11). This means approving development proposals that accord with an up-to-date development plan without delay.

5.11 Of particular note in this instance is Paragraph 11 of the NPPF which stipulates that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- "c) *approving development proposals that accord with an up-to-date development plan without delay;*
or
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *the application of policies in this 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 this Framework taken as a whole."*

5.12 At the time of submitting this Application, the Council cannot demonstrate a five-year housing land supply¹ and its Local Plan is out of date. On this basis the 'tilted balance' is engaged.

¹ The March 2025 Committee Report for Mercury Point (ref: 24/01247/FUL) explains that the Council can only currently demonstrate 3.5 years of deliverable housing land supply.

- 5.13 Paragraph 61 stipulates that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.14 In December 2024, alongside the publication of the revised NPPF, the Government introduced a new methodology for calculating local housing needs. Under this new approach, the Council's housing requirement has increased from 815 homes per annum to 1,214 homes per annum which has compounded the under delivery and lack of 5 year supply.
- 5.15 Paragraph 90 sets out that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 5.16 Paragraph 124 promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.17 Paragraph 125, part c) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 5.18 Paragraph 131 sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creating better places in which to live and work and helps make development acceptable to communities.

National Planning Practice Guidance

- 5.19 In March 2014, the Government published the National Planning Practice Guidance (NPPG) which is a material consideration in relation to planning applications. The NPPG replaces a number of previous circulars and guidance to provide a simplified single source of guidance at the national level. The NPPG is updated online and was last amended in December 2024 to align with the new NPPF.

Emerging Planning Policy

- 5.20 SCC is currently in the early stages of reviewing its Local Plan. The first consultation on the "City Vision" took place from 31 October 2022 to 3 January 2023, however the draft Plan has not since progressed. On this basis only limited weight can be afforded to its policies.
- 5.21 The emerging City Vision provides a spatial strategy for directing development to the city centre, but also Portswood as a District Centre, which is a focus for "*relatively high density commercial and residential development*". This reinforces the adopted policy position which is supportive of development in Portswood.
- 5.22 The City Vision identified an objectively assessed need for 26,500 homes in Southampton between 2022 to 2040 (this pre-dates the now imposed standard methodology for housing need).
- 5.23 Against this overall need figure, the Council identified a potential housing supply of 16,905 homes in the City Vision by identifying a number of potential development sites following a Call for Sites process. This means that the City Vision identified a potential shortfall of 9,700 homes to 2040, in effect because the Council could only identify sites to accommodate 16,800 homes which were developable taking account of the availability of development land in Southampton.
- 5.24 Below are the emerging policies relevant to the Site:

- Draft Policy DE1 (Placemaking and Quality of Development);
- Draft Policy DE3 (Tall Buildings);
- Draft Policy DE7 (Energy and Net Zero Carbon Buildings);
- Draft Policy DE8 (Sustainable Design of New Development);
- Draft Policy DE11 (Parking);
- Draft Policy HO1 (Density);
- Draft Policy HO7 (Purpose-Build Student Accommodation);
- Draft Policy EN2 (Biodiversity);
- Draft Policy EN9 (Flood Risk);
- Draft Policy EN10 (Sustainable Drainage);
- Draft Policy EN14 (Contaminated Land); and
- Draft Policy TR1 (Transport and Movement).

6.0 PLANNING ASSESSMENT

- 6.1 Within this section of the Statement, the component parts of the Proposed Development are assessed against the statutory Development Plan and other material considerations as outlined in Section 5.0.

Principle of Redevelopment

- 6.2 Paragraph 11 of the NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. For decision making this means:

- 'c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

- 6.3 In accordance with the thread of sustainable development running through the NPPF, directing new development to previously developed land is a principle promoted in national, regional and local policy.

- 6.4 Paragraph 124 of the NPPF focuses on optimising the efficiency of land use, stating that:

'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'

- 6.5 Paragraph 125, part c) states that planning policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and other identified needs. Development should also promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

- 6.6 At the local level, Policy H2 (Previously Developed Land) of the adopted Local Plan promotes the maximum use of vacant and underused land for residential development subject to it not being safeguarded for other uses; avoiding harm to amenities of neighbours; ensuring a satisfactory residential environment; protection of significant wildlife/nature conservation interests.

- 6.7 The Site comprises previously developed land and is sustainably located in proximity to various modes of public transport, as highlighted in previous sections of this Statement. The Site's location therefore aligns with planning policies at national and local levels, which prioritise new development on urban, town centre sites that benefit from accessibility to public transport and nearby local services and amenities.

- 6.8 Core Strategy Policy CS3 (Town centres) supports the role of Portswood as a District Centre where development is supported where this will maintain the health of the centre, improve the street scene and integrate local facilities. Policy CS3 is clear that the Council will seek to "*capitalise on any opportunities for enhancement as they arise*" thereby supporting appropriate development opportunities in Portswood. Moreover, the supporting text the policy supports redevelopment of less distinctive areas within Portswood district centre as a key priority.

- 6.9 The Site is currently occupied by the existing Portswood Centre, a purpose-built retail building that is not statutory or locally listed nor is it protected for any specific use. A significant portion of the Site is occupied by a tarmac-surfaced parking area comprising circa 98 parking spaces which is impermeable.
- 6.10 Pre-application discussions established that the existing shopping centre is underutilised and no longer fit for purpose. On this basis, demolition of the existing structure and construction of the Proposed Development provides an opportunity to repurpose the Site in a more beneficial way in the spirit of optimisation to support the future of the town centre and deliver much need purpose-built student accommodation. We therefore firmly conclude that the principle of redevelopment is established.

Town Centre Uses

- 6.11 The Site is located in Portswood District Centre and it is defined as part of a Secondary Retail Frontage. The Site's lawful use is for mixed retail (Class E). The existing centre provides 2,630 sqm (GIA) of floorspace and includes a series of narrow and outdated units.
- 6.12 The result is there is limited occupier interest which is expected to result in vacant possession within the next 12 months. This underscores the need to consolidate the existing retail offer and deliver repurposed spaces that better align with market demand.
- 6.13 Policy REI4 generally seeks to target retail uses at ground floor (now broadened to town centre uses as per the NPPF) on sites forming part of a Secondary Retail Frontage. Specifically, Policy REI4 explains that within Secondary Retail Frontages development at ground floor along the frontage should include uses offering a direct service to the public and provide an active frontage appropriate to a shopping area. This of course is contradictory to the potential remit of uses permitted under the more recent Class E. For example, an office use can be accommodated within a retail frontage offering very limited need for public interaction.
- 6.14 The occupation of the Site by the existing shopping centre and surface level car park represents an underutilisation of a key site in Portswood town centre. The potential of the Site to contribute to the Council's pressing development needs is significant, key to which is the intention to deliver 461 sqm (GIA) of high quality, well designed and flexible space that will maximise active frontage along Portswood Road.
- 6.15 The entrance to the PBSA is also located on Portswood Road in Block A. Its design includes extensive glazing to reveal social spaces which supports activation of the frontage. Co-locating the town centre uses and PBSA entrance within the frontage ensures the scheme contributes to a vibrant and continuous street-level experience, alongside the transformational public realm improvements proposed, in accordance with the objectives of adopted policy.
- 6.16 Policy REI5 is also relevant, which explains that in District Centres, development proposals should maintain, and where possible enhance, its vitality and viability. Policy REI5 targets ground floor uses to fall within Classes A1, A2, A3, A4, A5, D2 (now amalgamated under Class E) or another use offering a direct service to the public and accepts that residential use is acceptable on the upper floors of a mixed-use development.
- 6.17 The supporting text to Policy REI5 explains that the purpose of the policy is to deliver a diversity of uses to sustain and enhance the District Centre. Policy REI5 acknowledges that town centres serve a broader role, offering a range of services and facilities that contribute to the social and economic vitality of the local area.
- 6.18 In this context, non-retail uses, such as residential accommodation, are seen as compatible with the objectives of the policy, provided that they do not undermine the overall function of the District Centre. Indeed, office use now sits within the class E use and movement between retail and office does not require planning permission.

- 6.19 The quantum of proposed Class E floorspace has been maximised to ensure a suitable replacement provision that will evidently support the vitality of the centre and ensure an active frontage is achieved. This has been discussed extensively during pre-application meetings with SCC and the DAS shows how different formats of Class E spaces could be achieved, which would be determined post-planning through discussion with potential occupiers.
- 6.20 The introduction of adaptable spaces able to accommodate a range of commercial activities responds to changing consumer patterns and demands which are driving the need for diversification across town centres nationally. This flexibility ensures that the space can evolve over time to meet future demands, enhancing its long-term contribution to the vibrancy of the area.
- 6.21 It is accepted that the Proposed Development will result in the net reduction in floorspace for town centre uses, however no policy conflict arises as the Local Plan does not require like for like re-provision. The application demonstrates that the replacement offer includes necessary space provision for refuse and the units can be adequately serviced from Portswood Road.
- 6.22 The students occupying the scheme will contribute to the economic and social landscape of the District Centre by increasing footfall and in turn demand for local services, including retail, leisure, and hospitality. The resulting demand for amenities and services will subsequently support the vibrancy and economic prosperity of the centre.
- 6.23 Core Strategy Policy CS3 provides support for new developments in the City's town centres that makes a positive contribution to the City's viability and vitality and enhances its attractiveness. The Site is not distinctive and is of limited architectural value. Its redevelopment will contribute to overall placemaking within Portswood town centre in a significant way.
- 6.24 Finally, the City Vision presents a more up to date analysis of the City's town centres and specifically identifies the need to support the redevelopment of "less distinctive areas within the centre". We regard the Site as such an opportunity site and this is relevant as an additional material consideration given the adopted Local Plan is approximately 10 years old and out of date.
- 6.25 Emerging Policy IN4 also confirms that high density residential (which includes PBSA) is defined as a suitable use for District Centres including Portswood and the direction of travel of Draft Policy IN4 is to encourage street level building frontages to be active uses, thus resulting in more flexibility being afforded to the use of ground floors not forming part of the street level frontage, for example where residential homes would be suitable.
- 6.26 Overall, the proposed provision of flexible town centre uses is supported in relevant policy and the proposed quantum is appropriate for the Site, taking into consideration the need to balance the re-provision against the need to deliver a viable scheme and the address the demonstrable need for PBSA in an appropriate location in the City.
- 6.27 The thrust of policy is to ensure qualitative improvements to the town centre and we firmly conclude that the Proposed Development results in a material betterment that should be welcomed by the Council to support the continued regeneration of Portswood.

Principle of Purpose-Built Student Accommodation

- 6.28 Section 5 of the NPPF (Paragraphs 61 and 63) places emphasis on the need to deliver a sufficient supply of homes and states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed for specific groups, including students.

- 6.29 The NPPG highlights the necessity for policy-making authorities to plan for adequate student accommodation. It notes that encouraging dedicated student housing can alleviate pressure on the private rented sector and expand the overall housing stock (Paragraph: 004 Reference ID: 67-004-20190722).
- 6.30 Furthermore, the NPPG specifies that all forms of student accommodation, whether communal halls or self-contained units, contribute to an authority's housing land supply, a principle recognised in the Local Plan by SCC.
- 6.31 Policy H1 (Housing Supply) of the Local Plan confirms that in order to meet the projected supply of housing, residential development will be permitted *"through the conversion or redevelopment, where appropriate, of commercial premises, particularly redundant shops and offices"*.
- 6.32 Residential development (including student) is directed to Southampton City Centre, Shirley and then the District Centres of Portswood, Bitterne, Woolston and Lordshill in accordance with the settlement hierarchy. Portswood is recognised as a sustainable location that can accommodate growth. PBSA development on the Site complies with the Local Plan strategy in principle, which has been accepted by Officers in pre-application discussions.
- 6.33 Southampton is home to two universities and has a significant student population in excess of 40,000 students, a figure that is projected to grow. Therefore, delivering a sufficient supply of student accommodation is an important requirement in the City. Southampton's Local Plan Saved Policy H13 (New Student Accommodation) sets out the Council's approach to purpose built student accommodation.
- 6.34 Policy H13 requires PBSA to meet a number of criteria, including:
- Suitably located and accessible by public transport links;
 - Provide residential accommodation at a level to be agreed with the Council;
 - Demonstrate there is a need for student accommodation;
 - Phase residential development to accord with that of any academic expansion;
 - Include an agreement to manage the level of student car parking; and
 - Occupancy to be controlled through the imposition of planning conditions or a legal agreement, which would avoid the need for affordable housing.
- 6.35 Owing to the Site's highly sustainable location in Portswood District Centre, students will have convenient access to bus services, within walking distance of the proposed development. Furthermore, situated in a prominent position along Portswood Road, the Site offers a wide range of services and amenities within walking distance, alleviating the need for residents to commute to other local centres. This will support the integration of students into the local community and prevent segregation that can occur when such accommodation is located outside established centres.
- 6.36 The Proposed Development complies with the criteria set out in Policy H13, by providing high-quality student accommodation in a location that is easily accessible to universities via public transport links as well as in proximity to essential services and amenities.
- 6.37 A needs Assessment has been prepared by Cushman and Wakefield and it is submitted in support of the Application. This assessment indicates that the current unmet demand equates to 13,113 students who are unable to access PBSA, which is increasing as a result of student growth witnessed in Southampton that has not resulted in sufficient delivery of accommodation.
- 6.38 The redevelopment of the Site for 519 student beds would significantly contribute to addressing this need and should be given significant positive weight as a material consideration. The quality of the proposed

accommodation, specifically designed for students and including on-site communal facilities and high-quality landscaped areas should also be recognised.

- 6.39 The Council's current annual housing requirement is 1,214 dwellings per annum, based on the Government's standard method for assessing local housing need introduced in December 2024. This represents a substantial uplift from the target of 815 homes a year in the adopted Local Plan which is out of date in any event. The Council has not progressed its draft Local Plan since the 2023 consultation so there is no emerging Plan-led strategy to demonstrate how the housing requirements can be met.
- 6.40 To assist the Council in achieving the substantial housing requirement, the provision of 519 student beds will make a meaningful contribution to supply and free up family-sized properties currently occupied as HMOs, returning them to the local housing market. The Council acknowledges in the Core Strategy the benefits that PBSA brings to the housing market by alleviating pressure on larger family accommodation.
- 6.41 Paragraph 5.2.14 states, *"In response to concerns about the concentration of student accommodation within parts of the city, the Council will work in partnership with universities and developers to assist in the provision of suitable, affordable accommodation for students to relieve the pressure on local housing markets."*
- 6.42 On the above basis, the Proposed Development will directly respond to an identified pressing need for student accommodation through provision of a high-quality purpose-built facility on a sustainable, brownfield site. The Applicant would accept controlling the occupancy of the scheme for students only which is standard for the Fusion model. For these reasons, the Site is entirely appropriate for PBSA use in accordance with Local Plan Policy H13.

Design Quality

- 6.43 In respect of design, Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development and the creation of high-quality spaces is fundamental to the planning and development process and that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.44 Paragraph 135 of the NPPF requires planning policies and decisions to ensure developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, are sympathetic to local character and ensure the creation of beautiful and distinctive places.
- 6.45 Policy CS13 (Fundamentals of Design) of the Local Plan lists criteria that developments should comply with to ensure design quality is achieved. Of particular relevance to the Proposed Development are the following:
- To provide a positive response to the character of the area and contribute to local distinctiveness;
 - To create quality spaces that contribute to place making and the quality of the public realm;
 - To contribute to the 'greening of the city';
 - To impact positively on health, safety and amenity;
 - To put people first, designing out the risk of crime and promoting development at a human scale; and
 - To promote adaptable buildings which are flexible to respond to change.
- 6.46 Saved Policy SDP7 (Context) requires proposals to be compatible with the existing landforms and natural features that contribute to the quality of the local environment; retain, and where possible enhance, important urban spaces, townscape, natural and historical features; respect the existing layout of buildings within the streetscape; respect the scale, density and proportion of existing buildings; and integrate into the local community. The supporting text encourages building at high densities to make use of brownfield sites, particularly in areas of good transport accessibility.

- 6.47 The overarching design strategy has centred around the creation of a holistic, high-quality development reflecting attractive architecture, to deliver a dynamic and vibrant place, safe and welcoming public realm and excellent amenity for future residents. Further details are provided within the Design and Access Statement, prepared by Corstorphine & Wright. The proposed buildings incorporate a consistent architectural language and material palette to ensure a cohesive and consistent architectural language and an attractive scheme that integrates with its surroundings. The scheme is enhanced by transformational public realm and external amenity spaces that contribute positively to the character of Portswood and delivers on the policy aspirations of the Council listed above.
- 6.48 The Proposed Development has been refined following an iterative design process and this has included robust assessment by SCC Officers, the Council's DAP, Members and the local community during public consultation. Overall, the Proposed Development will deliver a high quality, integrated, attractive and sustainable development in accordance with Section 12 of the NPPF and the Local Plan.

Height, Scale and Massing

- 6.49 Saved Policy SDP9 (Scale, Massing and Appearance) explains that buildings should be of high quality and respect their surroundings in terms of scale, massing and visual impact and the impact on the skyline, as well as the impact on surrounding land uses and local amenity.
- 6.50 Saved Policy SDP9 defines tall buildings as 5 storeys or more, which means that the Site represents tall building development, and states explicitly that sites on major routes into the city centre, gateway locations, at junctions and in District Centres are appropriate locations for tall buildings in principle. The Site meets each of these criteria such that it is evidently appropriate for a tall building development. The Council also continues to support the delivery of tall buildings in Portswood District Centre in the emerging Plan (Draft Policy DE3).
- 6.51 Through an iterative design process, careful consideration has been given to how the Site can be optimised in an appropriate way to deliver a repurposed town centre asset alongside the PBSA, without compromising local residential amenity in the vicinity. The scale, massing and height has been refined to ensure the built form is commensurate with the character of surrounding development.
- 6.52 The Proposed Development therefore seeks to ensure the most efficient use of land is achieved, whilst ensuring that the development is reflective of local character. As per Chapter 11 of the NPPF, one of the key mechanisms through which effective use of land can be realised is by achieving the appropriate development density. This is reflected in the Development Plan under Policy CS5 which expects density to reflect the accessibility of its location, with Portswood acknowledged by policy as a location that is appropriate for high density development.
- 6.53 The maximum scale of the proposal is 6 storeys, which transitions between the larger scale buildings along Portswood Road and steps down to the rear of the site to respond to the more domestic scale residential to the east. Similarly, the scale of Block B is limited to 5 storeys to ensure the scheme is appropriate in the streetscene. Consideration of the proposed scale of the scheme is set out in the submitted Heritage Townscape and Visual Impact Assessment (HTVIA) prepared by Montagu Evans (refer to townscape assessment below).
- 6.54 Overall, the proposed height, scale and massing of the Proposed Development is well considered and appropriate for the Site. The Proposed Development enhances an underutilised brownfield site and delivers a transformational scheme that contributes positively to the town centre.

Heritage and Townscape

- 6.55 Chapter 16 of the NPPF outlines the national policy approach to considering the potential impact of developments on heritage assets.
- 6.56 Policy CS13 requires consideration of Southampton's heritage as part of the design process. Policy CS 14 states that the Council will safeguard from inappropriate development and seek to enhance historical assets and their settings, as well as the character of the historic environment in the city.
- 6.57 The submitted HTVIA confirms that the Site has no architectural value and relates poorly to the surrounding streets and makes little contribution to the townscape. The assessment of views contained within the HTVIA demonstrate that, the Proposed Development would have a limited impact to the surrounding townscape largely as a result of being obscured by interposing development.
- 6.58 The potential effects arising from the impact of the proposals on the visual receptors have been informed by assessing verified viewpoints detailed in the HTVIA and DAS that are been submitted in support of this application.
- 6.59 The HTVIA demonstrates that the Proposed Development would not give rise to any unacceptable impacts to heritage assets. The Proposed Development would demonstrably improve the appearance, character and function of the townscape and as such represents a considerable visual improvement.
- 6.60 Ultimately, the existing shopping centre offers no architectural value and as such lacks any notable connection to the wider streetscape. The HTVIA demonstrates the Proposed Development would provide a significant improvement to the character, appearance and function of the local townscape and therefore the Proposed Development is compliant with relevant policy.

Public Realm and Amenity Areas

- 6.61 Policy SDP8 supports the creation of public realm through development and explains that the layout and form of buildings should relate positively to the public realm. Policy SDP11 explains that permission will only be granted for developments which contribute to an attractive network of public routes and space for pedestrians, cyclists and vehicles. Policy CS13 confirms that promoting quality public realm is a fundamental of design.
- 6.62 The Proposed Development incorporates a public realm that offers 624 sqm of public realm alongside 278 sqm of external private amenity space for use by the students. These generous spaces create a sense of place to integrate the scheme with the town centre, utilising tree planting and landscaping reflecting local context comprised of high-quality materials and finishes.
- 6.63 The public realm provides places to sit, biodiversity improvements and an enhanced pedestrian environment following the removal of the existing junction which provides access to the rear car park.
- 6.64 The landscaped student courtyards are designed as social spaces for interaction and socialising. The enclosed courtyard for Block B has intentionally been designed to provide a private setting where students can relax and study in a quieter, more secluded environment.
- 6.65 It is envisaged that the public realm will be accessible throughout the day and evening, but the space will be monitored by Fusion staff to ensure it is safe and no anti-social activity occurs. The public realm will include suitable lighting and CCTV, details of which would be reserved by planning condition. The landscaping proposals have been developed by Park Hood and are presented in the submitted Landscape DAS.

Safeguarding Residential Amenity

- 6.66 Policy SDP1 relates to the quality of development and explains that permission will only be granted for development that does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP9 requires proposals to respect their surroundings in terms of the impact on surrounding land uses and local amenity.
- 6.67 The Site is located within the designated District Centre and therefore surrounding land uses are largely commercial premises along Portswood Road. The nearest sensitive residential receptors are located east of the Site along Tennyson Road. Preservation of residential amenity for neighbouring residential occupiers has been a central aim of the Proposed Development.
- 6.68 Whilst the proposals do introduce built form closer to these properties than the existing shopping centre, separation distances between facing habitable rooms are in accordance with the Council's Residential Design Guide SPD (2006). This when considered alongside the enhanced planting screening along the Site boundary mitigates the potential risk of increased sense of enclosure and avoids overlooking which ensures residential amenity is protected, thus demonstrating compliance with the policies listed above.

Daylight, Sunlight and Overshadowing

- 6.69 Policy SDP 1 (Quality of Development) of the Local Plan states that planning permission will only be granted for development which does not unacceptably affect the health, safety and amenity of the city and its citizens. Core Strategy SDP 9 explains that planning permission will only be granted where the building design is of a high proposals should respect their surroundings in terms of (v) the impact on surrounding lands uses and local amenity. Policy CS13 (Fundamentals of Design) requires that developments impact positively on health, safety and amenity of the city and its citizens
- 6.70 Local Plan Review Policy H2 (Previously Developed land), Part iii) states that for residential development the maximum use of derelict, vacant and underused land will be made provided the location of any development would not have a significantly detrimental effect on the amenity of occupiers on adjoining land.
- 6.71 To evaluate daylight, sunlight and overshadowing performance, an Assessment has been undertaken by GIA which accompanies submission of the application in full. The Assessment concludes that the Proposed Development provides acceptable levels of daylight to the proposed accommodation.
- 6.72 In respect of the external amenity areas, three of the four spaces exceed the minimum recommendation for sunlight. The courtyard for Block B when assessed for sunlight exposure on 21st June shows that it will receive between 2 and 6 hours of sunlight in the summer months, when the amenity area is most likely to be enjoyed. On this basis the scheme will provide excellently sunlight external amenity areas.
- 6.73 When focusing on overshadowing, following construction of the Proposed Development all residential gardens on Tennyson Road will continue to receive at least 2 hours of direct sunlight on 21st March and so the scheme is fully BRE compliant.
- 6.74 133/165 (81%) of neighbouring windows assessed will meet the VSC daylight criteria, 75/97 (77%) rooms will meet the NSL daylight criteria and 24/24 (100%) rooms will meet the APSH sunlight criteria identified in the BRE Guidance.
- 6.75 Further details are provided within the Daylight, Sunlight and Overshadowing Report, prepared by GIA. We conclude that the Proposed Development would result in acceptable living standards for future residents and there would be no unacceptable impacts on neighbouring residents from a daylight perspective.

- 6.76 Paragraph 130 of the NPPF states that where there is an existing or anticipated shortage of land for meeting identified housing needs, such as in Southampton, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. This is achieved successfully by the Proposed Development.

Energy and Sustainability

- 6.77 The NPPF identifies the role of the planning system in supporting the transition to net zero by 2050 (Paragraph 161). Paragraph 162 sets out ways in which planning should help to increase the use and supply of renewable and low carbon energy and heat.
- 6.78 Paragraph 166 requires development proposals to comply with Development Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated that it is not viable or feasible. Development proposals should also take account of landform, layout, building orientation, massing and landscaping in order to minimise energy consumption.
- 6.79 Policy CS20 (Tackling and Adapting to Climate Change) specifically targets a 15% reduction in carbon dioxide emissions compared to Part L and that all non-residential development with floor space over 500 sqm achieves at least BREEAM excellent. As well as this, Local Plan Policy SDP14 supports new developments that incorporate the use of renewable sources of energy. Since these policies were written, SCC declared a climate emergency in 2019² and sustainability is a key priority for the Council.
- 6.80 An Energy Statement has been prepared by Amber and accompanies this application. Currently, the existing centre has poor environmental performance in terms of thermal insulation, overheating, solar control and heat recovery. The Proposed Development incorporates passive design measures to minimise energy demand and includes high performance building materials and fabric to optimise thermal efficiency, alongside stringent control of air permeability.
- 6.81 Energy efficient technologies have also been implemented for lighting, ventilation and energy distribution to further reduce energy consumption. The Energy Statement concludes that the Proposed Development achieves a betterment of 29% against Part L in respect of carbon dioxide emissions, which exceeds the target 15% quoted in the Local Plan.
- 6.82 In relation to BREEAM, pre-assessments have been prepared by Ensphere which confirm that both the retail re-provision and PBSA achieve scores in excess of 70% which confirms that the Proposed Development as a whole achieves BREEAM 'Excellent'. This means that the scheme complies with the Local Plan in respect of the retail re-provision against which there is a policy expectation of BREEAM excellent.
- 6.83 However, the scheme achieves Excellent for the PBSA too and in the absence of a policy requirement to achieve this in the Local Plan we consider this to be a significant benefit of the scheme in light of the Council's declared climate emergency but also the imperative planning objective to deliver sustainable development. Overall, the Proposed Development represents a highly sustainable and environmentally responsible project, exceeding the relevant policies set out in the Local Plan.

Noise

- 6.84 In national planning policy, Paragraph 187 of the NPPF seeks to prevent new and existing development from contributing to or being put at unacceptable risk or being adversely affected by, unacceptable levels noise pollution amongst other things. Policy SDP16 (Noise) confirms that development proposals resulting in unacceptable levels of noise will be resisted.

² SCC Climate Change Strategy 2023-2030

- 6.85 The planning application is supported by a Noise Impact Assessment prepared by Apex Acoustics. The report explains that the existing noise levels were established following a four day survey where data was collected from the frontage of Portswood Road and also the rear car park to establish representative measurements. The survey confirmed that the dominant noise source is road traffic noise on Portswood Road.
- 6.86 The findings of the assessment confirm that the noise impacts from the Proposed Development will be effectively mitigated through sound insulation measures and use of mechanical ventilation to achieve the acoustic requirements listed in Table 3 of the Noise Impact Assessment.
- 6.87 This includes mechanical plant noise, where the proposed plant will be 10dB below the existing background noise level at noise sensitive premises during the day and night.
- 6.88 In conclusion, the Noise Impact Assessment demonstrates that, with the integrated mitigation measures, the development will not result in unacceptable noise impacts. Therefore, from a noise perspective the Proposed Development complies with Local Plan Policy SPD16.

Air Quality

- 6.89 In order to protect and enhance the natural and local environment, Paragraph 187 of the NPPF states that the planning system should seek to prevent development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 198 explains that new development should be appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment.
- 6.90 With specific regard to air quality, Paragraph 199 of the NPPF identifies that planning policy should aim to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, considering the presence of Air Quality Management Areas (the Site is not located in such an area) and the cumulative impacts from individual sites in local areas.
- 6.91 Local Plan Review Policy SDP15 states that permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards; or where the proposal would be materially affected by existing and continuous poor air quality.
- 6.92 Accordingly, an Air Quality Assessment (AQA) is submitted as part of this Application, which provides an assessment of the air quality implications for both construction and the operational phase of development.
- 6.93 The AQA identifies potential air quality impacts during the construction phase, specifically from fugitive dust emissions arising from demolition, earthworks, construction, and track out activities, have been assessed. Appropriate mitigation measures have been identified for inclusion in a Construction Environmental Management Plan (CEMP). It is considered that the implementation of these good practice control measures will effectively minimise dust-related impacts throughout the construction phase, ensuring they are controlled to an acceptable level.
- 6.94 Air quality impacts from traffic exhaust emissions associated with vehicle movements during both the construction and operational phases have been assessed against the relevant screening criteria. Due to the car free nature of the proposal, a detailed assessment of vehicle emissions has been scoped out of the analysis.
- 6.95 Based on the results of the AQA, we conclude that air quality is not a constraint to the granting of planning consent for the proposed development.

Highways and Parking

- 6.96 Chapter 9 of the NPPF promotes the use of sustainable transport and notes that all developments should be focused on locations that are sustainable, through limiting the need to travel and offering a genuine choice of travel modes. Developments should give first priority to pedestrian and cycle movements and facilitating access to public transport.
- 6.97 Policy CS 18 of the Local Plan also states that the Council will promote patterns and forms of development that reduce the need to travel, especially by car, which seek to promote active lifestyles by promoting higher density residential development in accessible locations. The spatial strategy for the city, as set out in the adopted Core Strategy, includes encouraging a change towards more sustainable transport including more walking, cycling (active travel) and recognises that these forms of transport will have environmental as well as health benefits.
- 6.98 Core Strategy Policy CS 19 confirms that all development must have regard to the Council's maximum car parking and minimum cycle parking standards in accordance with the adopted SPD. Policy SD4 of the adopted Local Plan also prioritises sustainable transport modes.
- 6.99 In accordance with the requirements of Policy CS18, a Transport Statement (TS) has been submitted in support of the Application. The TS has been informed by detailed analysis of the existing conditions, relevant planning history, current traffic and travel information and the development proposals subject of this Application. The TS and supporting information should be read alongside this Statement.
- 6.100 The Assessment findings conclude that the Proposed Development is acceptable in relation to transport matters and it is compliant with local and national policy criteria. The assessment work undertaken identifies there would not be any demonstrable harm arising from the proposed scheme and therefore it will not cause any severe impacts. Thus, the TA demonstrates that there are no traffic and transport related reasons why the development should not be granted planning consent.

Access

- 6.101 As described in this Application, the existing access on the junction of Portswood Road and Brookvale Road will be removed as part of the development. The existing egress point onto Portswood Road will be redesigned to accommodate two-way vehicle movements. The proposed access arrangement will feature a one-way system with designated waiting areas at both ends to ensure safe traffic flow. The arrangement will be signal-controlled, with priority given to vehicles entering the site, thereby avoiding instances of vehicles queuing to access the Site.
- 6.102 In addition, the proposed access layout will include a pedestrian crossing with a central refuge south of the access along Portswood Road. This location is considered appropriate, considering the local context, including the nearby southbound bus stop and the existing Waitrose store on the western side of the road. A vehicle tracking exercise has been conducted to demonstrate that the proposed access point can be successfully delivered without compromising highway safety. The access strategy and layout has been discussed extensively with SCC Highways which has endorsed the proposed solution.
- 6.103 The proposed access design is expected to improve highway safety compared to the current situation by reducing conflict points along the Site's frontage. Furthermore, it is anticipated that there will be a decrease in traffic-related conflicts at the access point, enhancing overall traffic flow and safety. This is a further considerable benefit of the proposed scheme.

Car and Cycle Parking

- 6.104 The NPPF (Paragraph 112) requires local planning authorities to consider parking provision within new developments based upon the accessibility of the development and the opportunities for public transport, whilst recognising that there is a need to reduce the use of high emission vehicles. The Proposed Development is car free, which given the Site's location in the District Centre and the nature of the scheme, is deemed appropriate. The loss of the existing car park was discussed and agreed as acceptable with SCC during pre-application discussions.
- 6.105 In recognition of Fusion's objective to promote healthy lifestyles, Fusion requires all students living in the scheme to sign a licence agreement which includes a clause stipulating that residents will not keep a car in the vicinity of the Site during term time. Student drop offs would be accommodated within the Site following a strict timed procedure to minimise local disruption too.
- 6.106 Fusion would accept a suitably worded planning condition to require submission and compliance with a resident's management plan that would include student and staff parking controls. By virtue of its accessible location, all staff will be expected to travel by non-car modes. Extensive measures are also outlined in the submitted Travel Plan to promote the use of sustainable travel modes.
- 6.107 The car parking arrangements are considered to accord with the Council's parking standards and Local Plan policy. In respect of cycle parking, the Proposed Development provides long and short stay cycle spaces for the town centre uses and PBSA that accords with the Council's policy requirements.

Delivery and Servicing

- 6.108 The supporting TS also outlines the strategy for servicing, refuse collection and fire access for the Proposed Development. Refuse collection for both the commercial units and the PBSA will be managed by a private waste collection company. The refuse vehicle will travel southward, collecting waste from the commercial units in Block B via the proposed loading bay. The vehicle will then manoeuvre into the Site, using the proposed access, to collect refuse from both the commercial unit in Block A and the PBSA refuse store.
- 6.109 Servicing operations for both the student and commercial uses will be facilitated through the proposed loading bay off Portwood Road. This arrangement ensures that servicing activities are carried out efficiently and safely without disrupting traffic flow and a footway would be retained for pedestrians.

Archaeology

- 6.110 Chapter 16 of the NPPF sets out the Government's approach to conserving and enhancing heritage assets, including archaeological artefacts. Paragraph 207 requires applicants to describe the significance of any heritage assets affected. The level of detail should be proportionate to the asset's importance.
- 6.111 Paragraph 212 states that great weight should be given to the assets' conservation. In addition, any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (paragraph 213).
- 6.112 Policy HE6 of the Local Plan deals with archaeology and states that planning permission will not be granted unless:
- (i) proper consideration has been given to the preservation in situ of nationally important archaeological remains; or
 - (ii) where important archaeological remains may exist the impact of development upon the archaeological resource has been examined and evaluated; or
 - (iii) adequate provision has been made for the identification, investigation, recording and publication of the archaeological resource; or

- (iv) adequate provision has been made for the preservation of remains of archaeological interest; or
- (v) a combination of the above clauses is effected as appropriate (whichever response is most appropriate to the perceived importance of the archaeological resource, and the perceived nature of the threat).

6.113 An Archaeological Report has been conducted and submitted in support of the Application. The study concludes that the Proposed Development is unlikely to host significant archaeological remains. The study recommends that any necessary further investigations are to be carried out post-approval, secured through an appropriately worded archaeological condition attached to the planning consent.

Ecology and Biodiversity Net Gain

6.114 Chapter 15 of the NPPF outlines the Government's approach to conserving and enhancing the natural environment.

6.115 In accordance with Paragraph 187, planning should contribute to and enhance the natural and local environment. This will be achieved by, inter alia, protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. Paragraph 188 requires Local Planning Authorities to distinguish between the hierarchy of international, national and locally designated sites and take a strategic approach to their maintenance and enhancement.

6.116 A number of key principles are outlined at Paragraph 193 of the NPPF, which Local Planning Authorities should apply when determining planning applications, namely:

- Planning permission should be refused if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for.
- Planning permission should not be granted for development that would likely have an adverse effect on a Site of Special Scientific Interest, unless the benefits of the development clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.
- Planning permission should be refused for development that would result in the loss or deterioration of irreplaceable habitats, unless there are wholly exceptional reasons and an appropriate compensation strategy is agreed.
- Proposals for development with the primary objective of conserving or enhancing biodiversity should be supported.

6.117 Biodiversity Net Gain (BNG) is a national requirement under the Environment Act 2021, which requires a minimum 10% uplift from the existing biodiversity baseline on site.

6.118 At the local level, Policy CS 22 (Promoting Biodiversity and Protecting Habitats) states that within Southampton the Council will promote biodiversity through ensuring development is unlikely to have an unacceptable impact on a national or local designation; and that any such impact (on these or other features of biodiversity value) is avoided, mitigated or as a last resort compensated for. The policy also seeks to ensure that development retains, protects and enhances features of biological interest and provides for the appropriate management of these features. The policy also seeks to ensure that development seeks to produce a net gain in biodiversity by designing in provisions for wildlife.

6.119 Policy SDP12 requires proposals to provide habitat creation and a management scheme with hard and soft landscape treatments that retain and enhance important landscape and wildlife habitat features and reflect the character of the locality and surrounding buildings. We note the Site is not subject to any statutory or non-statutory ecological designations.

- 6.120 Through the landscaping strategy, a range of biodiversity enhancement measures will be integrated into the proposals. These include the planting of both native and ornamental trees, the creation of species-rich native hedgerows, herbaceous planting, a mix of native and ornamental shrubs, and amenity grassland, all designed to enhance the ecological value of the Site.
- 6.121 A Biodiversity Statement and Metric Assessment been carried out by Middlemarch and forms part of the planning application submission. The baseline units for the Site are zero however as a result of the extensive biodiversity improvements the scheme will result in a gain of 0.78 habitat units and 0.33 hedgerow units. Although a percentage gain is not calculated within the metric due to the zero baseline there is a clear biodiversity net gain.
- 6.122 A Preliminary Ecological Appraisal has also been submitted with this planning application, alongside protected species surveys. This concludes that there are no significant ecological constraints to the development and that with appropriate mitigation measures, ecological receptors would not be adversely affected.
- 6.123 Finally, Middlemarch has completed a Habitats Regulations Assessment (HRA) which assesses potential impacts on the Solent and Southampton Water Ramsar and SPA, River Itchen SAC, Solent Maritime SAC, New Forest Ramsar, SPA and SAC and the Emer Bog SAC. The HRA concludes that with appropriate mitigation (secured by planning obligation) the Proposed Development will not result in a likely significant effect on habitats or species.

Flood Risk and Drainage

- 6.124 Chapter 14 of the NPPF addresses matters of climate change, flooding and coastal change, recognising the need for the planning system to support the transition to net zero by 2050 (Paragraph 161).
- 6.125 With regard to flood risk, Paragraph 170 states that “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”.
- 6.126 When determining planning applications, Paragraph 181 states that Local Planning Authorities should ensure that flood risk is not increased elsewhere. Paragraph 181 further sets out the instances whereby planning permission should be granted for development in areas at risk of flooding, namely where it can be demonstrated that the most vulnerable development is located in the areas of lowest flood risk, unless there are overriding reasons for a different location;
- The development is appropriately flood resistant and resilient;
 - The development incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - Any residual risk can be managed; and
 - An emergency plan is agreed, including safe access and escape routes.
- 6.127 At the local level, Core Strategy Policy CS23 (Flood Risk) outlines that the Council will work with the Environment Agency and other key stakeholders to manage flood risk in the city, particular in relation to new development in the flood risk zones. Development will need to achieve an appropriate degree of safety taking into account standards of defence and sea level rise over the life of the development. The policy also identifies that developers should prepare a scheme specific flood risk assessment in order to inform their proposal at an early stage.

- 6.128 A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted in support of the application.
- 6.129 The Drainage Strategy confirms that Sustainable Drainage Systems (SuDS) can be effectively implemented within the Proposed Development, in accordance with the NPPF. Both water quantity and quality considerations have been fully addressed, ensuring that the development will not undermine environmental objectives or exacerbate flood risk.
- 6.130 The FRA confirms that the Site will be set above all modelled flood levels, providing safe refuge and ensuring safe access and egress during both design and extreme flood events, in line with the NPPF. Additionally, the FRA identifies a low risk of groundwater flooding at the Site from underlying deposits.
- 6.131 In conclusion, the FRA and Drainage Strategy demonstrate that the Proposed Development will not increase flood risk at the Site. An appropriate and effective drainage strategy has been devised to manage surface water and mitigate any potential flood-related impacts.
- 6.132 Therefore, the Proposed Development is considered acceptable in terms of flood risk and drainage, fully complying with the relevant policies set out in the Development Plan.

Contamination

- 6.133 Paragraph 187 of the NPPF requires planning policies and decisions to ensure that a site is suitable for its new use, taking account of ground conditions and land instability. Paragraph 187 further elaborates that where a site is affected by contamination, responsibility for securing a safe development rests with the developer or landowner.
- 6.134 Local Plan Review Policy SDP 22 (Land Contamination) identifies that Planning permission for development on or adjacent to land that is known to be, or may be contaminated, will only be granted where it has been demonstrated that the potential for contamination has been properly assessed; and that the development will incorporate any necessary remediation measures.
- 6.135 Policy SDP22 requires proposed development to assess the potential for contamination at the Site to and to incorporate any remediation measures to ensure the long-term safety of the development.
- 6.136 A Phase 1 Desk Study Report has been prepared by EEGSL and is submitted in support of the application.
- 6.137 A review of historical and current site information has highlighted the potential for contamination on the assessment site, arising from both on-site and off-site sources. The study identifies a low risk to current site users but a low to moderate risk to adjacent site users, controlled waters, future site users, and construction workers.
- 6.138 The study recommends that further ground investigation works be undertaken to better understand the potential risks posed by contamination and to assess how these may affect the development of the Site. It is anticipated that these investigations can be secured through an appropriately worded planning condition.

7.0 SECTION 106 AND CIL

- 7.1 This section provides a summary of the draft Section 106 heads of terms for the Proposed Development, including financial and non-financial contributions, as well as Community Infrastructure Levy (CIL) contributions.

Planning Obligations

- 7.2 Under Section 106 of the Town and Country Planning 1990 (as amended), Local Planning Authorities have the power to enter into planning obligations with any person interested in their land for the purpose of restricting or regulating the development or use of the land.
- 7.3 Paragraph 56 of the NPPF states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 7.4 Paragraph 58 sets out the tests that must be met in order for a planning obligation to be sought. Namely, the obligation must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 7.5 The draft heads of terms have been considered in relation to the Council's Developer Contributions SPD (adopted 2013). The proposed draft heads of terms relate to the following:
- Travel Plan;
 - Completion of highway and cycleway improvements;
 - Employment and skills;
 - Monitoring and administration;
 - Solent mitigation strategy; and
 - Student housing restriction.

- 7.6 We anticipate that discussions relating to the contents of the Section 106 agreement will continue with SCC during the determination of the planning application. Fusion are content to enter into a Section 106 Agreement to deliver the above mentioned obligations where justified against planning policy.

Community Infrastructure Levy

- 7.7 In relation to CIL, the Council's Charging Schedule came into effect in September 2013. From 1st January 2025 the indexed CIL rate for residential use is £122.19 per sqm, which includes self-contained student flats and cluster flats. The indexed rate for retail is £75.06 for retail floorspace as of 1st January 2025.
- 7.8 As there are existing buildings on site which are in use, there will be a requirement to deduct the existing floorspace from the new development in any liability notice.

8.0 SUMMARY AND CONCLUSIONS

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the Policies of the Statutory Development Plan, unless material considerations indicate otherwise.
- 8.2 This Planning Statement has been prepared by Montagu Evans on behalf the Applicant to assist with the determination of a planning application for the redevelopment of the Portswood Centre.
- 8.3 The Proposed Development comprises the demolition of the existing centre and removal of the surface car park, to facilitate the delivery of a holistic regeneration proposal comprising a reposition town centre offer to support the vitality of Portswood, alongside provision of PBSA to meet pressing and unmet needs. The Application will enable the delivery of a high-quality District Centre development, on brownfield land in a sustainable and accessible location in Southampton.
- 8.4 This Statement has assessed the proposals against the adopted Local Plan, as required by Section 70 of the Town and Country Planning Act 1990, and other relevant material considerations including the NPPF.
- 8.5 The Proposed Development has evolved through extensive pre-application consultation with Officers at SCC, the DAP, presentation to Members and members of the public and local community through public engagement. The scheme for which permission is sought has progressed considerably from that initially presented which reflects the iterative and collaborative approach of the Applicant.
- 8.6 Having regard to the assessment undertaken within this Statement, the planning benefits arising from the Proposed Development are considerable and include social, economic and environmental public benefits. These can be summarised as follows:
- Promoting the effective use of previously developed land in a highly sustainable town centre location, enabling the Site to contribute positively to the vibrancy of Portswood. The scheme includes replacement town centre uses at ground floor including provision of modern, flexible Class E space that would be suitable for a range of occupiers and maintain an active frontage;
 - Economic benefits related to the new student population and their resultant spend capacity along Portswood Road and the wider area
 - Environmental benefits derived from the operation of the building (energy) and reduction in associated car movements compared to existing use.
 - The removal of unattractive buildings and hardstanding that offer little visual amenity nor a positive contribution to the streetscene, to be replaced by an architectural proposal of civic stature and landmark quality to underpin the regeneration of Portswood;
 - The delivery of 519 beds of purpose-built student accommodation to meet a clear and identified need within the city and help bridge the gap between growing need and unmet supply for PBSA, which is substantial as clearly evidenced by the expert analysis from Cushmans in support of this application;
 - Additional indirect benefits of releasing family sized homes in the city currently occupied by HMOs, as a result of increasing the supply of purpose built PBSA stock;
 - Provision of extensive on-site internal and external communal amenity areas for all students to maximise social interaction and wellbeing;
 - Substantial public realm enhancements across the Portswood Road frontage including potential for external seating and socialising;

- The removal of the existing vehicular entrance at the junction of Portswood Road and Brookvale Road to the benefit of pedestrian and cycle journeys along Portswood Road;
- Revised servicing proposals to enable servicing along Portswood Road in a safe, efficient arrangement, whilst providing a student drop off facility off the highway to the rear of the Site;
- Delivering tangible environmental gains including achieving BREEAM excellent for both the town centre uses and PBSA;
- Inclusion of a high-quality landscaping scheme to enhance the biodiversity and habitat value of the Site, resulting in achieving biodiversity net gain on a site with a baseline value of zero, on a site currently entirely covered by buildings and hardstanding; and
- The delivery of up to 185 construction jobs (full time equivalent) and 66 jobs (full time equivalent) in operation, with an additional 74 student part time jobs generated in the local area; and

- 8.7 The impacts of the Proposed Development have also been comprehensively assessed by the supporting application documents and mitigation measures have been identified and incorporated where necessary. These are minimal and so the public benefits derived from the development significantly outweigh any harm caused from the development.
- 8.8 The massing and orientation of the proposed blocks have been carefully arranged to maximise solar gain, achieving good levels of daylight and sunlight throughout the day. In terms of amenity impacts, the development has been designed to ensure that there will be no material adverse effects on neighbouring properties in terms of overlooking, overbearing impacts, or loss of daylight or sunlight.
- 8.9 The HTVIA submitted in support of the application demonstrates that the development will not result in any unacceptable impacts on heritage assets. The development will enhance the appearance, character, and function of the townscape, thereby fulfilling the policies in the Local Plan related to heritage, design quality, and character.
- 8.10 The scheme will deliver an exemplary scheme that will deliver economic, social and environmental benefits as a result of the regeneration of the Site. As explained in this Statement the principle of development is consistent with the objectives of national policy and the Government's objectives for sustainable growth. The Proposed Development is therefore in general accordance with the Local Plan.
- 8.11 Notably the tilted balance is engaged under Paragraph 11d of the NPPF. In these circumstances, it is incumbent on the Council to apply the presumption in favour of sustainable development by granting planning permission unless 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.
- 8.12 Were any harm to be identified by the decision maker, this could only be described as minor in nature and would not significantly and demonstrably outweigh the benefits outlined above. Therefore, in accordance with the presumption in favour of sustainable development set out in the NPPF, we respectfully invite SCC to grant planning permission for the proposed development.

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL