

SNPL238932

15 March 2012



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Dear Richard

**SCC REF: 11/2000/FUL
OCEAN VILLAGE WATERSIDE DEVELOPMENTS LTD:
COMPREHENSIVE RESPONSE TO CONSULTATION COMMENTS**

I am writing to provide feedback to the comments that have been received on the submitted application in order to assist in your determination of the application. I set out responses to each set of the comments in turn.

To support the response, a set of revised drawings at A3 as necessary is enclosed and these should replace the previous versions as the formal planning submission drawings. A comprehensive revised Drawing Issue Sheet is also attached for your benefit and I will provide all electronically as well.

The main changes relate to the layout block plan and the residential element of the scheme. However, due to the location of the hotel, the applicant wishes to maximise the unique views from the hotel bedrooms and the windows to these have therefore been increased to two bays. This purely affects the hotel bedrooms and so the relevant revised floor plans for levels 03, 04 and 05 are provided, along with the revised elevations.

In terms of the precise mix of the residential element of the development, this remains at 82 units, but split 75no 2 bed units and 7no 3 bed units with a revised GIA of 10,348sqm (11,312 sqm GEA) excluding the undercroft. The commercial units now comprise the marina office (83sqm GIA / 87sqm GEA) and three A1/A2/A3/A4/A5/B1 units of 1,004sqm GIA (1,052 sqm GEA) as opposed to the five units previously. Car parking for this residential block remains at 66 undercroft spaces and 14 on-street spaces with 88 cycle parking spaces. The parking and cycle parking numbers on the application form submitted with the application remain valid. The total number of two bedroom apartments across the development are now 87, with 7no three bedroom apartments.

A. A response to comments received from Southampton City Council Planning Policy Team dated 16 February 2012

Affordable and Family Housing

The Council seeks 32 affordable units (35%) in accordance with requirements of policy CS 15. It is noted that no affordable housing will be provided on grounds of viability. The case officer should be satisfied that the viability claim put forward is acceptable.



Response:

A viability assessment is being prepared to demonstrate the viability case and this will be assessed by the District Valuer and feed into any Section 106 Obligation.

It is noted that there are no family units proposed and therefore does not meet the 30% target under CS 16. It is accepted that policy CS16 under paragraph 5.2.10 accepts that the city centre is a location identified for high density residential development, where a lower percentage of family homes may be acceptable.

Response:

Whilst it is accepted by the City Council that the proposed development is located in the city centre and therefore is of high density and so a lower provision of family units is deemed acceptable, previously there was zero provided in the original submission. This has since been reviewed and it is proposed that circa 10% of the proposed residential block units will be able to be classified as family housing with 7 of the 82 units (9%) being three beds.

Non-Residential Uses

Policy CS3 states that the development of retail and leisure uses (definition of leisure for town centre uses is set out in paragraph 7(2) of PPS4 which includes restaurants and bars/pubs) greater than 750 sqm (gross) in 'edge of centre' or 'out of centre' will be controlled.

The application site falls within the city centre but is located outside the defined primary shopping area. The floorspace of each unit provided is less than 750 sqm, though the combined floorspace of all the units proposed will be 976 sqm in either A1, A2, A3 or A4, A5 or B1 use.

The council would support A3, A4 and A5 uses in this city centre, waterside location. However, the cumulative impact of the combined retail floorspace (greater than 750 sqm) is controlled outside the primary shopping area as it can potentially have an adverse impact on the vitality and viability of the primary and secondary retail frontages and is contrary to the sequential approach set out in policy CS3. Therefore it is recommended that a condition is used to limit A1 and A2 use to be no greater 750 sqm. Using the condition would also remove the need to carry out a sequential assessment under PPS4.

Response:

The condition limiting A1 and A2 uses within this proposal to be no greater than 750 sqm is acceptable.

Saved policy MSA11 states that uses fronting the docks will be primarily leisure, hotel and marina-related facilities such as events and exhibition space, in recognition of the role this site currently offers for world yachting events and special events.

The previous permission incorporated approximately 2,950 sqm as the exhibition space. As proposed there will be 1,028 sqm at the waterfront level (including the Welcome Plaza and confined waterfront walkway to the hotel), and further 909 sqm on the terrace areas adjacent to the commercial frontages. The terrace areas will be mainly used for dining and drinking seating and therefore are less likely to form part of the exhibition and events space for visitors.

Response:

The terrace space is designed specifically to cater for events in allowing tiered viewing as is requested by events organisers and was specifically noted by the City Council's Events Management Team.

It is accepted that efficient development of the site coverage can make effective use of the waterfront location, and there will be limited use of the open space throughout the year. However, it is considered that the size and layout of the proposed exhibition space identified as the 'Welcome Plaza' would not adequately function as an events and exhibition space on the scale of international events.

As shown on drawing number 961.001-B, the size and layout of the space is suitable for circulation along the waterfront, though would be unable to accommodate the scale of visitors and facilities associated with an international yachting event which is approximately three times smaller in area (2,900 sqm) than the previous permission 08/00693/FUL. The scale of an international event can be shown by the BBC's report of Ocean Village hosting the 2011 'Round the World Event' which attracted tens of thousands of people alongside other attractions: <http://www.bbc.co.uk/news/uk-england-hampshire-14341721>

Response:

The amount of space per se is not the key issue. The main requirement is to be able to provide viewing metres. This is the length of viewing edge where people will not be standing directly behind someone else at the same level. This allows significantly more people to view the marina basin clearly. The current scheme may provide a smaller site area than before, but in the tiered nature of the site and the edge along the promontory which is more public than the gated edge before, this length significantly increases from that previously provided.

In addition to this, the Welcome Space is just one area within the site. Spaces have been provided throughout the Ocean Village Estate and Marina and a series of spaces of different sizes and character have been provided in order to cater for events of different sizes and style. This will be illustrated in a series of drawings that show how the site with the proposed development could cater for events such as the Clipper Launch, the Clipper Return and the Sports and Rib Show. Many of these actually use the marina as the main feature. The Rib Show however is in fact the event which takes the greatest land take and the event is run and organised by MDL Developments Limited through their in-house events organisation team, led by Mr Dean Smith. Mr Smith has been central to the preparation of these plans and is satisfied that the proposal more than allows for the events to be accommodated and potentially provides a much more useable and convenient backdrop to the event in terms of functionality, let alone providing the spectacular backdrop that Southampton has longed for, for so many years. This space will become extremely unique and important to the city in hosting events.

Larger events such as the Volvo Ocean Race are actually of a scale that the redevelopment of this site would be unlikely to make any difference as it would require more than the space that is currently available.

The comparison with other public spaces in the 'Design Access Statement' is based on the size drawn around the proposed space in the pre-conceptual model. The final scheme does not provide as much space in comparison and is more awkwardly shaped. The comparisons with other spaces such as Guildhall Square, now three to four times bigger than as shown in the old aerial photograph in the statement (was: 1,308 sqm, now: 4,138 sqm), and below Bargate monument in excess of 1,900 sqm, shows that the proposed open space would be insufficient to host events and exhibitions on the same scale as existing public spaces in the city and elsewhere.

Response:

Please disregard these comparisons as this was an initial set of analyses undertaken at the start of the design appraisal for the site. This does illustrate however that the use of these spaces was not an afterthought but has been instrumental through the design process.

Furthermore, the open space will compete with the commercial frontages, part of the Admiral's Quay development, adjacent to the northern section of the space. There is no mechanism suggested through this planning application to secure the control of the use of this open space outside the red line.

Response:

Currently the land between the respective developments can only be used for landscaping purposes and requires suitable pedestrian access to be maintained over the land in question. This is documented in lease agreements between the freeholder, MDL Developments Ltd (part of OVWD Ltd) JV and Mikella.

The freeholder has agreed an Option with Mikella whereby they can extend the footprint of the tower building onto the landscape lease demise together with a 200 sqm external dining area. Whilst there is no defined right within the original lease of the Option that gives the landlord the right to use this area of land for event

purposes, in practice whenever events have taken place at Ocean Village such as the Clipper launch in 2011, there has been no demarcation of the land and the public has had the right to access the area without restriction and as if it is a common part of the Ocean Village Estate.

The Council expects the development to contribute towards open space provisions via the use of Section 106 agreements. The current SPG requires 0.4 ha of open space to be provided within the development unless it can be demonstrated that there is already adequate provision in the locality to meet the open space needs of new residents. The exhibition space can count towards this provision, however, the terrace open space will not be included if it is operated under a private ownership. Policies CLT5, CLT6, CS25 and Planning Obligations SPG provide further details of Local Plan Review requirements.

Therefore, policy object to the quantity of the open space allocated for the exhibition and events space. The case officer should be satisfied that the combined provision of open space within the development and its vicinity is also sufficient to serve the residents.

Response:

The terrace open space is under precisely the same ownership and management arrangements as the exhibition spaces elsewhere and so if that can count towards open space provision, it is our view that the terrace open space can do as well; it is not under private management.

In addition, there is significant open space throughout the marina and the improvements proposed to the landscaping of the route between the Ocean Car Park and the proposed hotel, by removing the water features to form useable open space will increase the amount of useable open space.

Open space is defined in PPG17 and the Town and Country Planning Act 1990 as land laid out as a public garden or used for purposes of public recreation. In PPG17 it goes further to state that “open space should be taken to mean all open space of public value, including not just land, but also areas of water... which offer important opportunities for sport and recreation and can also act as a visual amenity”.

It is therefore asserted that not only is there sufficient open space provision provided for the scheme, but the quality of the existing areas of open space in the area will be improved to enhance its usability.

Design

The layout of the development will need to comply with the design requirements of policies SDP10 to SDP12 to provide an attractive landscaping setting appropriate to its context, be safe and secure, and accessible to and from the surrounding area for all pedestrians including people with mobility and sensory difficulties.

The case officer should be satisfied that the development has appreciation of the waterside location and heritage assets affected, and should follow a robust design process which should be analysis based, context driven and innovative against the 12 fundamental principles set out in policy CS 13.

Response:

The design has been revised to meet the concerns of the City Design Team and Highways Development Control. The setting of the landscape has been designed to retain features of historical interest and protect and present these better, highlighting for instance the dock walls and draw attention to these as separate elements. The view through from Canute Road to the Harbour Lights Cinema has been protected throughout the design development.

The design has also ensured that routes are safe, spaces are overlooked and disabled access has been provided now through the development following recent changes to the scheme.

The proposal should be a high quality development which complies with the provisions of SDP 6 to SDP 9, in particular, the scale, massing and appearance of the development which is appropriate to the established character of the surrounding area (SDP9 and CS13).

Policy SDP 9 does permit tall buildings, 5 storeys or greater, on appropriate sites at the waterfront. Policy CS13 encourages innovative and high quality design of tall buildings. The case officer should be satisfied that the building is designed with an appreciation or understanding of its context to be a landmark that positively contributes to the image of Southampton as a whole and have an acceptable impact on its surroundings in terms of shadowing and bearing. The Southampton City Centre Urban Design Strategy SPD (adopted Nov 2000) supports the application site as a suitable location for a landmark project (page 46 refers).

Response:

The design analysis, development and review have taken into consideration the surrounding context. The height of the hotel has been reduced following residents' earlier concerns but yet respects and responds to the new heights proposed at Admiral's Quay.

Shadow diagrams have been provided to illustrate the usability of the spaces around and between the buildings (see Drawing TP330 in the attached drawing pack).

Active frontages have been introduced where previously missing, in particular around the southern elevation of the Welcome Plaza.

The case officer should be satisfied that the development on this waterfront site achieves greater integration between the city and its waterfront in accordance with policy CS 12.

Response:

The scheme improves the waterfront setting and provides greater waterfront access than the previous scheme on the site, thereby improving greater integration between the city and its waterfront. The landowner and developer are also in detailed discussions with a bus operator to enter Ocean Village which will further aid such integration.

The case officer should be satisfied that the development will be appropriate with regard to important heritage assets and, where appropriate, enhance their setting in accordance with policy CS14. Furthermore, the development should be assessed against policies HE1 and HE3 in terms of the impact on the setting of conservation areas and listed buildings to the north along Canute Road, and the listed dock basin walls immediately adjacent to the south and west of the site boundary.

Response:

See above.

Flood Risk

It is noted that the site falls within flood risk zone 2 and lies immediately adjacent to flood risk zone 3. The case officer should be satisfied the safety of the development meets the requirements of policy CS23 and PPS25 with particular regard to the risk of flooding over the lifetime of development shown by the Council's Strategic Flood Risk Assessment.

The site is recognised as land which forms a key part of Southampton's future flood defences under the draft Southampton (Redbridge to Woodmill Lane) Coastal Flood & Erosion Risk Management Strategy which is undergoing public consultation till 31st January 2012. The emerging City Centre Action Plan allocates the site in an area for strategic flood defences.

The North Solent Shoreline Management Plan (2010) sets a policy to 'hold the line' in Southampton (i.e. to protect all existing areas). The Council has commissioned a Flood and Coastal Erosion Risk Management Strategy, currently published for public consultation. This sets out a more detailed strategy to provide a strategic defence in the city, on the landward side of the Port but protecting all residential and commercial areas.

Through the emerging City Centre Action Plan, the Council will promote and help to deliver this strategic flood defence for the city. It will do this by identifying a route for it in this plan; setting up a strategic system of developer contributions; and seeking other sources of private sector and Government funding. The Council will also consider how it can directly facilitate a defence, for example through its funding programmes or land ownerships. The defence is likely to be completed in phases over the next 50 - 60 years. The design and integration of the defence and surrounding development will contribute to the cityscape as far as possible, creating public access to and views of the waterfront at key locations, and continuous public access along the waterfront, creating new areas of open space. The case officer should seek further advice from the SCC Flood Officers in the Sustainability team.

Response:

The scheme is safe from flood risk. With regard to future defences there are no details of the proposed scheme provided and in discussion with the City Council we were asked to ensure that the scheme did not prejudice this. The proposed raised terraces will be able to be tied into any future defences.

Sustainability

The case officer should be satisfied that the proposal accords with Code for sustainable Homes Level 4 and the other requirements set out in Policy CS20 of the Core Strategy.

Response

The application accords with policy requirements in CS20 for Code for Sustainable Homes Level 3 and BREEAM Very Good having been registered in December 2011.

Archaeology

It is noted that the site lies within an area of archaeological importance. The case officer should be satisfied that the development complies with the requirements of policy HE6.

Response

The submission provided information on archaeology with regard to the site in a desk-based assessment and map regression exercise. There are no Scheduled Ancient Monuments or other designated archaeological sites on or near the proposed development site. The listed Dock Walls Basin is to be protected and its setting enhanced. The Planning, Design and Access Statement covers this issue in further detail with map and photographic evidence.

B. A response to comments received from Southampton City Council Environmental Health Team dated 16 February 2012

Environmental Health (Pollution and Safety)

The following conditions are suggested:

1. All works related to the construction of the development hereby granted including works of demolition or preparation prior to building operations shall only take place between the hours of 8am and 6pm Monday to Friday and 8am to 1pm Saturdays and at no time on Sundays or Bank Holidays. Any works outside the permitted hours shall be confined to the internal preparation of the building without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority. During construction every reasonable precaution shall be taken to prevent noise and disturbance to nearby properties.

2. A detailed scheme for noise mitigation measures to control noise and vibration from construction works to be provided for agreement in writing by the Local Planning Authority prior to the commencement of development works. Augur piling is the preferred method of piling and this preference should be included within the mitigation measures proposed. The measures shall also include an estimate of achievable reduction in noise levels at closest occupied locations outside the site boundary. Where noise levels are still likely to breach 75dB LAeq (1 hour) at the facades of adjoining properties proposals should be submitted of arrangements to reduce the working hours of particularly noisy operations. The measures shall include the monitoring of noise levels at the boundary to the site during the site preparation phase. A maximum vibration of 1mm/sec Peak particle Velocity (measured in any one direction) at the foundations of the nearest occupied residential building. A maximum vibration of 3mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of an occupied commercial building." A dose value over 12 hours of 0.43 m/sec -1.75 VDV 12 hr in occupied parts of their building and 0.8 m/sec -1.75 VDV 12 hr everywhere else which is not unreasonable. A scale drawing should be submitted showing locations of the monitoring positions, noise sensitive locations, sources of noise on the proposed development and any noise mitigating screens, fences or bunds. Datum levels or contours should also be shown if they have relevance. An assessment of mitigation measures should contain:- recommendations for design features, layout and orientation of buildings, plant and any openings the location of noise emitting plant and activities including vehicle movements and loading operations a specification for noise insulation for the buildings and for the site generally, a specification for fixed plant and equipment. The methods of prediction and calculation should be detailed to enable separate verification.
3. A detailed scheme of proposed methods of best practice for minimising dust suppression shall be provided in writing to the Local Planning Authority and such methods shall be adopted during the course of construction.
4. A scheme for the provision of an adequate extract ventilation system, including details of the external appearance of the equipment to be installed and its intended position on the hotel premises, shall be submitted in writing for approval by the Local Planning Authority. The equipment shall be installed as approved and shall be in full working order prior to the commencement of use and as long as the use continues it shall be operated and maintained in such a manner as to effectively suppress the emission of fumes and smells; and shall include such equipment (including grease filters and odour neutralising plant) as may be specified to meet this requirement.
5. Provision shall be made within the hotel site for the storage and disposal of refuse to the satisfaction of the Local Planning Authority.
6. Noise from any externally sited individual plant shall be suitably attenuated to ensure no noise nuisance arises at the nearest occupied buildings and details of proposed sound attenuation measures in relation to such plant must be submitted for approval of the Local Planning Authority prior to the installation of the plant.

Response:

The applicant is content with the above proposed conditions.

Environmental Health (Contaminated Land Team)

Annex 2 of PPS23 considers the proposed land use as being sensitive to the effects of land contamination.

Records maintained by SCC - Environmental Health Services indicate that the subject site is located on/adjacent to the following existing and historical land uses;
- Docks & Wharfs (on site)

These land uses are associated with potential land contamination hazards.

There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment.

Therefore, to ensure compliance with Annex 2 of PPS23 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.

To facilitate this I recommend, if planning permission is granted, the following conditions be attached;

L001
L005
L010
L015

Response:

The applicant is content with conditions related to contamination issues being secured through the approvals; although we would be keen to see and discuss the precise wording of these standard conditions. Significant work has already been undertaken at the site through previous consents and that information should be taken into account in any necessary conditions being imposed on the permission.

Planning Ecologist

The application site and its immediate surroundings consist of hard surfaces and buildings which have negligible biodiversity value. The site is however, within 500m of the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site and the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). Whilst there are not likely to be any direct effects there is potential for construction phase activities to result in indirect effects. Such activities include the following:

- Noise, arising from piling, affecting bird species which are interest features of the Solent and Southampton SPA/Ramsar site
- Noise, again from piling, impacting on Atlantic salmon which are a secondary feature of the River Itchen SAC.

These potential impacts can be easily addressed through suitable construction techniques, for example vibro-piling, and timing of work. A request was made for these details to be submitted in support of the planning application however, as this has not occurred, they will need to be secured through a planning condition.

Response:

The applicant is happy to use conditions to restrict noise through construction techniques

I do not believe that the buildings pose a collision risk for birds due to their relatively low level. However, lighting can draw birds towards buildings so a detailed lighting plan that clearly indicates how this risk will be minimised should be secured through a planning condition.

Response:

The applicant is happy for this to be conditioned.

As the development includes residential accommodation the issue of recreational disturbance affecting European/international sites on the coast and New Forest also needs to be considered. However, in the absence of any firm conclusions from the Solent Disturbance and Mitigation Project I would suggest that identifying outdoor recreation opportunities within walking and cycling distance of the Promontory site would be the most appropriate course of action at present. This information should be secured through a planning condition.

Response:

The application highlights the opportunity within the site for any recreational requirements to be met on-site or nearby. Planning policy, as noted earlier, highlights the form of open space that can be considered to represent opportunities for recreation and these forms of open space are provided on-site in an enhanced quality to absorb any potential impact. If further information is required, the applicant is happy for this to be secured through condition.

I am supportive of the proposed approach to the planting scheme. In particular choice of native plants and those with a long life span and the ability to cope with a changing climate is very positive. I would also like to see consideration of how planting could be used to provide shelter for residents in the event of heat waves.

Response:

Planting to provide shelter for residents in the event of heat waves can be considered but it is felt that the various buildings can accommodate this satisfactorily.

Conclusion

The proposed development is unlikely to have any direct adverse impact on biodiversity, including designated sites however, there is potential for indirect impacts. Information detailing how the impacts identified above can be minimised should be secured through planning conditions.

Recommendations

The following planning conditions are requested:

O030 - Piling

P005 - Lighting

Condition requiring demonstration of how the development will seek to minimise additional recreational pressure on the New Forest and Solent Natura 2000 sites including SAC, SPA and Ramsar sites.

Response:

The applicant is happy to consider any such necessary conditions.

C. A response to comments received from Southampton City Council Sustainability Team dated 16 February 2012.

Sustainability

I am pleased to see that the application is accompanied by pre-assessments for Code and BREEAM and an Energy & Sustainability statement and there is commitment for achieving Level 3 and Very Good respectively and appropriate C02 reductions.

The residential development should meet a minimum of 15% C02 reduction on Building Regulations Target Emission Rates. The pre-assessment estimator shows 2 credits in category Ene1 which is a minimum 16% reduction. The non-residential elements should achieve at least 12.5% reduction and the pre-assessment estimator shows 4 out of 15 credits which is approximately equivalent to 15% reduction.

There is potential for improvements in green infrastructure; on the design and access statement 'architectural precedents' include images including elements of green walls and opportunities should be sort to include this on this development.

Response:

The image in the design and access statement is indicative of building design and not necessarily landscape proposals. Whilst green walls could be considered, they are a significant cost and this needs to be borne in mind. The necessary Code and BREEAM levels are achieved regardless of inclusion of green walls.

On tree planting, regard has been given to aesthetics and biodiversity benefits; however consideration should be given to other ecosystems services which green infrastructure provides, such as sustainable drainage, air quality and urban cooling. It is likely that larger specimens will be able to provide greater benefits.

Response:

This suggestion will be considered in the detailed planting plan, but the size needs to be weighed against the views through canopies and clear spans for event infrastructure (stages, articulated lorries, etc).

There are also flat roofs which could accommodate green roofs and provision of this additional green infrastructure could gain additional credits in the code for sustainable homes as the current score does not provide much of a safety margin, as stated in the code report. Rainwater harvesting should also be implemented where feasible.

Response:

It is our understanding that green and brown roofs are similar in benefits and in the current scheme there may be the potential to consider brown roofs. We would request if such a condition is imposed that it also refers to brown roofs. Whilst these and rainwater harvesting can be considered, there is, it is noted, a sufficient score already achieved so this should not be a necessity to provide.

The following conditions are recommended:

K075

APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least 2 credits in category Ene1, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

REASON:

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

K080

APPROVAL CONDITION - Code for Sustainable Homes [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 3 of the Code for Sustainable Homes, including at least 2 credits in category Ene1 in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body shall be submitted to the Local Planning Authority for its approval.

REASON:

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

K010

APPROVAL CONDITION - BREEAM Standards (commercial development) [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development has achieved at minimum a rating of Very Good against the BREEAM standard, including at least 4 credits in category Ene 01, shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

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

Response:

These conditions are considered acceptable, in line with policy, although should the existing information submitted at the application stage be sufficient to cover the performance condition, we would request that that information is tied to the Pre-Occupation Condition and the performance conditions be deleted.

APPROVAL CONDITION Green Roof / Rainwater Harvesting feasibility study [Pre-Commencement Condition]

A detailed feasibility study for a green roof and a rainwater harvesting system must be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. If the study demonstrates the site has the capacity for the green roof and/or rainwater harvesting system, a specification shall be agreed in writing with the Local Planning Authority. The green roof and/or rainwater harvesting system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

Reason:

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

Response:

As per our comments above, we would request that if such a condition is imposed that it also refers to brown roofs. Whilst these and rainwater harvesting can be considered, there is, it is noted, a sufficient score already achieved so this should not be a necessity to provide.

D. A response to comments raised by Occupiers and Long Leasehold interest at Savannah House

We understand that comments have been received from the occupiers and long leasehold interest at Savannah House. I have spoken to the agent and the applicant has liaised with the long leaseholder. We welcome their encouragement to the development and the wider regeneration that this will bring to the area. We understand however that there are certain concerns with regard to the following in respect of the residential element of the scheme:

- **Covenant issues**
The developer/ applicant owns the site. The covenant is not a planning matter.
- **Daylight Impact**
Savannah House is a commercial office building. Daylight standards are not applied to office buildings.
- **Urban design issues**
These issues have been addressed above. We understand concern was raised at the unit mix and internal quality of the living environment. This has been reviewed in the revised plans.

- **Open Space provision**
This concern we understand relates to the original proposal for open space in place of the existing car park in front of Savannah House. This element has been covered in detail in the above discussion
- **Protection of the building during construction works**
Issues of vibration and noise and other issues regarding disturbance during the construction process will be dealt with in the usual manner through a Construction and Environmental Management Plan usually secured by condition. The applicant is happy to enter into such a condition. This will incorporate ongoing liaison with neighbouring occupiers and residents.

E. A response to comments raised by Residents

We understand that comments have been provided from residents and resident groups regarding the following points and we address these below:

- **Overflow Parking**
The scheme will park in the Ocean Car Park which already accounts for the lost spaces currently on site and has spaces to accommodate the approved 224 bedroom hotel, compared to this 76 bedroom hotel. These spaces are currently not permitted to be used until the development is implemented/ complete. Residential parking is provided on-site at one space per unit in line with planning policy. Drop-off parking is noted on the plans. This scheme should therefore not lead to any net impact or any increase in any overflow parking currently experienced by local residents. The Ocean Car Park will be able to soak up such parking if necessary.
- **Water features**
We understand some comments have been made regarding the loss of these features; some positive comments have also been made on this feature of the proposals. The water features need significant maintenance. By removing these, the landscaped area can be improved and the sloping grassed areas allow for office workers to sit and enjoy the sun during lunch breaks for example. The removal of the water features also allows for more flexible areas where events can be staged as this will become the main arrival route from the car park to water based events. Some grassed areas have been levelled for this reason. The canopies are provided to protect against rain and also to provide shade in sunny periods.

F. A response to comments received from Environment Agency dated 16 February 2012

The flood risk assessment (FRA) submitted with this application does not fully comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 2: Development and Flood Risk (PPS 25).

There is insufficient information provided to demonstrate that the proximity of the proposed buildings to the existing quay wall will not compromise the Hold the Line policy of the North Solent Shoreline Management Plan by restricting access for essential maintenance and/or repair.

Item 01:

We request further information is provided with regard to the design of quay walls, their likely future maintenance requirements including ownership and responsibility, and how this will be carried out within the context of the proposed layout in order to demonstrate that flood risk to third parties behind the existing defence line will not be increased as a result of the development.

Item 02:

Due to the proximity of the proposed buildings to the quay walls, we would request that further information is provided to demonstrate:

- The residual life span of the quay wall structures, and whether any remedial repair work will be required over the anticipated 100 year lifetime of the building, where the implementation of which would require an unobstructed buffer strip greater than the 2-3 metres that is currently offered.
- The anticipated maintenance requirements of the quay walls over the next 100 years, and how maintenance will be carried out within the context of the proposed layout.

Item 03:

It appears that it is not proposed to raise the hotel forecourt, thus creating future flood flow route that will be challenging to retrospectively address through the FCERMS. We would recommend that consideration is given to raising this area of land, in order to form a contiguous defence line that can successfully integrate the development into the future defence scheme.

Item 04:

There is a reference within the FRA and Design & Access Statement that;

“The design (therefore) creates and provides safe refuge above future predicted flood levels”

This is assumed to be due to the potential for an unsafe depth of flooding to the access and egress routes in the vicinity of the site if the defence improvements at Town Depot & St Mary’s Wharves (as detailed within the Southampton FCERMS) are not implemented, or if the defences are improved but subsequently suffer a breach.

Item 05:

It should be noted that no formal flood warning and evacuation plan has been submitted within this application.

Response:

A comprehensive response to all these points is currently being discussed with the Environment Agency and will be provided to Southampton City Council in due course prior to the Planning Panel.

I trust that this letter and the attached revised plans provide you with all the information that you require to take this application forward for a positive recommendation.

If you should need anything else please do not hesitate to contact me.

Yours sincerely



Gavin Hall
Savills Planning & Regeneration

Encs