

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (EAST) - 27 October 2015
Planning Application Report of the Planning and Development Manager

Application address: Land at Test Lane, Southampton			
Proposed development: Redevelopment of the site to provide 19,132 square metres of employment floorspace in three buildings (Units 1 and 3 to be Storage and Distribution Use (Class B8), Unit 2 to be Business Use (Class B1 c) and/or Storage and Distribution Use (Class B8) with an area of open space, associated landscaping, servicing areas and car parking with vehicular access from Test Lane.			
Application number	14/01911/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	N/A - Planning Performance Agreement	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member and five or more letters of objection have been received	Ward Councillors	Cllr McEwing Cllr Pope Cllr Whitbread
Called in by:	All Ward Councillors	Reason:	Traffic, noise, impact on neighbours, ecology.

Applicant: Evander Properties Ltd	Agent: Michael Sparks Associates - Fao Mr Ashley Chambers
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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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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the context of the site allocation for industrial and warehousing development as set out in the Local Plan and the importance of the additional employment to be created by this development. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise but that this impact can be mitigated by Section 106 obligations and conditions. Ecology and flood risk issues have also been taken into account. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable, conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore

be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, NE4, NE5, CLT7 and MSA19 of the City of Southampton Local Plan Review (as amended 2015) and CS6, CS7, CS13, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015) and guidance in the NPPF (2012).

Appendix attached			
1	Development Plan Policies	2	Panel report dated 4 August 2015

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. Financial contributions and other obligations including Traffic Regulation Orders towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013) to include extending the vehicle weight restriction, reducing the speed limit in Test Lane and other traffic calming measures.
- ii. Provision of an area of public open space before first occupation of the development and the necessary commuted maintenance sum.
- iii. Financial contribution as site specific mitigation measures to limit the impact on the adjoining local nature reserve.
- iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- v. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
- vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
- vii. Commuter car parking survey and necessary mitigation post opening should the surveys identify an impact on residential streets.
- viii. Air Quality Mitigation measures.
- ix. Provision of public art in accordance with the Council's Public Art Strategy.

- x. Submission and implementation of a Construction Traffic Management Plan.
- xi. Submission and implementation of a Lorry Routing Agreement.
- xii. Submission and implementation of a Travel Plan.

2. In the event that the legal agreement is not completed within two months of the Panel the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

3. That the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

1. Introduction

1.1 This application was heard at the Planning and Rights of Way Panel meeting on 4 August 2015. The Panel's decision was:

i) that the Panel confirmed the Habitats Regulation Assessment in Appendix 2 of the report; and

(ii) that the application be deferred in order that the applicant could engage with the Local Residents Association and Ward Councillors to address the following issues raised:-

a) traffic issues, in particular measures to limit the impact of traffic entering and exiting the site to and from the south;

b) the attenuation pond within the proposed public open space; and

c) the timescale for the provision of open space.

1.2 This report concentrates on the additional information provided since that previous meeting. It includes only the responses to consultation on these additional points. All the previous comments, the description of the site, planning history, relevant policy considerations and other planning matters are included within the 4 August report which is appended. There have been no relevant changes in policy since the application was considered in August.

2. Proposal

2.1 The additional information provided in response to the three issues raised by the Panel are as follows.

2.2 **a) traffic issues, in particular measures to limit the impact of traffic entering and exiting the site to and from the south.**

In response to this issue the applicant has submitted an additional drawing of the entrance to the site. This design incorporates central 'splitter islands' to prevent vehicles, particularly large vehicles from turning left out of the site down Test Lane. The geometry of the junction will be designed to prevent vehicles from attempting restricted movements. Large 'trief kerbs' are proposed on either side of the access/egress (as seen on roundabouts to prevent vehicles from mounting the kerbs). In addition it is proposed to add a chicane feature in Test Lane to calm traffic; a Traffic Regulation Order (TRO) (subject to public consultation) to reduce the speed limit on the full length of Test Lane; an amendment to the existing TRO to extend the vehicle weight restriction to roads to the south of the application site.

2.3 b) the attenuation pond within the proposed public open space.

The application has been amended to remove the proposal for an attenuation pond to be provided within the public open space. The replacement surface water attenuation arrangements involve additional underground tanks to be provided beneath the vehicle parking area within the proposed development site.

2.4 c) the timescale for the provision of open space.

In response to this issue, the applicant has confirmed that the open space will be provided before occupation of the first unit on the site with the possible exception of the full landscaping arrangements which may have to await the next available planting season.

2.5 It should be noted that the revised drawings also show a realignment of the acoustic fence on top of the bund between Units 1 and 3. This results in a small reduction in the size of the proposed public open space. When considered in August the size of the linear park was 4.43 acres (1.79 hectares). In the revised submission the park would be 4.25 acres (1.72 hectares). An additional planted bund is also proposed to run parallel with Gover Road.

3. Consultation Responses and Notification Representations

3.1 Following consideration of the application in August the applicant has met representatives of the residents association and ward Councillors on two occasions in August and September. The application was then amended on 16 September and further notification was made to those neighbours who had commented previously, Ward Councillors and relevant consultees (those relating to the three issues set out above).

3.2 At the time of writing the report **56** representations have been received from surrounding residents on these amended plans. The following is a summary of the points raised on the new/amended submission. It should be noted that all previous representations are recorded in Section 5 of the previous report (Appendix 2) and should be taken into account by members in deciding the application.

3.3 General comments

- Traffic Congestion.
- Increase in air pollution.
- Late night and day time disturbance.
- Large warehouse complex operating 24 hours a day, 7 days a week is out of keeping with the adjacent residential area.
- Will change the character of the area which is exclusively residential.
- Lighting will blight sleep for nearby residents.
- Flood risk issues.
- Parking on site is not sufficient for the number of workers which will overspill on to local roads.
- The introduction of parking permits or double yellow lines will not be a welcome solution.
- More traffic will use Westover Road.
- Council has a conflict of interest as landowner and planning authority.
- Local residents were not sufficiently involved in the emergence of the policy.
- Contrary to Policy MSA 19 in that it involves development on the southern part of the site.

Response

These comments were made previously and are addressed in the report to the 4 August Panel (Appendix 2).

3.4 Additional Comments

- **Although the residents association have been consulted, the developer declined an invitation to attend a general meeting with other residents who will be affected.**
- **It is unacceptable that the discussions have just focused on traffic controls, the linear park and the balancing pond.**
- **The removal of the attenuation pond with bigger tanks beneath the buildings could result in contaminated soil being used to create the bunds.**
- **The visual impact has not been addressed, the buildings will remain overpowering and unsightly.**
- **Gover Road should have a weight limit at Redbridge roundabout with cameras in place so that offenders can be caught and dealt with.**
- **There are too many unknowns with this application, the traffic measures need to be resolved before planning permission is granted.**
- **The traffic measures are insufficient, further mitigation is required such as weight/width restrictions at the entrance to Gover Road.**

Response

Following the Panel meeting on 4 August, the applicant has met with the residents association and with Ward Councillors as requested by the Panel. Amendments and additional information has been provided in response to the three reasons for deferral. Conditions 4, 5 and 6 will ensure that contaminated material will not be used to create the bunds. The traffic measures will be secured through the Section 106 agreement.

3.5 **Councillor Pope** - whilst there have been discussions at two meetings there remain a number of concerns. The Panel should clarify and commit the changes to the three issues as conditions. The Habitats Regulations Assessment should be re-considered. The applicants have not negotiated on issues that the Panel did not instruct them on. Objections remain on the following grounds:

- The commuted sum needs to be sufficient for the Council to manage the open space in perpetuity.
- Air quality.
- Noise especially at night.
- Height and location of building.
- General traffic impact.
- Water and ground pollution.
- Section 106 agreement should include local employment contributions.
- Local residents need to benefit directly from energy generated on site.
- The Section 106 agreement should be written with the involvement of Ward Councillors and brought back to Panel for agreement.

Response

Most of these comments were made previously and are addressed in the report to the 4 August Panel (Appendix 2). The Habitats Regulations Assessment (HRA) was confirmed in August. The changes made to the application do not require any changes to the HRA.

Consultation Responses

3.6 **SCC Highways** - It is the intention of the proposal to encourage traffic to enter the site from the north, turning left into the site, and turn right back out of the site, heading to the north and junction 1 of the M271. To address the concerns relating to traffic within the area, and risk of additional traffic, particularly lorries encroaching into the residential streets to the south of the site, the applicant has submitted a revised proposal to prevent vehicles from being able to turn left out of the site, and only be able to enter when approaching from the north. This takes the form of a layout which includes measures to attempt to force all traffic to use the designed paths. The design will certainly eliminate the opportunity for any lorries being able to turn left out of the site, and cars will too find this turn difficult and uncomfortable, but with manoeuvring, may be able to defy the design. It is not possible to make the layout any tighter to prevent this risk of rogue movements by car drivers without preventing other through traffic from operating normally, and restricting the through path. The design will be supported by signage both within the site, and outside of it.

3.7 Traffic Engineers have agreed that weight restriction signs can be erected at the end of Old Redbridge Lane at its junction with the Redbridge slip road, and also at the entrance to Gover Road from the Redbridge roundabout. Residents have asked if a width restriction could be included, but Traffic Engineers consider that this would not be appropriate. If a tight chicane were to be introduced on Test Lane, south of the development access, which would warrant a width restriction warning, this could prevent legitimate movements, but also increase lorry traffic in Gover Road, as this would be the only escape route for vehicles unable to pass the restriction. It is agreed that the lorry would have had to pass the

restriction signage at this stage, but some larger vehicles may well be legitimately in the area and be forced to use a route which residents wish to discourage.

3.8 **SCC Flood Risk** - No objections to the amended drainage arrangements as the proposal still incorporates peak flow and volume control.

3.9 **Hampshire and Isle of Wight Wildlife Trust** - Concerns relate to impact on the Lower Test Marshes through an increase in recreational disturbance and the potential mobilisation of contaminants. A compensation payment to mitigate recreational disturbance has been agreed but this should be made prior to the site becoming operational. The trust are disappointed that the pond has been removed as this could have increased the biodiversity of the park. The Trust seek assurance that the proposals will not impact the Lower Test Marshes Nature Reserve through the mobilisation of contaminants and pollutants from surface water run-off once the site is operational.

Response

These issues can be covered by conditions and through the Section 106 agreement.

4. Planning Consideration Key Issues

4.1 The key issues for consideration in the determination of this planning application are set out in Section 6 of the previous report in Appendix 2. This report confines itself to the three additional issues.

4.2 a) traffic issues, in particular measures to limit the impact of traffic entering and exiting the site to and from the south

Members attention is drawn to the comments of the Council's Highways Team in Paragraphs 3.6 and 3.7 of this report. On the issue of the access to and from the site, the applicant has considered the concerns of the residents carefully, and has provided a solution which is as robust in its design as it can be, considering all traffic movements which need to be catered for, and designed out. The measures proposed can be secured through the Section 106 agreement.

4.3 b) the attenuation pond within the proposed public open space

The removal of the attenuation pond previously proposed for the public open space meets the concerns expressed by local residents and members relating to safety and environmental issues. The Council's adviser on flood risk is satisfied that the additional on site attenuation tanks will not lead to an increase in flood risk as a result of this development.

4.4 c) the timescale for the provision of open space.

The applicants commitment to the early delivery of the public open space is welcomed as it will provide a new area of public open space and help to screen the new development. This can be secured through the Section 106 agreement. The reduction in the size of the park since the consideration in August is very minor. It has been caused by a realignment of the acoustic fence and bund which is needed for noise protection purposes. The area in question is quite a

steep bank so is unlikely to be a useable area of open space. The height of the fence and bund is similar to the eaves level of the building so it will be noticeable, although in the course of time the planting will help to screen it. The removal of the attenuation pond should mean that the whole of the linear park can be used throughout the year.

- 4.5 Officers consider that all other relevant planning matters were addressed in the report of 4 August (Appendix 2).

5. Summary

- 5.1 The previous report to the Panel considered the many material considerations in this case and, on balance, recommended approval. This report concentrates on the three issues for deferral of the application. Members need to consider both reports in reaching a decision. The recommended conditions and the heads of terms for the Section 106 agreement have been adapted to take account of the changes. The Habitats Regulation Assessment has already been confirmed and does not need to be re-considered.

8. Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1 (a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(b), 4(vv), 5(c), 6(a), 7(a).

RP2 for 27/10/2015 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 - 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 external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

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

03. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

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

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

Reason:

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

04. APPROVAL CONDITION - Land Contamination investigation [Pre-Commencement]

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

1. A report of the findings of the additional assessment/investigation, characterising the land gas and groundwater regime 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.

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.

05. 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.

06. APPROVAL CONDITION - Use of uncontaminated soils and fill [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.

07. 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.

08. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties and to safeguard the special ecological value of the adjoining nature reserve.

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

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, 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.

10. APPROVAL CONDITION - Piling [Pre-Commencement 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 piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the selected piling method can be justified on the grounds of structural, geotechnical, contamination, noise, vibration and practicability and ensure any adverse environmental impacts are identified and appropriate mitigation measures are proposed
Condition Informative 1

Guidance is provided in the Environment Agency's publication NC/00/73, Piling and Penetrative Ground Improvements Methods on Land affected by Contamination: Guidance on Pollution Prevention, section 6.5

Condition Informative 2

Guidance suggests maximum vibration of 1mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of the nearest occupied residential building and a maximum vibration of 3mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of an occupied commercial building.

11. APPROVAL CONDITION - Lighting Scheme (Pre-Occupation Condition)

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the lighting scheme. The scheme must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

Reason:

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

12. APPROVAL CONDITION - Restricted Use [Performance Condition]

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended or any subsequent amending Order) the buildings hereby approved shall only be used for the purposes specified in the application, namely Storage and Distribution (Class B8) for Units 1 and 3 and either Business Use (Class B1(c) or (Class B8) for Unit 2.

Reason:

For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development in the interests of the amenities of the area and to comply with Policy MSA19 of the Local Plan.

13. APPROVAL CONDITION - Restriction on use (Performance Condition)

The maximum floorspace of the development hereby approved shall be 19,132 square metres gross and the development shall not be sub-divided or occupied by more than three businesses at any one time.

Reason:

To restrict the development to that set out in the application in the interests of the amenities of the area and local transport conditions.

14. APPROVAL CONDITION - Junction Details [Pre-Commencement Condition]

No development shall commence until details of the junction between the proposed service road and the highway have been approved in writing by the LPA and the development shall not be brought into use until that junction has been constructed in accordance with the approved plans.

Reason:

To ensure a safe access to the site is achieved.

15. APPROVAL CONDITION - Cycle and changing facilities (Pre-Occupation Condition)

The buildings hereby approved shall not be first occupied until cycle storage, changing, washing and shower facilities for members of staff have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter.

Reason:

To encourage cycling as an alternative sustainable means of transport in accordance with Council policy.

16. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before each building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained thereafter.

Reason:

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

17. APPROVAL CONDITION - Layout of Car Parking/Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities for the uses hereby approved shown on the approved plans shall be laid out and made available before the building to which the facilities relate is first occupied and thereafter retained solely for the use of the occupants and visitors to that building and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

18. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

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

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

Reason:

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

20. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement 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 submitted Ecological Statement with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

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

21. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

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

Reason:

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

22. APPROVAL CONDITION - No other windows or doors other than approved in specific location [Performance Condition]

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) in relation to the development hereby permitted, no alternative or additional windows (including roof windows or dormer windows), doors or other openings other than those expressly authorised by this permission shall be constructed in the southern elevations of Units 1 or 3.

Reason:

To protect the amenities of the adjoining properties.

23. APPROVAL CONDITION - Sustainable Urban Drainage (Pre-Commencement Condition)

No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the proposed SUDs arrangements are provided in a satisfactory manner.

24. APPROVAL CONDITION - Acoustic barriers (Pre-Occupation Condition)

The position and height of acoustic barriers (comprising bunds and fencing) along the site boundary shall be in accordance with the approved plans. Details of the construction of the acoustic screening (including fencing design, materials and surface density) shall be verified for effectiveness by a competent acoustician and approved by the Local Planning Authority both prior to their construction and prior to commencement of use, and thereafter those barriers shall be maintained in a good state of repair so as to remain fully effective.

Reason

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

25. APPROVAL CONDITION - Electric Car Charging Points (Pre-Occupation Condition)

No part of the development shall be occupied until electric car charging points have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained

thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of sustainability and air quality given the proximity to an Air Quality Management Area.

26. APPROVAL CONDITION - No open storage (Performance Condition)

No open storage or loading/unloading of vehicles shall take place within the yards of the buildings.

Reason

To protect the amenities of neighbouring residents.

27. APPROVAL CONDITION - Noise Mitigation Measures (Pre-Occupation Condition)

No part of the development shall be occupied until detailed noise mitigation measures, to include canopies above the loading dock and a scheme of management measures has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first occupation and retained thereafter.

Reason

To limit noise and disturbance and to protect the amenities of neighbours.

28. APPROVAL CONDITION - Refrigerated Vehicles (Performance Condition)

Any refrigeration vehicles serving the site shall use electrical hook up facilities rather than diesel engines.

Reason

To limit noise and disturbance and to protect the amenities of neighbours.

29. APPROVAL CONDITION - Refrigeration Compressors (Performance Condition)

Any refrigeration equipment within the buildings shall utilise electric compressors and not diesel.

Reason

To limit noise and disturbance and to protect the amenities of neighbours.

30. APPROVAL CONDITION - Hedgerow removal (Pre-Commencement Condition)

No hedgerow shall be removed until details of arrangements for replacement of the hedgerow have been submitted to and approved in writing by the Local Planning Authority. The works shall subsequently be carried out in accordance with these approved details.

Reason

In the interests of ecological mitigation.

31. APPROVAL CONDITION - Approved Plans

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

Reason:

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

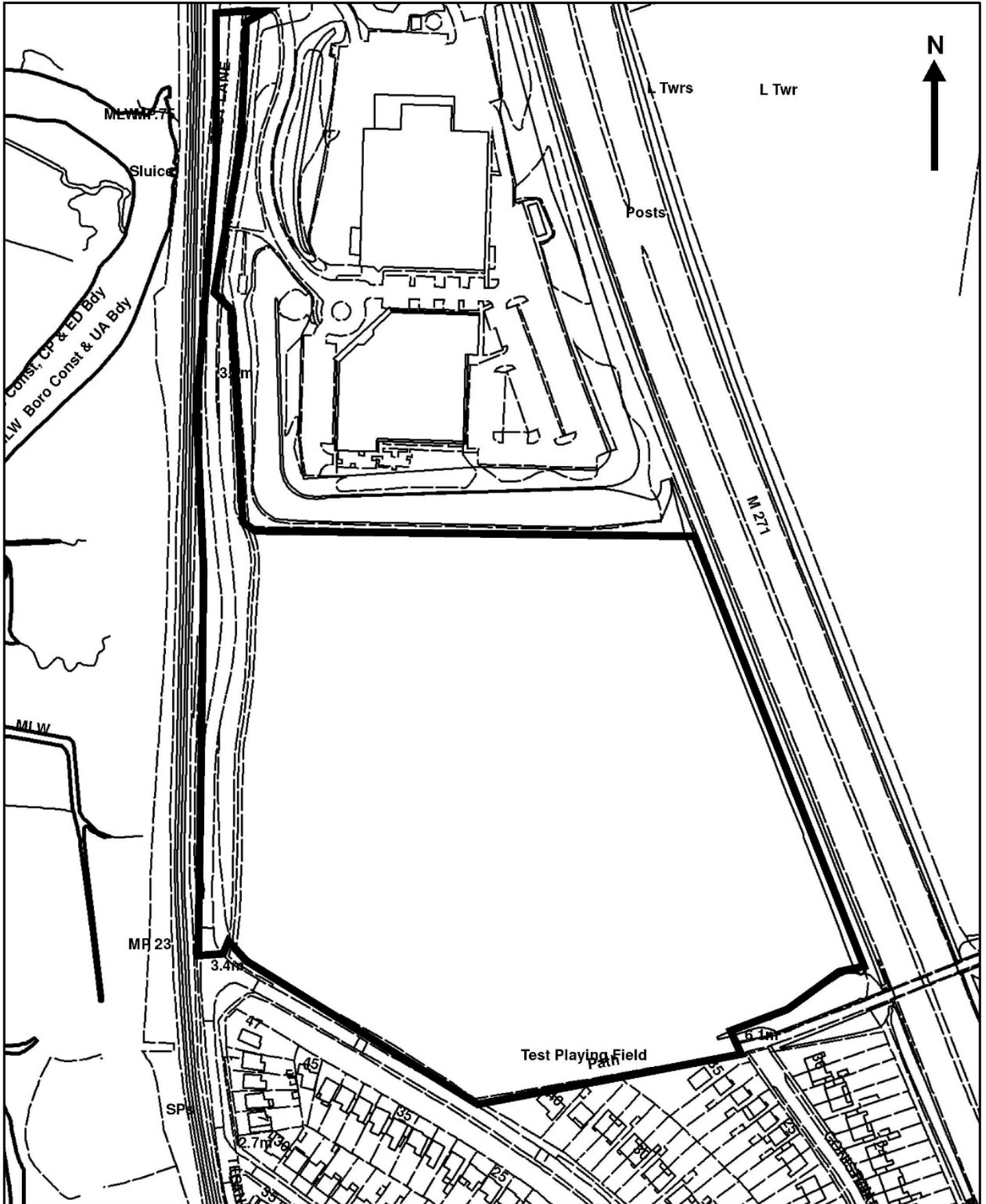
32. APPROVAL CONDITION – Night time operation (Pre-Occupation Condition)

Between 2300 and 0700 hours the development shall not operate or be used otherwise than in accordance with a Night Time Operation Plan, which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the occupiers of the building operate in a manner which would safeguard the amenities of adjoining residential occupiers.

14/01911/FUL



Scale: 1:2,500

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