

**Planning, Transport & Sustainability Division
 Planning and Rights of Way Panel 25 June 2013
 Planning Application Report of the Planning and Development Manager**

Application address: Land At Weston Lane/Kingsclere Avenue including Somborne House, Ashton House and Kingsclere Close			
Proposed development: Redevelopment of the site by erection of 2, 3 and 5-storey buildings to provide retail units (Use Classes A1 - A5 - 620 square metres), a community and library facility, 70 dwellings (40 houses and 30 flats) with associated parking and other works including stopping up and diversion of existing rights of way, new public footpaths, footway, verge and highway			
Application number	13/00476/FUL	Application type	FUL
Case officer	Steve Lawrence	Public speaking time	15 minutes
Last date for determination:	26.6.2013	Ward	Woolston
Reason for Panel Referral:	Departure from the Development Plan Major planning application subject to objection Affects public right of way	Ward Councillors	Cllr Cunio Cllr Payne

Applicant: Bouygues Development (Mr Tom Jelley)	Agent: HGP Architects Ltd
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Appendix attached			
1	Development Plan Policies	2	Planning history
3	Summary of comments made to applicant's public consultation exercise 13.3.2013.		

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and the development brief that has been adopted by the council for the site as set out below. Appropriate mitigation would be provided for the net loss of open space that would result from the development proposals. The Council has also taken into account the findings of the specialist reports submitted with the application and considered the regeneration benefits associated with the scheme. In particular, the representation from the owner and operator of the children's day nursery at 82 Weston Lane, particularly in respect of shading, loss of natural light and overlooking has been taken into account. Where necessary, safeguarding conditions have been applied. Other material considerations do not have sufficient weight to justify a refusal of the application. In

accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP17, SDP19, SDP22, NE4, HE6, CLT1, CLT5, CLT6, H1, H2, H3, H6, H7, REI6, REI7, REI8 and TI2 of the City of Southampton Local Plan (March 2006).

Policies CS3, CS4, CS5, CS11, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Southampton Core Strategy (January 2010).

Weston Lane Parade information and development brief (July 2012).

Recommendation in Full

(1) Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. an agreement under S.278 of the Highways Act 1980, to secure the improvement works to Weston Lane;
- ii. Financial contributions towards site specific transport contributions for highway improvements in Weston Lane and Wallace Road adjacent to the site under a Traffic Regulation Order (TRO) shown on drawing 12.062.101, which includes:-
 - o 20 mph speed limitation, including raised tables
 - o Alteration to parking provision
 - o Movement of the zebra crossing
 - o Introduction of a loading bay

in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

- iii. The provision of affordable housing in accordance with the Weston Lane Parade information and development brief (July 2012) and set out in the applicant's design and access statement;
- iv. a scheme of works for the provision of a public amenity space within the site and financial contributions towards the maintenance of said land and relevant elements of public open space/ecological mitigation off-site required by the development in line with policies SDP12, CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
Amenity Open Space ("open space")
Playing Field
Children's playspace;
- v. A refuse management scheme;
- vi. Construction traffic management plan.
- vii. Developer's private CCTV system, to be linked into the Southampton City Council CCTV system.

- viii. Servicing management plan for the management of the loading bay so that it is kept clear for servicing/deliveries.
- ix. A skills and training programme.
- x. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- xi. Travel plan.
- xii. Public art.

(2) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

1.0 The site and its context

- 1.1 The site comprises an irregular shaped parcel of land (roughly trapezoidal) 1.133 hectares in size, located some 3 miles east of the city centre. 0.344 ha is maintained by the council as open space (some in isolated patches). It contains 66 flats arranged in two blocks, served by 40 surface (13 as a public car park off Weston Lane) and 30 lock up garage car parking spaces, at the gateway to the Weston housing estate. Part of the block is in mixed use with flats (4 x 2 bed and 16 x 3 bed) on top of retail units and a public library (approx. 1070 sq.m). This block fronts Weston Lane and Wallace Road, ranging from 3 to 5 storeys in height. There is a zebra crossing on Weston Lane, between Barnfield Road and Wallace Road. Part of the site is shown designated as a local shopping centre on the Proposals Map of the City of Southampton Local Plan Review (March 2006). Apart from that, the site is not allocated for any other purpose.
- 1.2 Levels vary considerably across the site. The topography falls from 21m AOD at the south east to 15m AOD at the northern west low point. Levels between Kingsclere Avenue, to the south, and Weston Lane, to the north differ by approximately 3-4m. A retaining wall structure exists at the rear of Somborne House - (24 x 1 bed and 8 x 3 bed flats, reading as 6 storeys at the rear and 12 lock-up garages form the lowest level) - where there is a parking courtyard and detached row of a further 6 single storey lock-up garages.
- 1.3 Part of this larger block oversails a public footway that links Kingsclere Avenue with Weston Lane.
- 1.4 The part of this block which fronts Wallace Road is set back from the vehicular carriageway by a 'precinct' space, in places some 1.8m or so below the level of the carriageway.
- 1.5 The other block is four storeys in height comprising a number of flats known as Ashton House (6 x 1bed and 8 x 2 bed flats), accessed off Kingsclere Avenue.
- 1.6 Open space exists between the two blocks, freely accessible to all. 52 trees exist on the site, the most notable just north of 24 Kingsclere Avenue, by the side of the public car park and north and south of Ashton House. 12 are considered to be in a poor condition. Two mature common lime trees (T16 and 18), a mature sessile oak tree (T5) and the line of sycamore and ash trees (G2-3) along

the western boundary of the site offer the greatest ecological value. Two stands of Japanese Knotweed have been identified in the south-west corner of the site. The site is considered to have low overall ecological potential, albeit one slow worm has been found on the site, there is medium potential for bats to be foraging on the site, but limited potential for bat roosts. Six bird species have been noted on the site. Foxes are likely to be using the site, but no dens have been discovered.

- 1.7 Further single storey lock-up garages lie to the rear of the Wallace Road flats in Kingsclere Close.
- 1.8 A gas governor building and electricity sub-station compound of single storey scale front Kingsclere Avenue, positioned either side of the public footway referred to above. These two structures are being retained.
- 1.9 Apart from the shops still trading, the first block in particular has a very dated and run-down appearance.
- 1.10 The site is surrounded on all sides by 2 storey housing, with the exception of Camley Close and 38-44 Weston Lane, which are bungalows constructed in 1960, 3 storey flats at Solent Court and West Court to the east and 4 storey Barnfield flats to north.
- 1.11 The site is served by one bus route that operates the First Bus 1/1A service. The route is between Weston lane and Adana Park, stopping at Woolston Station, Southampton Central Station, Southampton City Centre, Shirley, Lords Hill Centre, and Adanac Park. The site is near the end of the south-eastern extremity of the route, which forms the loop around Weston lane, Wallace Road and Kingsclere Avenue. Three bus stops are located on the route as it passes the site and all of them are located within 100m of the site. Each has a shelter, seating and timetable information. On week days, there are 80 buses on the route between 05:36 and 23:25, approximately every 10 minutes throughout the day. On Saturday, there are 72 buses on the route between 6:25 and 23:25 and on Sunday; there are 28 buses between 07:28 and 23:15.
- 1.12 Sholing train station is some 850m north-west of the site as the crow flies. The most direct route is via Weston Lane-Mayfield Park-Shoreburs Greenway-Spring Road-Station Road, which can comfortably be walked from the site in 20 minutes. However, in times of darkness, a walk by lit highways is less direct and takes longer. On weekdays, 4 trains per hour stop at Sholing on the Portsmouth to Southampton service at peak hours, with only 2 trains per hour off-peak. Trains run between 05.59 and 23.22 hours.
- 1.13 Three schools are located within 1km of the site. Weston Park Primary School and Weston Shore Infant School are situated 700 metres north-east and 630 metres southeast respectively, the third is a secondary school, Chamberlayne College, which is less than 800m from the site. The (17 ha) Mayfield Park and Chamberlayne Leisure Centre are located about 400 metre away and are linked to the site by good continuous footways. The site is also within a short distance of the Grade II Listed Holy Trinity Church Weston (120 metres), medical services Weston Lane Surgery (150 metres) and Weston Lane Dental Clinic (280 metres).
- 1.14 The applicant has reviewed accident statistics in the vicinity of the site for the last 6 years. Whilst there have been accidents on the surrounding highway network,

only one was adjacent to the site's frontages - (in Kingsclere Avenue, involving a pedestrian, who stepped into the path of travelling vehicle, whilst under the influence of alcohol. This caused serious injury). All were due to the fault of road users rather than the road layout.

- 1.15 The site is well located for access to Southampton's cycle network. Weston Lane and Kingsclere Avenue link to the National Cycle Network Route 2 South Coast Route and then links with the Itchen Bridge, to join the cycle network to the City centre. There is also a route available along Porchester Road north of the site, providing a link to the City centre.
- 1.16 A cycle route to Sholing railway station is available using Weston Lane, Mayfield Park, Spring Road and Station Road. All of the roads involved are either residential roads or "link road (convenient route for cyclists)" as categorised in Southampton City Council's cycle plan.
- 1.17 The site is within the Environment Agency's Flood Zone 1 - i.e. lowest risk - where there is a less than a 1 in 1000 (0.1%) chance of flooding from rivers or the sea in any one year. The applicant's research shows the application site has a 'very low flood insurance claim rating' according to Flood Insurance Risk Data. There were no recorded claims for the site.

2.0 Proposal

- 2.1 Proposals have been closely informed by the brief prepared by the council. Through the scheme's development, the linkage from Kingsclere Avenue through to Weston Lane was to be maintained, to be as pedestrian friendly as possible. The overall design objective has been to orientate units to face onto the public realms and to obtain as much frontage as possible to create an active environment, which will integrate with public spaces through the centre of the site as well as to the perimeter. Investigation of services has created a constraint along Wallace Road, dictating the set back of the buildings proposed there.
- 2.2 The applicant proposes to construct 70 dwellings (40 of the units (all houses) will be for private sale. 30 will be for shared ownership or will be affordable units. All are designed to comply with 'Lifetime Homes' criteria).
- 2.3 620 sq.m of new commercial space and a 175 sq.m library/community space are also proposed. Provision has been incorporated for the future end user, of what could potentially be a Class A5 unit, to extract through a flue to the rear of the building located adjacent to the circulation core.
- 2.4 Buildings will range from 2 to 5 storeys high. The tallest buildings will sit at the corner of Weston Lane and Wallace Road. 98 car parking spaces will be provided to serve the development. The applicant justifies this level of provision, based upon access to public transport from the site and generally lower levels of car ownership for those who occupy affordable/social housing. Some of the dwellings are to oversail the non-residential space, which will front Weston Lane and turn the corner into Wallace Road.
- 2.5 Built form will be sited closer to Wallace Road than the current buildings, where it is intended to grade out this part of the site where the 'precinct' exists. Other re-grading work is also proposed within the site to improve the retained open space.

- 2.6 The applicant proposes to deal with the levels change in the south-west corner by positioning rear gardens over the top of two wheelchair accessible flats. Gardens over the wheelchair flats will be formed on top of reinforced concrete slab and all relevant measures will be taken to ensure that there is sufficient sound insulation between the two. Those lower flats will continue to be accessed from a modified access to Weston Lane and will provide natural surveillance of a parking court. As at present, a robust means of enclosure will delineate the rationalised open space from this lower parking court, in the interests of safety and security.
- 2.7 Secure gated alleys will service the centre of each perimeter block, leading to refuse bin stationing areas and cycle parking for houses, easily accessed from Kingsclere Avenue. The two vehicular access points to Weston Lane will provide refuse servicing to that frontage development. A central pedestrian/cyclist right of way will be retained through the site from Kingsclere Avenue to Weston Lane, albeit on a more northerly alignment.
- 2.8 Where planning permission may be granted, this will trigger the necessary procedure under the Planning Act to seek to stop up redundant areas of public highway, which will then be re-adopted by the council as highways authority, with some small exceptions. Whereas a more northerly vehicular point of access is to be formed to Weston Lane close to its junction with the cul-de-sac Barnfield Road, this will not provide a vehicular through-route to Kingsclere Avenue, but merely vehicular servicing for some housing and the flats over the retail shop on the corner of Weston Lane and Wallace Road. A permanent barrier will prevent vehicular through movement, albeit the remainder of the route across the site is to be laid out as a home zone, still accessible by vehicles from Kingsclere Avenue.
- 2.9 Whilst the proposals will result in some net loss of the existing open space on the site, this is proposed to be mitigated for by improving linkages to Mayfield Park, a short 2 minute walk north of the site, improved quality of open space on site and general environmental improvement through a small home zone and dedicated, enclosed courtyard for the northern flats.
- 2.10 The improved linkages to Mayfield Park are to be achieved by traffic calming along the site's entire Weston Lane frontage, where a TRO achieved through the S.106 agreement, will reduce vehicular speeds to 20 mph. Like that recently achieved at Hinkler Parade, this will give greater pedestrian priority. The zebra crossing in Weston Lane will be re-provided in a slightly different position. It is proposed to build two raised table junctions on Weston Lane at the existing junctions of Weston Lane/ Wallace Road and by 44 Weston Lane. These measures are aimed to reduce traffic speed and increase road safety.
- 2.11 Encouraging use of Mayfield Park will also take pressure off Weston Shoreline, where the disturbance of wildlife by dog walkers is seen to be an issue. End on public car parking will front Weston Lane, between the development and the street. This will assist to traffic calm. Some of the northern spaces will provide for dual use as a service bay for the retail use on Weston Lane clearly demarcated by a different colour finish. This will be managed through a traffic regulation order.
- 2.12 Elsewhere parking has been provided on a one for one basis for each dwelling with 8 visitor spaces also provided. Visitor parking spaces have been located out

of immediate access of Weston Lane to help retain their status as residential visitor spaces. 20 spaces are to be provided for the new retail space and library/community space.

- 2.13 Individual dwellings will have bicycle stores in their rear gardens and the flats have dedicated bicycle stores to the required standard. Back garden passageways to access communal bin stores will be gated and all communal bin and bike stores will also be secured.
- 2.14 A fairly simple palette of facing and roofing materials has been chosen. The non-residential parts of built form will be in a robust blue engineering brick. Flats above will be faced with buff bricks to Wallace Road and a mixture of buff and blue engineering bricks to Weston Lane.
- 2.15 The two and 2.5 storey houses will similarly be faced with the same buff brick will timber weatherboarding to porch stores and blue/grey tiled pitched roofs. There will be one exception. The 2.5 storey house linking into the southern flatted/commercial units block to Weston Lane will be faced with the blue engineering brick.
- 2.16 A slightly darker buff brick will be used for some house types, to add a little variety – in particular marking the corner of Wallace Road and Kingsclere Avenue. Window openings are to be recessed to give relief and shadow definition to elevations. Balconies give vertical relief and depth to the elevation. The applicant has confirmed that the flat roofed areas above shops will not be available as roof terraces for the flats.
- 2.17 Each dwelling is to be provided with some private amenity space and where in some cases for the flats the full 20 sq.m cannot be achieved, the balconies are considered to be fit for purpose and use of the retained communal open space to the centre of the site will mitigate for such shortfall.
- 2.18 Gardens are divided by 1.8m high close boarded fence panels whilst garden perimeters that public areas will be 1.8m brick walls. 1945 sq.m of communal amenity space including the 'homezone' and enclosed courtyard is being provided. The 'homezone' area is to be finished in block paving which will be repeated to the traffic calming raised tables along Weston Lane.
- 2.19 The applicant has submitted a number of assessments to support this application relating to:-
- statement of community involvement
 - archaeology;
 - ecology (including assessment of 52 existing trees and biodiversity on site). The arboriculturist has recommended replacement semi-mature trees are planted. Notwithstanding the loss of a total 12 trees/groups plans include for the planting of 30 new trees on site coupled with the retention of 9 quality AB trees across the site;
 - geo environmental desk study (where infilling of previous ponds is viewed as worthy of further investigation to ensure no prescribed contaminants or appropriate remediation and use of piled foundations is likely for new buildings greater than 2 storeys in height: significant remedial works are not expected to

be required);

- a drainage strategy (it is anticipated that most of the surface water will be discharged offsite to public surface water sewers at discharge rates less than the existing discharge rates: discharge rates and volumes for the proposed development will be less than that of the existing site for all storm return periods up to and including the 1 in 100 year return period plus 30% climate change and the site is not at risk from overland flooding. It is proposed to utilise some the existing connections and make new connections where existing ones cannot be used);

- flood risk assessment (development proposals will result in a decrease of impermeable areas, a 1700 sq. m decrease of site surface water runoff and therefore the proposed development will not increase flood risk elsewhere. SUDS devices are scoped. Retention pond, wetland and open channel techniques are precluded due to the limited site area. However, subsurface storage, conventional soakaway devices and permeable paving are suitable);

- a transport assessment (overall some 77 extra daily trips are estimated from TRICS data from comparable developments elsewhere, to be generated 07.00-19.00, only amounting to an average 1.6% (2.8% at evening peak) increase in traffic on the local highway network: only 10%+ increases are usually deemed significant enough or necessary to seek mitigation);

- a framework travel plan for the residential element of the proposals. The key aim of the Travel Plan is to inform residents and visitors of the alternatives to driving their cars to the site, and to increase awareness of and promote greener, cleaner modes of travel and to reduce reliance on the private motor car and create sustainable developments consistent with the overarching aims of the National Planning Policy Framework. If approved, and once the new housing is occupied, survey data will be used to determine base travel methods and to determine what incentives would be most appropriate and most effective to change travel modes. Additional surveys will be undertaken every two years following occupation of the site, including information on current travel methods and willingness to consider alternative modes of travel, at which point it will be possible to develop a strategy to maintain or improve on sustainable mode use over the private car. Positive measures have been designed into the development to promote walking and cycling. Broadband internet connections will be provided to each new dwelling to facilitate home working and reduce the need to travel. Key to the success of the plan will be the appointment of a co-ordinator to be funded initially by the developer for 3 years and thereafter through a service charge;

- a BREEAM pre-estimator predicting 'excellent' for the library to be achievable to secure sustainable development;

- a sustainability report confirming Code for Sustainable Homes Level 4 to be achievable and SUDS to be designed into the scheme to secure sustainable development. Main items will include:-

- Use of significantly enhanced insulation, construction detailing that achieves low air leakage, and high performance heating systems;
- Provision of gas heating via a condensing combination boilers and

mechanical ventilation

- Provision of an energy display device that will display and record electricity and heat consumption data and costs;
- Installing low energy appliances and light fittings;
- Careful selection of materials to ensure only those with the best environmental credentials are chosen where possible;
- Provision of low-water sanitary ware and sanitary fittings that results in a significant reduction compared to normal domestic water consumption;
- Provision of a "Home User Guide" to inform residents about the dwelling, about environmental issues in general, and about the facilities available in the local area;
- Installing bio-diverse planting; implementing other ecological enhancements; and using expert ecological guidance to inform the design and management of the landscaping and other ecological features; and
- Adopting policies in respect of site practises that will result in the site being managed in an environmentally and socially responsible manner;

- a site waste management plan, for waste streams during the construction period;

- an affordable housing statement. The applicant working with Spectrum Housing Group have explored many different options in order to maximise the affordable provision on site, while also maintaining the project's viability, which has been a challenging task. Through the efficient provision of affordable apartment units, we have achieved a total of 43% affordable dwellings, all of which will be provided on-site as part of the development. The proposed tenure split is for 73% affordable rent and 27% shared intermediate ownership. This split of tenures is in line with the strong demand for rented affordable housing. Of the 57% private housing units to be provided, 18 are 3 bed units. Spectrum have confirmed the City Council will have 100% nomination rights for the units Spectrum will manage; and,

- an open space assessment concluding a 0.1495 ha net loss of open space will result, where Woolston, having just under 90 ha of open space, has above the city average provision of open space. This small loss will be mitigated for by the homezone - (acknowledged in the council brief) - and proposed 500 sq.m open space. The latter will be partly levelled and enhanced to a higher quality for the enjoyment of the local residents. During consultation, residents had also stated the existing space was of poor quality and lacked good natural surveillance. There will also be off-site enhancements to Mayfield Park, which will be easier to access across the improved Weston Lane. The 'homezone' also has better value as it is safe for young children to play in and under the close surveillance of housing flanking it.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). Policy SDP1 (iii) supports mixed use of sites in accessible locations. The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 Major developments are expected to meet high sustainable construction

standards in accordance with the City Council's adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.

- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.4 The Local Plan Review also makes reference to the Local Transport Plan 3 (LTP 3), 2011-2031. This document sets out the future transport strategy for South Hampshire, which has been prepared by Portsmouth and Southampton City Councils and Hampshire County Council as Transport for South Hampshire.
- 3.5 The LTP 3 sets out the following vision for transport within the sub region as: *"A resilient, cost effective, fully-integrated sub-regional transport network, enabling economic growth whilst protecting and enhancing health, quality of life and environment."*
- 3.6 Officers were given delegated authority from 4 July 2011 Cabinet meeting to produce a development brief for the site and the Cabinet Member and Executive Director were given delegated authority to approve it. The Council adopted the amended "Weston Lane Parade information and development brief" for the redevelopment of the site in July 2012, with Bouygues Development being confirmed as preferred bidder for the site on 19.2.2013. The main targets set by the brief to deliver regeneration include:-
- a density in excess of 50 dwellings per hectare;
 - 35% minimum of new dwellings to be provided on an affordable basis;
 - Of the affordable units 65% rented and 35% intermediate tenure, with SCC having 100% nomination rights to all first lets;
 - Target split of 50/50 between affordable and private housing;
 - New affordable housing to meet space standards required by the HCA funding criteria;
 - 30% minimum of new dwellings to meet definition of 'family homes' set out in Policy CS16;
 - 5% of affordable homes to be wheelchair accessible;
 - 300 sq.m convenience store and 3 other retail units (600 sq.m minimum overall and post office to be encouraged within one of the units);
 - Library/community facility of a minimum of 150 sq.m;
 - All housing to be Secured by Design/Lifetime Homes/Building for Life and Code for Sustainable Homes Level 4 standards, with BREEAM excellent for non-residential;
 - Retain one, improved useable public open space and mitigate for any net loss;
 - At least 20 car parking spaces for non-residential uses, 1:1 for dwellings and 10% extra for visitors;
 - Obtain necessary stopping up orders for redundant areas of highway;
 - Tree retention where possible; and,

- developer to commit to an employment and training skill plan during construction.

3.7 The Council's SPD on parking standards outside areas of high accessibility would allow for a maximum of 156 car parking spaces to be provided.

4.0 Relevant Planning History

4.1 This is summarised in **Appendix 2**.

4.2 Historic Ordnance Survey maps show that the site was occupied by farm buildings, possibly including a water mill, two ponds and agricultural land close to the farm, which was probably medieval in origin.

4.3 The site was principally laid out as a local shopping parade with housing in the early 1960's.

5.0 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report 2 representations have been received from residents. Two separate staffed council consultation exercises (138 responses received) and another after the draft brief was published for comment – 60 responses received) and a formal staffed consultation exercise by the developer - (13.3.2013 - the 34 written responses - have preceded the submission of this application. **Appendix 3** contains a summary of the public consultation exercise.

5.2 **SCC Highways** - The Section 106 requirement for this site is to bring forward the public realm improvements as shown on their plans, final detail to be agreed. This will take the site specific contribution to bring this forward. There will need to be heads of terms for TRO's for alterations to the parking provision, the introduction of a loading bay, a 20mph zone, a travel plan and the movement of the zebra crossing.

5.3 **SCC Housing Delivery and Renewal Team** – Whereas proposals at only a net gain of 4 dwellings on site do not trigger requirement for affordable housing, pleased to see this has been secured through the requirements of the site brief and notes just under 43% will be affordable, where the brief only requires 35%.

5.4 **SCC Sustainability Team** – Recommend conditions to secure sustainable development. Satisfied that solar panels have now been added to drawings.

5.5 **SCC Architect's Panel** – The Architects Panel have viewed proposals at the site brief preparation stage and the developer bidding stage. Initially critical of pre-application designs in terms of:-

- general concerns about style of architecture: cantilevered balconies, detailing of fenestration, asymmetric roof pitches to some house types;
- scale step in Wallace Road;
- detail on shop shutters needs control;
- query construction/maintenance detail of roof terraces over wheelchair accessible flats;

- query drying areas for flats as washing left on balconies could detract from end quality of street scene;
- flats could have been better related to retained open space.
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Response:- These comments relate to pre-submission draft drawings and matters have been addressed through amended proposals which form this application. Overall, flats accepted to the north and runs of houses with a good proportion of private space supported.

- 5.6 **SCC Environmental Health (Pollution & Safety)** – Safeguarding conditions recommended to mitigate disturbance during construction.
- 5.7 **SCC Environmental Health (Food Safety)** – Safeguarding conditions recommended to mitigate disturbance during deliveries and operation of non-residential elements.
- 5.8 **SCC Environmental Health (Contaminated Land)** - Regulatory Services indicate that the subject site is located on/adjacent to a filled pond (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.
It is recommended that the site continue to be assessed for land contamination risks, having regard to the desk top study that has been carried out and, where appropriate, remediated to ensure the long term safety of the site. A number of planning conditions are recommended to ensure the site is free of prescribed contaminants and fit for its end use.
- 5.9 **SCC Ecology** – Whereas an initial holding objection was lodged, this has been withdrawn now that off-site mitigation, which the developer is making a financial contribution to under the planning agreement to be signed. Conditions to secure removal of Japanese Knotweed and ecological enhancements are recommended.
- 5.10 **SCC Archaeology** - The site will require archaeological evaluation, and will possibly require further work (depending on what comes up in the evaluation phase). A Written Scheme of Investigation (WSI) for the evaluation has already been produced and approved. Any further work will also need to be covered by a WSI. Further work may range from full archaeological excavation to a Watching Brief on groundworks. The applicant should be aware that the excavation of service trenches may also carry archaeological requirements, and should inform the utility companies of this. Two conditions are recommended to ensure archaeology discovered during the project is properly recorded/archived.
- 5.11 **SCC Trees Team** – Have reviewed the applicants amended proposals for new tree planting, including 30 replacement trees and consider this to be acceptable mitigation for those being lost, subject to conditions to safeguard retained trees during the build and a detailed landscaping plan being submitted for approval.
- 5.12 **SCC Rights of Way Officer** - Public rights that exist are embedded in the vehicular carriageways, pedestrian footways, (pavements), and footpaths that constitute the adopted, publicly maintainable highway infrastructure within and around the site. Referring to the Design & Access Statement, Drawings 12.062.100 and 12.062.102, it is recognised that some parts of the adopted

highway infrastructure will require stopping up and diversion Orders to facilitate the proposed site layout. It is understood that the proposed 'new' routes are to be re-adopted as highways maintainable at the public expense. If they are to be re-adopted as public highway, there would be no objections raised, with support for the through-links to and beyond the public open space provide within the developed site.

5.13 **BAA** – Raise no objections.

5.14 **Hampshire Constabulary** – Whilst no comments on the application have been received, Hampshire Constabulary did offer advice at the pre-application stage (summarised in the submitted design and access statement). No fundamental re-design was identified for the applicant's masterplan layout. In the interests of safety, the detailed design of the means of preventing cyclists from speeding through the 'homezone' to the refuse vehicle turning area beyond it will need attention. Parking will need to be clearly allocated/marked on the ground. Common cycle stores should be designed with self-closing doors. It is proposed to impose a planning condition requiring detail of the secure gating to the enclosed courtyard behind the library and to the refuse alleys/stationing areas onto Kingsclere Avenue.

5.15 **Southern Water** – Alert the local planning authority to public sewers crossing the site, diversion of which would need to be agreed with Southern Water. Retained sewers must be protected during the construction process. Diversion would be on the proviso of no loss of hydraulic capacity and works executed at the developer's expense. No new tree planting is to take place within 3.5m of any retained sewer. Any SUDS approved will need to be maintained by the developer and their suitability discussed with the council's Building Control Officers. The proposed layout will also require amendment to be in conformity with the requirements of "Sewers for Adoption", but this can be covered by a planning condition. The applicant needs to make a formal submission to Southern Water for consideration of his proposals, including evidence regarding the effectiveness of soakage systems and capacity checks to confirm the adequacy of the public sewerage system. Independent confirmation of the line of the sewer is required, so that the actual clearance can be verified. A number of conditions and an informative are recommended if the local planning authority is minded to grant planning permission.

5.16 **Environment Agency**- No objections raised.

5.17 **Representations**. Two letters have been received, expressing concerns on the following grounds:-

- When I signed the lease with the council upon purchasing my flat it was for over 100 years, no one mentioned redevelopment of the site after 11 years due to neglect and poor maintenance;
- Disappointment with the submitted design solution, as had been under the impression the public would select a scheme from three options;
- There will be a 'safeguarding' issue for children's nursery opposite to north, arising from overlooking from the 5 storey element: this will threaten the business, where some parents have already indicated they might move their children to another nursery;
- Loss of natural light from shading by taller buildings;
- Taller buildings should remain where Somborne house currently is on the

site;

- Distasteful that most of site to be sold privately, when occupation has always been 100% council controlled/available;
- Narrowing of Weston Lane will cause traffic chaos and this matter has not been properly assessed;
- Doubt whether shop loading bay in Weston Lane will actually work, as lay-by in Wallace Road does not get used, causing congestion elsewhere;
- Disturbance during construction and no mention of risk assessments about noise, asbestos removal, traffic disruption, etc., which could impinge on children using nursery garden; and,
- Devaluation of property.

Responses

- It is regrettable that those who would wish to continue to occupy the site would be displaced by the development proposed. However, there has been extensive community consultation and the overwhelming response has been supportive of re-development. Correct legal processes will be followed to secure ownership of existing interests in the site;
- The applicant has submitted their preferred design solution, which is now being considered by the council as local planning authority. This solution has undergone significant consultation and closely follows the design principles set out in a brief drawn up for the site adopted by the council after a lot of public consultation;
- The applicant has prepared three additional drawings which have all been shown/supplied to the objector. These clarify that balconies that had been fronting Wallace Road in the 5 storey block have been moved to the rear of that block and that the angle of view from habitable room windows would only have an oblique view of the nursery back garden, mostly obscured by the nursery building itself. Shading diagrams have been produced to show that for the March/September equinox, there would be no adverse loss of natural light. Finally, it is confirmed that the upper flatted part of the 5 storey built form as it fronts Wallace Road will be faced with buff brickwork and not in blue engineering brick as may have been suggested by a sketch option in the design and access statement from an earlier phase of the design process. It is also possible that regeneration of this site could attract new families who may generate business for the day nursery;
- The development brief supports 5 storey development at the corner of Wallace Road and Weston Lane. The brief also sets out the degree of affordable housing to be provided, having regard to the government's desire to create mixed and balanced communities that are not dominated by one tenure. The brief has been adopted by the council and was the basis upon which bids were invited from potential developers;
- The developer has commissioned a Transport Assessment by a competent Transport Consultant. Impact from the development on the surrounding highways network has been examined in detail. The proposals to narrow Weston Lane and traffic calm is seen as a positive highway safety feature for more vulnerable users of the street and also a means of directing people to Mayfield Park to (a) divert dog walkers from going to Weston Shore, and (b) mitigate for the net quantitative loss of open space on the site;
- The new loading bay will have a dual function, controlled by TRO. The

volume and frequency of servicing retail outlets is not assessed to have an adverse impact on highway safety and the ability of others to still use the highway network;

- Risk assessments have been prepared as part of the separate application for prior approval of the demolition of existing buildings under 13/00461/DPA. Adequate controls have been put in place by conditions for that approval, set out at the end of **Appendix 2** to this report. Hours of working can also be controlled under this application if Members are minded to support the proposals. The Government accept that there will always be some disturbance arising from new development when it is built out, but that this is not a reason to refuse development. These are matters that can be managed by the developer under safeguarding conditions set out in the officer recommendation;
- Devaluation of property is not a material planning consideration. Impact to amenity is carefully considered elsewhere in this report.
- Issues raised under **Appendix 3** are looked at below.

6.0 Planning Consideration Key Issues

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

- Principle of redevelopment and conformity with the site brief;
- Form and appearance of development and its impact on the character of the area;
- Impact on residential amenity, both for neighbours and living/working conditions of those who would occupy;
- Access, parking and highway safety;
- Open space, tree and ecological mitigation;
- Sustainable development and preventing the fear of crime;
- Preventing flood risk and drainage considerations;
- Ensuring the site is free of prescribed contaminants and evaluating site archaeology;
- Other matters raised during public consultation not already covered (see **Appendix 3**);
- Mitigating the impact of the development through the S.106 planning agreement.

6.2 Principle of Development and conformity with the site brief

6.2.1 Built form is generally designed in perimeter block form to ensure a clear distinction between the public and private realm, which has been a major design flaw of the existing site.

6.2.2 The scale of the development accords with the site brief and the density at just over 62 dwellings/ha is also compliant.

6.2.3 SCC Housing are satisfied that the proposals deliver more than 35% of dwellings being affordable and SCC nomination rights will be secured.

6.2.4 Whilst there is a slight bias in the split of private (57%) versus affordable (43%) dwellings, the difference is slight, new family housing is being created and a more mixed and balanced community will result on site.

- 6.2.5 Whereas only 2.8% of the new dwellings are wheelchair accessible, all homes are designed to the Lifetime Homes/Building for Life/Part M Building Regulations standards and capable of adaptation should any occupants become disabled whilst living at their property.
- 6.2.6 The required quantum of retail and community/library space are being delivered, safeguarding the site's role as a local shopping centre.
- 6.2.7 Sustainable measures to the required standard are being built into the development.
- 6.2.8 Whereas a smaller open space would result, this would be an improved space, the 'homezone' would allow for younger children to play outside their homes a dedicated courtyard space would exist for the flats over the library/convenience store and access to Mayfield Park would be being improved via traffic calming in Weston Lane. The developer has retained most major trees within the proposed layout and appropriate mitigation by way of new tree planting, where others are to be lost.
- 6.2.9 The quantum of car parking complies with the requirements of the brief, includes some residential visitor parking and a Travel Plan would encourage those occupying the site to use non-car modes of travel.
- 6.2.10 The developer has accepted the principle of the heads of terms to the legal agreement and is aware of the obligation to ensure proper legal process is followed, to stop-up redundant highway land.
- 6.3 Form and appearance of development and its impact on the character of the area
- 6.3.1 The existing buildings and poorly configured spaces about them do not contribute positively towards the appearance of the area, which is also a gateway to the Weston estate.
- 6.3.2 The developer has designed a form of development which accords with the design principles of the site brief and accordingly has focused five storey built form at the junction of Weston Lane and Wallace Road. Whereas some are critical of this and the step in scale down to houses in Wallace Road, officers consider that to be acceptable.
- 6.3.3 A simple and robust palette of building materials has been chosen, yet one which gives some variety and buildings have been detailed to provide good, legible development.
- 6.3.4 Overall, the proposals will make a significant improvement to the character and appearance of the area.
- 6.4 Impact on residential amenity, both for neighbours and living/working conditions of those who would occupy
- 6.4.1 Very limited written objection has been received from giving publicity to these proposals. Issues specifically relating to overlooking and shading a children's day nursery to the north of the site have been assessed and officers consider such impact to be minimal and acceptable. A planning condition is also recommended to control the insertion of rooflights and dormer windows in the

houses facing Wallace Road. The location of 5 storey built form is commented upon elsewhere in this report and not found to be harmful.

6.4.2 Dwellings would have good access to natural light/outlook, separations between built form and quantum of private and usable amenity space are considered acceptable. The quantum of non-residential space and flexibility to move between classes A1-A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) should provide for a healthy and viable local shopping centre, which will be adequately serviced from the public highway. Conditions are suggested to strike a balance between providing a vibrant local shopping centre and ensuring peace and quiet in adjoining adjacent dwellings.

6.5 Access, parking and highway safety

6.5.1 The developer will need to apply to the Secretary of State for a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 for the relevant areas of redundant adopted highway land. The granting of planning permission would facilitate that process. Once completed, the developer would then ask for the new areas of highway to be adopted under a Section 38 agreement under the highway Act 1980.

6.5.2 Whereas the maximum quantum of parking permissible is not being put forward, levels of car parking have been put to the public via consultation on the site brief. The applicant has made a detailed Transport Assessment which supports the levels of car parking put forward and advocates a Travel Plan to promote non-car modes of travel into the future. Being a local shopping centre, close to other local amenities listed in section 1 of this report, there is greater potential that those occupying the new development will be more likely to walk, cycle or use public transport to access those things needed to fulfil their daily lives.

6.6 Open space, tree and ecological mitigation

6.6.1 An improved, retained open space would result, which would – on completion – be dedicated back to the council's care. Private space within the development would also provide for an acceptable spatial pattern of development on the site, the 'homezone' giving greater emphasis to the pedestrian/cyclist over the car, allowing those forms of travel to still permeate through the site, cross the improved Weston Lane and walk more safely/easily to Mayfield Park, taking pressure off wildlife at Weston Shore. The applicant proposes new structural tree planting to mitigate for trees that would be lost and a detailed landscape design will provide a pleasing, but secure setting for the new built form.

6.7 Sustainable development and preventing the fear of crime

6.7.1 The applicant has designed these proposals to mitigate their impact on the environment and minimise the use of natural resources and energy. By following the design principles of defensible space, Hampshire Constabulary have been involved in the design process and are supportive of the proposals.

6.8 Preventing flood risk and drainage considerations

6.8.1 The site may be vulnerable to extreme storm event up to a 1 in 1,000 year return period. There are some anecdotal records of water pooling in the lowest parts of

the site during heavy rainfall. However, the risk should be considered insignificant and can be managed by careful flood routeing.

6.8.2 The developer is confident that the drainage solution put forward for the site will work, but understands Southern Water's overall concern to protect public sewers on the site and ensure sufficient hydraulic capacity exists to serve the development. It is proposed to reserve these matters by planning conditions and an informative, where Members may be minded to grant planning permission.

6.9 Ensuring the site is free of prescribed contaminants and evaluating site archaeology

6.9.1 A desktop assessment has already been carried out. This has identified that an infilled pond is likely to have existed on the site and further intrusive investigation, with a strategy for remediation, should any prescribed contaminants be discovered, is required by condition.

6.9.2 An archaeological assessment has been carried out. This also recommends that trenches be dug to more properly evaluate and record/archive the site's archaeology. This too can be covered by planning condition.

6.10 Other matters raised during public consultation not already covered (see **Appendix 3**)

6.10.1 It is encouraging that 8 of 34 responding felt the proposals represented a positive improvement to the area, recognising its regenerative potential at the gateway to the Weston Estate and that highway safety would be improved in Weston Lane through traffic calming.

6.10.2 The applicant has sought commercial use within Classes A1 to A5. Class A1 would allow for a post office to operate from the site and other Council Officers are working hard to try to ensure that a post office would remain in the locality. However, this is not a matter that can be guaranteed and is not an overriding consideration as to whether the tabled proposals should be granted planning permission. Those providing groceries would also be allowed for under Class A1. There is no intention to re-introduce a council satellite office at the site, but the community space associated with the library may offer potential for local residents to discuss matters or meet their elected Ward Councillors. Whilst the applicant will seek to phase construction, it is inevitable that some shops will have to close during construction.

6.10.3 Submitted plans confirm that a zebra crossing will be part of the traffic calming measures proposed in Weston Lane. Highways Officers are confident that traffic will be calmed and that operation of the service lay-by will be achieved through a TRO. Officers are also satisfied with the detailed design of cartilage parking proposed in Wallace Road. Raised tables and adjustments in carriageway alignment are carefully designed to slow vehicle speeds, whilst at the same time not damaging vehicles that pass over them at an appropriate speed. Altering the highway to give greater priority to the pedestrian is wholly appropriate for the reasoning set out elsewhere in this report.

6.10.4 Plans have evolved through the design process, with all plans and information having been made available on public access.

- 6.10.5 If all goes to plan, the site brief considered that any development receiving planning permission ought likely to have been completed by March 2016.
- 6.10.6 Requests about maintaining site boundaries and the provision of dropped kerbs are known to the developer. Provision of a dropped kerb should be arranged directly with the council. Highway Officers have been made aware of that residents wish to have a dropped kerb as part of any improvement to Weston Lane. Being as Weston Lane is a classified highway, the dropped kerb would require a separate planning permission. The interested resident has been advised of this.
- 6.11 Mitigating the impact of the development through the S.106 planning agreement
- 6.11.1 Officers are satisfied that the heads of terms set out in the recommendation will deliver successful and much needed regeneration of this site. The main mitigation to be achieved is for a net loss of public open space and ensuring any increase in recreational need that cannot be accommodated on site is otherwise encouraged towards Mayfield Park, rather than towards Weston Shore, in the interests of nature conservation. Whilst there is very little net increase in activity or density arising from these proposals, the improvements that will be delivered to Weston Lane will help the vitality of the retained local shopping centre and provide easier access to Mayfield Park.

7.0 Summary

- 7.1 The proposals make a significant improvement to the appearance and community safety of the site and in particular the way built form addresses Weston Lane, giving an appropriate prominence to the junction with Wallace Road as gateway to the Weston Estate and comfortable reduction in scale down to the chalet bungalow at 44 Weston Lane.

8.0 Conclusion

- 8.1 The development is acceptable provided the matters to be secured through the legal agreement and planning conditions are adhered to.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1a-d; 2 b-d; 4b, f-g, i, k-l, vv; 5a-e; 6a, c, f; 7a; 8a, h-j; 9a-b and Weston Lane Parade information and development brief (July 2012)

SL2 for 25/06/2013 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

02. APPROVAL CONDITION - Archaeological investigation [Pre-commencement condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

03. APPROVAL CONDITION- Land contamination remediation [Pre-commencement & pre-occupation condition]

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

1. A report of the findings of an exploratory site investigation (based on the Phase 1 Desk Study submitted by Capita Symonds (Report ref CS/052361), characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
2. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (2) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of each phase of the development as it is completed and ready for occupation.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

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

04. APPROVAL CONDITION - Construction method statement (Pre-commencement/performance condition)

The development hereby approved shall not commence until a method statement and appropriate drawings of the means of construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify dust suppression measures, means of ensuring mud from the site is not taken onto the adjoining public highway, vehicular access arrangements, the areas to be used for contractor's vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. This shall include details of how the location of any contractors'/materials compound may alter on site as phases of the development are

completed. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of neighbours and the wider environment.

05. APPROVAL CONDITION - Opaque screening to balconies (Pre-commencement/performance condition)

The development hereby approved shall not commence until a detailed scheme of opaque screening to the south-eastern end of rear balconies to flats numbered 64, 66, 68 and 70 on drawing 12.062.126, within the 5 storey block at the corner of Weston Lane and Wallace Road has been submitted to and approved in writing by the Local Planning Authority. Once approved, that opaque screening shall be fully installed before any of the related dwellings are first occupied. Once installed, that approved opaque screening shall be retained at all times thereafter.

Reason:

To protect the privacy of occupiers of adjacent dwellings.

06. APPROVAL CONDITION - Sewer protection (Pre-commencement condition)

Prior to the commencement of development the developer shall submit details of the measures which will be undertaken to protect public sewers crossing the site to local authority for its approval in writing.

Reason:

In the interests of public health and to minimise the risk of flooding in the area.

07. APPROVAL CONDITION - Foul and surface water drainage (Pre-commencement condition)

The developer must advise the local authority of the measures which will be undertaken to divert or re-provide the public sewers on the site. No development shall commence until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved by, the Local Planning Authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

08. APPROVAL CONDITION - Road construction [Pre-commencement condition]

No development hereby permitted, apart from demolition of the existing buildings, shall be commenced until the Local Planning Authority has approved in writing:-

- (i) A specification of the type of construction proposed for the roads, cycleways and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water.
- (ii) A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

Reason:

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

09. APPROVAL CONDITION - Details of building materials to be used [Pre-commencement condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for balcony supports, edging, undersides and balustrading, external walls, windows and doors of the buildings. For the avoidance of doubt only the larger shop unit at the corner of Weston Lane and Wallace Road and that for the library are approved under this planning application and shall be the subject of further planning applications. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve built form of visual quality.

10. APPROVAL CONDITION - Landscaping detailed plan [Pre-commencement condition]

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates finished site levels, the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, means of enclosure, lighting and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority. In particular, this shall include a robust means of enclosure no less than 1.8m high to prevent through access from the retained open space to and from the most southerly point of access to Weston Lane. The level of the roof terracing over the two wheelchair accessible flats adjacent to the retained public open space shall be higher than the level of that improved space. A minimum of 30 new trees shall be replanted to compensate for the 15 identified for removal. At least 2 of the 30 new trees shall be planted to semi-mature nursery standard (i.e. 25-30cm girth and no less than 5m height at first planting).

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

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

The approved scheme shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision. Once provided, the robust means of enclosure no less

than 1.8m high to prevent through access from the retained open space to and from the most southerly point of access to Weston Lane, shall be retained at all times thereafter.

Reason:

To mitigate for tree loss on the site, particularly trees T12 and T13 in the applicant's tree survey. To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. Also in the interests of limiting permeability through the site in the interests of crime reduction.

11. APPROVAL CONDITION - Ecological mitigation programme [Pre-commencement/performance condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, as set out in the Ecological Appraisal dated October 2009 submitted with the application. Unless otherwise agreed in correspondence with the Local Planning Authority, these measures shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason:

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

12. APPROVAL CONDITION - Removal of Japanese Knotweed [Pre-commencement/performance condition]

No development shall commence until a detailed method statement for the removal/eradication of Japanese knotweed on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. The approved method statement shall be carried out before the pair of semi-detached houses in the south-west corner of the site adjacent to 44 Weston Lane are constructed and first occupied.

Reason:

To prevent the further spread of Japanese knotweed.

13. APPROVAL CONDITION - Arboricultural method statement [Pre-commencement condition]

Having regard to paragraph 6.17 of the submitted Capita Symonds Ecological appraisal CS50193-01 Rev B dated November 2011, no operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.

4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

14. APPROVAL CONDITION - Access for all (Pre-occupation/performance condition)

A level threshold to all entrance points of the library and retail units within Class A1-A5 of the Town and country Planning (Use Classes) Order 1987 (as amended) shall be provided before the first occupation of each of these units and once provided shall be maintained at all times thereafter.

Reason:

To provide access for all in accordance with the Disability Discrimination Act 1995.

15. APPROVAL CONDITION - Sustainability statement implementation (Commercial) [Pre-occupation condition]

Prior to the first occupation of the development hereby granted consent, written documentary evidence proving that the development has implemented the approved sustainability measures for the commercial units as contained in the Environmental Review report CPA6336 Issue 1 dated March 2013 shall be submitted to the Local Planning Authority for its approval. This shall include full implementation of the photovoltaic panels to be installed, shown on the plans hereby approved.

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).

16. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-occupation/performance condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

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

17. APPROVAL CONDITION - Ecological mitigation measures (Pre-occupation/performance condition)

Implementation of the mitigation measures relating to slow worms and the introduction of native and/or ornamental plants of value to wildlife, contained in the Recommendations sections of the Weston Lane Parade Ecological Appraisal (November 2011) and the Weston Lane Parade Bat and Reptile Surveys (October 2012) Report, shall occur before

any building hereby approved is first occupied, unless an alternative phased timescale is agreed in correspondence with the local planning authority. Once implemented, those mitigation measures shall be maintained on site at all times.

Reason:

To provide ecological and biodiversity enhancements at this site in the interests of promoting nature conservation and having regard to the net loss of habitat resulting from the development proposals.

18. APPROVAL CONDITION - Amenity space access [performance condition]

The private garden areas, enclosed courtyard and balconies shown on the approved plans shall be provided before the first occupation of each relevant associated dwelling and thereafter retained at all times thereafter.

Reason:

To ensure the provision of adequate amenity space in association with the approved dwellings.

19. APPROVAL CONDITION - Public amenity space access [Performance condition]

The area to be laid out as the retained public amenity space shown on the approved plans shall be regarded, re-turfed and provided before the first occupation of the 50th new dwelling, unless an alternative timescale is agreed in correspondence with the local planning authority. Once provided that space shall be retained at all times thereafter.

Reason:

To ensure the provision of adequate public amenity space in association with the development, having regard to the net loss of publically accessible open space arising from this approval and to provide part of the setting for the development.

20. APPROVAL CONDITION - Refuse & recycling [Pre-occupation/performance condition]

The facilities shown for the storage, removal and recycling of refuse from all buildings hereby approved shall be provided before each respective building is first occupied/brought into use. Once provided, those facilities shall be retained at all times thereafter. Such facilities as approved shall provide for a level approach. Where refuse bin stationing areas have been provided off Kingsclere Avenue, bins shall only be brought to that area on collection day and once emptied shall be returned to their respective residential cartilage until the next collection day. Common bin stores shall be fitted with self-closing and lockable doors.

Reason:

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

21. APPROVAL CONDITION - Kitchen extract equipment serving any Class A3-A5 use [Pre-occupation/performance condition]

Before any use within Classes A3 to A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) involving the preparation of hot food is first instituted, the operator shall submit details of kitchen extraction equipment to be installed, including its acoustic attenuation, for the written approval of the local planning authority. Where such equipment makes a material alteration to the external appearance of the building, such equipment shall not be installed unless and until further planning permission has been granted by the local planning authority. No such use, preparing hot food, shall first be operated until the approved kitchen extraction equipment has been installed in accordance

with the approved details. Once fitted, that equipment shall be operated so as to suppress the emission of fumes from any cooking process and be maintained at all times in accordance with the manufacturers' operating instructions.

Reason:

In the interests of amenity.

22. APPROVAL CONDITION - Laying out of parking/servicing (Pre-occupation condition)

The whole of the car parking, cycle storage (set out in section 6.5 of the design and access statement) and servicing facilities shown on the approved plans shall be laid out, marked out and made available before the use of each respective building to which these facilities relate commences and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose. Common cycle stores shall be fitted with self-closing and lockable doors. All turning areas for refuse vehicles are to be kept clear at all times.

Reason:

To ensure adequate on-site parking and servicing facilities, to avoid congestion in the adjoining highway and in the interests of crime prevention and highway safety.

23. APPROVAL CONDITION - Design against crime (Pre-occupation/performance condition)

Secure enclosure of courtyard to flats over the library and largest commercial unit and lockable gates to all refuse alleys shall be provided prior to the first occupation of each related set of dwellings. Once provided those measures to be retained at all times thereafter.

Reason:

In the interests of crime prevention.

24. 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 4 of the Code for Sustainable Homes 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).

25. APPROVAL CONDITION - Retained access arrangements (Performance condition)

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other Order revoking or re-enacting this Order) no walls, fences or other permanent means of enclosure shall be erected across those parts of the site shown as being open preventing pedestrian and cyclist access routes through the site.

Reason:

To ensure that permeability is retained through the site.

26. APPROVAL CONDITION - Bonfires [Performance condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

27. APPROVAL CONDITION - Hours of work for demolition / clearance / construction [Performance condition]

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

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

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

Reason:

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

28. APPROVAL CONDITION - No other windows or doors other than approved [Performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no rooflight windows or other openings including dormer windows other than those expressly authorised by this permission shall be inserted in the roofslopes of new houses facing Wallace Road.

Reason:

To safeguard the privacy of children attending the day nursery on the opposite side of Wallace Road.

29. APPROVAL CONDITION - Roof terracing-use restriction (Performance condition)

Other than balconies, roof terrace areas located over each of the units approved within Classes A1-A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) in the southern flatted block fronting Weston Lane, shall not be used for recreational purposes by any resident living within the approved development.

Reason:

To safeguard the privacy of occupiers of adjacent residential properties to the south.

30. APPROVAL CONDITION - Replacement trees [Performance condition]

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

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

31. APPROVAL CONDITION- Unsuspected contamination [Performance condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

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

Reason:

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

32. APPROVAL CONDITION - Recessing of window and door openings [Performance condition]

With the exception of ground floor elevations to the commercial units approved within Classes A1 to A5 of the Town and Country Planning (Uses Classes) Order 1987 (as amended), which shall be the subject of further planning applications to agree their detailed form and appearance, all other window and door openings in the development shall have a minimum 50 mm recess from the face of the elevation to the face of each window or door framework.

Reason:

To give visual relief to buildings, to add interest and depth to elevations, so as to enhance the character and appearance of the area.

33. APPROVAL CONDITION - Restriction on use (Performance condition)

No more than one of the small retail units hereby approved shall be used for Class A5 purposes without the prior written approval of the Local Planning Authority and units shall not be amalgamated without first obtaining planning permission to do so.

Reason:

To ensure a satisfactory mix of uses and unit sizes on the site, in the interests of promoting the vitality of this defined local shopping centre.

34. APPROVAL CONDITION - Flexible use (Performance condition)

Those parts of the development to be used for purposes within Classes A1 to A5 of the Town and Country Planning (Use Classes) Order 1987 (or any order replacing or amending this Order) shall be able to 'flip' between those specified uses for a 10 year period, allowed for under Class E to Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The 10 year period shall commence upon first use of any of the commercial units hereby approved. And whatever use a retail unit is in at the end of the 10 year period planning permission shall

thereafter be required to change to another use within Class A of the above 1987 Order (as amended).

Reason:

To protect the amenities of residents within the site and occupiers of adjoining residential properties.

35. APPROVAL CONDITION - Hours of use (Performance condition)

Those parts of the development to be used as the library/community meeting rooms or for purposes within Classes A1 to A5 of the Town and Country Planning (Use Classes) Order 1987 (or any order replacing or amending this Order) shall not be open for public use outside the hours of 0730 to 2300.

Reason:

To protect the amenities of residents within the site and occupiers of adjoining residential properties.

36. APPROVAL CONDITION - Residential - Permitted development restriction [Performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

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

Class D (porch),

Class E (curtilage structures), including a garage, shed (other than those approved for cycle storage purposes shown on the approved site layout plans), greenhouse, etc.,

Class F (hard surface area)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area. Also having regard for the need for permeability in proximity to new and replacement tree planting.

37. APPROVAL CONDITION - Archaeological work programme [Performance condition]

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

Reason:

To ensure that the archaeological investigation is completed.

38. APPROVAL CONDITION - Approved plans (Performance condition)

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

Reason:

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

Note to Applicant

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688).

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection points for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk.

The developer can discharge foul flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the foul system. You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed foul flow will be no greater than the existing contributing flows.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development

POLICY CONTEXTCore Strategy - (January 2010)

CS3	Promoting Successful Places
CS4	Housing Delivery
CS5	Housing Density
CS11	An Educated City
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP16	Noise
SDP17	Lighting
SDP19	Aerodrome and Technical Site Safeguarding
SDP22	Contaminated Land
NE4	Protected Species
HE6	Archaeological Remains
CLT1	Location of Development
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
H1	Housing Supply
H2	Previously Developed Land
H3	Special Housing Need
H6	Housing Retention
H7	The Residential Environment
REI6	Local Centres
REI7	Food and Drink Uses (Classes A3, A4 and A5)
REI8	Shopfronts

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards SPD (September 2011)
Weston Lane Parade information and development brief (July 2012)

Other Relevant Guidance

The National Planning Policy Framework 2012

Relevant Planning History

The site, forming part of the Weston Estate development first gained outline approval under **3793/1008/N**, granted **30.12.1952**.

Shops/maisonettes ultimately approved **16.2.1960** under **3793/1171/10**.

5 storey Somborne House off Weston Lane with 4 storey Ashton House flats off Kingsclere Avenue ultimately approved **9.7.1963** under **3793/1247/64**.

14 car parking spaces created outside Ashton House under **3793/1458/C8** on **7.8.1973**.

Change of use of 72 Weston Lane to Area Housing Office **4.2.1985** under **C01/1656/22118**.

Garage to 24 Kingsclere Avenue approved **4.6.1985**, showing access over current application site, under **E20/1663/22525**.

Area Housing Office extended into 70 Weston Lane **16.7.1986** under **860328/22963/EC**.

Landscaped car park of 13 spaces created off Weston Lane under **3793/890199/EC**, granted **3.9.1989**.

Environmental hard/soft landscape improvements were made to the sunken 'precinct' in front of Wallace Road shops under **3793/890639/EC** granted **10.5.1989**.

Hot food take-away approved **17.4.1991** at 3 Wallace Road under **25356/910284** (implemented, but ceased trading in 1992).

Tenants training centre approved **29.6.1994** at 3 Wallace Road under **25356/940533**, with use widened to include branch library.

Roller shutters to 80 Weston Lane (Co-op) approved **14.3.1995** under **950092/14538/E**.

Residents bin store approved in Kingsclere Close **8.3.1998** under **981304/3793/EC**.

Roller shutters to 80 Weston Lane (Co-op) approved **12.6.2000** under **00/00490/FUL/14538**.

Under application **13/00248/SCR** the council determined **7.3.2013** that similar proposals by Bouygues Development ("redevelopment of the site for a mixed residential and commercial development (up to 75 residential units)", which have come to be included in this planning application (13/00476/FUL), did not require an Environmental Assessment.

An informal pre-application Members Briefing was given on 26 March 2013.

An application for the prior approval of demolition of existing buildings, excluding the electricity sub-station and gas governor building fronting Kingsclere Avenue was approved **22.5.2013** under reference **13/00461/DPA** and is reproduced below:-

CONDITIONS imposed on 13/00461/DPA approved 22.5.2013

01. APPROVAL CONDITION - Timing Condition

The demolition works hereby permitted shall begin not later than three years from the date on which this prior approval notice was granted.

Reason:

To comply with the Town & Country Planning Act (1990) (As amended) and to define the life of this permission.

02. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

03. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

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

Monday to Friday 08:00 hours to 17:00 hours (8.00am to 5.00pm)

Saturdays 08:00 hours to 12:00 hours (8.00am to 12.00pm)

And at no time on Sundays and recognised public holidays.

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

Reason:

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

04. APPROVAL CONDITION - Management of Vehicles

Unless otherwise agreed by the Local Planning Authority all lorries, HGV's and other delivery vehicles associated with the demolition works, and arriving at the site, shall be time managed to ensure that arrivals and departures are scheduled. No more than two vehicles shall wait adjacent to the site at any one time. all unloading and loading of vehicles and the parking of staff vehicles shall be accommodated within the site for the whole period of demolition.

Reason:

For the safety and convenience of the users of the adjacent highway and access.

05. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement/Performance Condition]

All trees to be retained (T5, T14-1 T19 and G1 to G3 set out in the planning statement by Capita Symonds) shall be fully safeguarded during the course of all demolition and excavation operations. No operation in connection with the development hereby permitted shall commence on site until tree protection - over and above that shown on the site

hoarding plan - has been submitted to and agreed in writing by the Local Planning Authority. Once approved that fencing to protect the trees shall be erected before any demolition takes place. The protective fencing shall comply with BS5837 and shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

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

06. APPROVAL CONDITION - Demolition - Dust Suppression and waste stockpiles [Pre-Commencement/Performance Condition]

Before demolition commences, the developer that wins the contract to demolish the buildings shall submit a dust suppression method statement for the written approval of the local planning authority. The agreed measures to suppress dust during the demolition works to be carried out on the site shall then be implemented throughout the entire demolition period. This method statement shall apply to any stockpiled waste materials to be used to regrade the site. Such stockpiles shall not exceed 4m in height at any part of each stockpile

Reason:

To protect the amenities of users of the surrounding area.

07. APPROVAL CONDITION - Security Fencing

During the demolition works, the boundary fencing shall be provided in accordance with the Method and Risk Assessment hereby approved. The fencing shall remain in place for the duration of the demolition works.

Reason

In the interest of safety and security.

08. APPROVAL CONDITION - Demolition Statement [Pre-Commencement Condition]

Precise details of the method and programming of the demolition of the existing property shall be submitted to and approved by in writing by the Local Planning Authority prior to the implementation of the scheme. The agreed scheme shall be carried out to the details as specified in the demolition programme unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the amenity of adjacent residential properties.

09. APPROVAL CONDITION - Demolition - Technical Details [Pre-Commencement Condition]

Notwithstanding the submitted demolition method statement for the proposed work hereby approved, the demolition contractor shall submit a more precise method statement as to the removal of asbestos from the buildings for the written approval of the local planning authority. Once approved, the asbestos shall be removed from each building before it is demolished. No demolition shall take place unless and until such details have been submitted, considered and agreed by the Local Planning Authority.

Reason:

To ensure that the appropriate safeguards and mitigation action in relation to harmful materials are provided for the safety of local residents and workers on the site.

10. PERFORMANCE CONDITION - Vigilance for bats during demolition

Features such as tiles, soffits and weatherboards, that could accommodate bats, shall be stripped by hand. In the unlikely event of bats being found work shall stop until advice on how to proceed has been obtained from Natural England or an appropriately qualified ecologist.

Reason:

To safeguard protected species in the interests of nature conservation.

11. PERFORMANCE CONDITION - Ecological mitigation

The mitigation measures contained in the Recommendations section of the Weston Lane Parade Bat and Reptile Surveys (October 2012) Report shall be fully implemented during the programmed demolition works.

Reason:

In the interests of nature conservation.

12. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of demolition, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

13. APPROVAL CONDITION - Demolition Method Statement - [Performance Condition]

The proposed demolition shall be carried out in accordance with the principles set out in the submitted R Collard method statement throughout the entire demolition period unless any variance is agreed in correspondence with the Local Planning Authority.

Reason:

To protect the amenities of users of the surrounding area.

14. APPROVAL CONDITION - Archaeological watching brief (Performance condition)

Unless otherwise provided for under any favourable decision the local planning authority may issue under reference 13/00476/FUL, the taking up of building floor slabs and excavation of foundations shall only occur in accordance with the programme of archaeological work set out in the written scheme of investigation prepared by A Russel of the Southampton City Council Archaeology Unit dated 8/3 /2013. This shall take the form of a watching brief where a qualified archaeologist appointed by the developer is present on site during any excavation work following the proposed demolition to clear the site for redevelopment.

REASON

To ensure that the archaeology of the site is properly investigated.

15. APPROVAL CONDITION - Archaeological work programme [Performance Condition]

Unless otherwise provided for under any favourable decision the local planning authority may issue under reference 13/00476/FUL, the developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

Reason for Raising No Objection to Prior Approval

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposed demolition works are considered to fall within the terms of Part 31 of the GPDO (1995) and whilst prior approval is required the Council's consideration of the following policies concludes that no objection should be forthcoming:

Policies - SDP1, SDP7, SDP9 and REI14 of the adopted City of Southampton Local Plan Review 2006 as supported by the Council's current adopted Supplementary Planning Guidance and Policy CS13 of the adopted LDF Core Strategy 2010.

SUMMARY OF VIEWS EXPRESSED AT 13.3.2013 PUBLIC CONSULTATION EXERCISE ORGANISED BY THE APPLICANT PRIOR TO THE SUBMISSION OF 13/00476/FUL (34 responses made – figures in brackets indicate number of respondents making each point)

Positive

General

- Fully support/big improvement (7)
- Much better entrance to the estate (1)

Highway safety

- Glad to see safety changes regarding Wallace Road/Weston Lane junction (1)
- Glad traffic calming has been introduced (1)

Neutral / Clarification sought

Uses

- Post office essential, owing to number of elderly in the area (4)
- Shop for day to day grocery needs required (3)
- Want clarification that library will be retained (2)
- Request that satellite council office be reintroduced (as one at Woolston often shut)(2)
- Will there be a mobile library service? (1)

Highways

- Where is zebra crossing to Weston Lane going back? (1)
- Parking levels sought (1)

Aesthetics/design/appearance of development

- Request for plans (5)
- Elevational clarification sought (1)

Logistics

- Request for timescale of programmed completion (1)

General

- When carrying out Weston Lane improvements, could a dropped kerb be provided to allow off-street parking for one house (1)
- Will retaining wall to common boundary with 44 Weston Lane be kept? (1)

Negative

Scale of development/impact to amenity

- Flats at corner of Weston Lane/Wallace Road will overlook a children's nursery so tenants will need to be vetted as this is a child safeguarding issue (some parents have indicated they will move their children to another nursery) (2)
- 5 storey/3 storey should be switched around in Weston Lane (1)
- Concern about location of 5 storey development and potential to be overlooked (1)

Highways

- Concern about adequacy of parking levels given congestion/parking issues caused by doctors' surgery south of site (buses find it difficult to get through) and also especially around Ashton House (6)
- Removal of zebra will result in a fatality, it must be kept: slowing cars is not enough (3)
- Concern that dual use of service lay-by as shoppers parking will not work and be hazardous creating 'blind corner' – considers retail/flats should be where Somborne House is instead with servicing to rear (2)
- Issue of cars coming to fast into Wallace Road from Weston Lane needs to be addressed, as proposed raised table will not solve that/slow cars (1)
- In Wallace Road parking for housing should be separated from carriageway by pavement as has been done in Woolston (1)
- Traffic calming does not make sense (1)
- Raised table will damage cars (1)

General impact to amenity

- Concern that shops will be shut for duration of construction – could mobile service be provided to help elderly who would have difficulty accessing other shopping facilities (2)
- Against a fast food outlet being introduced, as likely to create noise disturbance from congregations of youths, late at night – there have been similar problems outside the Co-op (1)
- Unnecessary tree loss (1)

Housing need

- Disappointment that houses to be sold, from tenant who has been on council waiting list for 13 years and wants to move back to Weston (3)

Development mix

- More shops needed (1)

Other

Organisation of event

- Venue too crowded – difficult to see display (1)
- Another meeting needed (1)

General principles and community's ability to influence change

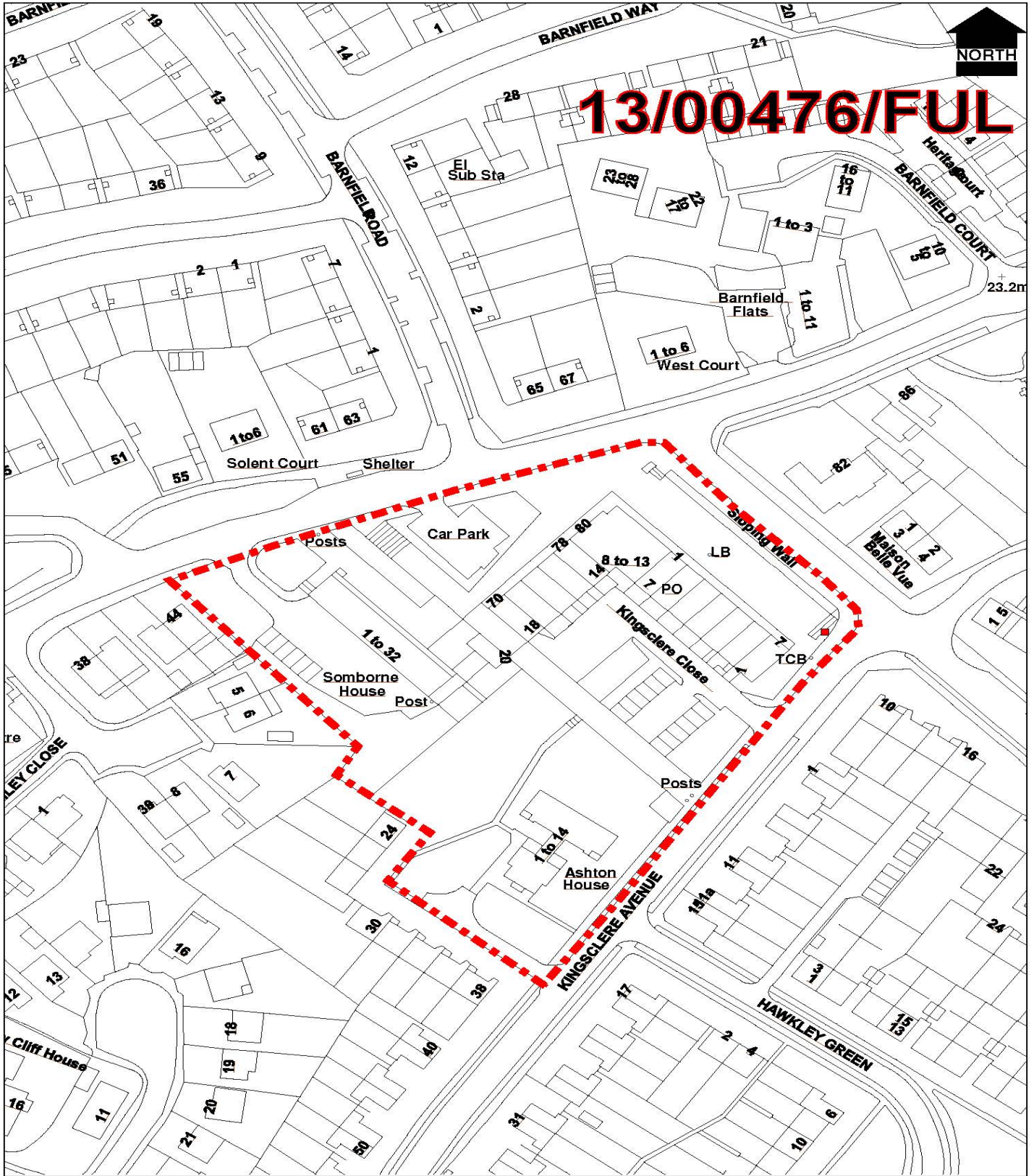
- Do not want Co-op back/Co-op should not have the monopoly – Happy Shopper on site should be offered one of the retail units (2)
- Critical that developer in monopoly position and could have listened more to local residents (1)
- Keep our shops now (1)

Personal impact

- Devaluation of property values (2)
- Regeneration being forced on the local community (1)

Other

- No comment written (1)
- Food shops never last long at this site (1)



Scale : 1:1250

Date : 12 June 2013

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