

Planning and Rights of Way Panel

Tuesday, 15th February 2011
at 9.30 am

PLEASE NOTE TIME OF MEETING

Committee Rooms 1 and 2
Civic Centre

This meeting is open to the public

Members

Councillor Fitzhenry (Chair)
Councillor Jones (Vice-Chair)
Councillor Letts
Councillor Mead
Councillor Osmond
Councillor Slade
Councillor Thomas

Contacts

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PUBLIC INFORMATION

Terms of Reference

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

Public Representations

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

Members of the public in attendance at the meeting are advised of the process to be followed.

Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

Smoking policy – The Council operates a no-smoking policy in all civic buildings

Mobile Telephones – Please turn off your mobile telephone whilst in the meeting.

Fire Procedure – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2010/11

2010	2011
25 May 2010	18 January 2011
22 June	15 February
20 July	15 March
17 August	12 April
31 August	
28 September	
26 October	
23 November	
21 December	

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is three.

Disclosure of Interests

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

Personal Interests

A Member must regard himself or herself as having a personal interest in any matter:

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - any employment or business carried on by such person;
 - any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

/Continued...

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Panel Administrator prior to the commencement of this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meeting held on 21st December 2010 and to deal with any matters arising, attached.

CONSIDERATION OF PLANNING APPLICATIONS

ITEMS TO BE HEARD BETWEEN 9:30 AM TO 10:15 AM

5 LAND TO THE REAR OF 70 SHIRLEY AVENUE -10/01749/FUL

Report of the Planning and Development Manager, recommending conditional approval in respect of the application for a proposed development at the above address, attached.

ITEMS TO BE HEARD BETWEEN 10:15 AM TO 11:00 AM

6 BOLDREWOOD (BUILDING 62) CAMPUS, UNIVERSITY OF SOUTHAMPTON - 11/00101/DIS

Report of the Planning and Development Manager, in respect of the application for approval of details reserved by conditions at the above address, attached.

ITEMS TO BE HEARD BETWEEN 11:00 AM TO 11.45 AM

7 PART OF BRITISH AMERICAN TOBACCO CO LTD, REGENTS PARK ROAD - 10/01449/FUL

Report of the Planning and Development Manager recommending delegated authority be granted in respect of the application for a proposed development at the above address, attached.

ITEMS TO BE HEARD BETWEEN 11.45 AM TO 12.30 PM

8 210 BASSETT GREEN ROAD - 10/01774/FUL

Report of the Planning and Development Manager, recommending conditional approval in respect of the application for a proposed development at the above address, attached.

ITEMS TO BE HEARD BETWEEN 12:30 PM AND 1:00 PM

9 64 SWIFT ROAD - 10/01464/FUL

Report of the Planning and Development Manager, recommending conditional approval in respect of the application for a proposed development at the above address, attached.

ITEMS TO BE HEARD BETWEEN 1:30 PM AND 2:00 PM

10 ELM GREEN COURT, 58 WILTON ROAD - 10/01814/FUL

Report of the Planning and Development Manager, recommending conditional approval in respect of the application for a proposed development at the above address, attached.

ITEMS TO BE HEARD BETWEEN 2:00 PM TO 2:30 PM

11 UNIT K, WEST QUAY ROAD - 10/01472/FUL

Report of the Planning and Development Manager recommending delegated authority be granted in respect of the application for a proposed development at the above address, attached.

MAIN AGENDA ITEMS - TO BE HEARD FROM 3:30 PM

12 OPTION TO MODIFY THE DEFINITIVE MAP AND STATEMENT

Report of the Head of Planning and Sustainability regarding an option to modify the Definitive Map and Statement by adding a footpath at the rear of Lord's Hill District Centre, attached.

13 PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT

Report of the Head of Planning and Sustainability providing an annual update on the main activities of the Council's Rights of Way function, attached.

14 STREET NAMING - GARAGE SITE, GRATELEY CLOSE

Report of the Head of Planning and Sustainability, seeking approval for the proposed street name for the new housing development under construction on the former garage site at Grateley Close, Weston, attached

Monday, 7 February 2011

SOLICITOR TO THE COUNCIL

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PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 21 DECEMBER 2010

Present: Councillors Fitzhenry (Chair), Jones (Vice-Chair), Letts, Osmond, Samuels (except Minute 101), Slade (except Minute 100) and Thomas (except Minute 99)

Apologies: Councillor Mead

97. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Samuels was in attendance as a nominated substitute for Councillor Mead in accordance with Council Procedure Rule 4.3.

98. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the meeting held on 23rd November 2010 be approved and signed as a correct record.

CONSIDERATION OF PLANNING APPLICATIONS

Copy of all reports circulated with the agenda and appended to the signed minutes.

99. **LAND AT FIVE ACRE FIELD, REDBRIDGE LANE - 10/01283/R3CFL**

Re-development of the site to provide a new three-storey Academy and associated buildings, a four court floodlit multi-use games area, grass playing pitch with associated parking, vehicular access off Redbridge Lane, pedestrian access (including provision of signal controlled pedestrian crossing on Romsey Road, upgrading of Romsey Road and Brownhill Road subways and diversion of public right of way), landscaping and ecological enhancement works (including diversion of ditch).

Mr Wiseman (Agent), Councillors Anderdon and Bundy (Test Valley Borough Council and Nursling and Rownhams Parish Council) Ms Badham (Hants Constabulary – Crime Prevention) Mr Fowler (Local Resident) Mr Golding (Principal Redbridge Academy) Mr Lovelock (Southampton City Petanque Club and Millbrook Rugby Club) Councillors Holmes (Ward Councillor and Cabinet Member), Morrell (Ward Councillor) and Moulton (Cabinet Member) were present and with the consent of the Chair, addressed the meeting.

The Panel noted the presenting officers reference to the relevance of the extant South East Plan : Regional Spatial Strategy.

A FURTHER MOTION PROPOSED BY COUNCILLOR LETTS AND SECONDED BY COUNCILLOR OSMOND THAT PLANNING PERMISSION BE DELEGATED SUBJECT TO THE RESULTS OF A STAGE 1 SAFETY AUDIT IN RESPECT OF AT-GRADE CROSSINGS TO ROMSEY ROAD AND BROWNHILL WAY AND INCORPORATION OF ANY NECESSARY OFF-SITE WORKS INTO THE UNDERTAKING, WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Jones, Letts, Osmond and Slade

ABSTAINED: Councillor Samuels

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION THAT AUTHORITY BE DELEGATED TO THE PLANNING AND DEVELOPMENT MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICATION NOT BEING CALLED IN BY THE SECRETARY OF STATE FOR DETERMINATION, WAS CARRIED UNANIMOUSLY

RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:-
 - (a) the Secretary of State for Communities and Local Government not wishing to 'call-in' the application for determination;
 - (b) the results of a Stage 1 safety audit in respect of the proposed Romsey Road at grade crossing and the Brownhill Way crossing and any recommendations flowing from the audit forming part of site specific transport ways;
 - (c) the completion of an undertaking by the applicant to secure:
 1. an agreed series of site specific transport works in accordance with policies CS18, CS19 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) and the re-marking / painting of car parking spaces in the existing recreational car park off Redbridge Lane and removal of bus lay-bys in Romsey Road as part of the off-site highway works;
 2. 3 Traffic Regulation Orders (TRO's) in respect of speed and parking restrictions relating to Romsey Road and Redbridge Lane;
 3. CCTV (linked to SCC control room) and community safety scheme to Romsey Road and Brownhill Way underpasses;
 4. Training and Employment plan;
 5. Quantitative open space replacement to be achieved at the Millbrook Community School site and retained for public use and the arboretum to Milton Community School be appropriated to open space use;
 6. Highway condition survey and repairs to the highway resulting from any damage attributable to the build process;

7. the application for a footpath diversion order under S.257 of the Planning Act and payment of the requisite administration charges, as it affects a public footpath;
- (d) the conditions in the report and the amended and additional conditions below; and
- (ii) that authority be delegated to the Planning and Development Manager to adjust the undertaking and planning conditions to facilitate expeditious implementation of the proposals, with Condition 3 – ‘Details of building materials to be used’ to be agreed after consultation with the Chair of Planning and Rights of Way Panel.

Amended Conditions

3 - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form, no works shall commence on the construction of the external elevations of the buildings hereby approved 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.

5 - Sustainability statement implementation [Pre-Occupation Condition]

Prior to the first occupation of the development hereby approved, the submitted sustainability measures shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To minimise overall demand for resources.

7 - Floodlight system/external lighting [Pre-Commencement Condition]

No floodlighting to the MUGA shall be installed on the site until full details of the 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 details shall include details of an automatic cut off switch - sensitive to British summertime variations - that will control the floodlights. The installation must be maintained in accordance with the agreed written scheme. Within one month of the floodlighting being installed, a report from a competent lighting engineer shall be submitted to the local planning authority, to verify that the predicted lux intensity figures

and the limited light spillage contours shown in the submitted report (or any subsequent alternative report agreed in writing with the local planning authority), have been met and shall if necessary arrange to adjust the rotation and inclination of each luminaire, such that the predicted figures are then met. Once installed, or adjusted as necessary, the luminaires shall be maintained and fixed in that position at all times. All other external lighting shall be installed in accordance with the submitted scheme shown on drawing OAS_E_5051 Sheet 1 Revision: P01, to achieve the lighting levels set out on drawing number: OAS_E_5051 Sheet 2 Revision: P01.

REASON:

To protect the activities of foraging Bats and other protected species, safeguard the amenities of the occupiers of existing nearby residential properties and limit impact to the night sky having regard to the urban fringe character of the site.

8 - Construction method statement [Pre-Commencement Condition]

Before development commences - (but excluding preparatory site establishment, site set-up and access works to form a temporary access to the site [which shall include provision for the bridging over of any ditch] and permanent access to the site directly off Redbridge Lane) - a statement setting out the management of construction operations shall be submitted to and approved by the Local Planning Authority. The statement shall include detailed plans specifying the areas to be used for contractor's vehicle parking and plant; storage of building materials, and any excavated material, huts and all working areas required for the construction of the development hereby permitted. No deliveries of construction materials or equipment or removal of demolition materials shall take place between the following times Mondays to Fridays - 08.30 to 09.15 hours and 14.30 to 15.30 hours. The statement shall set out the means by which the construction operations shall be managed to conform to these requirements and the arrangements for complaints about the construction operation to be received, recorded and resolved. The development shall be implemented in accordance with the agreed statement.

REASON:

To protect the amenities of neighbours, those attending the adjoining Cedar Special School and the wider environment, to ensure adequate access and servicing (including a refuse cart) can be maintained to the existing adjacent housing and ensure that no undue associated congestion occurs on the surrounding roads.

9 - Access

The new access to the site from Redbridge Lane shall be provided and made available for use before first occupation of the new school building. Construction traffic shall enter and leave the site via Redbridge Lane only, unless otherwise previously agreed in correspondence with the local planning authority.

REASON:

In the interests of highway safety and to protect the residential amenities of those living close by.

10 - Access construction details [Pre-Construction Condition]

The construction of the new permanent vehicular access to Redbridge Lane shall not be commenced until the Local Planning Authority has approved in writing:-

- (i) a specification for the type of construction proposed for the new access roads including all relevant horizontal cross-sections and longitudinal sections - especially of any proposed speed reduction tables - showing existing and

proposed levels together with details of street lighting - referred to in condition 15 below - and the method of disposing of surface water.

- (ii) a programme for the making up of the roads and footpaths. The access shall be upgraded and made available for use in accordance with the agreed details prior to the new school building coming into use and thereafter retained as approved. With the exception of emergency service vehicles, the new access from Redbridge Lane shall be the only point of entry for vehicles to the site.

REASON:

To ensure the access is constructed to a satisfactory standard.

11 - Foul and surface water disposal [Pre-Construction Condition]

The foul and surface water drainage system to serve the development hereby approved shall not be installed until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority.

REASON:

To prevent flooding and inundation of the foul sewerage system.

Conditions 12 – Sewer Protection and 13 – Water main protection to be combined and each subsequent original condition re-numbered.

12 - Sewer/Water main protection

The developer must implement the submitted measures attached to the agent's e-mail dated 24.1.2011 to protect the public sewer and water main crossing the application site, prior to the commencement of any work in that part of the site and to maintain those measures to the end of the construction period.

REASON:

To protect the sewer and water main to prevent pollution/flooding of the environment.

13 - CCTV system [Pre-Occupation Condition]

Before the use is first commenced details of the submitted scheme for a CCTV system to comprehensively cover the site including all public entry points, car parks, MUGA and new adult football pitch, shall be fully installed and operational prior to the approved school use first commencing. That system shall be maintained in working order and operated at all times when the school is open. Recorded images shall be held for a 1 month period after being made on a daily basis for use by the Police as required.

REASON:

In the interests of crime reduction and visitor/staff/pupil safety.

18 - Playing Pitch Quality [Pre-Commencement/Performance Condition]

Prior to the commencement of the construction of the elevations of the main building hereby permitted, details of a scheme to improve the quality of the proposed adult football pitch, including adequate drainage and a subsequent management programme shall be submitted to and approved by the Local Planning Authority. The works should be sufficient to ensure that the quality of the playing pitches meets the requirements of the school and community use. The approved improvement scheme shall be implemented in full prior to the commencement of use of the development and subsequent management shall be in full accordance with the approved programme.

REASON:

To ensure that the sports pitches are of an appropriate quality and fit for purpose as playing fields.

21 - Playing Pitch Protection [Pre-Commencement/Performance Condition]

The developer must implement the submitted measures attached to the agent's e-mail dated 24.1.2011 to protect the existing playing fields on the wider Five Acre Field, prior to the commencement of any works on site. The submitted measures shall be maintained to the end of the construction period, or until the permanent fencing has been installed.

REASON:

To ensure the safe and efficient use of the existing playing fields at Five Acre Field.

Conditions 25- Archaeological investigation, 26 – Archaeological work programme and 27 - Archaeological damage-assessment to be deleted and replaced by new conditions 24 and 25.

24 - Archaeological investigation

No development (excluding removal of shrubs and trees and the erection of temporary freestanding site fencing) shall take place within the archaeological zone identified on plan TA01 until a programme of archaeological investigation/mitigation/protection has been submitted to, and approved in writing by the Local Planning Authority. All development to be carried out on the wider application site shall be carried out in strict accordance with the submitted Written Scheme of Investigation dated January 2011 and subject to an Archaeological Watching Brief.

REASON:

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

25 – Archaeological investigation

The developer will secure the *completion* of a programme of archaeological work in accordance with a Written Scheme of Investigation submitted to and approved by the local planning authority. This will ensure that the results of the archaeological evaluation and the subsequent mitigation works, including post-excavation analysis, an appropriate level of publication and the deposition and approval of the site archive will be carried out in a time scale to be agreed between the applicants appointed archaeological contractor and the local planning authority.

REASON:

To ensure that the archaeological investigation is completed.

28 - Use of uncontaminated soils and fill

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.

29 - Unsuspected Contamination

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 in/on/under the part(s) of the site affected 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.

30 - Sight lines

Access to the site for all construction purposes shall be from the existing car park on Redbridge Lane until such time as the access onto Redbridge Lane has been constructed with the visibility splays of 2.4m by 70m to the north east, 90m to the south west and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1m above the level of the existing carriageway at any time.

REASON:

In the interest of highway safety.

31 - Landscaping, means of lighting (appearance) and means of enclosure detailed plan

Notwithstanding the submitted details, before the construction of elevations of the main building a detailed landscaping scheme and implementation timetable shall be submitted, this 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);
- iv. details of the colour finish 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.

31 - Arboricultural Method Statement [Pre-Commencement Condition]

The development shall be carried out in strict accordance with the recommendations of the arboricultural report DT2604101711 by Marishal Thompson Group dated 21 January 2011.

REASON:

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

33 - Underpass supervision

Staff shall be on duty to supervise students arriving at, departing from and passing through the site and its immediate environs in accordance with and specified within a management plan to submitted to and approved in writing by the Local Planning Authority before first occupation of the development hereby approved.

REASON:

In the interests of highway safety and crime prevention.

34 - Construction access and routeing

All construction traffic shall enter the site via Redbridge Lane, arriving from and departing to the junction of Romsey Road/Redbridge Lane unless any alternative arrangements from Romsey Road are agreed in correspondence with the local planning authority. That routing agreement shall be observed throughout the construction period. In particular, no such traffic shall pass through the adjacent Hillyfields area to the south-west.

REASON

In the interests of highway safety and residential amenity.

Additional Conditions:

35 - Ecological Mitigation Statement

The existing vegetation along the line of the ditch on the south-western boundary of the site shall be preserved (excluding sections required to be removed to facilitate the establishment of a site parking area, site compound, temporary and permanent site access). Within 3 months of the date of this decision notice, the developer shall submit a programme of habitat and species mitigation and enhancement measures for approval in writing with the local planning authority. Unless otherwise agreed in correspondence with the Local Planning Authority, this programme shall be implemented before the first occupation of the school building.

REASON:

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

36 - Other details sought [Pre-Construction / Performance Condition]

Prior to the construction of the approved bicycle compound, details of the canopy covering to the 240 bicycle parking spaces shown on the site layout drawing shall be submitted to and approved in writing by the Local Planning Authority. The canopy shall be provided within 10 years of the school first opening.

REASON:

As such details have not yet been supplied and to promote the objectives of the submitted Travel Plan attached to the applicant's e-mail dated 20.1.2011.

37 - Travel Plan

When the Academy first opens the submitted Travel Plan attached to the applicant's e-mail dated 20.1.2011, setting out -

- the means whereby the objectives of the Travel Plan are to be promoted and encouraged.
- the means whereby the effectiveness of the Travel Plan can be monitored and recorded.
- aspirational targets for a modal split as between those using the private car and those using alternative modes of transport.
- the means whereby the achievement of the aspirational targets of the Travel Plan can be reviewed and (if necessary) the objectives updated
- agreement that if any off site or on site works are required by the Council to meet the objectives of the Travel Plan that such are to be undertaken by the Director of Children's Services at its own costs in accordance with a timescale that is to be approved by the Council

shall be implemented and its objectives promoted to ensure that (so far as is reasonably practicable) the objectives are met.

REASON:

To promote sustainable forms of travel to the site in the interests of sustainability and highway safety.

38 - Community Use Plan [Pre-Occupation Condition]

Before the Academy first opens the following shall be submitted for written approval by the local planning authority:-

A document setting out details of the use of the school building to include the following:-

- Hours of use
- Which parts of the school building shall be accessed by non-school users
- Management responsibilities
- Local sports partnerships involvement
- Pricing policies and charging regimes, including notification of pricing/charging reviews
- Promotional activities
- the means whereby the objectives of the Community Use Plan are to be promoted and encouraged, including
 - Local sports partnerships
 - Promotional activities

- Charging regimes
- the means whereby the effectiveness of the Community Use Plan can be monitored and recorded
- the means whereby the achievement of the targets of the Community Use Plan can be reviewed and (if necessary) the objectives updated, including in such reviews Southampton City Council and Sport England.

Once approved that scheme shall be implemented when the Academy is first used and operated at all times thereafter to ensure that the objectives are met, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To promote sport, adult learning, recreation and healthy lifestyles and to secure mitigation for the loss of playing field land on the application site.

39 - Sports Development Plan [Pre-Occupation Condition]

Before the Academy first opens the following shall be submitted for written approval by the local planning authority:-

A document provided by the Director on behalf of the school which is designed to promote sports development within the local community which document shall contain the following:-

- activity targets, including the incorporation of national and local initiatives to promote sport and physical activity
- the means whereby the objectives of the Sports Development Plan are to be promoted and encouraged.
- the means whereby the effectiveness of the Sports Development Plan can be monitored and recorded
- the means whereby the achievement of the aspirational targets of the Sports Development Plan can be reviewed and (if necessary) the objectives updated

Once approved that scheme shall be implemented when the Academy is first used and operated at all times thereafter to ensure that (so far as is reasonably practicable) the objectives are met.

REASON:

To promote sport and healthy lifestyles and to secure mitigation for the loss of playing field land on the application site.

REASONS FOR DECISION

(Reason for granting deemed planning permission)

The development is acceptable taking into account the policies and proposals of the Development Plan. Whereas the proposals involve the development of public open space as a departure from the development plan, quantitative and qualitative improvements to open space on site and in the wider area, with improved sports facilities with community access mitigate for that loss. A package of off-site measures has been put in place to ensure that people reach the site safely and that the overall impact on the local highways network is acceptable. Planting and landscaping works will mitigate the visual impact of the proposals and biodiversity enhancements have been secured as part of the development. An existing public footpath will be diverted and not unduly affect the right of way, nor greatly lengthen journeys across the 5 Acre

Field, otherwise known as the Lord's Hill Outdoor Recreation Centre. Other material considerations do not have sufficient weight to justify a refusal of the application. Where appropriate clauses to the legal undertaking and planning conditions / informatives have been imposed/advised to mitigate any harm identified. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, Deemed Planning Permission should therefore be granted having account of the following planning policies:

'Saved' Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP16, SDP17, SDP21, SDP22, NE4, HE6, CLT3, and TI2 of the City of Southampton Local Plan Review (March 2006) as supported by the adopted LDF Core Strategy (January 2010) policies CS11, CS13, CS14, CS18, CS19, CS20, CS21, CS22, CS23 and CS25.

NOTE: Councillor Thomas declared a prejudicial interest in the above item and withdrew from the meeting.

100. **LAND TO THE REAR OF 6 AND 7 CRANBURY TERRACE, SO14 0LH**

Erection of a terrace of 3 x four bedroom four storey dwellings with vehicular access from Rockstone Lane, car parking, landscaping and repairs and extension to front boundary wall.

Mr Patrick (Agent) and Mrs Davies (Local Resident) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Jones, and Osmond

ABSTAINED: Councillor Letts, Samuels and Thomas

RESOLVED that planning approval be granted subject to the conditions in the report

REASONS FOR DECISION

The development is acceptable taking into account the previous approval under reference 08/01366/FUL and the policies and proposals of the Development Plan as set out below. Other material considerations including the recent appeal decision on land to the rear of 7 Cranbury Terrace, the impact on the character of the conservation area, the privacy and amenity of nearby residents, the level of car parking and the impact on protected trees 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, HE1, HE6, H1, H7 of the City of Southampton Local Plan Review (March 2006) and CS13, CS14, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

NOTE: Councillor Slade declared a prejudicial interest in the above item and withdrew from the meeting.

101. **5 NORTHWOOD CLOSE SO16 3QJ - 10/01311/FUL**

Addition of a new first floor to the existing building to facilitate conversion into 1x3-bed and 3x2-bed flats with associated parking and cycle/refuse storage.

Mr Moied (Applicant) and Ms Eccles (Local Resident) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Jones, Letts and Thomas

ABSTAINED: Councillors Osmond and Slade

RESOLVED that planning approval be granted subject to the conditions in the report and the amended and additional conditions set out below.

Amended Conditions

12 - Storage / Removal of Refuse Material

Notwithstanding the approved plans, the development hereby approved shall not be commenced until the provision of details of a refuse and recycling storage, and refuse management plan have been submitted to and agreed in writing by the Local Planning Authority. This shall be accessible with a level approach including accommodation and provision of separate bins for the separation of waste to enable recycling. The agreed details shall thereafter be provided before any of the dwellings hereby approved are first occupied and retained for those purposes whilst the building is used for residential purposes.

REASON:

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

14 - Access to Bassett Green Road

The development hereby approved shall not be occupied until details have been submitted and agreed in writing by the Local Planning Authority to relocate the existing pedestrian access onto Bassett Green Road. Once agreed, those works shall then be implemented in accordance with the agreed details before any of the dwellings hereby approved are first occupied. This access shall thereafter only be used as pedestrian access at all times, and no other means of access shall be provided to the site from Bassett Green Road.

REASON:

To ensure the continued collection of refuse from Bassett Green Road without compromising the privacy of the private amenity serving the future residents of flats 1 and 2.

Additional Conditions:

23 - Non habitable use

The areas shown on the 'basement floor plan' received by the Local Planning Authority on 18th November 2010 numbered 'Room 1' and 'Room 5' shall not be used for habitable accommodation at any time in accordance with the applicant's email dated 9th December 2010.

REASON:

In the interests of avoiding a poor standard of living conditions for residents.

24 - Parking

The development to which this consent relates shall not be occupied in full or in part until space has been laid out within the site in accordance with a car parking layout plan to be submitted and agreed in writing by the Local Planning Authority for a minimum of 6 vehicles to be parked and for vehicles to turn so that they can enter and leave in a forward gear.

REASON:

To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The design and scale of the development responds successfully to the context and character of the immediate area. It results in no net loss of a family home by providing a unit suitable for family occupation with an additional mix of housing types, which make a positive contribution to the mix of housing available within this location. It also provides an appropriate residential environment for future occupants of the site without adversely affecting the residential amenity of neighbouring dwellings. The nature and scale of these changes are not considered to be significant material changes to the original proposal. The additional material issues raised with regards to the changes associated with the amended plans which were to the external appearance and internal layout of the building, are not considered to have sufficient weight to justify refusing the planning application. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted.

'Saved' Policies - SDP1, SDP5, SDP7, SDP9, H1, H2, H7, of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing 2010) are also relevant to the determination of this planning application.

NOTE: Councillor Samuels declared a prejudicial interest in the above item and withdrew from the meeting.

102. **UNIT 23, MOUNTBATTEN BUSINESS CENTRE, MILLBROOK ROAD EAST SO15 1HY - 10/00994/FUL**

Change of use of first floor from office (class B1 (a) to education centre (Class D1) (Departure from Local Plan) (Retrospective)

Ms Long was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE AMENDMENT TO THE OFFICER RECOMMENDATION TO GRANT TEMPORARY CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Letts, Slade, Samuels and Thomas

ABSTAINED: Councillor Fitzhenry and Osmond

UPON BEING PUT TO THE VOTE THE SUBSTANTIVE MOTION INCORPORATING THE AMENDMENT REFERRED TO ABOVE TO GRANT PERMANENT CONDITIONAL PLANNING PERMISSION WAS CARRIED UNANIMOUSLY

RESOLVED that permanent planning approval be granted subject to the conditions in the report and the amended and additional conditions set out below.

Amended Conditions

Condition 1 deleted – subsequent conditions re-numbered

Additional Conditions:

3 - Sign (Time bound performance condition)

Details of a non-illuminated, but reflective road sign, to alert drivers and users of the access into the Mountbatten Business Centre of the presence of children on site, shall be submitted to the local planning authority within 28 days of the date of this decision. The sign shall be a minimum size of 60cm by 30 cm and be placed a minimum of 1m above the prevailing ground level at the entrance of the Business Centre at its junction with Millbrook Road East. Once agreed in writing by the local planning authority, the sign must be in place within 14 days of it being agreed in writing. Once in place, that sign shall continue to be displayed and maintained in a legible form for as long as the use hereby approved is operating.

REASON:

In the interests of highway safety.

4 - Age limit

The use hereby permitted shall be provided for children and young adults up to the age of 18 years only.

REASON:

To limit the potential number of car journeys to the premises in the interests of pedestrian and highway safety.

REASONS FOR DECISION

The application constitutes a departure from the Development Plan ('saved' Policy RE1 11 (vii) of the City of Southampton Local Plan March 2006 and CS7 of the Core Strategy January 2010) but is compliant with the other relevant Policies of the Development Plan set out below. However, on the basis of the low demand for B1 use within this centre at this present time, the applicant's original wish of the applicant to have full consent and the particular nature of this D1 use being appropriate to this location and securing the future of the business it is considered appropriate for full consent to be granted.

In addition, other material considerations, namely the skills training offered which serves economic potential of future labour supply, the previous vacancy of the unit and the importance of retaining employment within the City, outweigh compliance with this policy 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

City of Southampton Core Strategy (January 2010) - CS6, CS11, CS13, CS18 and CS19.

City of Southampton Local Plan Review (March 2006) - SDP1, SDP5, SDP7, SDP10, SDP11 and SDP16.

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Agenda Annex

INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 15 February 2011 - Committee Rooms 1 and 2

PLEASE NOTE: THE PANEL, SHOULD IT BE REQUIRED, WILL BREAK FOR LUNCH

Main Agenda Item Number	Officer	Recommendation	Type	PSA	Application Number / Site Address
<u>BETWEEN 9.30 AM AND 10.15 AM</u>					
5	JT	CAP	Q13	5	10/01749/FUL / Land to rear of 70 Shirley Avenue
<u>BETWEEN 10.15 AM AND 11.00 AM</u>					
6	SH	NOBJ	Q28	5	11/00101/DIS / University of Southampton Boldrewood Campus Bassett Crescent East
<u>BETWEEN 11.00 AM AND 11.45 AM</u>					
7	AG	DEL/Referral to GOSE	Q06	15	10/01449/FUL / Part of British American Tobacco Co Ltd, Regents Park Road
<u>BETWEEN 11.45 AM AND 12.30 PM</u>					
8	SH	CAP	Q13	5	10/01774/FUL / 210 Bassett Green Road
<u>BETWEEN 12.30 PM AND 13.00 PM</u>					
9	SB	CAP	Q21	5	10/01464/FUL / 64 Swift Road
<u>BETWEEN 13.30 AND 14.00 PM</u>					
10	AG	CAP	Q13	5	10/01814/FUL / Elm Green Court, 58 Wilton Road
<u>BETWEEN 14.00 AND 14.30 PM</u>					
11	BG	DEL	Q15	5	10/01472/FUL / Unit K West Quay Road
MAIN AGENDA ITEMS to start from <u>between 14.00 and 15.00 PM</u>					

Abbreviations:

PSA – Public Speaking Allowance; CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TEMP – Temporary Consent
AA – Andrew Amery, AG - Andrew Gregory, ARL – Anna Lee, BG- Bryony Giles, JT - Jenna Turner, MP- Mathew Pidgeon, SH- Stephen Harrison, SL - Steve Lawrence, SB – Stuart Brooks, RP – Richard Plume

Southampton City Council - Planning and Rights of Way Panel

Report of Executive Director of Environment

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning

Applications:

Background Papers

1. **Documents specifically related to the application**
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. **Statutory Plans**
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Core Strategy (Adopted 2007)
 - (b) City of Southampton Local Plan Review (Adopted March 2006)
saved policies
 - (c) Local Transport Plan 2006 – 2011 (June 2006)
 - (d) City of Southampton Local Development Framework – Core Strategy
(adopted January 2010)

3. **Statutory Plans in Preparation**
 - (a) City of Southampton Local Development Framework – City Centre Action Plan City Centre Action Plan Issues & Options Paper (2007)

4. **Policies and Briefs published and adopted by Southampton City Council**
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Provision of Community Infrastructure & Affordable Housing - Planning Obligation (2006)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordwood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)
 - (n) Itchen Valley Strategy (1993)

- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Alder Moor Road and Worston Road Development Brief Character Appraisal (1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelbert Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (1997)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (1990)*
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Southampton C.C. - Cycling Plan (June 2000)
- (d) Southampton C.C. - Access for All (March 1995)
- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) DETR Traffic Advisory Leaflets (various)

6. Planning related Government Circulars in most common use

- (a) Planning Obligations 05/05 (As adjusted by Community Infrastructure Levy Regulations 2010)
- (b) Planning controls for hazardous substances 04/00
- (c) The Use of conditions in planning permissions 11/95
- (d) Environmental Impact Assessment 2/99
- (e) Planning Controls over Demolition 10/95
- (f) Planning and Affordable Housing 6/98
- (g) Prevention of Dereliction through the Planning System 2/98
- (h) Air Quality and Land Use Planning 10/97
- (i) Town and Country Planning General Regulations 19/92

7. Government Policy Planning Advice

- (a) PPS1 Delivering Sustainable Development (February 2005)
- (b) Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)
- (c) Planning Policy Statement: Eco-towns - Supplement to Planning Policy Statement 1 (July 2009)
- (d) PPG2 Green Belts (January 1995 - Amended March 2001)
- (e) PPS3 Housing (November 2006)
- (f) PPS4 Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009)
- (g) PPS5 Planning Policy Statement 5: Planning for the Historic Environment (March 2010)
- (h) PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)
- (i) PPG8 Telecommunications (August 2001)
- (j) PPS9 Biodiversity and Geological Conservation (August 2005)
- (k) PPS10 Planning for Sustainable Waste Management (July 2005)
- (l) PPS11 Regional Spatial Strategies (September 2004 – amended January 2009)
- (m) PPS12 Local Spatial Planning (June 2008)
- (n) PPG13 Transport (January 2011)
- (o) PPG14 Development on Unstable Land (April 1990)
- (p) PPG17 Planning for Open Space, Sport and Recreation (July 2002)
- (q) PPG18 Enforcing Planning Control (December 1991)
- (r) PPG19 Outdoor Advertising Control (March 1992)
- (s) PPG20 Coastal Planning (September 1992)
- (t) PPS22 Renewable Energy (August 2004)
- (u) PPS23 Planning and Pollution Control (November 2004)
- (v) PPG24 Planning and Noise (October 1994)
- (w) PPS 25 Development and Flood Risk (December 2006)

8. Government Policy Planning Advice in Preparation

- (a) PPS Development and Coastal Change – Consultation Paper (July 2009)
- (b) Initial review of the implementation of PPS 25 Development and Flood Risk (June 2009)

9. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2009)

10. Other Statutes

- a) Crime and Disorder Act 1998
- b) Human Rights Act 1998

Partially Revised: 6/01/11

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Agenda Item 5

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 15th February 2011
 Planning Application Report of the Planning and Development Manager

Application address: Land to the rear of 70 Shirley Avenue			
Proposed development: Erection of a detached 3 bed property to rear of existing property (resubmission of 09/01154/FUL to provide a widened integral garage and reconfigured layout)			
Application number	10/01749/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	03.02.11	Ward	Shirley
Reason for Panel Referral:	Considered by the Planning and Development Manager to be of wider interest	Ward Councillors	Councillor Mead Councillor Dean Councillor Matthews

Applicant: Mr and Mrs Cope	Agent: Owen Davies Architects
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 15.02.11 do not have sufficient weight to justify a refusal of the application. The proposed dwelling would be in keeping with the surrounding area and would not have a harmful impact on residential amenity or highway safety. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted having account of the following planning policies: "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

Conditionally approve

1. The site and its context

1.1 The application site comprises the end section of a rear garden associated with 70 Shirley Avenue which is a detached, two-storey dwelling house. The site fronts Howard's Grove and lies adjacent to a care home development at 145 Howards Grove.

1.2 Shirley Avenue is a residential street with a spacious suburban character and which typically comprises detached, two-storey family dwellings. Howard's Grove by contrast is more varied in character containing properties which are mixed in age, style and appearance.

2. Proposal

2.1 The application proposal seeks full planning permission for the construction of a detached dwelling to the rear of the existing property. This application relates solely to the plot to the rear of 70 Shirley Avenue and seeks planning permission for a single dwelling. It follows planning permission for two dwellings on land to the rear of 68 and 70 Shirley Avenue (reference 09/01154/FUL).

2.2 The purpose of the application is to enable the dwelling to the rear of 70 Shirley Avenue to be constructed in isolation to the dwelling to the rear of 68 Shirley Avenue by removing the dwelling's reliance on an external pathway that was to be shared between both properties. This pathway provided access from the public highway to the bin and cycle stores at the rear of the site.

2.3 This planning application therefore proposes amendments to the design and appearance of the dwelling to the rear of 70 Shirley Avenue when compared with the previously approved scheme. These amendments include widening the integral garage of the property by approximately 700mm and some amendments to the design and appearance of the front elevation. The alterations include changes to the fenestration, the roof design and proportions of the front elevation together with the omission of the entrance canopy. Internally, the third bedroom has been divided to provide an additional study. The vehicular access from Howard's Grove has also moved approximately 1.2 metres further from the boundary with 68 Shirley Avenue.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The application site is not allocated in the current development plan. The Council's usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.

3.3 On June 9th 2010 private residential gardens were excluded from the definition of Previously Developed Land (PDL) in the Government's Planning Policy Statement on Housing (PPS3). Also, the requirement to achieve a minimum density of at least 30 dwellings per hectare was removed.

3.4 The revised PPS3 maintains that the priority for development should be PDL (Paragraph 36 refers).

3.5 The adopted Core Strategy (in Policy CS4 Housing Delivery) indicates that 16,300 additional homes will be provided over the plan period, with 5,750 homes to be provided on allocated and identified sites between April 2009 and March 2014. The figures demonstrate that the city has a housing supply from identified sites sufficient to meet requirements until and beyond 2018/19, without reliance on windfall sites. The change to the definition of PDL, and the Council's current predicted supply, means that the principle of development will now be an issue for new windfall proposals for housing units to be built entirely on private residential gardens (often termed "garden grab").

3.6 That said, the revised PPS3 maintains that the planning system should provide "*a flexible, responsive supply of land that is managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate*" (Paragraph 10 refers). The national annual target that "*at least 60 per cent of new housing should be provided on previously developed land*" remains, suggesting that residential development can still take place on other land subject to the local circumstances of each site involved.

3.7 It is the view of the Council's Planning Policy Team that the recent changes to PPS3, along with the removal of the national indicative minimum density standards, are not intended to stop all development on private residential gardens. Instead it allows Councils greater powers to resist such development where there is a demonstrable harm to the character and appearance of an area. The judgement as to whether such proposals are acceptable will need to consider, amongst other factors:

- the loss of private residential garden land;
- the contribution the land currently makes to the character of the area;
- the impact on the defined character of the area; and,
- the contribution that the scheme makes to meeting housing need.

3.8 The revised PPS3 maintains that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted (Paragraph 13 refers).

4.0 Relevant Planning History

4.1 There have been two previous applications on this site. Planning application 09/01154/FUL related to the plots to the rear of 68 and 70 Shirley Avenue and approved the construction of two detached, three bedroom dwellings. Condition 09 of this planning permission requires a shared path, which provides access from the front of the site to the rear gardens of the dwelling, to be provided before either of the dwellings were occupied. This was to secure a convenient route between the refuse and cycle store at the rear of the site and the public highway. Condition 9 also had the affect of tying the construction of the two dwellings so that one could not be developed and occupied without the other.

4.2 A further planning application (reference 10/00741/FUL) which sought the variation of condition 09 of 09/01154/FUL was refused last year. The reasons for refusal are included in **Appendix 2** to this report. The current application seeks a stand alone development.

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, and erecting a site notice (23.12.10). At the time of writing the report **10** representations have been received from surrounding residents and **1** letter of support. The following is a summary of the points raised:

5.2 ***An isolated form of development is not acceptable and similar stand alone development have been refused planning permission on nearby sites***

Response

The proposed dwelling would be positioned immediately adjacent to the existing care home development at 145 Howard's Grove and as such would not appear as an isolated feature within the street.

5.3 ***The dwelling would be too close to the side boundaries with 68 and 72 Shirley Avenue and would therefore appear out of keeping with the surrounding area.***

Response

The spacing between the dwelling and the side boundaries would enable a degree of spacing between buildings themselves which is typical of the surrounding area. For example, were the land to the rear of 68 Shirley Avenue developed in a similar manner to the current proposal, the spacing between these properties would be the same as currently exists between the existing properties of 68 and 70 Shirley Avenue. Moreover, the dwelling would occupy a similar position to that of the dwelling approved under application 09/01154/FUL

5.4 ***It would not be practical to move the bins from the rear of the site meaning that they would get left to the front to the detriment of the setting and appearance of the property and the street scene. The integral garage is not sufficiently wide to park a car and leave sufficient space to manoeuvre a bin or cycle through the garage***

Response

A standard garage is 2.5 metres in width and 5 metres deep which enables an average size car to be parked within it and its doors opened. When measured internally, the proposed garage would be 3 metres wide and 6.4 metres deep. The Local Plan indicates that this is more than large enough to provide cycle storage within the garage. Moreover, the proposed garage size would enable a cycle or a refuse container to be moved passed a car parked within the garage.

5.5 ***There would be inadequate sightlines (33.7 metres shorter than the recommended distance) from the access to the detriment of highway safety. Furthermore, on-street car parking would further reduce visibility from the proposed access.***

Response

The proposed vehicle access be positioned slightly closer to the boundary of 68 Shirley Avenue than the existing access, but leaves over two metres separation to the boundary with the neighbouring property to provide adequate visibility from the site access. The access would benefit from good visibility looking towards the junction with St James Road. The access will provide adequate forward visibility of pedestrians using the footpath, and adequate visibility of approaching cars in Howards Grove. The required sight line of a domestic access is measured 2 metres back from the kerb edge, which is the width of a standard footpath. The sightlines

have been re-checked by the Council's Highways Officer and no objection has been lodged.

5.6 *The development involves 'garden grab' which is no longer acceptable*

Response

The proposal would involve the development of garden land which has been recently removed from the definition of previously developed land by the 2010 update to PPS3: Housing. Whilst the priority for development is still previously development land, this does not completely preclude the development of garden land, but rather needs to be balanced against the impact on the character of the area and other planning policies which require the efficient use of the land to provide housing.

5.7 *The proposal would have a harmful impact on 72 Shirley Avenue due to the close proximity to this property*

Response

It is noted that the care home at 72-76 Shirley Avenue has a large, single-storey extension to the rear and at ground floor the separation distance of 17 metres would be less than the 21 metres recommended by the Residential Design Guide (RDG). However, the proposed dwelling would be positioned at an angle to the neighbouring care home and not directly face the property and as such the RDG separation distances can be applied more flexibly. There would be oblique views of the development from the neighbouring extension and therefore the relationship is not considered to be harmful. Furthermore, since the extension to the rear of 72-76 Shirley Avenue is single-storey, securing rear boundary treatment by planning condition would mitigate any impact on privacy. Moreover, the relationship of the proposed dwelling with the neighbouring care home remains unchanged from that approved under application 09/01154/FUL.

5.8 *The rear garden to serve the proposed dwelling is inadequate and the remaining garden that would serve the original dwelling would not reflect the surrounding area*

Response

The dwelling would be served by a dwelling of approximately 90sq.m in area and 10 metres in depth with a southern aspect. This complies with the amenity space standards set out in the Residential Design Guide and is considered to be fit for purpose. Whilst cycle and refuse storage would be accommodated within this space, these comparatively small structures would not significantly deplete the amount of available space or render the garden unusable. Furthermore, the integral garage is large enough to serve the storage and parking needs of the dwelling should future occupiers wish to maximise the amenity space area. The amenity space that would remain to serve the original dwelling would exceed the Council's amenity space standards and the manner in which the plot would be subdivided would reflect the pattern of development to the south-west of the site and therefore not appear out of keeping. It is also important to note that the level of amenity space provision remains as approved under application 09/01154/FUL.

5.9 *The proposed dwelling would be out of keeping with the neighbouring care home development and the more traditional development within Howard's Grove*

Response

Howards Grove has a mixed character. The application site lies within an area of transition from the denser character of numbers 137 Howards Grove

downwards to the more suburban character of the north end of the street. The chosen design approach refers to the more suburban properties to the north-east of the site and that which is typical of the surrounding area.

5.10 ***The main access to the dwelling is within the side elevation and this is contrary to the guidance contained within the Residential Design Guide***
Response

The main entrance to the dwelling will still be clearly visible from the street and so will not increase opportunities for crime or anti-social behaviour. Furthermore, the front elevation of the property will remain suitably active and therefore the re-position of the front door is acceptable in design terms.

5.11 ***The proposed frontage boundary treatment would not be in keeping with the rest of the street***
Response

A condition is suggested to secure details of the frontage boundary treatment. It is envisaged that this would be a low level of brick wall typical of what can be found elsewhere in Howards Grove and the surrounding area.

5.12 ***The proposed development would appear cramped within its plot and would not visually improve the street scene***
Response

The footprint of the dwellings in relation to the plot size ensures that the plot would not appear over-developed; the soft landscaping to the frontages, set backs from the front boundary and spacing from the neighbouring residential development would ensure that the dwellings would not appear cramped when viewed from Howard's Grove. It is considered that the introduction of an active frontage to Howard's Grove would be a positive addition to the street, by replacing the high boundary fencing and creating a traditional street scene. Furthermore, the footprint to plot relationship is similar to that already approved under planning application

5.13 ***The development includes an additional bedroom when compared with the previous scheme and would generate additional traffic and overspill parking on surrounding roads***
Response

The application site lies within Public Transport Accessibility Level 3 (Medium Accessibility) and as such the maximum number of car parking spaces permitted is one. The application proposes a garage space and a frontage parking space which is in excess of the adopted car parking standards but due to local concerns with parking and highways, this excess is considered to be acceptable.

5.14 ***The proposed access is not in the same location as the existing vehicular access into the site***
Response

The proposed access is approximately 2 metres closer to the boundary with 68 Shirley Avenue than the existing access.

5.15 **SCC Highways** - The proposal has addressed the previous reason for refusal associated with planning application 10/00741/FUL. The integral garage can accommodate cars and cycles and refuse containers. Moving the vehicular access further away from the boundary with 68 Shirley Avenue would secure the necessary advance visibility of pedestrians on the adjacent footway.

5.16 **Southern Water** – No objection. Suggests an informative to make the developer aware that a formal application to connect to the public sewerage system is required.

6.0 Planning Consideration Key Issues

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

- i. Principle of development;
- ii. Design;
- iii. Residential amenity;
- iv. Residential Standards; and
- v. Highways and parking.

6.2 Principle of Development

6.2.1 The proposal would involve the development of garden land which has been recently removed from the definition of previously developed land by the recent update to PPS3: Housing. PPS3 indicates that the priority for development is previously developed land. However, that is not to say that development on garden land is harmful per se, but rather it needs to be balanced against the impact of the development on the character of the area and other planning policies which require the efficient use of land to provide housing. Furthermore, a significant consideration of this proposal is that the planning permission exists to develop this and the neighbouring plot for housing purposes and this planning permission can still be implemented. As such, the main assessment should be whether the differences between the approved scheme and the current scheme are acceptable in planning terms.

6.2.2 The density of the proposed development, at 50 dwellings per hectare would be appropriate for this area of medium accessibility and the provision of a family dwelling is still welcomed.

6.3 Character and Design

6.3.1 If this scheme were to be approved, there would be no guarantee that the neighbouring plot to the rear of 68 Shirley Avenue would come forward for development in the future. However, whilst this application would enable the land to the rear of 70 Shirley Avenue to be developed in isolation to the neighbouring site at 68 Shirley Avenue, the proposed dwelling would be viewed in the context of the neighbouring care home development at 145 Howards Grove and as such would not appear as an incongruous form of development within the street.

6.3.2 A similar design approach has been chosen to the earlier approved scheme albeit with some alterations necessitated by the increase in garage width. The proposed scale, massing and design approach would reflect the appearance of properties to be found within the vicinity of the site. The integral garage would still appear suitably subordinate to the main dwelling house with a significant set back from the front building line and a lower ridge height than the main house. As such, it is considered that the increase width of the garage element would not adversely affect the balance and appearance of the property.

6.3.3 Despite the alterations to the fenestration, the front elevation of the property would have a balanced composition in relation to neighbouring development. The dwelling would create an active frontage to Howard's Grove and the use of the front bay window feature would ensure that the front elevation remains legible. The proposal therefore accords with policy CS13 of the Core Strategy and current design guidance.

6.4 Residential Amenity

6.4.1 The proposal remains unchanged in this respect from the previously approved scheme. The scale and massing of the proposed dwelling combined with the separation between it and the neighbouring properties would not have a harmful impact on the amenities of the neighbouring residential occupiers.

6.5 Residential Standards

6.5.1 The 2010 approval provided access to the cycle and refuse store at the rear of the site via an path to the side of the dwelling, which would be shared with the dwelling approved to the rear of 68 Shirley Avenue. Condition 09 of the planning permission required the shared access path to be made available for use before either of the dwellings first came into occupation. This shared element also meant that neither of the dwellings could be constructed in isolation of one another.

6.5.2 The reason for this condition was to ensure that occupants would be able to move refuse containers and cycles to and from the public highway. Without this provision, refuse containers would be likely stored on the property frontage and cycle storage would be unlikely to be used.

6.5.3 The widened garage would provide the requisite 900mm gap between a parked car and the wall of the garage to enable bins and bikes to be moved through the garage to the front of the site. This would provide convenient access to the cycle and refuse storage to the rear of the site. The internal dimensions of the proposed garage exceed that recommended by the Local Plan (and confirmed by paragraph 8.3.41 of the Manual for Streets) to accommodate cycle storage and car parking, and as such, it is considered that this aspect of the reason for refusing application 10/00741/FUL has been addressed.

6.6 Highways and Parking

6.6.1 The main consideration in this respect is whether developing the plot in isolation would result in any new highway safety issues and whether the revised location of the proposed access is acceptable or not.

6.6.2 The approved scheme for two houses positioned the two points of access immediately next to each other in order to maximise visibility across the two sites. The scheme refused last year, retained the access in the same positioned as the approved scheme. This however, was not acceptable in highway safety terms since the development of a plot in isolation would not have provided adequate visibility from the original point of access.

6.6.3 As such, the access has been repositioned to pull it away from the boundary with No 68 Shirley Avenue. This would provide visibility from the access across the front boundary of the site itself. Furthermore, should the neighbouring site come forward for development in the future, a similar inter-visibility across the two plots to the approved scheme could still be achieved.

7.0 Summary

7.1 The proposed development would make good use of the site to provide family housing. The proposal has addressed the previous reason for refusal and the construction of a single dwelling to the rear of the existing property is acceptable in planning terms.

8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a) (b) (c) (d) 2 (b) (c) (d) 4 (f) 6 (c) (i) 7 (a) (b) (e) (o) 9 (a)

JT for 15/02/11 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 External Materials [pre-commencement condition]

Notwithstanding the submitted information, no development shall take place until details (and samples where required) of the materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. These details shall include bricks, mortar, roof tiles, cladding and fenestration. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of ensuring that the new development is constructed in accordance with the submitted details and to secure a harmonious form of development.

03.APPROVAL CONDITION – Boundary Treatment [pre-commencement condition]

Prior to the commencement of the development hereby approved, details of the boundary treatment shall be submitted to the Local Planning Authority for approval in writing. The details shall include a low wall (no more than 600 mm in height) to the front curtilage of the properties and boundary treatment to the side and rear of the properties of no less than 1.8 metres in height. The boundary treatment shall be implemented as approved prior to the development first coming into occupation and thereafter retained as approved.

Reason:

To secure a satisfactory form of development

04.APPROVAL CONDITION - Landscaping Details [pre-commencement]

No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The submitted details shall include:

- i. hard surfacing materials, structures and ancillary objects (including lighting); and,
- 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.

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.

05.APPROVAL CONDITION - Landscaping Implementation [Performance condition]

The hard and soft landscaping works shall be carried out in accordance with the details approved in the above planning condition. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority prior to the commencement of development.

Reason:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

06.APPROVAL CONDITION - Landscaping replacement [performance condition]

If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason:

To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

07.APPROVAL CONDITION - Sightlines specification [Pre-Commencement Condition]

Sight lines in the form of a 2 metre strip measured from the back of footway shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (as amended) no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

08.APPROVAL CONDITION – Parking and Access [pre-occupation condition]

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development shall be provided in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development

09.APPROVAL CONDITION - Removal of Permitted Development Rights [performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking or re-enacting that Order, no development permitted by classes A (extensions), B (roof alterations), C (other roof alterations), D (porches), E (outbuildings, enclosures or swimming pools) and F (hard surfaces) of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority for the dwellings hereby approved.

Reason:

In order to protect the amenities of the locality and to maintain a good quality environment and in order to ensure that sufficient private amenity space remains to serve the dwellings.

10.APPROVAL CONDITION – No other windows [performance condition]

No other windows, doors or openings shall be constructed above first floor level in the side elevations of the dwelling hereby approved.

Reason:

In the interests of the privacy of the neighbouring properties

11.APPROVAL CONDITION - Cycle Storage [performance condition]

Cycle storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The cycle storage shall be thereafter retained.

Reason:

In the interests of the visual appearance of the building and the area in general and to promote alternative modes of travel to the private car.

12.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.

13.APPROVAL CONDITION - Refuse & Recycling Bin Storage [Performance condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential purposes. Except for on collection days, no refuse storage shall take place to the front of the property.

Reason:

In the interests of the visual appearance of the building and the area in general.

14.APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement 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.

15.APPROVAL CONDITION - Hours of Construction Deliveries [Performance condition]

In connection with the implementation of this permission any deliveries relating to the demolition and construction works, shall not take place between the hours of 08:30 and 09:00 and 15:00 and 16:00 Monday to Friday or outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Deliveries shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission and to prevent construction traffic from arriving during school rush hour.

16.APPROVAL CONDITION - Hours of Construction[Performance condition]

In connection with the implementation of this permission any demolition, conversion and construction works, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the

buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission.

17. APPROVAL CONDITION - Construction Method Statement [Pre-commencement condition]

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement (CMS) for the development. The CMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during construction will be mitigated. The approved CMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

18. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least [the percentage required by core strategy policy CS20] in category Ene1, 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 assessment and certificate as issued by a legitimate Code For Sustainable Homes 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 - Use of garage - domestic ancillary use [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial

purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason:

To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

21.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.

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)

Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)

PPS3 Housing (November 2006)

PPG13 Transport (January 2011)

PPS22 Renewable Energy (August 2004)

Relevant Planning History

09/01154/FUL Conditionally Approved 27.01.10
Erection of 2 x three-bed detached dwellings with parking and associated storage accessed from Howards Grove

10/00741/FUL Refused 20.08.10
Variation of condition 09 (shared access path) of planning permission ref 09/01154/FUL to enable the dwelling to the rear of No 70 to be occupied before the shared access is made available for use

01.
REFUSAL REASON – Poor Quality Residential Environment and Highway Safety

The proposed variation of condition 09 to planning permission 09/01154/FUL would prevent prospective residents of the approved dwelling from having direct and convenient access from the public highway to the approved refuse storage and cycle storage. The integral garage is not wide enough to accommodate a car and enable bins and cycles to be moved through it to the public highway and does not provide a suitable alternative solution. Instead, this alternative suggestion would create a poor quality residential environment resulting in refuse containers being left on the site's frontage for ease of use. Furthermore, the lack of a conveniently accessible cycle storage will not assist the Council in promoting alternative modes of travel to the car as required by PPG13. It should also be noted that the sub-division of the development into 2 parts is at odds with Condition 7 that requires adequate sightlines to be provided to serve both parking spaces resulting in the need for a comprehensive approach to the redevelopment of this site. As such, and following an objection from the Council's Highways DC Officer, the application to vary Condition 09 has been assessed as harmful and would prove contrary to the provisions of policy CS19 of the Southampton Local Development Framework Core Strategy Development Plan Document (January 2010), "saved" policies SDP1 and SDP5 of the City of Southampton Local Plan Review (March 2006) and sections 5 and 9 of the Council's approved Residential Design Guide Supplementary Planning Document (September 2006).

Other Relevant Applications Within Shirley Avenue

Land Rear Of 82 And 86 - 88 Shirley Avenue

09/01213/FUL Conditionally Approved 22.03.10
Erection of 3 x 2-storey detached houses with integral garage (2 x 2 bed and 1 x 3 bed) with associated parking and storage

88 Shirley Avenue History

07/00292/FUL Refused 24.04.07 and Appeal Dismissed
Erection of pair of two-storey semi-detached dwellings

07/01392/FUL Withdrawn 01.11.07
Erection of 1 x four-bed dwelling with integral garage and associated bin and cycle storage on land to the rear of 88 Shirley Avenue with access onto Howards Grove

07/01725/FUL Refused 23.01.08
Erection of a four-bed detached dwelling with integral garage. (Revised resubmission following the withdrawal of planning application reference 07/01392/FUL)

08/00768/FUL Non-determination Appeal Dismissed 24.07.09
Erection of four-bed detached dwelling with integral garage on land rear of existing property.

08/01479/FUL Refused 15.04.09
Erection of a new four bedroom detached dwelling with integral garage on land rear of existing property (resubmission 08/00768/FUL)

86 Shirley Avenue
07/00060/FUL Withdrawn 01.03.07
Erection of a 2 x three bedroom, semi-detached dwelling houses with associated cycle/bin stores on land to the rear of the existing property

07/01411/FUL Withdrawn 01.11.07
Erection of a four-bed detached dwelling with associated parking and vehicular access

07/01726/FUL Withdrawn 15.01.08
Erection of a four-bed detached dwelling with integral garage (revised resubmission following withdrawal of application reference 07/01411/FUL)

09/00049/FUL Withdrawn 04.03.09
Erection of a 2-storey, 4-bed detached house, with integral garage on land to the rear of 86 Shirley Avenue with associated bin/cycle storage

86-88 Shirley Avenue:

07/00740/FUL Refused 23.07.07
Erection of a terrace of 4 no fours bedroom dwellings with rooms in the roof space and associated bin/cycle storage and parking

82 Shirley Avenue:
08/00372/FUL Withdrawn 15.07.08
Erection of 2 no. two-storey semi-detached houses with associated bin/cycle storage

08/01319/FUL Refused 05.11.08 and Appeal Dismissed
Erection of 2 x two storey semi detached houses with associated bin/cycle storage. (Resubmission of 08/00372/FUL)

09/01022/FUL Refused 19.11.09 and Appeal Dismissed
Erection of detached 3 x bed dwelling with access from Howards Grove, after demolition of existing detached garage



10/01749/FUL

Scale : 1:1250

Date :01 February 2011

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Agenda Item 6

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 15th February 2011
Planning Application Report of the Planning and Development Manager

Application address: Boldrewood (Building 62), University Of Southampton			
Proposed development: Application for approval of details reserved by conditions 21 (Demolition and Construction method statement) and 22 (Bassett Crescent East) of planning permission reference 07/00985/OUT relating to the redevelopment of Boldrewood			
Application number	11/00101/DIS	Application type	Discharge of Condition
Case officer	Stephen Harrison	Public speaking time	5 minutes
Last date for determination:	21.03.2011	Ward	Bassett
Reason for Panel Referral	Councillor Referral	Ward Councillors	Cllr Samuels Cllr Harris Cllr Hannides

Applicant: University Of Southampton	Agent: Luken Beck Ltd (Robin Reay)
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Recommendation Summary	No Objection
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Reason For Raising No Objection

The proposed method for demolishing the existing building is acceptable taking into account the policies and proposals of the Development Plan as set out below. Following the receipt of a revised Demolition and Construction Method Statement (DCMS) the submission is considered to address all the relevant points to ensure that the demolition phase proceeds with as little nuisance and disturbance to surrounding neighbours and the highway network as is possible. Reasonable checks and balances are included to enable the Local Planning Authority and Environmental Health to monitor the demolition phase and take action should it be necessary. Other material considerations, such as those listed in the report to, and discussed at, the Council's Planning and Rights of Way Panel on 15th February 2011, do not have sufficient weight to justify an objection to the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 no objection is, therefore, raised and this notice is issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

Policies – SDP1, SDP7, SDP9, SDP12, TI2, NE6 and L7 of the City of Southampton Local Plan Review - Adopted March 2006 and Policies – CS6, CS11 and CS13 of the Southampton City Council Local Development Framework Core Strategy – Adopted January 2010 as supported by the Council's current adopted Supplementary Planning Guidance.

Appendices attached			
1	Relevant Planning History	2-9	The submitted DCMS – track changed
10	Development Plan Policies		

Recommendation in Full

Conditions 21 and 22 of Planning Permission 07/00985/OUT will be discharged following the completion of the demolition phase of the Boldrewood project in accordance with the details agreed in writing with the Local Planning Authority.

1.0 Background

1.1 Outline planning permission was granted for the redevelopment of the University's Boldrewood Campus in 2008 (LPA: 07/00985/OUT refers). The permission included the requirement for the University to submit further details in respect of the demolition phase. These planning conditions are set out at **Appendix 1** of this report.

1.2 Condition 21 was partially discharged to enable the first phase of the demolition works to take place last year. The second (and more substantial) phase of these works has yet to be signed off by the Council and is the subject of this application.

1.3 Following extensive negotiations between the City Council, the University (and their preferred contractor 'Hughes & Salvidge') and local residents, the University have finalised their DCMS and seek the Panel's approval to commence the next phase of demolition works. The submitted DCMS is attached to this report at **Appendices 2-9** and summarised below.

2.0 The Site and its Context

2.1 The approval of the City Council is needed before any further demolition works can take place to facilitate the redevelopment proposals for the University's Boldrewood site. The site is characterised by a 12 metre change in level (from the north-west corner) and its landscape setting, which is defined, in part, by the Southampton (Bolderwood, Burgess Road/Bassett Avenue) Tree Preservation Order 2007. Boldrewood is located some 50 metres from the Southampton Common Site of Special Scientific Interest (SSSI) and Site of Importance for Nature Conservation (SINC).

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). The most relevant policies to these proposals are set out at **Appendix 10**.

4.0 Relevant Planning History

4.1 The relevant planning history for the site is set out at **Appendix 1**.

5.0 Consultation Responses and Notification Representations

5.1 Prior to the submission of the DCMS the University undertook their own neighbour notification and have modified their plans in response to the comments received. The submitted DCMS summarises this dialogue.

Notification

5.2 There is no statutory obligation on the Council to notify on this type of application. However, it is recognised that these demolition works will cause disturbance to

nearby neighbours and it is deemed appropriate and necessary to accommodate the concerns of those affected (where possible). Therefore, following the receipt of the application, a publicity exercise was undertaken that involved writing to some 195 separate neighbours (including the East Bassett Residents' Association) with comments invited until midday on Monday 14th February.

5.3 At the time of writing the report **0** representations have been received. A verbal update of any comments received will be given at the Panel meeting

Consultation Responses

5.4 Following the submission of the revised DCMS (as attached to this report at **Appendices 2-9** SCC Highways and Environmental Health officers have raised no objection to these demolition works and will monitor the development. It is intended that both officers will be available at the meeting to answer any specific points raised.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this application are the impact of the demolition phase on neighbour amenity, the local highway network and the important landscape setting.

6.2 In short, the revised DCMS proposes a 35 week demolition programme with concrete to be crushed on site and used to fill the existing basement void. The potential also exists for concrete to be removed for off-site crushing before being returned. The works will start from the southern part of the site to leave the existing building as a noise buffer (for as long as logistically possible) between the crushing and the residents in Oaklands Way. Both access points (the existing Bassett Crescent East entrance, and the new controlled Burgess Road junction) will be used with the majority of heavy vehicle movements using the latter. A "just in time" approach, with controlled vehicle routing, will be adopted for deliveries and lorry movements to ensure that the impact on the local highway network is reduced (particularly during peak times). Measures will be in place to control associated noise, waste, dust and vibration with monitoring in place. All trees to be retained as part of the wider project will be protected during the demolition and construction phase.

6.3 Whilst local residents will inevitably be affected by living in close proximity to this demolition and construction site, it is the opinion of officers that the submitted revised DCMS (as attached) provides a thorough and robust approach to the demolition phase of the existing building and can be formally agreed.

7.0 Summary

7.1 The proposed DCMS has been amended following concerns raised by officers and residents. Whilst acknowledging that the demolition phase will cause a nuisance and disturbance it is considered that the revised DCMS provides the necessary controls and thought to ensure that it is kept to a minimum. It now strikes a reasonable balance between respecting the amenity of residents and the University's development programme.

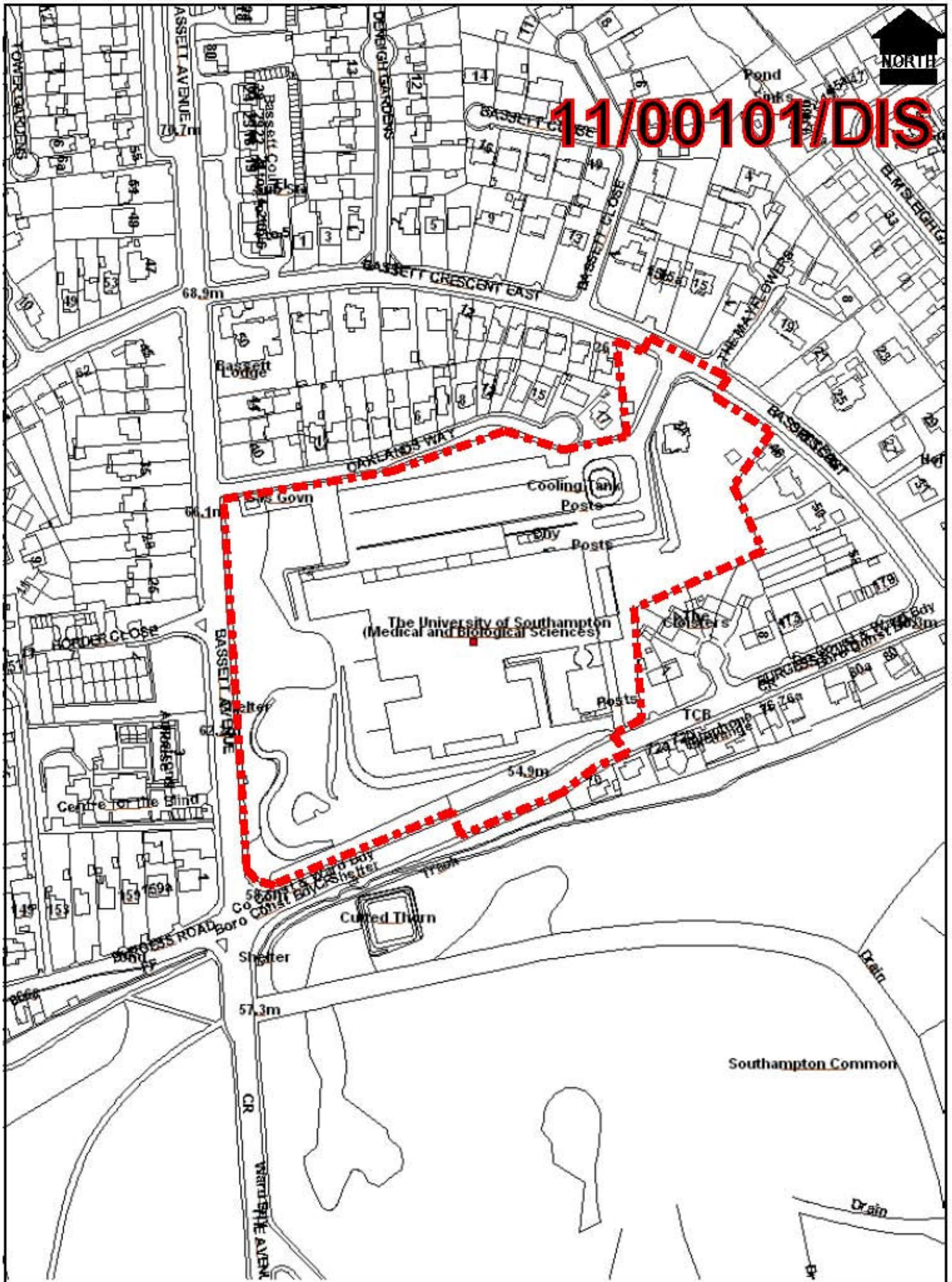
8.0 Conclusion

8.1 This application to discharge planning conditions 21 and 22 of outline planning permission 07/00985/OUT is acceptable. These planning conditions can be discharged following the demolition works being completed in accordance with these agreed details.

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

1a, b, c & d, 2b, d & e, 4dd, 6c, 7a, f, k, o & r & 10b

SH2 for 15/02/11 PROW Panel



11/00101/DIS

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Date :01 February 2011

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Agenda Item 6

Appendix 1

Application 10/01058/FUL **RELEVANT PLANNING HISTORY**

APPENDIX 1

10/01058/FUL Conditionally Approved 19/01/11

Erection of a single storey detached building to house plant and equipment for the electricity supply to the campus - Description amended following validation and receipt of amended plans

08/01097/FUL Conditionally Approved 19/02/09 with S.106

Development of Phase One of the Boldrewood Campus to include the construction of Block A, a 6-storey building (Class B1 office accommodation linked to university use including provision for the Maritime Institute - 10,270sqm gross external floorspace); Block B, a 5-storey building of new University accommodation (Class D1 - 5,749sqm gea); extensions and alterations to Block C (Class D1 - 286sqm gea new floorspace) with a new vehicular access from Burgess Road, associated access alterations, parking and interim landscape works following demolition of the existing buildings.

07/00985/OUT Conditionally Approved 18/06/08 with S.106

Redevelopment of the site by the erection of new buildings to provide up to 32,000sqm gross floorspace for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works following demolition of most of the existing buildings (Outline application seeking approval for access arrangements).

Planning Condition 21 states that:

Demolition and Construction Method Statement

Notwithstanding the applicant's Appendix F and the information contained with the Design & Access Statement before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Statement (DCMS) for the development. The DCMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during construction will be mitigated in accordance with S.60 of the Control of Pollution Act 1974, and (h) a residents helpline telephone number and email address. The approved DCMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

REASON:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

**Planning Condition 22 states that:
Bassett Crescent East**

Prior to the commencement of any demolition and development works an agreed Traffic Management Plan shall be approved which seeks to minimise Construction Impact on the road network & facilitate the closure of the existing vehicular access to Bassett Crescent East to construction traffic in accordance with an agreed timescale. Demolition works will be phased to allow the early establishment of the new internal roadway.

REASON:

To minimise the impact of the proposed development on the residents of Bassett Crescent East in accordance with the applicant's email dated 10th August 2007.

06/01566/SCR No Objection - not an EIA Development 07/11/06

Screening request under Part II Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 for the redevelopment of the site.

02/01343/FUL Permitted by Panel 28/10/2003

Three storey annex extension



Maritime Centre of Excellence

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University of Southampton

**Demolition and Construction Method
Statement (DCMS) – Demolition Works**

November 2010

Updated Jan 2011 Rev 5E

Contents List

1.0	Executive Summary	4
1.1	Objective of the report	4
2.0	Project Details	5
2.1	Site Address.....	5
2.2	Working Hours	5
2.3	Construction Logistics	5
2.4	Site Establishment.....	5
3.0	Environmental Compliance Schedule	6
3.1	Noise.....	8
3.2	Dust	8
3.3	Waste Management, Recycling and Disposal	9
3.4	Environmental Mitigation	9
3.5	Traffic Management.....	9
3.6	On site materials storage.....	10
3.7	Personal Protective Equipment.....	11
3.8	Asbestos	11
4.0	External Consultations	11
4.1	Neighbours.....	11
4.2	Considerate Contractors Agreement.....	11
5.0	Initial Demolition Works (Lecture Block)	12
5.1	Progress Update	12
6.0	Demolition of Building 62	12
6.1	Programme	12
6.2	Decanting and disposal of loose equipment.....	12
6.3	Asbestos Removal Operations.....	12
6.4	Soft strip.....	12
6.5	Building Services.....	13
6.6	Demolition Sequence	13
6.7	Structural Demolition of Building 62	13
6.8	Stockpile	14
6.9	Water Management Plan	14
7.0	Substructure	15
7.1	Basement Fill	15
8.0	Bulk Earthworks	16
8.1	Excavation and Retaining Structure	16
9.0	Substructure	16
9.1	Foundations	16
10.0	Summary	17

Appendices	18
10.1 Appendix A: Site Logistic Plan	18
10.2 Appendix B: Site Boundary Plan, Tree Removal and Tree Protection Plan.....	19
10.3 Appendix C: Noise Survey	20
10.4 Appendix D: Plant Details	21
10.5 Appendix E: Designated Travel Routes.....	22
10.6 Appendix F: Neighbourly Questions and Answers.....	23
10.7 Appendix G: Selected Contractors Outline Method Statement	24

1.0 Executive Summary

This document details our outline proposals for the methodology and sequence for the Demolition of Building 62 (B62) on the University of Southampton's Boldrewood Campus. This proposal also includes the preparation works (bulk earthworks) for Phase 1 of the Maritime Centre of Excellence project.

Included in this document is the material to discharge the relevant planning conditions for the above works. This includes; material movement, dirt and dust suppression, vehicular movement and cleaning and noise control. Environmental impacts and mitigation measures are also included.

Given the project is progressing in stages this document provides an update on previous works and identifies future subsequent submissions which will be issued prior to implementation of each element of the works which includes:

1. Enabling Works & initial demolition – Works complete
2. Off site highways – Works complete
3. Plot C Construction – Works complete
4. Demolition of Building 62 and Bulk Earthworks
5. Plot A Construction
6. Plot B Construction
7. On site Infrastructure and Car Parking

Following the appointment of a Principal Contractor for each of the subsequent stages a detailed method statement will be developed. The demolition works of B62 to release the site for the Plot A and Plot B works can now be undertaken following the decant of existing staff to Building 85 a new building located on the Highfield Campus.

Each stage of the operation will be subject to the compilation of a detailed Method Statement and the associated Risk Assessments before works commence. The demolition works and the bulk earthworks are therefore covered in greater detail in this report.

This report seeks to identify the key environmental impacts of the Works including; demolition, crushing, backfilling and piling operations.

1.1 Objective of the report

To seek the partial discharge of the conditions 20, 21, 22 as set out in the Section 106 Agreement dated 17 June 2008 (07/00985/OUT/295) by Southampton City Council (SCC) to provide an Outline DCMS for this phase of the Maritime Centre of Excellence development.

To establish the procedures and method to be used to demolish the existing structures on the Boldrewood campus and identify measures that will be taken to eliminate / reduce potential environmental effects and associated risk. To identify the studies that have been taken by demolition experts to inform the preferred method of demolition in terms of safety for the site users and to reduce potentially adverse environmental impacts.

This DCMS considers the sites access, egress, natural features and adjoining properties and sets out a practical and logical approach to setting up the site establishment and implementing the works.

Informal discussion has been held with the council's Environmental Health Officer (EHO) to ensure that statutory and planning obligations have been met prior to consultation with local residents and formal submission to the council.

2.0 Project Details

2.1 Site Address

University of Southampton
Boldrewood Campus,
Basset Crescent East,
Southampton
SO16 7PX

2.2 Working Hours

The agreed hours of work are in accordance with Planning Condition 22 and are restricted as set out below:

0800 – 1800 hours Mondays to Fridays
0900 – 1300 hours Saturdays

No works will be undertaken on bank holidays or weekends outside of the above hours, except with prior written approval of SCC. Currently, there is no intention to work outside the above times.

2.3 Construction Logistics

2.3.1 Contractor Parking

There will be a general policy in that on site car parking for contractors will be provided and contractors will be discouraged from parking in local roads. Access to the car park will be via Basset Crescent East with parking located to the north of site. Please refer to Appendix A. All contractors are notified at tender stage of the parking rules and are requested to comply as part of their appointment.

The Principal Contractor will develop the Local traffic management measures for the site during the enabling works however further details can be found under Section 3.5 of this report.

2.3.2 Construction vehicles wheel cleaning strategy

Measures will be taken on site to prevent mud, concrete, dust and debris littering onto the highway. Facilities such as wash down areas, wheel washers and jet washers will be in place at each exit points from the site please see the Site Logistic Plan in Appendix A. During the Demolition and Bulk Earthwork phase this will be undertaken by jet washers, with consideration being given to a full wheel wash establishment, as appropriate for the bulk earthworks to Plots A & B.

Lorry loads will be sheeted when they leave site to prevent wind blown debris littering the road and neighbourhood.

The Principal Contractor will appoint a Construction Liaison officer to monitor the effectiveness of these methods and to direct the workings of a road sweeper as required.

2.4 Site Establishment

A secure perimeter fence has been installed to define and protect the site. For the demolition works there will be 2 access points for vehicles with separate pedestrian accesses at both Basset Crescent East and Burgess Road.

Each access point will have a double gate fitted which will be locked out of hours. During working hours the entrance gate to Bassett Crescent East will be permanently manned by a trained banksman who will be responsible for the traffic control at the entrance and the safe routing of pedestrians. The entrance gate to Burgess Road will be controlled by the traffic light management system that has been constructed during an earlier phase. Pedestrian access via Burgess Road will be controlled by security.

A full time security officer will be present during the agreed hours of work to ensure that the site is not subjected to trespass or unauthorized access.

Within the site boundary there are trees with Tree Preservation Orders together with root protection zones. Planning permission has been obtained to remove certain trees in advance of the demolition works. In accordance with the agreed Arboricultural Method Statement tree protection measures will be installed the object of which is to enhance the access routes from site entrances up to the demolition area. The protection measures will also ensure that trees do not get damaged during the works.

Please refer to Appendix B, for the Site Boundary Layout, the Tree Removal and the Tree Protection Plan.

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3.0 Environmental Compliance Schedule

Prior to the commencement of works on each of the elements of work an Environmental Management Plan will be produced. This document will then be reviewed at regular intervals and will be updated as the works progress.

The Environmental Management plan will address the areas of potential impact during the Demolition and Construction. Below is a table summarizing the environmental impacts and also the mitigation actions:

Issue	Potential Impact	Mitigation action
Noise	Increased road noise levels from vehicles, plant during demolition and piling operations and general construction operations e.g. compressor usage	Consideration has been given to the application for a Section 61 notice. However, following consultation with the EHO, ongoing dialogue will be maintained to minimise all noise generating activities and instigate mitigation measures. Our proposed methodology will be assessed in accordance with the current BS5228 for dB(A) levels. <u>Type A monitors will installed.</u>
Vibration	Increased vibration from vehicles & structure borne during demolition operations	Vibration monitoring at boundaries to control <u>levels in</u> accordance with BS5472-1 <u>The Guide to Evaluation of Human Exposure to Vibration in Buildings.</u>
Dust / Air Quality	Windblown dust from ground surfaces, stockpiles, vehicles, workfaces & cutting and grinding of	A dust suppression scheme will be implemented to reduce airborne dust at source by the means of

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Issue	Potential Impact	Mitigation action
	materials. Exhaust emissions from lorries and plant deliveries.	directly applied water jets etc. Stockpile management plan to be instigated. Dust quality <u>light scatter monitors</u> will be instigated at boundary locations. <u>These will provide upwind and downwind measurements. A guide has been set by the EHO 125µg/m3, as a 15 minutes average.</u> All diamond cutting tools will be provided with local water suppression. Due consideration will be given to the ceasing of operations in high winds if appropriate.
Waste & Material Storage	Waste generation and its disposal	The Demolition Contractor will put in place a Site Waste Management Plan prior to the commencement of the works.
	Increased sediment loadings to storm water system. Potential for contaminated storm water run off.	All drains monitored for duration of the works. All site works will be undertaken in accordance with the Environment Agency's Pollution Prevention Guidelines, in particular Pollution Prevention Guidance Note 6 'Working at Construction and Demolition Sites'
	Traffic congestion caused by site traffic and traffic associated with road diversions and deliveries. Increased vehicle movements mainly consisting of HGVs. Transfer of mud on to the highway. Disruption from abnormal or hazardous loads.	Traffic management plans to be instigated to minimize impact on adjacent neighbours

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The exact monitoring details will be issued to the EHO prior to any demolition works commencing on site. It has been agreed with the EHO that a minimum of 1 Real Time monitors will be installed to monitor noise, and a minimum of 1 Real Time monitor will be installed to monitor vibration, which may be extended at a later date.

The following measures will be pursued to eliminate, reduce or offset the potential adverse environmental effects identified above. Any detrimental or potential adverse effects will be appropriately mitigated through a variety of procedures and actions:

- Compliance with Health and Safety statutory requirements and guidelines, and preparation of procedures which will clearly set out the methods of managing environmental issues for all involved with the construction works, including supply chain management;
- All construction site works will be undertaken in accordance with the Environment Agency's Pollution Prevention Guidelines, in particular Pollution Prevention Guidance Note 6 'Working at Construction and Demolition Sites'.
- Implementation of dust suppression systems that seek to reduce the generation at source, with water, with a contractor designed distribution network, and approved by the local authority.

- Requirement to comply with these procedures will be included as part of the Contract conditions for each element of the work. All contractors tendering for work will be required to demonstrate that their proposals can comply with the procedures, and current best practice techniques;
- Establishing a dedicated point of contact and responsibility to deal with issues if they arise. The point of contact will be a named representative from the construction manager or contractor.
- Production of a regular newsletter to be circulated to neighboring occupiers, local residents and the relevant authorities; and
- Regular structured dialogue with SCC with a pre-start review once the demolition contractor has been appointed and a series of periodic reviews throughout the works.

The agreed procedures will be set and circulated to SCC and other relevant bodies, prior to commencement of the works. This will include the following:

- The broad plan of the phasing of the works and its context within the whole project;
- Housekeeping procedures and environmental control measures;
- Contact details during normal working hours and emergency details outside working hours;
- Provision for reporting, public liaison, and prior notification;
- The mechanism for local residents and other members of the public to register complaints and the procedures for responding to complaints;

3.1 Noise

A base line noise level survey has been undertaken, a copy of which can be found in Appendix ~~C~~ with daily periodic monitoring of the site being currently undertaken during the decommissioning works. The monitoring will then extend during the course of the works. This consists of monitors being placed at boundary locations which are then checked periodically during the day with the results recorded. ~~Following further consultation with the EHO real time monitoring to the north of site is to be implemented.~~ Although noise cannot entirely be eliminated reasonable steps will be taken to reduce any adverse effects of noise generated by the works. The nature and capability of the plant proposed to be used is such that all operations will be carried out with the minimum of noise and emissions generated on the site.

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All plant will be modern, ~~well maintained and under 3 years old.~~ ~~Details of the plant can be found in Appendix D.~~ The working locations of the Long Reach crushing machines will be positioned/ moved around the site to undertake the demolition works. The processing crush machinery will be located in dedicated plant crushing zone to the ~~south~~ of B62. ~~Noise mitigation measures will be implemented to control noise at source.~~

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3.2 Dust

During the demolition works the impact of dust to surrounding areas will be reduced through using a number of ~~dust suppression~~ measures. ~~These will include a direct water source on the end of the Long Arm Reach that will spray water at the face of the surface being demolished effectively dealing with the dust at source, a high powered dust curtain will also be employed which is a water propelled device that envelopes dust with water (see Appendix D), the use of hand held hose pipes and also a Fire Tender which will be employed to "damp down" and keep damped down the works as required and the management of stockpiles washing of wheel washing of vehicles and lorries carrying debris to be properly covered and the cleaning of site entrances.~~ All on site transfer routes will be controlled and specifically designated to limit trafficking through the implementation of the contractors traffic management plan. The various methods of dust suppression will be reviewed throughout the demolition process and should changes be required then these will be implemented.

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~~The incoming water main to B62 is 225mm in diameter. The flow rate of this pipe exceeds 50 litres per second. Therefore there is an adequate supply to the site for the dust suppression systems.~~

3.3 Waste Management, Recycling and Disposal

All contractors will be required to investigate opportunities to minimize waste arising at source and, where such waste generation is unavoidable, to maximize the recycling and reuse potential of construction materials.

Prior to the commencement of any works a Site Waste Management Plan will be agreed to establish methods and procedures for dealing with all materials. This will be submitted to the EHO at SCC. Wherever feasible, such arising will be dealt with in a manner that reduces environmental impact and maximizes potential re-use of materials. Recycling of materials arising from the demolition of buildings and structures is a key element of the construction programme. This will concentrate on the fabricated structural steelwork, embedded metal reinforcement and crushed concrete.

The destination of all waste or other materials removed from site will be notified by the Contractor/Construction Manager for approval (via consultation with the Authorities). Loads will only be deposited at authorized waste treatment and disposal sites. Deposition will be in accordance with the requirements of the Environment Agency, the Environmental Protection Act 1990, Controlled Waste Regulations 1992, Controlled Waste (Amendment) Regulations 1993, the Special Waste Regulations 1996 and Special Waste (Amendment) Regulations 1996 and 1997, the Duty of Care Regulations 1991, the Landfill Regulations 2002 and the Landfill (Amendment) Regulations 2004, Hazardous Waste Regulations 2005 and List of Waste Regulations 2005.

3.4 Environmental Mitigation

The following summarises further mitigation measures to be adopted in relation to noise, vibration and air quality issues:

- Designated and supervised areas and compounds for storage of materials, storage of plant and equipment, site huts and parking of vehicles, storage of building materials, and locations for loading and unloading of vehicles;
- Agreed construction methodology to minimize generation of noise, vibration and dust;
- Use of appropriate machinery to minimize dust generation at source, allowing for controlled discharge via the on-site drainage systems. All hoardings and stockpiling will be considered, where appropriate, to assist acoustic screening;
- Requirement for engines to be switched off on-site when not in use, use of quieter plant, noise suppression equipment, regular plant maintenance, screening of plant (if appropriate);
- Spraying of spoil heaps, excavated material and other areas with water when conditions dictate, these are explained under Section 3.2 – Dust;
- A road sweeper will be used as and when the need for off-site road cleaning arises;
- Restriction on the use of fires on site; and
- Prior notice to residents via web site / leaflet drop for any particularly noisy operations.

3.5 Traffic Management

To redevelop the site additional vehicle movements will be required on surrounding roads, potentially affecting local residents.

All construction traffic entering and leaving the site will be closely controlled. Vehicles making deliveries to the site or removing spoil or other material, will travel via the designated routes as shown in Appendix E.

All access points to any demolition work area, except the designated access and egress points will be physically sealed up and secured via the installation of boarding, scaffold barriers or fencing, prior to work commencing. Warning notices will also be applied.

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Where mechanical plant is carrying out demolition works these fenced off and secured areas will also be under the supervision of a designated competent person (banksman), who will be in constant contact with the plant operators, via mobile phone, visual, 2 way radio.

Deliveries will be phased and controlled on a 'just in time' basis, all being clearly marked to show their destination. This will minimise travel time around the site and any associated noise. All transportation to and from the site will be on rubber tyred vehicles. Tracked vehicles will only operate within the site.

The 'just in time' basis will be implemented by 2 way communication between the lorry drivers and the security on the gate. This will be marshaled by the lorry drivers contacting the security gate so as to plan their movements. When lorries come from Southampton Docks they will contact the security gate to advise that they are on route. Likewise when lorries come from the Portsmouth direction the drivers will use the University of Southampton's Wide Lane site as a park up place from which they will contact the security gate. Should the gates not be accessible when the lorry arrives on site the lorries will stand clear from the carriageways.

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The Principal Contractor will be responsible for ensuring that these obligations are imposed on the trade contractors.

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We have reviewed the benefits of crushing material on or off site. The current view is that the North West wing, the east wing and the lecture theatre slab will be crushed on site. The remaining part of the building could either be crushed on or off site. Depending on the method adopted, or a combination of the methods vehicle movement throughout the works will vary. It is estimated that 30 lorries per day will enter and leave the site for a period of 8 months. This equates to 60 lorry movements per day with no more than 20% of lorry movements being during peak times. The earthwork lorries will enter and exit through the South gate onto Burgess Road with the demolition lorries using the Bassett Crescent East gate. These lorries will turn right so as to access Burgess Road.

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The number of lorry movements through the Bassett Crescent East gate has been kept to a minimum. Due to there being no access between the North and the South of the site and the drop in levels over the site it is not possible to use just the Burgess Road gate.

Other vehicle movements will occur throughout this period for movement of recycling materials and general surplus waste material.

During the demolition phase of the project it may be necessary to bring in heavy plant to facilitate the works for example, crane, crushing plant, piling rig. Prior warning will be given when abnormal size loads enter or leave the site.

On site dust suppression measures appropriate to the road surfaces will be applied to control dust at source

3.6 On site materials storage

On site storage of hazardous materials will be in accordance with the relevant COSHH regulations and EA pollution prevention guidelines. Diesel fuel will be contained within a twin skinned bowser or fuel tanks with suitable local bunding, which will have the capacity to contain a spill of 110% of the full fuel load. These fuel containers will be locked and will be monitored during out of hours by the site security guard. Grease and lubricating oils will be stored in the on site secure container. Oxy acetylene gas bottles will be stored in a lockable storage cage away from any building fabric.

It is envisaged that a lockable cage will be situated within the site compound to house oxygen and propane bottles used for cutting and burning works. Hot work permits will be issued for these aspects of work with adequate fire points being provided throughout the site area and close to hot works.

Small items of plant will be stored within the secure site containers. Larger items such as excavators, dumpers, compressors, generators etc will be locked up and secured and will be monitored during out of hours by the security guard.

3.7 Personal Protective Equipment

All site personnel will be issued with standard Personal Protective Equipment (PPE). Each operative will have general protection issued by the Site Supervisor dependent upon the work in hand. Safety wear will include standard construction issue PPE including: high visibility vests/jackets, hard hats, ear and eye defenders, nasal protection against high volume of dust, dermal protection to exposed vulnerable areas and footwear against risk of penetration and impact..

3.8 Asbestos

The Pre Demolition asbestos surveys have been carried out by the clients Environmental Consultant and the necessary clearance for its removal has been obtained from the Health & safety Executive.

Asbestos removal will form part of the demolition Contract.

Given the age of the structures it is envisaged that some asbestos containing materials will remain undetected until the soft strip and main demolition works are progressed. All on site demolition contractors are asbestos aware trained. Should further areas of suspected asbestos be found during demolition, then works will stop and samples will be taken for analysis. Once the results are known should asbestos be proven then controlled measures will be put into place to remove the asbestos together with the required notification being undertaken. Demolition in that area will then recommence once a reoccupation certification has been issued.

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4.0 External Consultations

4.1 Neighbours

As part of the MCE consultation strategy the University has appointed a Communications Manager for their Capital Development Programme. A full strategy has been developed to co-ordinate all external public consultation / engagement.

This includes letter drops from appointed contractor, and fortnightly Contractor Liaison Group meetings for the duration of the demolition contract which will provide the neighbours with an update on the forthcoming events and also an update on the programme of the works.

Within Appendix F is the summary of the key concerns/questions raised by residence during a consultation meeting held on 14 December 2010. These concerns were discussed during a further resident's consultation meeting held on 17 January 2011. The next consultation meeting will be on 2 February 2011.

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A hotline number 0800 7834597 is operational for all of the on going Boldrewood works. This number should be used for any issues relating to works on the Boldrewood/MCE site, and will be effective for the lifetime of the Phase 1 development of the Maritime Centre of Excellence. During work hours calls will be answered by the PMU Communications Office; out-of-hours these calls will be diverted to a mobile contact who will be provided with a list of named contacts for any out-of-hours issues needing immediate resolution.

4.2 Considerate Contractors Agreement

In line with best practice both the University of Southampton & Lloyd's Register are committed to ensuring all contractors sign a considerate contractor agreement. This would be implemented by means of the Environmental Management Plan.

5.0 Initial Demolition Works (Lecture Block)

5.1 Progress Update

The demolition and construction programme for the Lecture Theatre Block has been completed.

6.0 Demolition of Building 62

6.1 Programme

The demolition and earthworks programme for B62 will span approximately 35 weeks over the period from March 2011 to November 2011.

6.2 Decanting and disposal of loose equipment

Prior to the demolition works the decanting and disposal of loose equipment will be complete. This includes the disposal/ recycling of redundant equipment and waste materials together with the process for signing off and managing vacated space.

Specialist waste removal contractors have been appointed to decontaminate the building further information is available upon request.

A decommissioning document will be handed over by the University to the appointed Demolition Contractor prior to commencement of the works which will identify any residual hazards prior to works commencing.

6.3 Asbestos Removal Operations

Some soft strip operations have been undertaken as part of the decommissioning phase. The Demolition Contractor will clear the remaining soft strip items in advance of any asbestos removal.

A Refurbishment/Major Demolition survey (Type 3) and work plan has been undertaken. The Demolition contractor has been forwarded the Type 3 survey works which have formed part of their tender submission. Prior to any works commencing the appropriate requisite notices will be issued to the Health and Safety Executive in accordance with legislation requirements.

All Asbestos will be removed by an approved contractor which forms part of the principle contractor works team.

All asbestos removal works will be carried out in accordance with current asbestos legislation and developed specific risk assessments and method statements that will be produced and issued as separate documents for each category of asbestos containing materials.

On completion of each asbestos removal area, a 4-stage clearance procedure will be undertaken by an appointed UKAS accredited laboratory.

6.4 Soft strip

B62 will be demolished by undertaking a soft strip which is envisaged to commence from the roof level downwards. The soft strip would require removal of the following:

- General fixtures and fittings
- Suspended and plasterboard ceilings
- Raised floors and Floor coverings
- Non-load bearing partitions

- Toilet fixtures and fittings
- Mechanical and electrical installations

Demolition operatives will undertake the soft strip, reducing the materials generated into manageable sized pieces via the use of hand tools such as mattocks, crow bars, sledgehammers, angle grinders etc. The operatives may also use oxygen /propane burning equipment to cut out non load bearing metalwork. The debris generated, will be transported manually and stacked in an orderly fashion in a pre-selected location on each floor.

Any materials that have been identified for reuse / recycling will be segregated from general waste and removed from the floor in a separate skip.

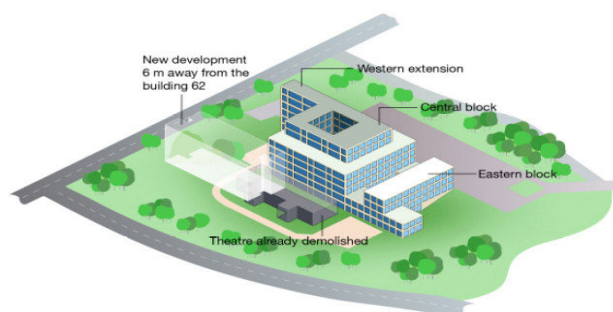
6.5 Building Services

All services (except the electrical sub station) to B62 will be isolated and will be disconnected as part of the works. This will include the decommissioning of plant and equipment. The timing of the sub station disconnection will be decided by the demolition contractor. A pre-commencement period will be established to work with the client and all statutory undertakers to ensure all services are identified and isolated or their positions marked/recorded as required.

Prior to the demolition of B62 a new SSE sub station and Switch room will be installed by way of a separate project. This will provide power to the site.

6.6 Demolition Sequence

It is important to understand the make up of B62 as this has a bearing on the sequencing of the demolition works which is explained in this section. B62 consists of 3 sections namely the Western extension, the Central block, and the Eastern/Library block as illustrated below.



The sequencing and methodology for the demolition works has been assessed to take into account the environmental impact, the surrounding area and the construction of B62 to minimise uncontrolled progressive collapse.

It is intended that the Eastern/Library block will be demolished first as this will provide a clearing and release areas for backfill so that access to the remainder of the building can be permitted from within the site demise. [Please refer to the Site Logistic Plan in Appendix A and also the selected contractors outline Method Statement in Appendix G.](#)

6.7 Structural Demolition of Building 62

Glasshouse

The Glasshouse will be demolished prior to B62 which will make way to maintain the access route to the new SSE enclosure and Switch room. The building will have been decontaminated by appropriate means prior to the commencement of demolition operations.

Library and B62

Please refer to Appendix G which provides the selected contractors outline method statement, should any significant changes to the strategy occur these will be discussed with the EHO in a pre-start review. This shows the works being conducted in a series of discrete phases to ensure the structural stability of the remaining parts of the building and safety of the work force are maintained at all times. Phases 2 & 3 are mutually exclusive, so that work can be undertaken at the same time in these areas. Phase 4 would not commence until both phases 2 & 3 have been completed.

Deleted: Below is the envisaged demolition technique which will be reviewed with the successful Demolition Contractor, all

- Phase 1: Preliminaries & Soft-strip operations
- Phase 2: Two Storey Library Block
- Phase 3: Steel Frame Roof to main building
- Phase 4: Main Building

6.8 Stockpile

We have explored ways with the selected contractor to balance on and off site crushing of materials which will reduce the size of any stockpiling while consideration is given to the number of vehicle movements on and off site. It is therefore envisaged that surface stockpiles of materials will be minimal to reduce the impact of air blown dust; however where these are required to facilitate recycling a management plan will be put into place by the contractor.

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To mitigate airborne dust a dust suppression scheme will be implemented to ensure the material is adequately damped down. Further details on dust suppression can be found under Section 3.2 of this report.

When on site crushing of materials occurs the crushed stockpile will be located to the south of the site. The crushed material will be used to form the piling mat to the south of the site in readiness for Plot A and B and will be used to infill the basement of B62 as the demolition works progress. The size of the stockpile will be minimal as the crushed materials will be used continually as described above as the work progresses. This will be monitored throughout the works.

The drains will be fitted with gauze filters to ensure fines are not washed into the drainage system.

Deleted: The stockpile is located over existing hard standing of the northern car park and existing drainage points will be used to collect run-off.

Other stockpiles will be allowed for by the contractor for processing and storage of surplus materials before removal from site to allocated processing facilities.

6.9 Water Management Plan

The proposed land drainage design is based on CIRIA 113 – Control of Ground Water for Temporary Works for draining down the ground water for the excavated basement for the Lloyds Register Building and the collection of run-off from the main demolition site. It comprise of a series of inter-connecting land drains wrapped in a geotextile surrounded and bedded with granular material. A geotextile membrane will be required on all faces of the drainage excavation to ensure that no fines will discharge through the proposed drainage system.

Any surface water run off which collects onto the existing basement slab areas of Building 62 after demolition are to be punctured to allow surface water to drain into the existing ground water. Surface water run off from batters created by excavations for the Lloyds Register Building will drain direct into the proposed land drainage system.

Discharge will be through a sump which will connect onto the public existing drainage system and approvals will be needed to obtain a trade effluent licence from Southern Water.

7.0 Substructure

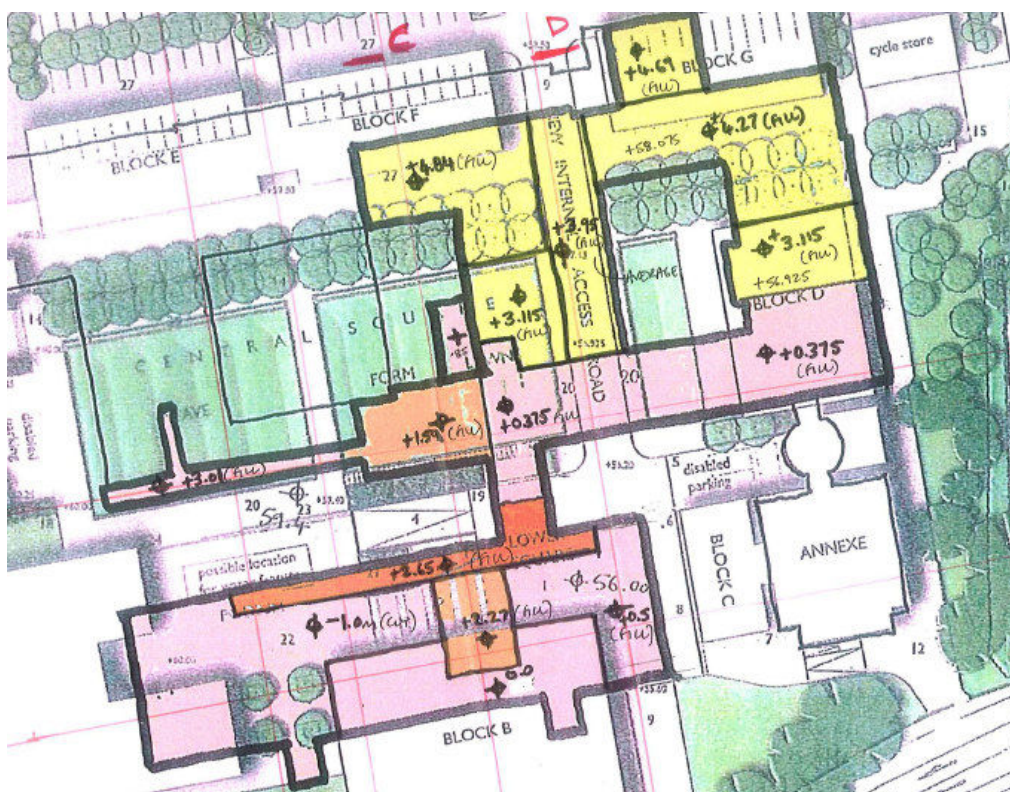
7.1 Basement Fill

The existing Basement of B62 extends beneath the existing building to the North and East areas of the building. At its deepest the basement is approximately 7m below the existing ground level with this being less deep at the south end of the site.

The sketch below indicates the extent of the basement below B62 and the fill to be undertaken. The fill will be generated from re-cycled components of the B62 structure. Concrete crushing plant will be located on site. The crushed material will then be transported to stockpiles, treated to minimise airborne dust and located within the existing car park area to the north.

All suitable concrete material will be crushed on site to a recognised aggregate size. The existing basement internal retaining walls will be left in situ to provide strength and stability to the structure. The stockpiled aggregate will then be placed into the basement void in compacted layers (using a small vibrating roller) as engineered fill.

These areas will then be tested to ensure that fill is acceptable to take the landscaping scheme proposed.



B62 Basement – approx fill depths

8.0 Bulk Earthworks

8.1 Excavation and Retaining Structure

One of the operations during the demolition works will be to construct a temporary retaining wall for Plot A by implementing hydraulic pressed piling techniques. Once a sufficient area is cleared for the plant and equipment necessary for this work, this activity will commence. The plant which will be used for this work is likely to be tracked excavators, concrete lorries, pumping equipment and cart away trucks.

Contaminated subsoil will be encountered due to the findings of Japanese Knotweed on the site. Through the implementation of a successful mitigation plan the knotweed has been managed, controlled and eradicated from the areas of excavation. During the earthworks the infested area will be excavated and will be managed in one of the following ways:

- Excavated and moved to form a bund within an area that can remain undisturbed for at least 18 months; subsequent re-growth will be controlled regularly with herbicide;
- Excavated and buried on site, over 5 m deep;
- Excavated and buried on site less than 5 m deep and thoroughly encased in a root barrier system installed by a specialist contractor;
- Moved off site and disposed of by an approved contractor as controlled or hazardous waste (dependent on previous treatment with herbicide).

Soil samples will be taken as excavations proceed and a procedure on how to deal with it will be established in conjunction with the contractor prior to appointment and undertaking the works which will meet current legislation.

9.0 Substructure

9.1 Foundations

During the ground works stage some piling operations will take place on site, this will comprise sheet piling and a preliminary test pile. Sheet piling techniques vary due to ground conditions and type of pile adopted. It is anticipated that a clutch sheet pile system will be adopted on this site; the method of installation will be based on the resistant piling method. This process comprises of pushing piles into the ground with hydraulic rams. This system is popular in city centres as there is minimal noise or vibration as the piles are pushed rather than hammered into the ground.

Should the permanent contract require a test pile to be constructed on site this will be either a continuous flight auger (CFA) piling method or rotary bored pile. The construction of a test pile will comprise five piles to be installed, one test pile and four resisting piles.

Before any piling operations are undertaken on site, vibration monitoring equipment will be set-up on site and calibrated to establish background readings and trigger levels will be set in accordance with current practice. Should piling operations create vibrations above trigger levels piling will cease and mitigation measure will be investigated.

10.0 Summary

The demolition programme for B62 which includes earthworks will span approximately 35 weeks commencing in March 2011.

We are exploring partial on site and off site crushing with the preferred contractor. There is however a balance to be made between the size of the stockpile and the number of vehicle movements on and off site.

All waste streams and estimated quantities of waste generated from the demolition of B62 will be identified within the Waste Management Plan which will be issued prior to commencement of the demolition works.

The main elements of the demolition of B62 focus on the steel and concrete of the building to be demolished. Both elements will be recycled, and building concrete crushers will be installed and material will be used on site. It is proposed that any surplus crushed material will be exported by road. The recycled steel and scrap metal from the buildings will also be exported also by road.

The environmental management plan will be pursued to reduce any potential adverse environmental effects. Any detrimental or potential adverse effects will be appropriately mitigated through a variety of procedures and actions.

The management of a principal contractor and subcontractors will be through procurement procedures and an agreed commitment to the Code of Construction Practice. A designated liaison officer will be in regular contact with the public, will keep residents informed of all relevant matters, and will deal with complaints and inquiries. Monitoring of demolition activities will be reported back to the local authority on a regular basis.

Appendices

10.1 Appendix A: [Site Logistic Plan](#)

10.2 Appendix B: Site Boundary Plan, Tree Removal and Tree Protection Plan

10.3 Appendix C: Noise Survey

10.4 Appendix D: Plant Details

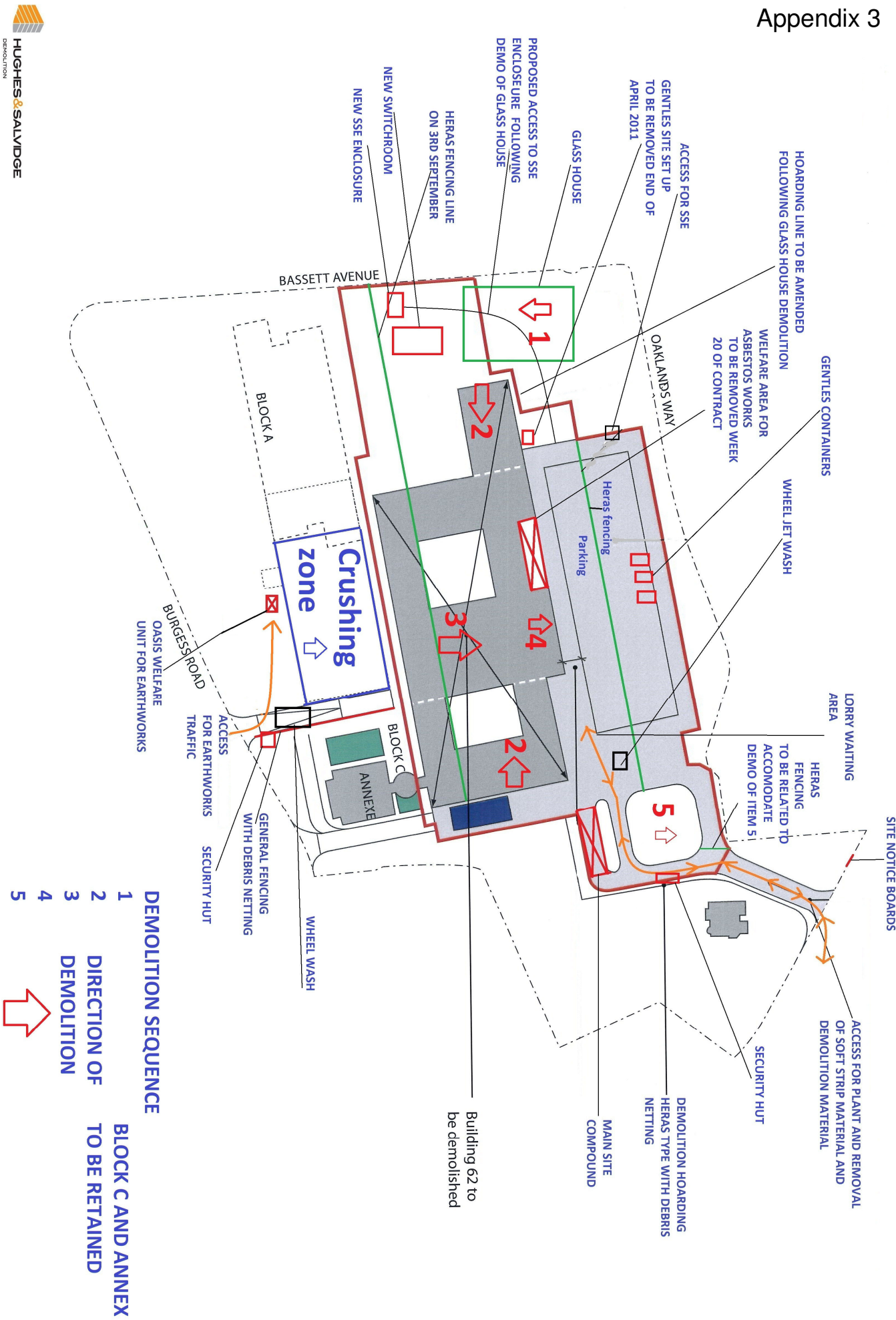
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10.5 Appendix E: Designated Travel Routes

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10.6 Appendix F: Neighbourly Questions and Answers

10.7 Appendix G: Selected Contractors Outline Method Statement



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Agenda Item 6

Appendix 5

ArupAcoustics

Buro 4

**Boldrewood Campus
Refurbishment**

Baseline Noise Survey

Report ref
AAc/122593/R01

Arup**Acoustics**

Buro 4

**Boldrewood Campus
Refurbishment**

Baseline Noise Survey

May 2007

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This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party

Job number 122593

Job title	Boldrewood Campus Refurbishment	Job number	122593
Document title	Baseline Noise Survey	File reference	
Document ref	AAc/122593/R01		

Revision	Date	Filename	R01-DGH Boldrewood.doc		
Issue	18/05/07	Description	Issue		
			Prepared by	Checked by	Approved by
		Name	Daniel Howells BSc	Don Oeters BSc MSc MIOA	Jeremy Newton BSc MIOA
		Signature			
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Issue Document Verification with Document

Contents

	Page
Executive Summary	i
1.1 Site Description	1
2 Survey Methodology	1
2.1 Measurement Procedure	1
2.2 Measurement Locations	2
3 Results	5
4 Headline Implications of Measured Noise levels	8
4.1 Residential Buildings	8
4.2 Educational Buildings	9
4.3 Office Accommodation	9

Appendices

Appendix A

Acoustic Terminology

Executive Summary

Ambient noise levels have been measured over a 24-hour period at the Boldrewood Campus site. The noise climate is dominated by road traffic near to the site, especially from vehicles using Burgess Road and Basset Avenue. Following assessment of the measured levels, it is recommended that residential accommodation is located so that bedroom facades are not directly exposed to noise from Burgess Road or Basset Avenue. Teaching or office accommodation should not be naturally ventilated via facades that face towards Burgess Road or Basset Avenue. Subject to further design work, it is anticipated that teaching or office accommodation may be naturally ventilated via facades that overlook Basset Crescent East or are otherwise shielded from road traffic noise from Burgess Road or Basset Avenue.

1 Introduction

Arup Acoustics (AAc) carried out ambient noise measurements at the University of Southampton's Boldrewood Campus on 19 and 20 April 2007. Attended, sample measurements were taken at locations around the site in order to assess the main noise sources and to gauge typical noise levels on site and at surrounding residential properties.

It is understood that the site will be developed for residential (hall of residence), teaching and office accommodation uses.

Appendix A provides an explanation of the technical terms used in this report.

1.1 Site Description

Boldrewood Campus is situated in the Bassett area of Southampton, on the northern side of the city. The site is located at the corner of Burgess Road, the A35, and Bassett Avenue, the A33. Several residential properties lie nearby most notably on Oaklands Way to the north of the site and The Cloisters, immediately south-east of the main campus building. The site is shown in Figure 1.

2 Survey Methodology

Measurements were made at various locations on and around site (described below) during daytime hours, 1500-1830, and late evening, 2100-2330 on 19 April. Night-time, 0200-0400, and morning, 0900-1130, measurements were made on 20 April. These were in the form of attended, ten minute measurements. The survey was carried out by Arup Acoustics' engineer Daniel Howells.

For each noise measurement, the sound level meter used, noise climate, wind speed and direction, and the precise measured noise levels were noted. The detailed procedure and results are reported below.

2.1 Measurement Procedure

The sound level meter was mounted on a tripod, with the microphone set approximately 1.2-1.5m above ground level. A windshield was fitted to the microphone at all times to minimise the effects of wind induced noise across the microphone diaphragm.

All measurements were taken in an acoustically 'free field' condition at least 3.5m away from any vertical reflective surfaces. The measurement locations were chosen to provide a representative indication of the typical ambient noise level at noise sensitive receivers surrounding the area proposed for development and to indicate the level of noise entering the site.

2.1.1 Weather

Conditions were clear and dry throughout with winds generally from the south east measured at 0.5ms^{-1} - 1.5ms^{-1} .

2.1.2 Instrumentation

The instrumentation used to carry out the noise survey was as follows:

- Brüel & Kjær 2260 type 1 precision sound level meter (SLM)
- Brüel & Kjær type 4231 calibrator
- Kestrel 1000 Anemometer
- Compass

Immediately before and after each series of measurements was carried out, each SLM's calibration was checked using the SPL calibrator.

All noise measuring instrumentation owned and used by Arup Acoustics is checked for correct calibration to traceable national and international standards on an annual basis. Routine 'in-house' spot checks are also conducted as part of Arup Acoustics' QA policy.

2.2 Measurement Locations

The measurement locations used were dependent on the time of day they were conducted. The locations used for morning and daytime measurements (preceded by the letter 'D') differed from those used at late evening and night time hours (preceded by the letter 'N'). Morning and daytime locations were chosen to ascertain typical noise entering the site while late evening and night time locations were used to measure typical noise levels at potentially sensitive receivers nearby that might be affected by noise from the new building and the construction process.

Sections 2.2.1 to 2.2.9 describe the measurement positions and the main noise sources at each location. The locations are also summarised in Figure 1.

2.2.1 Location D1 – Burgess Road

The SLM was sited near the southern site boundary approximately 20m from Burgess Road.

Traffic noise dominated the noise climate at all times. The L_{eq} was dominated by traffic passing on Burgess Road and more distant traffic dominated the background L_{90} levels.

2.2.2 Location D2 – Current Campus Entry Road

Access to the Boldrewood Campus was gained via the entry road from Bassett Crescent East towards the north-east corner of the site. The SLM was sited on the traffic island at the Campus entrance to assess noise entering the site at this area.

Traffic noise from Burgess Road and Bassett Avenue dominated background noise levels. Traffic on Bassett Crescent East to the north-east was very occasional throughout the measurements.

2.2.3 Location D3 – Bassett Avenue

Bassett Avenue runs north-south along the eastern site boundary. The SLM was sited approximately 30m from the road.

Traffic on Bassett Avenue dominated the noise climate with contributions to background levels from traffic on Burgess Road to the south-east.

2.2.4 Location D4 – Corner of Burgess Road and Bassett Avenue

Burgess Road and Bassett Avenue meet at the south-west corner of the site. Due to signalling at this junction there remained a constant presence of traffic. This location was used to determine the subsequent effect of this on noise ingress to the site.

Traffic noise clearly dominated the noise climate. Due to the high number of engines idling during red lights the background noise level at this location was also high.

2.2.5 Location N1 – Western End of Oaklands Way

Several residential properties lie in close proximity to the main campus building on Oaklands Way to the north of the site. The SLM was sited approximately 20m from the western end of Oaklands Way where the road meets Bassett Avenue. This location was chosen to estimate the noise incident on the façade of the western most property on Oakland's Way.

L_{eq} levels were dominated by traffic passing on Bassett Avenue although traffic numbers fell at later times. Plant noise from the current campus buildings dominated background noise levels with contributions from distant traffic noise. The plant noise became subjectively more apparent at later times due to reduced traffic.

2.2.6 Location N2 – Residential Property, Rear Façade on Campus Grounds

Approximately 50m to the north-east of the main campus building lies a residential property whose rear façade backs directly onto the site. The SLM was sited 5m from the boundary fence at this position.

Plant noise from the current campus buildings dominated the background noise levels with contributions from distant traffic at earlier times. Traffic passing on Bassett Avenue was audible at this location although, as at Location N2, there was less traffic at later times and this became a less notable source.

2.2.7 Location N3 – The Cloisters

Immediately south-east of the site is a residential cul-de-sac called The Cloisters, the rear facades of which are approximately 15m from the campus building their closest.

Traffic dominated the noise climate at this position, both the background noise and L_{eq} , although these fell as traffic numbers reduced during later hours.

2.2.8 Location N4 – Burgess Road

On the opposite side of Burgess Road to Boldrewood Campus are several residential properties approximately 10m from the kerbside. A 2m high brick wall surrounding the properties meant that measurements could not be made here due to the SLM's inevitable close proximity to vertical reflective surfaces. Instead a measurement position was found on site grounds, set back from Burgess Road at a similar distance to those properties where an approximation of the levels likely to be experienced could be obtained. This approach requires an assumption that traffic on Burgess Road was the dominant noise source for both positions.

Distant traffic noise dominated the background level while traffic passing on Burgess Road did indeed dominate L_{eq} levels.

2.2.9 Location N5 – Oaklands Way

A second measurement position on Oaklands way was chosen midway along the road, approximately 75m from the busy Bassett Avenue.

The noise climate was dominated by services noise from the campus building, possibly from the chimney, and also by traffic noise although this became less dominant at later times.



Figure 1 Measurement locations

3 Results

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
09:54	00:10	52	61	63	58	Traffic noise dominates noise climate. Background noise level boosted by engines idling at traffic lights on junction of Burgess Road and Bassett Avenue.
10:46	00:10	53	66	70	62	As previous. Some impact noise from groundwork on site.
15:42	00:10	51	68	73	64	Burgess Road traffic noise dominates ~70 vehicles pass in 5 mins. Planes approaching So'ton Airport audible.
16:39	00:10	53	67	70	64	As above, traffic noise on Burgess Road dominates ~75 vehicles pass in 5 mins. Distant traffic noise dominates background.
17:33	00:10	55	67	71	64	As above. 80-85 cars pass in 5 mins.

Table 1 Measurements made at location D1

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
10:07	00:10	47	53	60	51	Traffic noise dominates background with some contribution from birdsong. Construction on Highfield Campus can heard, impacts/hammering. Traffic on Burgess Road and very occasional traffic on Bassett Crescent contribute to L _{eq} . Meas. paused as vehicles access car park.
15:58	00:10	44	52	59	50	Burgess Road & Bassett Avenue traffic noise dominates. Occasional traffic on Bassett Crescent and very occasional pedestrian activity contributes to L _{eq}
17:18	00:10	44	53	61	51	As above.

Table 2 Measurements made at location D2

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
09:29	00:10	57	68	72	65	Traffic noise dominates both L _{eq} and L ₉₀ from Bassett Avenue and Burgess Road. Some bird noise audible in background throughout. Planes passing overhead audible, 1 prop powered plane passes, loud.
10:23	00:10	57	69	73	65	As above.
10:59	00:10	57	69	73	65	As previous – traffic levels remained relatively constant throughout am measurement period.
16:15	00:10	57	68	80	68	Traffic on Bassett Avenue dominates. Most traffic queuing on approach to lights southbound but also traffic pulling away from lights northbound. Distant traffic noise dominates.
17:03	00:10	56	66	69	63	As above.
17:56	00:10	56	66	69	62	Bassett Avenue traffic noise dominates with contributions from Burgess Road. Some birdsong audible throughout but not significant.

Table 3 Measurements made at location D3

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
09:41	00:10	52	61	63	58	Traffic noise dominates noise climate. L ₉₀ affected by engines idling at Burgess Road/Bassett Avenue traffic lights.
10:35	00:10	54	60	64	58	As above.
11:11	00:10	55	60	62	58	As above.
16:27	00:10	56	63	68	61	Traffic noise from Burgess Road dominates, with contributions from Bassett Avenue. Combination of engines idling and revving as they pull away from lights.
16:52	00:10	54	60	66	58	As above.
17:44	00:10	54	61	65	59	As above.

Table 4 Measurements made at location D4

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
21:09	00:10	48	65	69	60	Traffic noise on Bassett Avenue dominates L _{eq} . Some services noise from current campus buildings contribute to background noise along with distant traffic. Particularly noticeable when roads are quiet.
22:11	00:10	46	64	68	59	As above.
02:20	00:10	42	52	66	53	Background noise dominated by plant from campus building. Some contribution from distant traffic noise. Infrequent traffic on Bassett Avenue affect L _{eq} .

Table 5 Measurements made at location N1

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
21:25	00:10	46	49	50	48	Plant noise and distant traffic noise dominate background. Some vehicles passing on Bassett Avenue.
22:42	00:10	45	48	50	47	Noise from plant and distant traffic dominate background. Some traffic on Bassett Avenue and Burgess Road. Measurement paused for 2-3 minutes as staff left car park.
02:50	00:10	40	43	46	42	As previous.

Table 6 Measurements made at location N2

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
21:38	00:10	47	51	52	49	Traffic noise dominates both L ₉₀ and L _{eq} . Some noise from traffic on Burgess Road.
22:57	00:10	45	49	51	47	As above.
03:02	00:10	37	41	48	42	Distant traffic dominates background noise with some contribution from on-site plant. Traffic on Burgess Road affects L _{eq} .

Table 7 Measurements made at location N3

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
21:52	00:10	50	74	77	69	Traffic on Burgess Road dominates L _{eq} . Distant traffic dominates background. 50-60 vehicles pass in 5 mins.
23:10	00:10	43	70	73	64	~40 cars pass on Burgess Road in 5 mins. Distant traffic noise dominates background.
03:17	00:10	36	50	71	56	Distant traffic noise dominates background while noise from occasional traffic on Burgess Road affects L _{eq} . ~10-15 vehicles pass in 5 mins.

Table 8 Measurements made at location N4

Time	Elapsed Time	L ₉₀	L ₁₀	L ₁	L _{eq}	Comments
22:25	00:10	46	50	52	48	Further down Oaklands Way, background noise dominated by plant from current buildings and distant traffic noise. Relatively frequent traffic on Bassett Avenue.
02:33	00:10	41	44	48	43	As above.

Table 9 Measurements made at location N5

4 **Headline Implications of Measured Noise levels**

The dominant noise sources are road traffic on Burgess Road and the Basset Avenue. Noise levels from road traffic on Basset Crescent East are relatively low. Initial assessments and recommendations are given below. These will need to be confirmed by further design work and more detailed analysis.

4.1 **Residential Buildings**

BS8233:1999 Sound insulation and noise reduction for buildings – Code of practice, gives guidance at Section 7.6.12 Design Criteria and provides limits for intrusive external noise:

‘For dwellings, the main criteria are reasonable resting / sleeping conditions in bedrooms and good listening conditions in other rooms’.

This is quantified in Table 5 of BS8233 as:

For good conditions the maximum noise levels in living rooms and in bedrooms should be no more than 30dB_{L_{Aeq,T}}; for reasonable conditions the maximum noise level in living rooms should be no more than 40dB_{L_{Aeq,T}} and in bedrooms should be no more than 35dB_{L_{Aeq,T}}.

It is estimated that the sound insulation of a partially open window will be between 10dB and 13dB. Therefore the maximum night-time noise level at the facade of a residential building should be <53dB_{L_{Aeq,T}}.

Residences should not therefore have bedroom facades that look directly out over Burgess Road or Basset Avenue, because of the noise generated by these roads. Residences with bedroom facades that face toward Basset Crescent East or are otherwise shielded from the

noise from Burgess Road and Basset Avenue are likely to achieve reasonable resting / sleeping conditions in accordance with the criterion given in BS8233.

4.2 Educational Buildings

Building Bulletin 93 '*Acoustic Design of Schools*' gives criteria for internal ambient noise levels in teaching spaces that are considered to provide appropriate teaching conditions. The BB93 criteria can be used as a basis for setting noise ingress criteria for teaching spaces at Boldrewood Campus. However, the BB93 criteria could reasonably be relaxed for University teaching accommodation since an adult listener is better at rejecting background noise than a school-age listener.

Based on BB93 criteria and the measured noise levels, it is recommended that teaching spaces with facades that overlook Burgess Road or Basset Avenue should not rely on natural ventilation, because of noise ingress. The initial assessment is that teaching spaces with facades that face toward Basset Crescent East or are otherwise shielded from the noise from Burgess Road and Basset Avenue could be naturally ventilated and be suitable quiet for teaching / lecturing purposes.

4.3 Office Accommodation

Criteria for noise break-in to office accommodation are given in the British Council for Offices (BCO) guidance.

BCO guidance recommends that external noise intrusion levels (whether from road, rail or aircraft sources) should, after attenuation by the composite building envelope, not exceed the following acoustic design criteria:

- Open plan offices NR38 (L_{Aeq})
- Cellular Offices NR35 (L_{Aeq})

BCO also gives guidance that, in the case of naturally ventilated buildings, it may be appropriate or necessary to accept higher external noise intrusion levels.

Based on the BCO guidance and measured noise levels, it is recommended that office spaces with facades that overlook Burgess Road or Basset Avenue should not rely on natural ventilation, because of noise ingress. The initial assessment is that office spaces with facades that face toward Basset Crescent East or are otherwise shielded from the noise from Burgess Road and Basset Avenue could be naturally ventilated and achieve suitable control of noise ingress.

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Appendix A

Acoustic Terminology

A1 Acoustic Terminology

A1.1 dB(A)

The unit generally used for measuring environmental, traffic or industrial noise is the A-weighted sound pressure level in decibels, denoted dB(A). An A-weighting network can be built into a sound level measuring instrument such that sound levels in dB(A) can be read directly from a meter. The weighting is based on the frequency response of the human ear and has been found to correlate well with human subjective reactions to various sounds. It is worth noting that an increase or decrease of approximately 10dB corresponds to a subjective doubling or halving of the loudness of a noise, and a change of 2 to 3dB is subjectively barely perceptible.

A1.2 Equivalent Continuous Sound Level

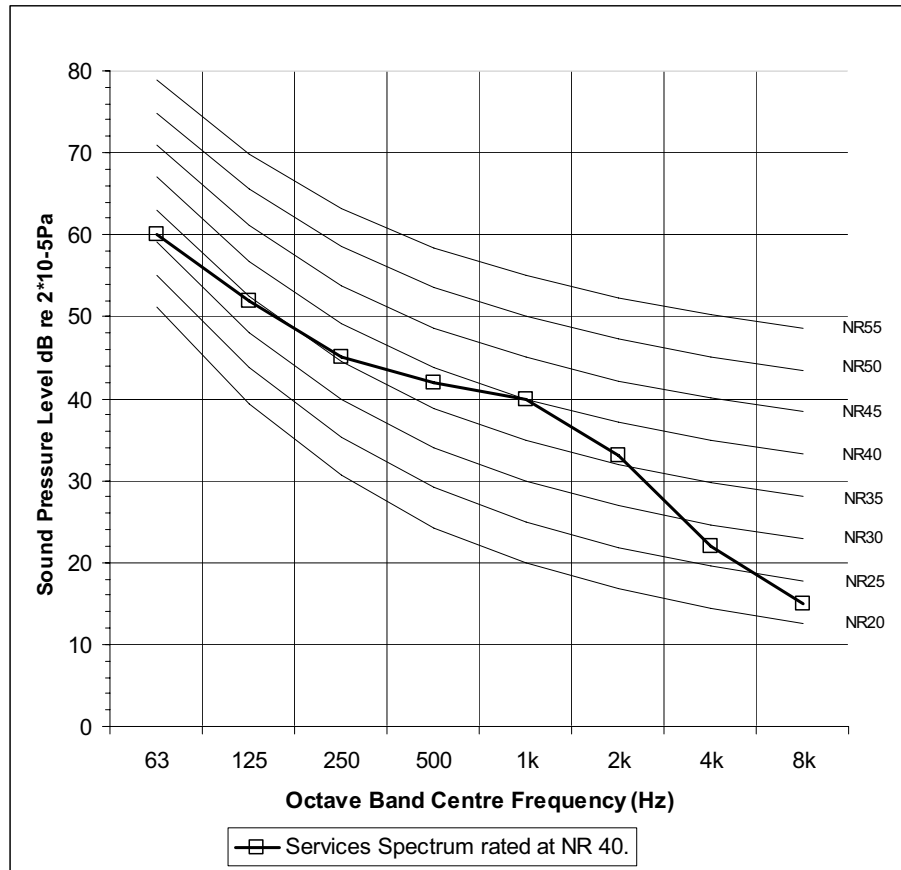
Another index for assessment for overall noise exposure is the equivalent continuous sound level, L_{eq} . This is a notional steady level which would, over a given period of time, deliver the same sound energy as the actual time-varying sound over the same period. Hence fluctuating levels can be described in terms of a single figure level.

A1.3 Statistical Noise Levels

For levels of noise that vary widely with time, for example road traffic noise, it is necessary to employ an index which allows for this variation. The L_{10} , the level exceeded for ten per cent of the time period under consideration, has been adopted in this country for the assessment of road traffic noise. The L_{90} , the level exceeded for ninety per cent of the time, has been adopted to represent the background noise level. The L_1 , the level exceeded for one per cent of the time, is representative of the maximum levels recorded during the sample period. A weighted statistical noise levels are denoted L_{A10} , dB_{LA90} etc. The reference time period (T) is normally included, eg $dB_{LA10, 5min}$ or $dB_{LA90, 8hr}$.

A1.4 Noise Rating (NR) Curves

Noise rating (NR) curves are a set of internationally-agreed octave band sound pressure level curves, based on the concept of equal loudness. The curves are commonly used to define building services noise limits. The NR value of a noise is obtained by plotting the octave band spectrum on the set of standard curves. The highest value curve which is reached by the spectrum is the NR value. Shown below is a plant noise spectrum that is equivalent to NR40.



Plant and Machinery

Demolition

- 1 x Longreach excavator working height up to 32 meters
- 4 x 45 Tonne excavators
- 2 x 25 Tonne excavators
- 1 x Concrete crusher
- 1 x Shovel loader
- 1 x Articulated dump truck
- 1 x Fire engine

Roll on / off vehicles for waste and scrap

Bulk trucks for scrap

Tipper vehicles for hardcore / concrete





HUGHES & SALVIDGE
DEMOLITION

Enabling works

4 x 20 Tonne excavators

3 x Dumpers

1 x Roller

Tipper vehicles for spoils



Dust suppression

- Fire hose
- Dust boss x 2 (picture attached)
- Fire engine
- Hose connected to long reach excavator



Wheel Washing

Wheel washing will be undertaken by means of hand held jet washing at the Bassett Crescent exit. Tarmacadam surfacing will be left down until the last operation so the probability of mud on the road is limited.

On the Burgess Road elevation we are to use a system similar to the attached.

As well as on site wheel washing, road sweepers will be made available for future road cleaning.



Hughes & Salvidge

Hitachi ZX470

High Reach Excavator





Agenda Item 6

Appendix 7



Building 62 Boldrewood Campus Southampton University



Proposed lorry route

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File Note

CAPITAL PROGRAMME

Project: B62 Demolition

Subject: DCMS – Consultation with residential neighbours – summary of key concerns/questions raised in response to the meeting held 14 December 2010

Distribution: Southampton City Council: Stephen Harrison, Cllrs Hannides, Harris and Samuels; Mrs Nokes, MP Romsey & Southampton North; EBRA; residents of Oaklands Way and the Cloisters.

Author: Helen Harley ; Rob Lane (B4); Jeremy Wedge (Buro Happold) **Date:** 21 January 2011

Document No: **Revision No:** 1.5

	Issue	Response
	Access/egress routes	
1.	Use both access/egress routes for major traffic movements for reasons as above.	<p>The preferred contractor will use both site entrances for works traffic.</p> <p>Demolition works will commence to the south of Building 62 and material arising from the work will be crushed at source for use on site. As works proceed towards the north, the option to remove off-site the unprocessed pulverised arisings (i.e. pieces of concrete from the demolition that have been reduced to pieces similar in size to a brick) for processing locally may be considered by the contractor. The processed material will be returned to site as required for the backfill of basement areas of Building 62.</p> <p>Should the method be altered during the work, due notice will be given prior to the activity occurring.</p> <p>Work associated with the enabling works to clear the site ahead of future construction will be progressed to the south; spoil arising from these works will exit via the south entrance.</p>

Appendix 8

	Issue	Response
2.	Concerns expressed over location of wheel washer near 17 Oaklands Way (near Bassett Crescent East entrance, both in terms of generation of dust and noise impacting on 17 Oaklands Way.	The methodology that is presented is recognised industry best practice and will ensure the demolition contract is managed in the most efficient way for the site in question. All vehicles that leave the site will be cleaned and checked before entering onto the highway. The preferred contractor is proposing to use jet washing for vehicles exiting to the north and wheel washing for vehicles exiting to the south. On-site dust suppression measures appropriate to the surface will be applied to control dust at source and to minimise airborne dust particles arising from the work on site.
	Crushing and vehicle movements	
3.	In the interests of the health and safety of their families, the residents wish to have the bulk of the crushing carried on at the South-West corner of the site where the Lloyds building will eventually stand. Why not use the site of Block A to crush the concrete as this is the furthest site from residential properties?	Please refer to response given in 1.
4.	Only crush on site what will be used to backfill basement. Take remainder of concrete off site for crushing. Note – residents accept the environmental reasons for undertaking some crushing on site, but not all.	Please refer to response given in 1.
5.	What does a crusher look like? How will it operate?	The preferred contractor will use the latest equipment for processing concrete on site. Details of the plant can be made available on award on contract. Specification of the plant in terms of noise mitigation and dust suppression can be made available prior to setting up on site together with any additional screening to mask the plant from view.
6.	Will crusher be positioned near the source of the material it is crushing rather than moving material to the crusher? This will cut down on on-site vehicle movements.	Please refer to response given in 1 above
7.	Crushing should be done on a just in-time basis to save the building up of spoil piles, which should help to keep traffic movements down.	Please refer to response given in 1 above

8.	Large crusher will make more noise, particularly if munching the building from top down, plus crushed material will be dropping to the ground from a significant height.	The noise from the works will be no higher than the agreed levels. The process of crushing at source is a relatively quieter process as it reduces the bulk of the material at source. The dropping of large sections of the frame of the building will not be permitted as this would allow too much energy to be released into lower sections of the structure and would increase the risk of premature failure of the structure, increasing risk to the site team. The process of long reach crushing is a safe and controlled procedure and is recognised as a safe method of working.
9.	Noted and accepted that crushing off-site would require a significantly greater number of traffic movements on the local road network.	Please see response to 1 above Level of and management of site traffic movements will be discussed with SCC Highways department.
	Noise and vibration	
10.	Try not to site noisy works at single fixed points – move around the site whenever possible so that single set of neighbours are continually subjected to noise/dust.	The demolition and material processing works will be undertaken using the latest equipment and noise/dust will be controlled at source. The works will follow the demolition sequences and by the very nature will move around site.
11.	What max noise levels are we aiming to keep below? Should be aiming for the lowest possible noise levels during the demolition.	The aim is not to exceed 8hr Leq 75dB(A) against which site works will be monitored. Experience to date suggests that the ambient background noise is often higher than activities undertaken on site. Monitoring will take place before works commence and during the contract period at agreed locations around the site. Should any noise from the works show trends to be increasing, the source will be investigated and options for any revision to working will be investigated. The current legislation allows for demolition works to be undertaken and is applicable in both rural and city centre locations. The contractor will endeavour, whenever possible, to exceed any statutory obligations and aim for best practice to minimise impact on neighbouring residential properties.
12.	Neighbours concerned at likely noise levels that will be experienced by Oaklands Way –they intend to ask SCC to impose lower levels than those stated in methodology.	Noted. See point 11.
13.	Why not use a moving conveyor belt to move materials around the site? Less vehicle noise as a result.	The use of conveyors will restrict the work process on site and will require more vehicle movements to relocate the conveyor to service the work face. There will also be a limit of the size of material that can be transported by conveyor.

14.	Please give consideration to the impact of noise on the Cloisters given the early demolition of the Library wing.	The same noise criteria will be applied across the entire site and the same amenity benefits will be applicable to all residents that immediately border or face onto the site.
15.	Compaction of the concrete spoil into the basement will have significant impact on the nearest Cloisters properties, particularly in terms of vibration.	Compaction of material within the former basement areas will be undertaken in a controlled manner. Thin layers of material will be layered and compacted locally at source, and associated vibration will be damped at source through the plant used. In addition, vibration monitoring equipment will be set up around the site to pick up any extraneous vibration that may be caused through the works. Should any process on site be found to be the source of sustained vibration above the action levels, works will cease and methods of working will be amended. As with noise monitoring, background readings often show the ambient traffic movements to produce readings higher than that generated through site activities.
16.	Why not use ISVR to analyse and model the demolition vibration and noise?	Preferred contractor reviewing issues raised in terms of analysing vibration and noise..
	Spoil levels and bund	
17.	Management of spoil levels – issues of dust and water flowing off, and stabilising spoils/bund. Quite significant for the size of bund that is being proposed.	It is now not anticipated that there will be large stockpiles however management of material arising from the work will be subject to continuous monitoring. Dust suppression and water flow from the stock pile form a significant portion of the site water management strategy and are managed at source.
18.	The process of building the bund will take far more effort and far more disturbance than taking the material off site.	A large bund does not form part of the preferred contractors approach. Any bund or stockpile of materials will only be part of the process but is not the main mitigating feature on the site for stockpiles.
19.	What chemicals will be used to stabilise and seal the bund?	None, we will only use materials from site and industry standard methods for dust suppression.
	Dust, asbestos, and screening	
20.	Options for screening – what has been considered? What height of screen is proposed? Will planning permission be needed? What material will be used in its construction? Will this screen noise and dust? How long will it be in place?	Options for screening are being considered and will be discussed with residential neighbours. If screens are used they will remain in place for the whole of Phase 1 development, both demolition and construction.

21.	<p>Concerns have been raised over the impact on children and the impact on their health of dust (concrete and asbestos) given that they are likely to be plating out-of-doors over the spring and summer months when the bulk of the work is undertaken.</p>	<p>Monitoring of dust will be undertaken during the course of the contract at agreed locations around the site boundary.</p> <p>Asbestos materials will be removed at source and removed in controlled environment conditions. Should base material still contain asbestos materials that cannot be removed at source, this will be identified and special measures taken to remove the whole sections wrapped for processing off site in controlled conditions. The control of dust will be undertaken with dust suppression systems that are recognised industrial process.</p> <p>All asbestos personnel have been trained in safe removal of asbestos from buildings, and many have extensive experience in this area. All asbestos workers are retrained annually.</p>
22.	<p>How will you take account of the change in levels, i.e. the eastern end of Oaklands Way (and the Boldrewood campus) is lower than the western end and this is likely to mean that the eastern end will not be so well screened from noise and dust.</p>	<p>Reference to change in levels noted. See point 20.</p>
	<p>Other</p>	
23.	<p>Decommissioning – please consider moving the skip to the SW of the building.</p>	<p>The project team are already evaluating such a scheme.</p>
24.	<p>Substation – why is it so high and so visible from the Avenue? Why can't it be “sunk” to reduce visibility?</p>	<p>This issue was raised with the design team – changes in ground levels make this unviable. The substation will be no taller than the existing glasshouses.</p>

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Hughes & Salvidge Ltd
Peter Lindsell & Associates

DEMOLITION OF BUILDING 62 BOLDREWOOD CAMPUS

UNIVERSITY OF SOUTHAMPTON



Particular Risk Assessment and Outline Method Statement

Commercial-in-Confidence

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Southampton
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DEMOLITION OF BUILDING 62 BOLDREWOOD CAMPUS

Particular Risk Assessment and Outline Method Statement

1.0 INTRODUCTION

Building 62 consist of 3 sections, a central block with internal courtyard, 6 storeys high on the north side and 7 storeys high to the south to accommodate the fall in ground level. To the west, there is a 6 storey extension, whilst to the east there is a further 2 storey block, linked to the main building by two 1 and 2 storey buildings.

The roof across the top two storeys of the central block is of steel frame construction. It appears the frames contain a series of Vierendeel trusses, which suggests that vertical self-weight loads and horizontal movements due to thermal changes are being transferred to the perimeter walls.

The first 5 storeys of the main block and all the adjoining annexes are of the same form of precast concrete construction. The concrete elements consist of precast concrete beams supported by precast concrete columns, complete with small spurs and pinned half joints.

Each column section is connected to the subsequent one using a series of steel dowels. The floors are constructed using grids of precast beams in sets of four. Each grid is linked by a series of precast “planks”. Each floor is covered with a thin *in situ* concrete topping. Stability of the building is assumed to be provided by two pairs of shear walls in the south-west and north-east corners.

The building has a linked basement on two levels in accordance with the sloping ground level. There is an *in situ* concrete ground floor slab, with *in situ* concrete retaining walls to the perimeter. Foundations are based upon a traditional pile cap arrangement.

2.0 STRUCTURAL RISK APPRAISAL

Demolition of building 62 raises the possibility of premature collapse of sections of the structure due to the nature of the construction. It appears the central block has only two points of fixity, so that the building can respond to thermal changes along each elevation. Hence, it is essential that any demolition sequence continues to preserve the existing fixity and articulation of the building until final removal of the adjacent sections on either side of the shear walls.

The *in-situ* topping to the concrete floors provides stiffness to the structure in the horizontal plane. Removal of the composite floor “slabs” will result in a loss of rigidity and possible flexure of the main precast column elements within the structure. This may result in partial

collapse of a section of the building if the precast columns are exposed to flexural forces outside their design limits. It is unlikely that the dowel joints between individual column sections would be able to withstand any significant level of flexural action.

Any lateral movement of the external frame could precipitate localized failure within a bay due to the method of fixity between the floor beams and the external frame. The buildings pre-disposition to differential lateral movement between floors was clearly apparent along the north elevation during a site inspection on 24 March 2010.

It also seems there is a global lateral shift of the south-east corner of the main building to the east due to thermal movements. It appears these movements have in turn affected the south end of the two-storey building across the entrance foyer to the south east corner. Hence, there is a potential risk that a local failure during demolition could generate a more widespread progressive collapse along and across the entire structure.

The visual inspection also indicated that structural stiffness and reinforcement levels in the precast beams are relatively low compared to modern standards.. Several beams in the entrance foyer contain numerous flexural cracks throughout the span, suggesting that initial sagging deflections have continued to creep over the past 40 years.

In the basement areas of the building, several precast columns spurs display structural cracks initiating from the corners of the half joints. It appears these sections are already experiencing considerable forces beyond their design capacity and there may be other sections in a similar or worse state currently concealed within the fabric of the main building.

Furthermore, it should be remembered that limit state design rules for concrete buildings were not introduced until 1972. The new approach recognised the potential deficiencies in designing to elastic state codes for shear forces and radically revised the levels of shear reinforcement. Accordingly all beams, columns and half-joints in particular are liable to fail suddenly as their shear capacity is likely to be limited.

Due to the nature of the structure, it is therefore recommended that, with the exception of the steel framed roof section and the entrance foyer area adjacent to the new-build, any demolition of the building be conducted remotely. Accordingly, a total exclusion zone should be established and maintained throughout the demolition process.

The stability of the steel framed roof section requires particular consideration to ensure it is fully secured by appropriate advance temporary works, as controlled dismantling is necessary prior to commencing structural demolition of the concrete frames. Similarly, control measures in the form of temporary screens and structural propping need to be evaluated in detail to enable separation and controlled dismantling of the existing entrance and foyer area, prior to demolition of the remainder of the 2-storey block.

The specific structural hazards and risks for the demolition work are identified in Table 1, in accordance with the Health & Safety requirements of the CDM Regulations, 2007. The particular risks identified here represent special areas of concern in addition to the general risks associated with demolition and the close proximity of an occupied building. Control measures for general risks during the demolition process, including all soft stripping activities, are covered in Hughes & Salvidge Health & Safety Plan and supplementary Risk Assessments.

3.0 OUTLINE METHOD STATEMENT

The proposed demolition techniques and sequence of working are based upon the need to control the particular structural risks identified above. The works would be conducted in a series of discrete phases to ensure the structural stability of the remaining parts of the building and safety of the work force are maintained at all times. Phases 2 & 3 are mutually exclusive, so that work can be undertaken at the same time in these areas. Phase 4 would not commence until both phases 2 & 3 have been completed.

Phase 1: Preliminaries

- Complete all asbestos removal and soft strip operations.
- Ensure all services disconnected or diverted.
- Verify location and presence of shear walls at south-west & north-east corners of main building. Conduct floor by floor visual survey of building frame to assess the structural significance of any cracks, deflections or lateral movements.
- Determine whether 2-storey block has a fixed point, such as *in situ* concrete staircase or shear walls. Hence, determine nature & extent of temporary works to protect adjoining new building.
- Examine monitoring records to determine whether thermal response of building confirms the shear walls are effective in controlling building movements.
- Investigate structural arrangement and connections between steel frame across roof of concrete building. Hence, determine temporary works required to enable controlled dismantling of steelwork prior to demolition of main building.
- Secure boundary fencing and define access & egress points for plant and demolition debris.
- Establish limits of total exclusion zone for each phase of the demolition works.

Phase 2: Two Storey Block

- Isolate personnel access from new building and erect temporary works to southern boundary of two storey block.
- Carefully break out roof sections from south east bays, situated at top of current access ramp and entrance foyer. Use remotely controlled light weight Brokk machine and leave supporting concrete frames intact.
- Check stability and any lateral movements of the northern part of the two storey block on a daily basis and at specific stages in the removal of the southern sections of the building
- Demolish access ramp to permit access and create hard standing area for crane.
- Selectively cut & lift out precast beams from roof level, followed by supporting precast column sections from southern boundary.
- Repeat above demolition process for first floor area with Brokk machine.
- Cut & lift remaining main floor beams and columns across southern boundary with new building.
- Demolish remainder of southern single storey connection to south east corner of main building.
- Confirm boundaries of total exclusion zone around isolated structure.

- Demolish remaining northern section of the two storey block, including single storey link to north east corner of main building, using concrete pulveriser.

Phase 3: Steel Frame Roof

- Remove all roofing material, expose structural steel frames and connections to top level of main concrete building.
- Install any temporary works required to permit controlled dismantling of Vierendeel trusses and maintain stability of remaining sections.
- Site crane along northern boundary of building and commence cut & lift operations above north-west extension, working towards main quadrangle.
- Continue cut and lift operations across northern half of main building.
- Re-site the crane along southern boundary and complete cut and lift operations across south half of building.

Phase 4: Main Building

- Establish total exclusion zone around perimeter of entire building.
- Locate long-reach machine with pulveriser attachment to north of north-west extension.
- Commence systematic removal of north-west corner of building, working eastwards towards the shear walls in the north-east corner.
- Remove one floor level at a time in each bay, working in a stepped manner across northern elevation.
- Cease demolition operations one bay before the shear walls in the north-east corner.
- Re-locate long reach machine to the west side of the building and repeat similar sequence of floor removal in a stepped manner, working along the west wing towards the shear walls in the south west corner.
- Cease demolition one bay before the shear walls in the south-west corner.
- Re-locate long reach machine south of the south-east corner and commence similar demolition procedure, working towards the south-west corner.
- Continue demolition of entire south-west corner, including the shear walls.
- Re-locate long-reach machine to the east side and proceed along east wing in a similar manner, removing the entire north-east corner containing the shear walls.
- Break-out floor areas above basement section, with machines working outside building perimeter to avoid premature collapse under the weight of the demolition plant.
- Breakout retaining walls, basement ground slabs and foundations.
- Backfill voids with hardcore as required.

Table 1. Identification of Particular Hazards and Assessment of Risks during Deconstruction of Building 62

Element	Hazard	Potential Risks		Severity	Control Measures	Residual Risk
		Type	Probability			
Internal fabric and fittings	Large volume of lightweight plastics, metals and hazardous materials.	Materials become airborne, causing environmental pollution across site.	Very High	Very High	Complete removal of asbestos and bio-hazardous material in advance. All soft stripping activities to take place within fully enclosed building.	Low
	Working at height with restricted visibility. Complex three dimensional structure.	Entrapment or overturning of remote high-reach machine. Localized instability & uncontrolled partial collapse of steel structure.	Medium	Very High	Remove steel "roof" section by conventional cut and lift techniques. Provide temporary propping as necessary to ensure stability of remaining sections at all times.	Low
Steel Framed "Roof" Section	Working at height within "danger area"	Injury to personnel	High	Very High	Appropriate PPE & control measures to be applied in accordance with standard Hughes & Salvidge risk assessments	Low
	"Connection" to new building	Uncontrolled collapse onto occupied building	Medium	Very High	Isolate structure from new building. <ul style="list-style-type: none"> Remove floor slabs by remotely operated demolition plant. Prop precast frames to prevent collapse onto new building. Apply temporary protective screens to vulnerable areas of adjacent building. Cut and lift members out in predetermined sequence. 	Low
Floor beams and in situ slab.	Stability of structural frame relies upon in-plane rigidity created by floor "slab".	Uncontrolled collapse of adjacent beams and column sections .	High	Very High	<ul style="list-style-type: none"> Demolition to be conducted remotely using high reach demolition plant. Total exclusion zone to be established around building perimeter to protect workforce and the public. 	Low

Table 1. Continued

Element	Hazard	Potential Risks		Severity	Control Measures	Residual Risk
		Type	Probability			
Precast concrete frame	Pin jointed construction within structural frames.	Partial uncontrolled collapse.	Medium	Very High	<ul style="list-style-type: none"> • Ensure full sight line maintained using stepped approach to demolition • Stand-off demolition machine from side elevation. • Remove floors one at a time to avoid excessive loading from debris. 	Low
	Pinned and grouted structure.	Partial or complete collapse due to over loading of pinned joints.	High	Very High	<ul style="list-style-type: none"> • Work in a pre-determined sequence towards shear walls. • Maintain total exclusion zone around building perimeter. • Clear all demolition debris from floors as it arises. 	Low
	Heavy structural sections.	Falling sections cause failure of precast sections below.	Medium	High	Pulverize structural elements in situ and reduce in size prior to lifting clear of the building.	Low
	Jointed sections permit sway movements.	Flexural collapse of column sections and progressive collapse across bays.	High	Very High	Maintain shear walls within building and commence demolition from “free ends” working towards points of fixity at each level.	Low
Basement	Hollow voids	Overtipping of machines into voids.	Medium	High	Fill any basement sections with compacted arisings, prior to tracking across with machines.	Low
	Retaining walls	Collapse of walls if heavy machines too close to rear face after floors removed.	Medium	High	Stand off machines at least 3m from back of walls until basement void is backfilled.	Low

Agenda Item 6

Appendix 10

Application 10/01058/FUL POLICY CONTEXT

APPENDIX 10

Core Strategy - (January 2010)

CS6	Economic Growth
CS11	An Educated City
CS13	Fundamentals of Design

City of Southampton Local Plan Review – (March 2006) – As “saved”

SDP1	Quality of Development
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
TI2	Vehicular Access
L7	The University of Southampton
NE6	Protection/Improvement of Character

Other Relevant Guidance

- PPS1 Delivering Sustainable Development (February 2005)
- PPS4 Planning for Sustainable Economic Growth (December 2009)
- PPS9 Biodiversity and Geological Conservation (August 2005)
- PPG13 Transport (January 2011)
- PPG16 Archaeology and Planning (November 1990)

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Agenda Item 7

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 15 February 2011
Planning Application Report of the Planning and Development Manager

Application address: Part of BAT Co Ltd, Regents Park Road, Southampton SO15 8TL			
Proposed development: Redevelopment of the site to provide a warehouse club (13,006 square metres gross external floorspace) including tyre installation, sales and associated facilities with vehicular access from Regents Park Road.			
Application number	10/01449/FUL	Application type	FUL
Case officer	Andrew Gregory	Public speaking time	15 minutes
Last date for determination:	OVER	Ward	Millbrook
Reason for Panel Referral:	Major application of wider importance and departure from policy	Ward Councillors	Cllr Wells Cllr David Furnell Cllr Norris

Applicant: Costco Wholesale UK Ltd	Agent: RPS – Miss Sally Miles
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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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Reason for Granting Permission

The site is safeguarded for light industry and research and development uses under Saved Policy REI9 (i) of the Local Plan Review. Whilst a warehouse club does not strictly accord with the site specific designation, it is unlikely the site will come forward for single occupancy industrial use on the same scale as BAT, and leading Retail Estate Advisors 'Vail Williams' have indicated that demand from smaller industrial units on this back land site would be limited. Overall the principal scheme is acceptable, particularly as it will regenerate the site and will bring it back into employment use, whilst ensuring that existing residential amenities are protected. The Local Planning Authority is satisfied that the proposal will not undermine the vitality and viability of existing retail centres within the City. Furthermore the travel demands of the development can be met without compromising the city transport network, subject to the securing of site specific highway improvements through the S106 legal agreement.

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted. Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP12, SDP13, SDP14, SDP16, SDP17, REI9 and REI15 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS6, CS7, CS13, CS18, CS19, CS20, CS22, CS24 and CS25 of the Local Development Framework Core Strategy (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

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

1. Application being referred to The Secretary of State for Communities and Local Government and not being “called in” for determination. In accordance with The Town and Country Planning (Consultation) (England) Direction 2009.
2. The applicant entering into a Section 106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
 - ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area in accordance with policies CS18 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning;
 - iii. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
 - iv. Submission and implementation within a specified timescale of a Travel Plan, in accordance with Policies CS18, CS19 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
 - v. 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.
 - vi. Secure the following operational controls in order to define the planning use:
 - Both parties to the agreement acknowledge that the application is proposed on the basis that at least 65% of annual turnover will be to trade members of the warehouse club and therefore no more than 35% to individual members.
 - The warehouse club will restrict itself to approximately 4,000 different stock items.
 - Those items will be aimed primarily at the Trade member and will mainly consist of items packaged in institutional packs or multi packs.
 - The agreement acknowledges that the use of the warehouse club as a Class A1 shop would amount to development requiring planning

permission.

- The warehouse club is to be operated in the general manner described in the booklet accompanying the application entitled “Costco Membership Warehouse Club – its philosophy and operation.” (contained at Document 4) .
- An annual membership system is to be operated, requiring the payment of a fee and goods can only be bought by members in possession of a membership card which includes a photograph of themselves and their signature; membership cards will be checked on entry to the warehouse club and at the check out.

In the event that the legal agreement is not completed within 2 months following the date of this decision 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.

1. The site and its context

1.1 The application site has an area of 4.2 hectares and comprises the majority of the southern part of the British American Tobacco (BAT) site which contains land and associated factory buildings which have become surplus to requirements following the factory closure in 2007. Production was moved overseas leaving the manufacturing and distribution elements of the plant redundant.

1.2 The site is accessed from Regents Park Road and planning permission has been granted for a new internal access road to enable the sub-division of the site. The northern part of the site will be retained by BAT for office and research & development purposes with an associated multi-storey car parking retained in the southern part of the site. Gated emergency access is available onto Waterhouse Lane.

1.3 The surrounding area comprises a mix of commercial and residential uses. Adjacent to the southern boundary is the Military, Territorial Army base and the Solent Business Centre. Two-storey dwelling houses frame the western boundary and part of the southern boundary. The eastern boundary abuts Waterhouse Lane with dwelling houses located on the adjacent side of the road.

1.4 There are group and individual tree preservation orders located at the site entrance, along the southern boundary and also within the north-eastern corner of the site.

2. Proposal

2.1 The application seeks full planning permission for redevelopment of the site by Costco wholesale club. The proposal involves erection of a warehouse club building with a gross floor area of 13,000m² and an internal headroom height of 7 metres. 604 associated car parking spaces are proposed. The site will be accessed from the existing entrance onto Regents Park Road and gated emergency access will be provided onto Waterhouse Lane

2.2 Costco is a ‘members only’ wholesale cash and carry business which offers a wide variety of food and non-food goods and services, including a tyre fitting service, in house bakery, butchers, photo processing plant and a small café. However the selection of items within each product category is limited i.e. in terms of white goods they may only stock one

make and model of washing machine or in terms of foodstuffs they may only offer 2-3 flavours of canned soup. The applicants maintain that the total number of items (product size and variety) carried by a typical Costco warehouse is in the region of 3,500-4,000, compared to approximately 40,000 items carried by a typical (6,000 sq. m.) food superstore, and with 100, 000 plus items carried by a typical full range department store. 2.3 Members comprise trade customers and individuals who satisfy restrictive membership criteria such as credit worthiness. The application indicates that trade customer's account for 65% of turnover.

2.4 The warehouse building would occupy the eastern part of the site with the main car parking area to the front of the building within the western part of the site. An additional car parking is also located within the southern part of the site, adjacent to the multi-storey car park being retained by BAT.

2.5 The building has a flat-roof and will be finished with a metallic silver cladding system, red banding and a smooth concrete plinth to the base of the cladding. A projecting canopy extends across the main customer entrance within the south-western corner. The entrance to the tyre centre is located within the western elevation and will be finished with a white cladding system. 3 loading bays are located within the rear (eastern) elevation. The building only has a small 'back of house' area with goods stored within the main trading area. A mezzanine floor provides staff accommodation.

2.6 Deliveries will take place from 07.00am and the store will trade from 10.00am-8.30pm Mon to Friday, 09.00am-6.30pm Saturdays and 11.00am-5.00pm on Sundays

2.7 Landscape enhancement works are proposed at the entrance and along the site boundaries. Tree planting and landscaping is also proposed within the car parking area.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The policies of the South East Plan, Southampton's Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

Local Plan Review

3.3 The site is allocated and safeguarded for employment uses under saved Policy REI9 (i) of the Local Plan Review (March 2006), specifically light industrial and research and development uses within use class B1(c) and B1(b). However Costco falls outside of this allocation because warehouse clubs are defined as *sui generis use* within The Town and Country Planning (Use Classes) (Amendment) Order 2005. Therefore the proposed development is a departure from the local plan and has been advertised accordingly.

3.4 The proposal does not strictly meet the use classes set out in REI 9 (i), however the supporting text to the policy states the importance of retaining and encouraging the

expansion of international companies. As BAT has outsourced operations, the nature of its business has changed and therefore their requirement for land has reduced.

It is likely that the number of jobs would be fewer for the Costco proposal than if the land were developed solely for industrial use. However the site is located behind the Solent Business Centre and does not have direct access onto Millbrook Road. This restricts the commercial potential for other B1 uses not connected with BAT to occupy the site.

3.5 The 2007 Commercial Property Appraisal by Vail Williams concluded that the BAT land was a category 'D' site – suitable for a change of use – on the basis that if buildings “*fall into disuse then, subject to “test marketing” to properly evaluate demand, viable redevelopment for employment will depend upon a higher value use as a catalyst, possibly entailing mixed use*”. It would appear that the proposal, although not mixed use, broadly meets this description and would provide similar types of jobs to the existing site.

3.6 Working on the basis that there will be *fewer* jobs than an industrial allocation it is therefore imperative that the council secures a robust training plan to secure maximum benefit relative to the number of jobs created (e.g. pre-employment training, guaranteed interviews).

Local Development Framework Core Strategy (January 2010)

3.7 Policy CS3 – *Town, District and local centres* seeks to protect existing centres by controlling warehouse clubs which by their nature are likely to have an impact on the trade of existing centres. Policy CS24 – *Access to Jobs* indicates that measures will be sought from major employment generating development to promote access to jobs it creates amongst those residents of the city who have difficulty entering or returning to the labour market.

Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4)

3.8 National guidance in PPS4 states that local authorities should adopt a positive and constructive approach towards planning applications for economic development. Proposals should be assessed against climate change impacts; accessibility by a choice of means of transport; design; impact on economic and physical regeneration in the area and on local employment. In accordance with policy EC15 a sequential assessment of sites is required which will include the impact on existing centres.

Alternative sites

3.9 The proposed warehouse club represents a town centre use to be located within an out of town location. Therefore a PPS4 assessment has been submitted in support of the application. The assessment includes a sequential assessment which considers availability, suitability and viability of sites, first considering sites within centres and then edge of centre locations and demonstrating flexibility.

3.10 Due to the nature of the business, there are limited opportunities for disaggregation. The Sequential sites document sets out the criteria of the assessment; a 30 minute drive time, a size of more than one hectare (or less if vacant or identified in DPD/SOD), sites identified in development plans, retail studies and other appropriate documents and through centre surveys. Potentially viable sites were subject to further analysis.

3.11 The sequential assessment shows that due to the size of site needed, the planning policies in place and the viability of assembling sites in multiple ownership, there are no available sequentially preferable sites in city, town, district or edge of centre locations. The sequential assessment covers availability, suitability and viability issues with sufficient flexibility to meet the criteria in EC15 of PPS4.

Redevelopment of the site by the erection of industrial and warehouse buildings and associated car and lorry parking to include deck car park

Note

The authorised hours of operation for the land and buildings which this application relates were 6.00am to 11.00pm under approval 911007/509/W. However these hours were varied to 3 shift, 24 hour working in the approval of application 95/0531/509/W, this was subject to a restriction on the external movement of freight, with electric tugs used between 11.00pm and 6am to prevent unreasonable noise disturbance to neighbouring occupiers.

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 4 representations have been received from surrounding residents which can be summarised as follows:

- **Concerns that increased traffic would lead to further congestion within Regents Park Road;**
- **Obstruction of access into neighbouring residential properties;**
- **Intensification of use of the existing site access;**
- **Displacement parking within Regents Park Road and surrounding streets;**
- **Noise nuisance, especially at weekends and during bank holidays;**
- **Concern regarding noise disturbance from delivery vehicles waiting to enter the site;**
- **HGV's should access the site via the Waterhouse Lane;**
- **The staff green travel plan is unrealistic and staff will drive to work;**
- **Disruption from demolition and construction traffic;**
- **Costco should be location on an industrial site and not within a residential area.**

One letter of support has been received from **Hampshire Chamber of Commerce**. The creation of 160-250 local jobs is welcomed at a time of economic uncertainty. The Chamber is confident that the transport strategy associated with the Costco proposal has the potential to accommodate the in traffic and to overall provide an improvement to the existing peak congestion issues. The staff green travel plan is also welcomed. Costco also provides wider economic benefits in reducing costs for small to medium sized businesses as trade customers.

5.2 **SCC Highways** – No objection, providing that the improvements to the nearby infrastructure are carried out prior to occupation of the site by Costco. It is beneficial that such a use does not open to customers until 10am, which avoids the morning peak travel times on the local highway network. The parking provision is in line with SCC policy, and the developer will provide secure cycle parking for staff.

Consideration has been given to providing traffic lights at the site access with Regents Park Road, but with improved sight lines this has been considered unnecessary, with some additional local improvements and modifications to the highway, and the provision of

parking restrictions. Substantial off site highway works are proposed to aid turning traffic movements on Millbrook Road which help to mitigate the impact of the development on the local highway network. These are covered by the Section 106 agreement.

Conditions to be applied to secure: lorry routing details for delivery and construction vehicles; road construction detail; junction details; stop up existing access; sight lines; parking of 604 vehicles; loading/unloading 4 lorries; cycle parking for staff 40 secure covered spaces, include reference to the provision of male and female shower facilities for staff; 10 visitor cycles spaces; contractors compound and wheel cleaning

The site specific highway works to be secured include: A scheme of works to improve the junction of Regents Park Road and Millbrook Road, to include improvements to turning facilities; To carry out minor changes to the alignment of the junction of Regents Park Road with Claremont Crescent; To move bus stops and provide some parking restrictions in Regents Park Road through Traffic Regulation Orders; To provide improved facilities for cyclists adjacent to Millbrook Road around the junction with Regents Park Road; To make improvements to the public highway around the entrance to the site in accordance with a scheme to be approved.

5.3 **SCC Sustainability Team** – No objection subject to conditions to secure at minimum a rating of Very Good against the BREEAM standard and an assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, or other means of improving energy efficiency that will achieve a reduction in CO₂ emissions of 12.5% over part L of the Building Regulations.

5.4 **SCC Environmental Health (Contaminated Land)** – No objection. However in view of the sensitive nature of the proposed residential use a thorough assessment of the potential land contamination hazards is recommended. Planning conditions should be applied.

5.5 **SCC Ecology** – No objection subject to the inclusion of habitat for Black Red Starts within the landscape proposals

5.6 **Hampshire Constabulary** – An update will be provided at the Committee meeting.

5.7 **Southern Water** – No objection subject to conditions to safeguard the public sewer and to secure details of means of foul and surface water disposal. An informative should be applied regarding connection to the public sewer network.

5.8 **BAA Safeguarding** – No objection subject to a condition to secure a Bird Hazard Management Plan

5.9 **Highways Agency** – No objection

5.10 **Environment Agency** – No objection

5.11 **Trees** - No objection. The detailed landscape proposals submitted by Andrew Davis Partnership (Ref: W1419 Dr No 1001 Rev A) is acceptable. The new tree planting scheme will more than compensate for the proposed loss of trees to facilitate the development. Most of the trees to be removed are, bar the mature Lime along Waterhouse Lane boundary, not significant amenity features. The Lime has apparent defects and is showing early signs of decline and the new planting along this boundary will provide a more significant amenity feature and screen. However, there is insufficient information on how

the retained trees are to be protected during the development. Therefore, if permission is granted an Arboricultural Method Statement should be secured through condition

5.12 **Pollution & Safety** – No objection subject to conditions

5.13 **SCC Learning and Skills Coordinator** – The development provides opportunity for partnership in pre employment training leading to guaranteed interviews for participants facing barriers to employment. Costco has provided commitment to training and development of their workforce. The learning and skills coordinator is satisfied that a Training and Employment Plan can be agreed.

6.0 Planning Consideration Key Issues

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

- i. The principle of development
- ii. Design and impact on established character
- iii. Impact on residential amenities
- iv. Whether the travel demands of the development can be met.

6.2 Principle of Development

6.2.1 The site is allocated and safeguarded for employment uses under saved Policy REI9 (i) of the Local Plan Review (March 2006). Whilst a warehouse club does not strictly accord with the site specific designation for light industrial and research and development uses, it is clear that the land is surplus to BAT requirements following the factory closure in 2007. The northern part of the site will be retained by BAT for Research & Development and office based functions.

6.2.2 Independent market assessment has concluded that the site is unlikely to come forward solely for industrial use. It is unrealistic to expect a single major industrial operator on the same scale as BAT to come forward on the site. This 'backland' site may provide opportunity for small to medium sized industrial units but only if brought forward as part of mixed use development. Consideration has been given to further rationalisation of the site with a decked car parking area to allow intensified use of the site. However this has been discounted because Costco have strong operational reasons for providing a car park at grade and a decked car park may have a harmful impact on neighbouring residential amenities and the visual amenities of the area. A reduction in the amount of car parking would affect the viability of the warehouse and is likely to lead to displacement parking on-street. Furthermore multi occupation of the site would also cause operational problems for BAT and Costco.

6.2.3 The proposal would bring the site back into employment use with Costco employing approximately 132 full time staff and 117 part time staff, providing a spread of non-skilled and skilled job types. The proposal is considered to deliver sufficient employment generation, particularly as the applicants are prepared to enter into a S106 Agreement to secure pre employment training leading and guaranteed interviews for participants facing barriers to employment.

6.2.4 The proposal would also lead to indirect economic benefit to the city economy because their business model seeks to provide wholesale goods at lower prices to small and medium sized businesses within the region.

6.2.5 A PPS4 assessment has been submitted and demonstrates there are no sequentially preferable sites within the catchment area which are available, suitable or viable. The Local Planning Authority is satisfied that the 'warehouse club' will not adversely impact on existing retail use within nearby centres. Operating restrictions will be secured through the S106 Agreement to ensure that the warehouse use is defined and is differentiated from a retail use. These controls include commitment that at least 65% of annual turnover will be to trade members of the warehouse clubs and therefore no more than 35% to individual members; and the warehouse club will be restricted to 4,000 different stock items. These restrictions have been tested and supported at appeal and have been applied to each of the 22 Costco stores operating in Britain.

6.3. Residential design and impact on established character

6.3.1 A Design and Access Statement has been submitted in accordance with the requirements of saved policy SDP6 of the Local Plan Review and identifies measures to be taken into account when maintaining the character of the area and achieving high standards of design.

6.3.2 The proposed design and scale of the building acceptably responds to the commercial nature of the application site and will not compromise the character and appearance of the surrounding area. The site has historically been occupied for industrial use with factory buildings which are greater in height and scale than the proposed Costco building. The design and scale of the building is reflective of Costco operating requirements, namely a large single-span warehouse building with an internal head height of 7m. The external appearance of the building is considered acceptable and comprises a materials palette which is greater in quality than a standard warehouse or industrial building.

6.3.3 The building will be less visually prominent than the existing factory buildings when viewed from Regents Park Road and Millbrook Road. However, the proposed building does extend nearer to the boundary with Waterhouse Lane. The impact on Waterhouse Lane will not be harmful having regard to height and design of the building, the set back from the road frontage behind the existing security fence and mitigation from existing tree planting and landscaping enhancements along the eastern boundary.

6.3.4 A scheme of landscaping has been submitted to improve the approach into the development and to soften the car parking area which is welcomed.

6.4 Impact on Residential Amenity

6.4.1 The development will not adversely harm the residential amenities of neighbouring occupiers having regard to the industrial use which has historically occupied the site. An acoustic report has been submitted in support of the application and its findings and conclusions have been supported. There will not be a harmful increase in noise from plant, deliveries or general activity associated with the Costco development. The acoustic report concludes that any noise from car parking, use of access roads and servicing will have a negligible impact.

6.4.2 Careful consideration has been given to the impact from deliveries to the site. Costco have agreed to commence deliveries from 7am in the morning and finishing at 9am which is an improvement on the historic BAT activity which commenced general freight movements within the site from 6am and finished at 11pm. A vehicle waiting area has

been made available adjacent to the boundary with the Territorial Army Centre, and any waiting vehicles will be required to turn off their engines and refrigeration units. The acoustic report concludes that any noise from car parking, use of access roads and servicing will have a negligible impact.

6.4.3 A scheme of lighting has been submitted which indicates that the external lighting to the car park, access road, building and loading bay area will not harmfully overspill onto neighbouring residential properties.

6.4.4 Whilst the warehouse club building is significantly lower in height than the existing factory buildings on site however careful consideration needs to be given of the scale and position of proposed building in relation to neighbouring properties in Blighmont Crescent and Waterhouse Lane. The Local Planning Authority is satisfied that the building separation distance and planting mitigation measures will ensure that the development will not lead to a harmful loss of outlook, sense of enclosure, shadowing or loss of light.

6.4.5 A staff green travel plan has been submitted to reduce the likelihood of displacement car parking into Regents Park Road and adjoining streets. The level of car parking provision is considered to satisfy the parking demands of the development.

6.5 Highway Issues

6.5.1 A transport assessment has been submitted in support of the application. The Councils Highway Engineers are satisfied that the level of car parking proposed can be accommodated without adversely affecting the city highway network. However this is subject to an agreement of engineered solutions to manage the likely increase in traffic within Regents Park Road during the weekday evening peak and at weekends. This may include changing the phasing of the traffic lights at the Regents Park Road / Millbrook Road junction. The proposed weekday trading hours will not have an impact on traffic peaks during the morning because the store will not be open to customers until 10.00am

6.5.2 Regard has been had to the operational requirements of Costco in supporting the level of car parking sought (604 car parking spaces). The very nature of the wholesale business means that customers are unlikely to use sustainable modes of transport to access the site. However 10 short stay cycle spaces are to be provided. A staff green travel plan has been submitted to discourage car use by members of staff and 30 secure long stay cycle spaces will be provided, which is an acceptable level of provision.

6.5.3 The existing site access will be retained and works are sought to improve driver sight lines as vehicles egress onto Regents Park Road.

7.0 Summary

7.1 Whilst a warehouse club does not strictly accord with the site specific designation, it is unlikely the site will come forward for single occupancy industrial use on the same scale as BAT, and leading Retail Estate Advisors 'Vail Williams' have indicated that demand from smaller industrial units on this back land site would be limited. Overall the principal scheme is acceptable, particularly as it will regenerate the site and will bring it back into employment use, whilst ensuring that existing residential amenities are protected. The Local Planning Authority is satisfied that the proposal will not undermine the vitality and viability of existing retail centres within the City. Furthermore the travel demands of the development can be met without compromising the city transport network, subject to the securing of site specific highway improvements through the S106 legal agreement.

8.0 Conclusion

8.1 By securing the matters set out in the recommendations section of this report, the proposal would be acceptable. The application is therefore recommended for delegated approval to the Development Control Manager, subject to the Secretary of State not calling in the application for determination.

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

1(a), 1(b), 1(c), 3(a), 4(s), 6(a), 6(c), 6(f), 6(h), 7(c), 8(a), 9(a), 9(b), 2(c),
LDF Core Strategy and saved policies from Local Plan (Review)

AG for 15/02/11 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 - Samples details of building materials to be used [Pre-Commencement Condition]

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. APPROVAL CONDITION - Construction vehicles

Unless otherwise agreed in writing by the Local Planning Authority no HGV construction deliveries shall take place during peak traffic hours of 7.30am-9.00am and 4.30pm-6.30pm.

Reason:

To avoid congestion and to prevent obstruction to the free flow of traffic within Regents Park Road , particularly during peak traffic hours.

04. APPROVAL CONDITION - Deliveries

No deliveries shall be taken in or dispatched from the premises outside the following times
07.00am - 9.00pm

Unless otherwise agreed in writing by the Local Planning Authority all HGV deliveries to the site shall access Regents Park Road from Millbrook Road (A3024). Any delivery vehicles which arrive on site prior to 07.00am shall wait in accordance with the parking management arrangement as set out within paragraphs 2.5-2.7 and Appendix A1 of the Addendum to the Noise Assessment by Sharps Redmore Partnership, dated 20 January 2011. Engines and refrigeration plant shall be switched off whilst vehicles are parked in the vehicle waiting area.

Reason: To protect the amenities of neighbouring occupiers.

05. APPROVAL CONDITION - Road Construction [Pre-Commencement Condition]

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

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.

Reason:

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

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

Development shall not begin 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.

07. APPROVAL CONDITION - Stopping up existing access [Pre-Commencement Condition]

Any redundant access to the site shall be stopped up and abandoned and the footway, and verge crossings and kerbs shall be reinstated before the development is brought into use.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

08. APPROVAL CONDITION - Sightlines specification [Pre-Commencement Condition]

The sight lines as shown on the site plan hereby approved, drawing no. 02 Rev H, received on 26 October 2010, shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country

Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays.

Reason:

To provide safe access to the development and to prevent congestion on the highway.

09. APPROVAL CONDITION - Parking [Pre-Occupation Condition]

The development hereby approved shall not be occupied in full or in part until the car parking and associated access has been laid out for 604 vehicles in accordance with drawing no. 02 Rev H, received on 26 October 2010. The car parking shall thereafter be kept clear and maintained at all times for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads [and in the interests of highway safety].

10. APPROVAL CONDITION – Cycle storage [Pre-Occupation Condition]

The development to which this consent relates shall not be brought into use in full or in part until secure, covered space has been laid out within the site for bicycles to be stored for staff and for cycle stands to be made available for visitors to the site as specified hereunder. The cycle stores and stands hereby approved shall thereafter be retained on site for those purposes.

- 30 secure covered long stay cycle spaces 10 short stay cycle stands for visitors
- In accordance with plan numbers 19 Rev B and 02 Rev H, received on 26 October 2010

Reason

To encourage cycling as an alternative form of transport

11. APPROVAL CONDITION - Contractors Compound (Pre-Commencement Condition)

No commencement of work pertaining to this permission shall be carried out on the site unless and until there is available within the site, provision for all temporary contractors buildings, plant and storage of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site; and the provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the phased works and other operations on the site throughout the period of work required to implement the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To avoid undue congestion on the site and consequent obstruction to the access in the interests of road safety.

12. APPROVAL CONDITION - Wheel, tyre and vehicle under chassis cleaning facilities [Pre-Use Condition]

No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning, tyre-cleaning, and under chassis cleaning facility has been installed in accordance with details to be submitted to and agreed in writing by the Local Planning

Authority for such a facility, and the agreed facility shall be retained in working order and operated and used throughout the period of work on the site.

Reason:

To ensure that vehicles do not leave the site carrying earth, mud, or other ground materials on their wheels, tyres and under carriage in a quantity which causes a nuisance or hazard on the road system in the locality and in the interests of road safety.

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

Written documentary evidence demonstrating that the development has achieved at minimum a rating of Very Good against the BREEAM standard 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).

14. APPROVAL CONDITION – Renewable Energy (Pre-Commencement Condition)

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, or other means of improving energy efficiency that will achieve a reduction in CO2 emissions [as required in core strategy policy CS20] over part L of the Building Regulations must be conducted. Plans for the incorporation of renewable energy technologies or other means of improving energy efficiency to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development 12.5% over part L of the Building Regulations must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason: To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

15. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & 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 desk top study including;
historical and current sources of land contamination

results of a walk-over survey identifying any evidence of land contamination
identification of the potential contaminants associated with the above
an initial conceptual site model of the site indicating sources, pathways and
receptors
a qualitative assessment of the likely risks
any requirements for exploratory investigations.

2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.

3. 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 (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme 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 any stage of the development.

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.

16. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement 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- 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.

18. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]

Notwithstanding the plans hereby approved and before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall make provision for the incorporation of black redstart habitat.

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.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, in the interests of biodiversity and 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

19. 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.

20. APPROVAL CONDITION - Public Sewer protection [Performance Condition]

The developer must advise the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.

Reason:

In order to safeguard the public sewer.

21. Bird roosting prevention measures

Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of the management of any flat roof/shallow pitched/green roofs on a building within the site which may be attractive to nesting, roosting and "loafing" birds. The bird hazard management plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building.

Reason:

To avoid endangering the safe operation of aircraft.

22. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]

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.

23. APPROVAL CONDITION - Hours of Use - Trading Hours

The warehouse club hereby approved shall only not open to customers outside of the following hours:

Monday to Friday trade customers only)	10.00am - 8.30pm (10.00am -12:00pm midday
Saturday	09.30am - 6.30am
Sunday and recognised public holidays	11.00am - 5.00pm

Reason:

To protect the amenities of the occupiers of existing nearby residential properties and to avoid congestion on Regents Park Road.

24. APPROVAL CONDITION - Boundary Treatment

Unless otherwise agreed in writing by the Local Planning Authority the the development shall be carried out strictly in accordance with the boundary treatment plan, Drawing no. 13 Rev F received on 26.10.10. The boundary shall be installed and retained as shown on the drawing hereby approved.

Reason:

In the interests of site security, for the avoidance of doubt, to secure a satisfactory form of development and to protect the residential amenities of neighbouring occupiers.

25. APPROVAL CONDITION - Noise levels

The rating level of noise emitted by all fixed plant on the site shall not exceed 45 dB between 0700 and 2300 hours and 41 dB between 2300 and 0700 hours. The noise levels shall be determined at the site boundary. The measurement and assessment shall be made according to BS 4142:1997.

Reason:

To safeguard the residential amenities of neighbouring occupiers.

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 - Construction Environment Management Plan (Pre-Commencement Condition)

Notwithstanding the submitted Construction Method Statement, prior to the commencement of any development an amended 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. To include full details of works to install ground bearing concrete floor slab to warehouse with sealed surface finish. 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.

39. APPROVAL CONDITION - External Lighting

The development shall be carried out strictly in accordance with the scheme of external lighting as shown on drawing 2372/EX2 Rev B.

The external lighting shall be installed as agreed and thereafter retained.

Reason:

To secure a satisfactory form of development and to safeguard the residential amenities of neighbouring occupiers.

30. APPROVAL CONDITION - Approved Plans

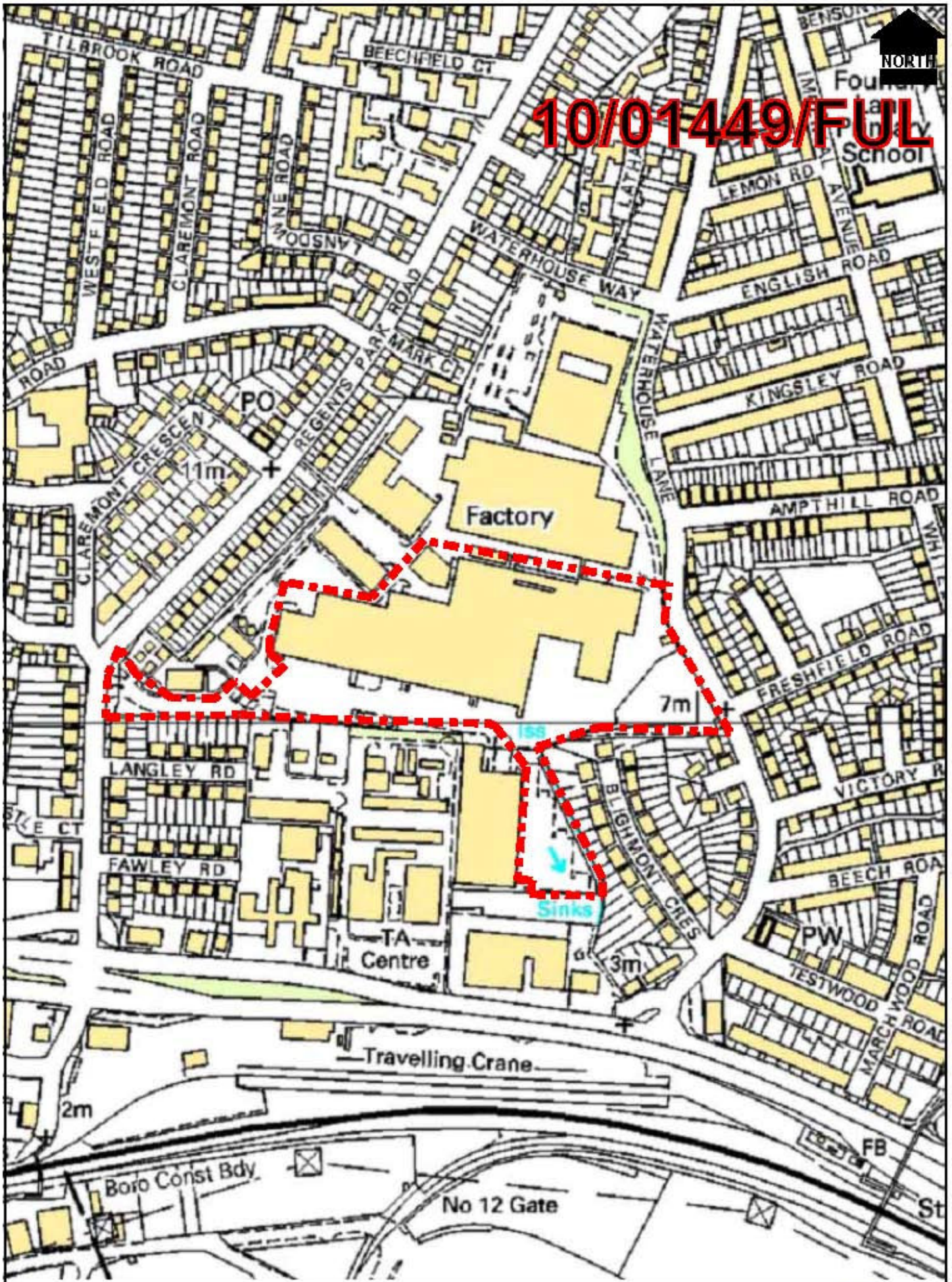
The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

Informative - Southern Water – Public Sewerage -

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or www.southernwater.co.uk.



10/01449/FUL

Scale : 1:3856

Date :02 February 2011

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POLICY CONTEXT

Core Strategy - (January 2010)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Design
CS18	Transport
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

CS6, CS7, CS13, CS18, CS19, CS20, CS22, CS24 and CS25 of the Local Development Framework Core Strategy (January 2010).

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
RE19	Major Employment Sites

Supplementary Planning Guidance

Planning Obligations (Adopted - August 2005 and amended November 2006)

Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPG13	Transport (2001)
PPS4	Planning for Sustainable Economic Growth

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Agenda Item 8

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 15th February 2011
 Planning Application Report of the Planning and Development Manager

Application address: 210 Bassett Green Road, Southampton			
Proposed development: Redevelopment of the Site by the Erection Of 4 x 5-Bedroom detached dwellings with associated garages, car parking, access and amenity space			
Application number	10/01774/FUL	Application type	Full
Case officer	Stephen Harrison	Public speaking time	5 minutes
Last date for determination:	15.02.2011 (IN TIME)	Ward	Bassett
Reason for Panel Referral:	Cllr Referral	Ward Councillors	Cllr Samuels Cllr Hannides Cllr Harris
Applicant: Drew Smith Ltd.		Agent: Tony Oldfield Architects	

Recommendation Summary	Conditional Approval
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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 planning history and local opposition to the redevelopment of the site is noted, however the application is considered to be acceptable. Whilst the development includes existing residential garden, and the priority for new development should be on previously developed land, the proposal is considered to respect the established pattern of development and provides additional family housing meeting a specific housing need. The retention of the mature landscape setting and the position of the dwellings within the plot will result in no significant visual impacts to the existing streetscene or the wider context. The presence of bats on site has been properly considered against the Natural Habitats Regulations (1994) and have been correctly mitigated against. Other planning concerns and the views of local residents have been considered, as detailed in the report to the Planning and Rights of Way Panel on 15th February 2011, but these other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP15, SDP16, H1, H2 and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS18, CS19 and CS20 and the Council’s current adopted Supplementary Planning Guidance, including the “Residential Design Guide”. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Comparative Layouts

Recommendation in Full

Conditional Approval

Background

This application follows a recent approval at the Planning & Rights of Way Panel for a redevelopment proposal at this address comprising 3 no.6 bed dwellings (LPA: 10/00811/FUL refers).

This followed the refusal by the Panel of an earlier application for 9 no.4 bed dwellings (LPA: 09/01236/FUL refers). The associated appeal was withdrawn following the grant of planning permission for three dwellings.

1.0 The Site & Context

1.1 The application site comprises a detached two-storey dwelling, and ancillary structures, that are located within a large residential plot. The site is well screened from Bassett Green Road by a mature boundary hedge and tree screening, which is subject to a Tree Preservation Order. The surrounding area is predominantly residential and is characterised by a low-density, attractive and verdant character. The remaining site boundaries also benefit from a mature (predominantly evergreen) vegetation screen. There is no prevalent architectural style within the vicinity of the site, although the area is characterised by individually designed properties located centrally within spacious plots.

2.0 Proposal

2.1 Planning permission is sought for 4 no.5 bed dwellings following the creation of a second vehicular access onto Bassett Green Road.

2.2 The proposed buildings are predominantly two storeys in design with accommodation contained within the proposed roofspace. Each dwelling is arranged centrally within its plot and has been individually designed whilst relating to each other. Typically, as with the approved scheme, these buildings have an eaves height of 4.8 metres and a finished ridge height of 9 metres.

2.3 The properties are arranged within a linear pattern towards the centre of the plot. A new access is proposed to serve plots 1 and 2. The principal vehicular entrance for plots 3 and 4 is taken from the existing access onto Bassett Green Road. It is proposed to gate both accesses. Parking would be provided within double garages and pergola structures associated to each dwelling with space for additional frontage parking. The proposed dwellings are traditional in appearance constructed of a facing brick with a pitched clay tile roof form. Timber window frames and chimney detailing also assist in achieving an acceptable design solution. The layout is well articulated with a staggered building line taking account of the prevailing pattern of development associated with this part of the City.

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). 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 (namely, adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13).

3.3 PPS3 Housing (2010): On June 9th 2010 private residential gardens were excluded from the definition of Previously Developed Land (PDL) in the Government's Planning Policy Statement on Housing (PPS3). Also, the requirement to achieve a minimum density of at least 30 dwellings per hectare was removed.

3.4 The revised PPS3 maintains that the priority for development should be PDL (Paragraph 36 refers).

3.5 The adopted Core Strategy (in Policy CS4 Housing Delivery) indicates that 16,300 additional homes will be provided over the plan period, with 5,750 homes to be provided on allocated and identified sites between April 2009 and March 2014. The figures demonstrate that the city has a housing supply from identified sites sufficient to meet requirements until and beyond 2018/19, without reliance on windfall sites. The change to the definition of PDL, and the Council's current predicted supply, means that the principle of development will now be an issue for new windfall proposals for housing units to be built entirely on private residential gardens (often termed "garden grab").

3.6 That said, the revised PPS3 maintains that the planning system should provide "*a flexible, responsive supply of land that is managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate*" (Paragraph 10 refers). The national annual target that "*at least 60 per cent of new housing should be provided on previously developed land*" remains, suggesting that residential development can still take place on other land subject to the local circumstances of each site involved.

3.7 It is the view of the Council's Planning Policy Team that last year's changes to PPS3, along with the removal of the national indicative minimum density standards, are not intended to stop all development on private residential gardens. Instead it allows Councils greater powers to resist such development where there is a demonstrable harm *inter alia* to the character and appearance of an area. The judgement as to whether such proposals are acceptable will need to consider, amongst other factors:

- the loss of private residential garden land;
- the contribution the land currently makes to the character of the area;
- the impact on the defined character of the area; and,
- the contribution that the scheme makes to meeting housing need.

3.8 The revised PPS3 maintains that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted (Paragraph 13 refers).

4.0 Relevant Planning History

10/00811/FUL Conditionally Approved 01.09.10

Redevelopment of the site by the erection of 3 x 6 bed detached dwellings with integral garages, car parking and amenity space.

09/01236/FUL Refused 19.01.10 with appeal withdrawn

Redevelopment of the site. Erection of 9 x 4 bed houses (3 x 3 storey terraced houses, 2 x 3 storey semi-detached houses, 2 x 2 storey detached (one with accommodation in roof) and 2 x 2 storey detached houses with a accommodation in roof) following demolition of existing houses with parking and refuse/cycle storage.

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 and erecting a site notice (23.12.10). At the time of writing the report **8** representations have been received (7 objections and 1 supporter) from surrounding residents. In addition, the North East Bassett Residents Association (NEBRA) have confirmed that they have no objection to the revised scheme, although concerns are raised regarding the gated nature of the proposals

5.2 The planning related issues raised that are covered later in this report include:

- This represents garden grabbing contrary to Government's recent policy change;
- The scheme is an overdevelopment that is out of keeping with the Triangle;
- The cumulative impacts of these developments are harming the Triangle;
- Gated developments are out of character;
- There is insufficient parking to serve the likely car ownership;
- Overspill parking and the new access will harm highway safety;
- There's an existing sewer capacity issue and the diversion will affect it;
- The development will result in additional overlooking.

5.3 **SCC Planning Policy** – Previously raised no objection in principle. It is the view of Planning Policy that the recent changes to PPS3, along with the removal of the national indicative minimum density standards, are not intended to stop all development in private residential gardens. Instead, it allows Council's greater powers to resist such development where there is a demonstrable harm *inter alia* to the character and appearance of an area.

5.4 The case officer should weigh up any benefits in terms of additional housing (particularly family housing) against the loss of garden land (which should be looked at in terms contribution to amenity, wellbeing and biodiversity) and other relevant factors such as the impact on the character and appearance of the area.

5.5 The proposals would be under the general density levels that we would expect for an area of low accessibility, 35-50dph. However this needs to be considered in the light of the other factors, such as the impact higher densities could have on the character and appearance of the area and also the amount of additional garden land that would be lost if higher densities were required.

5.6 **SCC City Design** – The revised layout arrangement is acceptable and the dual entrance approach works better than 4 units off one drive. Officers should use a planning condition to secure a good palette of materials.

5.7 **SCC Highways** – No objection following the receipt of amended plans. The development now has two shared accesses, which is acceptable, as both have on site turning, and they are distanced from adjacent accesses. The site is in an area defined as having "low" accessibility (Band 1) to public transport links and local facilities. The provision of double garages to serve these large executive homes accords broadly with the Local Plan standards and the layout does not give rise to any highway safety concerns. Secure refuse and cycle storage is detailed on the plans and can be secured with the attached planning conditions.

5.8 **SCC Trees** - The trees on this site are included in The Southampton (Bassett Green Road) TPO 1962. Further to previous comments on this site, there are no objections to this proposed development on tree grounds subject to the attached planning conditions

5.9 **SCC Sustainability Team** - Information has been submitted detailing the energy and SUDS strategy. It is recommended that should the approval be recommended, the

same conditions used on the previously approved application 10/00811/FUL are applied to ensure that the development is carried out in accordance with the specifications.

5.10 **SCC Environmental Health (Pollution & Safety)** - No objection.

5.11 **SCC Environmental Health (Contaminated Land)** - As the site is close to an historical gravel pit there is potential for land contamination issues. A desk-top study should be secured with a planning condition.

5.12 **SCC Ecology** - No objection. The application site consists of a large mature garden and house surrounded by further substantial gardens. Gardens of this type often support high levels of biodiversity. A thorough assessment has been made of the potential biodiversity interest of the site. The surveys undertaken have established that there are two bat roosts within the building and foraging habitat, supporting three species of bats, in the garden. A number of measures, including the installation of 6 bat boxes, have been suggested to mitigate the impact of the development. In addition, the vegetation has been assessed as having medium potential for breeding birds. No reptiles were found in the garden. Provided the recommendations in the Phase 1 and 2 Ecological Surveys Report (December 2010) are implemented there should not be a significant adverse effect on local biodiversity.

5.13 **SCC Archaeology** – No objections raised subject to the attached planning conditions. The site is close to a number of sites with high archaeological importance outside of the City boundary, including the Iron Age Hillfort of Chilworth Ring and other associated earthworks of the same date. Consequently there is archaeology potential.

5.14 **Southern Water** - A public sewer crosses the site. The exact location needs to be determined. It might be possible to divert it (at the applicant's expense). No objections, subject to the attached planning conditions.

5.15 **BAA** – No objection subject to an informative regarding cranes.

6.0 Planning Consideration Key Issues

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

- i. The Principle of Development;
- ii. Design, Density & Impact on Established Character;
- iii. Residential Amenity; and,
- iv. Highways and Parking.
- v. The Habitats Regulations and Biodiversity

6.1 Principle of Development

6.1.1 Following the amendment to PPS3 the majority of the application site is no longer classified as previously developed land. Whilst the redevelopment of the existing dwelling complies with Local Plan Policy H2, the use of the garden for development requires further consideration. It is now harder to justify the principle of redevelopment.

6.1.2 Whilst the priority for housing delivery should be previously developed land, and not gardens by definition, the merits of this case should be given careful consideration. In particular, an assessment of the scheme's impact on the character of the area, and its efficient use of land for housing delivery, are material to the Council's planning decision. The permission for 3 dwellings is also a material consideration as it was approved following the Government's change to its housing guidance.

6.2 Design & Density

6.2.1 The proposed layout seeks approval for 4 large family dwellings that are set centrally within their plot. Each dwelling is served by a large garden (ranging from approximately 260sq.m to 350sq.m. The previous approval achieved gardens of between 390sq.m to 470sq.m. Both are RDG compliant and are, again, set within a mature landscape setting (as existing). This design approach is consistent with the pattern of development in this part of Bassett. Furthermore, the retention of the mature landscaping to the site's boundaries will screen the additional development meaning that the established pattern of development is not compromised.

6.2.2 A traditional palette of materials is proposed, including a mixture of facing brick, tile handing and tiled roof. Further details can be secured with the attached planning condition.

6.2.3 The typical density of the area ranges from 5-7 dwellings per hectare (dph), with the obvious exceptions of the Haven (35 dph) and the partially complete development at 220 Bassett Avenue (53 dph). The recently refused scheme for 9 dwellings on this site resulted in a net residential density of 31dph. The approved scheme achieved 10dph.

6.2.4 The scheme for 4 dwellings proposes a density of 14dph is well below the Council's current requirements (of between 35 and 50 dph for areas of low accessibility) as detailed by LDF Core Strategy Policy CS5 but double the established pattern. However, it should be noted that the proposal is for large family dwellings in an area defined by similar dwellings and a low density development. In good planning terms the consideration of density should not be the prime determination factor for an otherwise acceptable proposal. Instead, density should only be taken as a final test as to the appropriateness of a scheme; and where a scheme's layout and design is considered to be appropriate for its context (as is the case here) it is these assessments rather than an arbitrary density figure that should prevail. In this case, especially following the removal of a minimum density requirement within the revised PPS3, it is accepted that to provide a proposal that respects its context, and that delivers additional family housing, a low density scheme will need to be employed.

6.2.5 This scheme responds well to its context. It is considered that the proposed footprint and quantum of development is acceptable and would make an efficient use of land whilst providing 4 large family dwellings within a mature landscape setting. The creation of a second access will not harm this pattern of development or compromise the mature landscape screen that mitigates against the scheme's visual impact. The gated access points are not considered to be harmful either, especially given the precedent for such boundary treatments that prevail within the Bassett Triangle. The current scheme, therefore, assists the Council in meeting its housing requirements without harming the character of the area. It is considered that the application accords in broad terms with Local Plan design policies SDP1, SDP7 and H7 as supported by Core Strategy Policy CS13. The Council's City Design team have worked with the applicant to reduce the scheme's impact and are supportive of the application.

6.3 Residential Amenity

6.3.1 The proposed dwellings have been designed to sit within their plot, and are set some 3-4 metres from the common boundary with immediate neighbours. Rear gardens are in excess of 15 metres long and serve to provide the necessary separation between dwellings that is characteristic of this part of Bassett. As a result of these proposed spatial characteristics the existing residential amenity of the area, in terms of daylight, shadowing, privacy and outlook will not be compromised by this proposal.

6.3.2 In order to accommodate the additional dwelling the properties are now proposed to sit closer together, with shorter back gardens and a smaller footprint. These changes are not, in themselves, harmful although it is accepted that the scheme for 3 dwellings represents a better scheme in terms of the building to plot relationships and the quality of living environment on offer. For assistance a comparison plan of the approved and proposed schemes is attached to this report at **Appendix 2**.

6.3.3 The scheme significantly exceeds the external space standards of the Council's approved Residential Design Guide SPD (2006); namely paragraph 2.3.14 and section 4.4, as is required for a satisfactory development in this part of Bassett. In amenity terms the proposed separation between dwellings, the retention of the mature landscape setting, the orientation of the buildings within their plot and the generous area of associated external garden space combine to create an acceptable addition to the area. The application accords with the adopted Local Plan policies SDP1(i), SDP7(v) and SDP9(v) as supported by the relevant sections of the Council's approved Residential Design Guide SPD.

6.4 Highways and Parking

6.4.1 Car parking is a key determinant in the choice of mode of travel. The Local Plan aims to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling.

6.4.2 Applying the Council's adopted maximum standards (of 2 spaces per 4+ bedroom houses), as set out in Local Plan Policy SDP5 and LDF Core Strategy Policy CS19, the Plan suggests that the proposed development should be supported by no more than 8 car parking spaces. Each dwelling is served by a double garage or pergola structure to meet this requirement, and it is likely that additional parking will take place to the front of each garage or on the grasscrete space to the side giving a minimum parking provision of 3 spaces per dwelling. This level of parking is consistent with the recent approval whilst exceeding current standards.

6.4.3 It is unlikely that any overspill parking will occur onto Bassett Green Road (as is reported to be the case for the development at the nearby Haven). The Council's Highways Officer has raised no objection to the proposal, including the creation of the second access, subject to the attached planning conditions. The application is considered to accord with Local Plan policies SDP4, SDP5 and Core Strategy policies CS18 and CS19.

6.5 The Habitat Regulations and Biodiversity

6.5.1 As the development will affect bats, which are European Protected Species, the Local Planning Authority needs to demonstrate that it has discharged its duty in relation to the Conservation Natural Habitats Regulations 1994 as amended, ("the Habitats Regulations"). This requirement has arisen as a consequence of the findings of the Judicial Review Woolley v Cheshire East BC. In order to discharge its duty the Local Planning Authority will need to demonstrate that the three tests contained within the Habitats Regulations have been met.

6.5.2 The three tests are as follows:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
2. there must be 'no satisfactory alternative'; and

3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

6.5.3 The applicant's submission satisfactorily deals with these requirements and the Council's Ecologist has raised no objection to the proposals.

7.0 Summary

7.1 This application follows the revisions to PPS3, which have removed residential gardens from the definition of previously developed land, and an approval for 3 dwellings in September 2010. The presumption in favour of the redevelopment no longer exists, however the proposed development makes a more efficient use of land without harming the established character of the area.

7.2 Whilst the priority for residential development in Southampton remains previously developed land, the use of this garden to provide 4 large detached family dwellings (a net gain of 3) at a density of 14dph is, on balance, considered to be acceptable. That said, it is recognised that the recent developments around Bassett Triangle will have a cumulative impact on the verdant character of the area, but the challenge is to ensure that the additional development is balanced with the need to ensure that this character is largely protected and retained. The additional dwellings at 210 Bassett Green Road are not considered to be harmful for the reasons set out in this report.

7.3 In visual terms there will be no change to the established streetscene due to the mature landscape setting and the TPO that defines the plot's frontage. The creation of a second access does not compromise the TPO and is positioned to have limited impact on this landscape screen. This is material to this recommendation.

7.4 Unlike the refusal for 9 dwellings there is no need for a S.106 Legal Agreement as the scheme provides fewer than 5 dwellings.

8.0 Conclusion

This application has been assessed as being acceptable to residential amenity and its local context. The application is recommended for conditional approval accordingly.

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(c), 2(d), 2(e), 4(dd), 6(c), 7(a), 7(e), 7(w), 9(a), 9(j) and 10(b)

SH for 15.02.11 PROW Panel

10/01774/FUL - PLANNING CONDITIONS

1. 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).

2. APPROVAL CONDITION - Details of building materials to be used

Notwithstanding the details shown on the approved drawings and application form no development works (excluding the demolition phase) shall be carried out unless and until a schedule of materials and finishes (including full details and samples (where necessary) of the manufacturers, types and colours of the external materials) to be used for external walls, windows and the roof of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority.

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.

3. APPROVAL CONDITION - Landscaping detailed plan

Notwithstanding the submitted details before the commencement of any site works (excluding the demolition phase) 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);
- 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.

4. APPROVAL CONDITION – Parking and Access [pre-occupation condition]

Prior to the occupation of each dwelling hereby approved both the accesses to the site and the garaged parking spaces serving that dwelling shall be provided in accordance with the plans hereby approved. The garaged parking shall be retained for that purpose and/or ancillary uses and not used for any commercial activity.

REASON:

To ensure a satisfactory form of development with an appropriate level of on-site parking.

5. APPROVAL CONDITION - Sightlines specification [Pre-Commencement Condition]

Prior to the commencement of the development hereby approved details of the sight lines from the accesses shall be submitted to the Local Planning Authority on a plan for approval in writing. The sightlines shall be provided before the development is first occupied and notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of 0.6m above carriageway level within the sight line splays unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To provide safe access to the development and to prevent congestion on the highway.

6. APPROVAL CONDITION - Refuse and Cycle Storage

Bin and cycle storage shall be laid out with a level approach (not in excess of 1:10) prior to the first occupation of the development hereby approved in accordance with the approved amended plans. The refuse facilities shall include accommodation for the separation of waste to enable recycling. The approved storage shall be retained whilst the development is used for residential purposes, with bins kept in their allotted stores on non collection days and moved to the presentation area only for collection purposes.

REASON:

In the interests of highway safety and visual amenity and to encourage recycling.

7. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the dwellings hereby approved, and pedestrian access to it, shall be made available prior to the first occupation of that associated dwelling and shall be retained with access to it at all times for the use of the residents to this scheme.

REASON:

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

8. APPROVAL CONDITION – Obscure Glazing (performance condition)

The windows indicated as obscurely glazed on the plans hereby approved shall be fitted with restricted-opening top-hung openings and glazed in obscure glass before the dwelling first comes into occupation, and shall thereafter be retained in this manner.

REASON:

In the interests of the privacy of the neighbouring residential occupiers.

9. APPROVAL CONDITION – Removal of permitted development

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (as amended), or any Order revoking or re-enacting that Order, no development permitted by classes A (extensions), B (roof alterations), C (other roof alterations), D (porches), E (outbuildings, enclosures or swimming pools) and F (hard

surfaces) of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority for the dwellings hereby approved.

REASON:

In order to protect the amenities of the locality and to maintain a good quality environment for this context.

10. APPROVAL CONDITION – No other windows [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 1995 (as amended), or any Order revoking or re-enacting that Order, in relation to the development hereby permitted, no first floor windows or other roof openings shall be constructed in the development hereby approved other than those expressly authorised by this consent.

REASON:

In order to protect the amenity and privacy of neighbouring properties.

11. APPROVAL CONDITION – Hours of work for Demolition / Construction

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 LPA.

No deliveries of construction materials or equipment, or removal of demolition materials associated with development shall take place between the following times:

Mondays to Fridays 08.30 to 09.15 hours and 14.30 to 15.30 hours

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 avoid conflict with peak times and to protect the amenities of the occupiers of existing nearby residential properties living along Bassett Green Road.

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

During the period of the preparation of the site (including demolition), 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.

13. 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.

14. APPROVAL CONDITION - Demolition - Dust Suppression

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

REASON:

To protect the amenities of users of the surrounding area.

15. APPROVAL CONDITION – Sewers

No development shall take place until a plan to divert the existing sewers has been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to the first occupation of the development.

REASON:

As the proposed development crosses an existing sewer and to secure an appropriate solution to serve the proposal as requested by Southern Water in their consultation response dated 4th January 2011.

16. APPROVAL CONDITION – Sustainable Drainage Systems

A feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and verified in writing by the Local Planning Authority prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

REASON:

As requested by Southern Water and to conserve valuable water resources, in compliance with policy SDP13 (vii) of the City of Southampton Local (2006) and to protect the quality of surface run-off and prevent pollution of water resources and comply with SDP21 (ii) of the City of Southampton Local Plan (2006). To prevent an increase in surface run-off and reduce flood risk in compliance with SDP21 (i) of the City of Southampton Local Plan (2006) and Code for Sustainable Homes: Category 4 - Surface Water Run-off.

17. APPROVAL CONDITION - Code for Sustainable Homes

Written documentary evidence demonstrating that the development will achieve at minimum Level 3 of the Code for Sustainable Homes, including at least [the percentage required by core strategy policy CS20] in category Ene1, 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 assessment and certificate as issued by a legitimate Code For Sustainable Homes 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).

18. APPROVAL CONDITION - Sustainability Statement Implementation

Prior to the first occupation of the development hereby granted consent, the approved sustainability measures shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

19. APPROVAL CONDITION - Land Contamination investigation and remediation

Prior to the commencement of development (excluding the demolition phase) 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 desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. 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 (3) 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 any stage of the development. 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.

20. APPROVAL CONDITION - Use of uncontaminated soils and fill

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.

21. APPROVAL CONDITION - Unsuspected Contamination

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

22. APPROVAL CONDITION - Tree Retention and Safeguarding

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing 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 construction period.

23. APPROVAL CONDITION - Arboricultural Protection Measures

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters;
- Identification of individual responsibilities and key personnel;
- Statement of delegated powers;
- Timing and methods of site visiting and record keeping, including updates;
- Procedures for dealing with variations and incidents.

REASON:

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2005, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees on site.

24. APPROVAL CONDITION - Arboricultural Method Statement

The demolition and construction works associated with this development shall be carried out only in accordance with Mark Hinsley Arboricultural Consultants Report (ref 2011C/JC/imp/mth/11/10) dated 16th November 2010 unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development.

REASON:

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

25. APPROVAL CONDITION - Ecological Mitigation Statement

Unless otherwise agreed in writing by the Local Planning Authority the development (including demolition and clearance works to facilitate the development) shall be carried out in accordance with the evaluations and recommendations of the ECOSA Ecological Survey Final Document (December 2010).

REASON:

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

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

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31st 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

27. APPROVAL CONDITION – Archaeological investigation

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.

28. APPROVAL CONDITION – Archaeological work programme

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.

29. APPROVAL CONDITION – Archaeological damage-assessment

No development shall take place within the site until the type and dimensions of all proposed groundworks have been submitted to and agreed by the Local planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

REASON:

To inform and update the assessment of the threat to the archaeological deposits.

30. 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.

Notes to Applicant

Southern Water – Public Sewerage - Informative

A formal application for connection to the public sewerage is required in order to service this development. Please contact Atkins Ltd, Angle St James House, 39a Southgate Street, Winchester So23 9EH (tel. 01962 858688) or www.southernwater.co.uk

Note to Applicant – Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. It is important that you note that if development commences in without the condition having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms, invalidating the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Control Service.

Note to Applicant – Performance Conditions

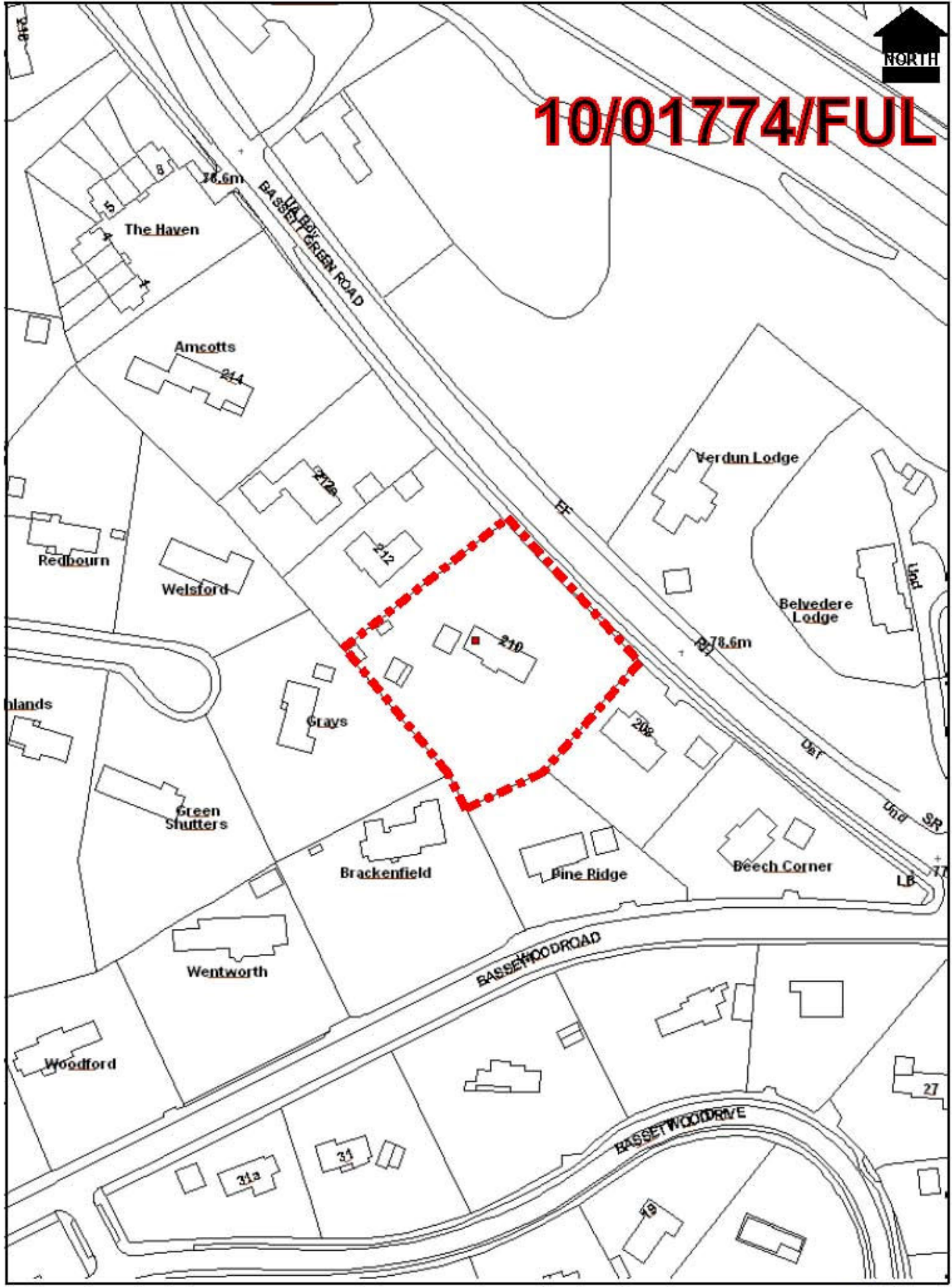
Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

Note to Applicant - Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is therefore drawn to the requirement within British Standard Code of Practice for the safe use of cranes, and for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and other construction issues' available at www.caa.co.uk/srg/aerodrome



10/01774/FUL



Scale : 1:1250

Date :01 February 2011

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Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce - Manage - Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPS3	Housing (2010)
PPG13	Transport (2011)
PPG17	Planning for Open Space, Sport & Recreation
PPS23	Planning & Pollution Control
PPG24	Planning & Noise (2004)



PLANNING ISSUE

Revision	1/01
Tony Oldfield Architects Ltd 8 Riverside Business Centre 102 Wilford Road East Southwold Suffolk IP16 4RS Tel: 020 8203185 Fax: 020 8203288 Email: info@tonyoldfield.co.uk	
Client	Dyer Smith Ltd
Project	210 Bassett Green Road, Bassett, Southwold
Drawing Title	4 House Site Layout with inventory of approved 3 house layout
Scale	1:500
Date	03/11
Project Number	08.08.128
Drawing No	P-1
Revision	

This drawing is a concept of how the site is used and is not to be regarded as a final plan. Any discrepancy should be reported to the architect.

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Agenda Item 9

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 15th February 2011
 Planning Application Report of the Planning and Development Manager

Application address: 64 Swift Road			
Proposed development: Erection of two storey rear and side extension to allow conversion of dwelling into four flats (2 x 2 bedroom and 2 x 1 bedroom) with associated parking and cycle/refuse storage.			
Application number	10/01464/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	27.12.10	Ward	Woolston
Reason for Panel Referral:	Referred by Councillor Williams	Ward Councillors	Councillor Cunio Councillor Williams Councillor Payne

Applicant: Mr Val Serbatoio	Agent: Gordon Rogers
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 15.02.11 do not have sufficient weight to justify a refusal of the application. The proposed dwelling would be in keeping with the surrounding area and would not have a harmful impact on residential amenity or highway safety and having regard to the previous planning appeal decision the proposal is considered to be acceptable. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted having account of the following planning policies: "Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2.	Planning History

Recommendation in Full

Conditionally approve

1. The site and its context

1.1 The application site contains a semi-detached two storey dwelling house constructed of red brick with a hipped roof and double bay window to the front. The property is bounded by a hedge to the front and has a generous amount of curtilage to the side and rear.

1.2 Apart from a Public House to the east of the application site, the surrounding area is predominantly residential, although has a mixed architectural character. The north side of Swift Road typically comprises terraced properties whereas the properties on the southern side of the road tend to be either detached or semi-detached dwellings, although there is no strong building line in existence.

2. Proposal

2.1 The application proposes an amendment to an earlier scheme approved at appeal (application 08/00260/FUL). The application involves a two-storey side and rear extension to the existing property to again facilitate the conversion of the property into four flats (2 x 1 beds and 2 x 2 beds).

2.2 In the current proposal, the proposed side extension is approximately 1.3 metres deeper than the previously approved scheme. This would allow the bedrooms of flats 2 and 4 to be increased in area by approximately 5 sq.m.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The application site is not allocated in the current development plan. The Council's usual requirements for achieving context-sensitive residential design as required by Core Strategy policy CS13 and policies SDP1, SDP7 and SDP9 of the Local Plan are applicable. Applications for new residential dwellings are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

4.0 Relevant Planning History

4.1 As stated above, the current application is a resubmission of an application allowed at appeal in 2009. The planning permission can still be implemented and expires on the 12th January 2012. A list of the relevant planning applications and the previous appeal decision are included in **Appendix 2**.

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 and erecting a site notice (11.11.10). At the time of writing the report **7**

representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.2 ***Insufficient car parking spaces proposed to serve the development. This will lead to overspill car parking on surrounding streets and create highway safety issues.***

Response

The application site lies within an area of low accessibility for public transport and as such, a maximum of 5 car parking spaces would be permitted. The development makes provision for 2 off-street car parking spaces and whilst this is below the maximum standard, is in accordance with the adopted standards. Furthermore, this issue was previously part of the Council's refusal and was not supported by the Inspectorate at appeal

- 5.3 ***The scale of the proposed development is excessive and the additional massing would have a harmful impact on the area***

Response

The appearance of the development when viewed from the street scene would remain unchanged when compared with the approved scheme, which was found not to be harmful to character by the Planning Inspectorate.

- 5.4 ***The storage areas would be unlikely to be used and therefore would unnecessarily erode the available useable garden area.***

Response

In allowing the previous appeal, the Inspector considered that it would be in the interests of the future occupants to store their bins safely in the available bin store. Furthermore, without the proposed storage it is likely that refuse containers would be left on the property frontage which would have a harmful impact on the street scene. In addition to this, the garden area is of a sufficient size to accommodate the storage and still provide a useable garden area.

- 5.5 ***The proposed extension would have a harmful impact on the amenities of the neighbouring occupiers.***

Response

Notwithstanding the additional depth of the rear extension, the extension would still comply with the 45 degree code as set out in the Residential Design Guide. There is sufficient separation between the extension and the boundaries with the neighbouring properties to ensure that no harmful impact would occur.

- 5.6 ***The sewerage and drainage system will not be able to cope with the additional units***

Response

The number of flats proposed has not changed from the appeal scheme in which the Inspector found that there was no substantial evidence to support concerns relating to drainage.

- 5.7 ***The development will result in noise disturbance to the neighbouring properties, particularly during the construction process***

Response

A condition has been suggested to secure soundproofing between the development and the adjoining property. Conditions have also been imposed to limit the hours of construction and to secure a construction management plan to minimise disturbance to neighbours during the construction process.

5.8 ***The proposal will result in the loss of family housing***

Response

The conversion will result in the loss of a 3-bedroom family dwelling which is not in accordance with CS16 of the Core Strategy. However, the previous approval which pre-dated the adoption of the Core Strategy can still be implemented. This is material to the Council's decision and, as such, the proposal is considered to be acceptable in this respect.

5.9 ***The additional space could enable the formation of two additional bedrooms***

Response

A condition is suggested to ensure that the development is constructed and occupied in accordance with the approved plans.

5.11 **SCC Highways** - No objection. Suggests conditions to minimise disruption to the users of the adjoining highway during the construction process

5.12 **SCC Environmental Health (Pollution & Safety)** – No objection. Suggests conditions to minimise disruption to the neighbouring occupiers during the construction process.

5.13 **SCC Environmental Health (Contaminated Land)** - No objection. Suggests conditions to prevent contaminated fill being imported into the site and to deal with any unsuspected contamination that may arise during the construction process.

6.0 Planning Consideration Key Issues

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

- i. Principle of development;
- ii. Design;
- iii. Residential amenity;
- iv. Residential Standards; and
- v. Highways and parking.

6.2 Principle of Development

6.2.1 Whilst the net loss of family dwellings are resisted by policy CS16 of the Core Strategy, the site benefits from planning permission to extend and convert the property into one and two bedroom flats. This planning permission can still be implemented and this planning application seeks minor material amendments to the approved scheme. As such, the principle of development has already been established and the main assessment is whether or not the proposed changes are acceptable in planning terms. The main change relates to the depth of the rear extension being increased by 1.3 metres.

6.3 Character and Design

6.3.1 The additional depth to the proposed rear extension would not be readily visible from public vantage points and as such, would not have a significant impact on the character of the area. When viewed from Swift Road, there would be no notable change between the current proposal and the scheme approved at appeal. The extension would still appear subordinate to the main house and its design and roof form would be sympathetic to the original property.

6.4 Residential Amenity

6.4.1 The additional 1.3 metre depth of the extension would be positioned over 5.5 metres from the boundary with the adjoining property and as such, would not result in any additional harm to the amenities of the occupiers of this property. The development would not project any further to the rear of the site than the neighbouring property at 62 Swift Road and would not therefore, affect the amenities of this property.

6.4.2 There would be at least 23 metres between the rear elevation of the development and the properties to the rear of the site on Swift Gardens. This exceeds the privacy distances recommended by the Residential Design Guide and as such it is considered that the development would not result in any harmful overlooking of these properties.

6.5 Residential Standards

6.5.1 The enlarged extension would leave over 80 sq.m of useable amenity space to the rear of the site which accords with the Residential Design Guide standard of just over 20sq.m per flat. Cycle and refuse storage is provided within purpose built stores to the rear of the site and would not further erode the amount of garden space available for use. The proposal is therefore in accordance with the standards as set out in the Residential Design Guide and accordingly the residential environment is considered to be acceptable.

6.6 Highways and Parking

6.6.1 The level of car parking spaces proposed complies with the Council's adopted standards and current planning guidance in the form of PPG13: 'Transport', PPS1 'Delivering Sustainable Development' and PPS3 'Housing' which emphasises the need to reduce car dependence. Furthermore, Local Plan policy SDP5 confirms that car parking is a key determinant in the choice of the mode of travel. The provision of secure and convenient cycle storage would promote cycling as an alternative to the private car. In addition to this, the level of car parking proposed is the same as the approved scheme, which was found to be acceptable by the Planning Inspectorate. The level of car parking proposed to serve the development is therefore considered to be acceptable.

7.0 Summary

7.1 The proposed amendments to the approved scheme would not introduce any additional harm to residential amenity or the character of the area. The proposal would make good use of the site to provide further residential accommodation.

8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a) (b) (c) (d) 2 (b) (c) (d) 4 (f) 6 (c) (i) 7 (a) (b) (e) (o) 9 (a)

JT for 15/02/11 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 – Details of Window Reveals [pre-commencement condition]

Prior to the commencement of the development hereby approved detailed plans at a scale of no less than 1:20, detailing the depth of the window reveals, shall be submitted to the Local Planning Authority and approved in writing. The development shall proceed in accordance with the submitted details.

Reason:

To secure a satisfactory form of development

04. APPROVAL CONDITION - Refuse & Recycling Bin Storage [Performance condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential purposes. Except for on collection days, no refuse storage shall take place to the front of the property.

Reason:

In the interests of the visual appearance of the building and the area in general.

05. APPROVAL CONDITION - Cycle Storage [performance condition]

Cycle storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the plans hereby approved. The cycle storage shall be thereafter retained.

Reason:

In the interests of the visual appearance of the building and the area in general and to promote alternative modes of travel to the private car.

06. 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 to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels, means of enclosure to include a 600mm high front boundary wall and hard surfacing materials;
- 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
- iv. 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. The means of enclosure shall be thereafter retained as approved.

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

07. 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.

08. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement 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.

09. APPROVAL CONDITION -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 additional hard standings shall be created on the site without the prior written approval of the Local Planning Authority.

Reason:

In the interests of the visual amenity of the area

10. APPROVAL CONDITION - Amenity Space Access [performance condition]

The garden area shown on the site plan, and pedestrian access to it, shall be made available as amenity space prior to the first occupation of the flats hereby permitted and shall be retained with access to it at all times for the use of all occupiers of the development .

Reason:

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

11. APPROVAL CONDITION - Hours of Construction[Performance condition]

In connection with the implementation of this permission any demolition, conversion and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission.

12. APPROVAL CONDITION – Parking and Access [pre-occupation condition]

Prior to the occupation of the development hereby approved both the access to the site and the parking spaces for the development in accordance with the plans hereby approved. The parking shall be retained for that purpose and not used for any commercial activity.

Reason:

To ensure a satisfactory form of development

13. APPROVAL CONDITION – Obscure glazing [performance condition]

The first floor window hereby approved in the west side elevations of the development shall be obscurely glazed and non-opening prior to the development first coming into occupation and thereafter retained in this manner.

Reason:

In the interests of the privacy of the neighbouring occupiers

14. APPROVAL CONDITION - Renewable Energy - Micro-Renewables (Pre-Commencement Condition)

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions [as required in core strategy policy CS20] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development [as required in core strategy policy CS20] must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

15. APPROVAL CONDITION – Soundproofing [Pre-Commencement Condition]

Prior to the commencement of the development hereby approved a scheme for the soundproofing of the development shall be submitted to the Local Planning Authority for approval in writing. The details shall include measures to limit noise transference from the development into the adjoining property and the measures shall be implemented as approved before the development is occupied.

Reason:

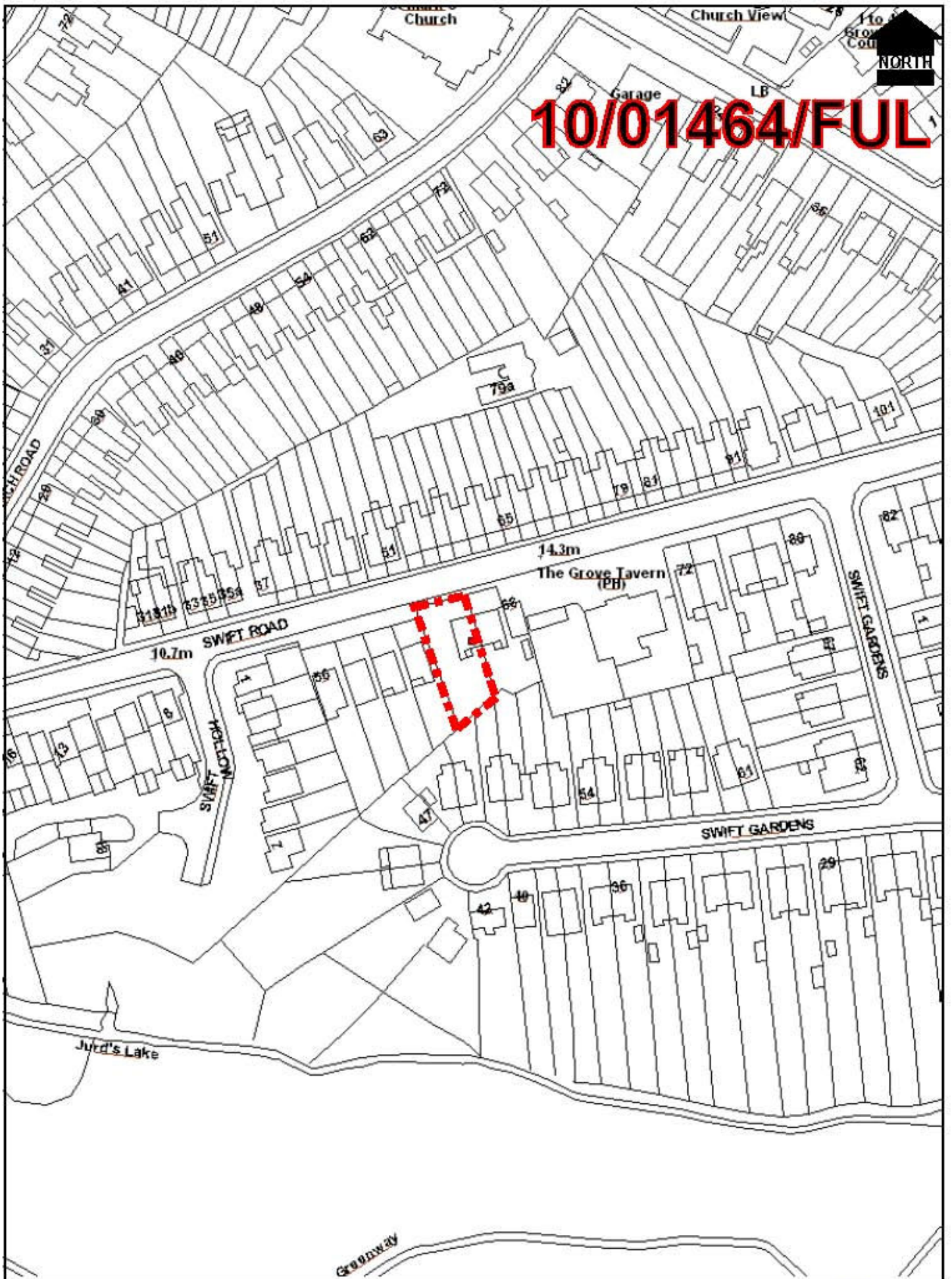
In the interests of the amenities of the adjoining property.

16. 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.



10/01464/FUL

Scale : 1:1250

Date :01 February 2011

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Application 10/01464/FUL

APPENDIX 1

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H2	Previously Developed Land
H5	Conversion to residential Use
H7	The Residential Environment

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)
Planning Policy Statement: Planning and Climate Change - Supplement to
Planning Policy Statement 1 (December 2007)
PPS3 Housing (July 2010)
PPG13 Transport (January 2011)
PPS22 Renewable Energy (August 2004)

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Agenda Item 9

Application 10/01464/FUL

APPENDIX 2

Relevant Planning History

07/00278/FUL

Refused 11.04.07

Erection of a two-storey side and rear extension, installation of 2 and 1 no. dormer windows to the front/rear roof slopes respectively to provide accommodation in the roof space and conversion of the property into five flats (4 x two-bed, 1 x one-bed) with associated bin store, cycle store and car parking

07/01635/FUL

Refused 10.12.07

Erection of a two storey side and rear extension, installation of 2 dormer windows and 1 no roof light to the rear side slopes to provide accommodation in the roof space. Conversion of dwelling into 5 flats, 3 no 2 bed & 2 no 1 bed with associated bin, cycle storage and car parking. (Resubmission)

08/00260/FUL

Refused and Allowed at Appeal

Erection of a two-storey side and rear extension to allow conversion of dwelling into four flats (2 x two-bed and 2 x one-bed) with associated bin, cycle storage (resubmission)

10/00950/NMA

Objection 13.08.10

Application for non material amendment to planning permission 08/00260/FUL to include additional 1.3m projection to flats 2 and 4

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Appeal Decision

Hearing held on 17 December 2008

Site visit made on 17 December 2008

by **R J Marshall** LLB Dip TP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

Appendix 3

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
12 January 2009

Appeal Ref: APP/D1780/A/08/2076721 64, Swift Road, Woolston, Southampton, SO19 9FN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Val Serbatoio against the decision of Southampton City Council.
- The application Ref 08/00260/FUL, dated 13 February 2008, was refused by notice dated 13 May 2008.
- The development proposed is a two storey extension and conversion of resultant building into four flats.

Application for costs

1. At the Hearing an application for costs was made by the Mr Val Serbatoio against Southampton City Council. This application is the subject of a separate Decision.

Decision

2. I allow the appeal, and grant planning permission for a two storey extension and conversion of resultant building into four flats at 64, Swift Road, Woolston, Southampton, SO19 9FN in accordance with the terms of the application, Ref 08/00260/FUL, dated 13 February 2008, and the plans submitted with it, subject to the conditions in the attached schedule.

Main issues

3. The main issues in this appeal are:

first, the effect of the proposed development on the character and appearance of the surrounding area; and

second, whether the level of car parking proposed accords with Policies on discouraging the use of the car, and if it does, whether such benefits would be outweighed by an increase in on-street parking detrimental to public amenity.
4. The second issue differs slightly from that given at the hearing in light of all I heard.

Reasons

Character and appearance

5. The appeal property is a not unattractive semi-detached house with a fully hipped roof. It is located on the southern side of Swift Road, a predominantly
-

residential street. Properties on the same side of the road are mainly detached or semi-detached dwellings, although to south-west of the site is a group of 2-storey flats that look not unlike semi-detached houses. On the northern side of Swift Road there is, in the main, terraced housing. It is a generally not unpleasing residential environment.

6. It is proposed to extend to the side and rear of the appeal property. Only the side extension would be readily visible from the road. The extension to the side would be narrower than the main dwelling, have a lower ridge height and be set back from the front elevation. As a result it would appear subservient to the main dwelling to an extent that would ensure that its attractive appearance would be retained. The use of a fully hipped roof and fenestration to match that of the existing property would further assist in this regard. Visually the extended property would look not dissimilar to an enlarged house. It would thus accord with the appearance of other properties in the road.
7. There are concerns that the provision of flats would introduce an alien feature with greater levels and concentration of activity than houses and with a more transient occupancy. However, given the modest scale of the proposed development, and the fairly high density of housing in the vicinity, any increase in levels of activity would have a minimal effect on the character of the area. As for a different form of occupancy, there are already flats in the area and Government Guidance in Planning Policy Statement 3 (PPS3) Housing encourages the creation of mixed communities.
8. A particular concern of the Council, especially as 4 flats would result in a need for 8 refuse bins, is the proposed location of a refuse bin collection point in the front garden of the appeal property. However, given the proposed location of a covered bin store in the rear garden I see no reason why, other than on collection days, this should lead to refuse bins being kept in the open in the front garden. It is not uncommon for residents to need to transfer bins from rear gardens to the front of properties for collection and then return them to their main storage area.
9. I conclude that the proposed development would be of an acceptably good quality design that would respect the character and appearance of the surrounding area. In this regard there would be no conflict with Policies SDP 1, SDP 7 and SDP 9 of the City of Southampton Local Plan Review (2006) read as a whole and in the context of Government Guidance. Nor would there be any conflict with the Council's Residential Design Guide.

Parking and public amenity

10. The proposed development would provide 2 on-site car parking spaces. The Council considers that this would be inadequate and would lead to on-street car parking detrimental to local residents' amenity. In particular reference is made to noise and disturbance and that existing residents may be unable to park close to their houses. The Council's concern relates in particular to the fact that occupants of the proposed development may seek to park in 2 nearby residential cul-de-sacs that do not have the same parking restrictions as Swift Road and other nearby streets. Swift Road, which I saw as being heavily parked up, has parking limited to one side of the road only. On that side of the road where parking is permitted it is limited in the main to permit holders and

in places to a restricted period. It is not the Council's policy to provide new development with additional parking permits, so the proposed development would be provided with only one parking permit. No car parking figures were provided for the 2 cul-de-sacs, but when I saw them one at least was heavily parked up.

11. However, the Local Plan, through Policy SDP 5, seeks to discourage the use of the car by reducing car parking levels. It does this by saying that planning permission will only be granted where the new development provides no more car parking than the maximum in the adopted standards in Appendix 1. Those standards set a maximum car parking standard for development of the type proposed as 5 spaces in an area of low accessibility and 2.5 spaces in an area of medium accessibility. The Local Plan identifies areas of accessibility and the appeal site is on the line dividing medium and low areas. Regardless of the standard considered appropriate the proposed development would clearly not conflict with this Policy.
12. Other material considerations, if of sufficient weight, can lead to a decision contrary to the development plan. The site is some distance from local services. Nevertheless, the development of relatively small flats in an area better served by public transport than the Council's evidence suggests, notwithstanding some general observations on reduced services, should be reasonably attractive to those without a car. As for Swift Road being heavily parked up, if anything, limitations on parking on that road close to the appeal site would be a disincentive to car owners seeking accommodation.
13. Moreover, the proposed development would be of a fairly small scale. This would further reduce the likelihood of introducing a level of additional parking on other roads that would cause the harm to residents' amenity in the way suggested by the Council. Added weight is given to this view by the fact that any net additional increase would take into account the fact that the existing house has no on-site car parking. Whilst I note local concerns on precedent I consider it unlikely, from what I saw, that substantial other opportunities exist for similar development in Swift Road.
14. I conclude that the proposed level of the parking would accord with Local Plan Policy SDP 5 on discouraging the use of the car, and that the beneficial effect of this would not be outweighed by an increase in on-street parking detrimental to public amenity. There would thus be no conflict with Local Plan Policy SDP 1 in so far that it seeks to protect neighbours' living conditions.

Other matters

15. Concern was expressed that the boundary on one side of the appeal property had been incorrectly drawn and showed neighbour's land as being in the appeal site. Measurements on site confirmed the accuracy of the plans. The orientation of the proposed extension and the location of windows would ensure no unacceptable loss of privacy to those nearby.
16. Local residents concerns on car parking went beyond those referred to by the Council by referring to highway safety and the free flow of cars and emergency vehicles. However, I am satisfied, largely for the reasoning on the second issue, that such harm would not arise.

17. There is no substantial evidence to support local concerns on drainage. Nor, from what I saw are there substantial grounds to support views that loss of wildlife would justify dismissing the appeal.

Conditions

18. As I am minded to allow the appeal I have considered what conditions to impose in addition to the standard condition on the time limit for the commencement of development.

19. In the interests of the character and appearance of the area I shall require the submission and approval of: external materials and details of window reveals; the landscaping of the site; and the retention of the bin store. In the interests of sustainable development I shall require the retention of the cycle store. To ensure acceptable living conditions for future occupants of the proposed development the rear garden shall be a communal facility available for the occupants of all the flats. To protect the living conditions of neighbours I shall limit hours of building operations.

20. I see no need for a condition on a waste management plan. It would be in the interests of those occupying the property to store their bins safely in the store to be provided.

Conclusion

21. For the reasons given above, and with regard to all other matters raised such as extra carbon emissions and a need for larger properties, I conclude that the appeal should be allowed.

RJ Marshall

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr G Rogers MRICS MRTPI Of Luken Beck

FOR THE LOCAL PLANNING AUTHORITY:

Mr A Gregory BSc Development Control Officer

INTERESTED PERSONS:

Mr and Mrs Johnson 62, Swift Road, Woolston, Southampton
Cllr Payne 25, Church Road, Woolston, Southampton

DOCUMENTS

- 1 Letter of notification of hearing and those notified.
- 2 Copy of Local Plan Policy SDP 5.
- 3 Copy of Local Plan Policy H 4.
- 4 Extract from Council's Residential Design Guide.
- 5 Extract from Local Plan.
- 6 Local Plan – Accessibility maps.

Conditions annexe

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted, and details of window reveals, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 3) The cycle store and bin store shown on the plans hereby permitted shall be constructed and retained for that purpose.
- 4) The rear garden shall be retained at all times for the communal use of all those living in the permitted flats.
- 5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure and boundary treatment, hard surfacing materials and a landscape management plan.
- 6) Soft landscape works shall include 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/densities where appropriate; implementation programme.
- 7) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
- 8) If within a period of 3 years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 9) No building works or ground works connected with the construction of the development hereby permitted shall take place outside the following times: 08.00 -18.00 hours Mondays to Fridays and 09.00 - 13.00 hours on Saturdays and at no times on Sundays and Public Holidays.

Agenda Item 10

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 15 February 2011
Planning Application Report of the Planning and Development Manager

Application address: 58 Wilton Road, (Elm Green Court) Southampton			
Proposed development: Alterations to roof comprising a mansard edge to reduce the eaves height of the building adjacent to 60 Wilton Road.			
Application number	10/01814/FUL	Application type	FUL
Case officer	Andrew Gregory	Public speaking time	5 minutes
Last date for determination:	19.01.2011	Ward	Shirley
Reason for Panel Referral	Previous application considered by panel	Ward Councillors	Cllr Dean Cllr Matthews Cllr Mead

Applicant: Elmgreen Properties	Agent: Alan Maclean Associates
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Recommendation Summary	Conditionally Approve
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Reason for granting planning permission

The alteration to the existing roof comprising a mansard edge to lower the eaves height of the building adjacent to 60 Wilton Road will not adversely harm the design of the building or the character and appearance of the surrounding area. Development has not been carried out strictly in accordance with planning permission 08/01033/FUL because the height of the building is greater than shown on the approved plans. The lowering of the eaves height with the incorporation of a mansard edge would remedy the planning breach and it is not considered expedient to take any further action.

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review - Adopted March 2006.

Policy CS13 of the Local Development Framework Core Strategy (January 2010).

Appendix attached			
1	Development Plan Policies	2	Decision notice and panel report for application 08/01033/FUL

Recommendation in Full

Conditionally Approve

1. The site and its context

1.1 The application site is located on the north east of Wilton Avenue. The surrounding area is predominately residential, albeit a hairdressing salon with living accommodation adjoining to the north.

1.2 Having been previously occupied by a group of vacant single storey buildings, planning consent was granted by the Planning and Rights of Way panel in 2008 for the erection of 5 two bedroom flats in a two-storey block including living accommodation in the roof. The flatted development is now substantially completed.

2. Proposal

2.1 The approved flatted block on site was shown to have an eaves height to match the neighbouring two-storey development within Wilton Road. However the development has not been constructed strictly in accordance with planning approval 08/01033/FUL because adjustments carried out at construction stage has resulted in a higher building, with an overall increase in the height to the ridge of 500mm and an increase in the height of the eaves adjacent to 60 Wilton Road of 250mm.

2.2 Following an enforcement investigation and discussions between the applicant and planning officers, this application seeks to remedy the breach by lowering the eaves by 250mm adjacent to 60 Wilton Road by altering the roof to form a mansard edge.

The mansard will be finished with matching plain tiles.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

4.0 Relevant Planning History

4.1 08/00606/FUL REFUSED 23.06.2008
Erection of 5 x two bedroom flats in a two-storey block with living accommodation in the roof with associated car/cycle parking and refuse store.

4.2 08/01033/FUL CAP 25.11.2008

Erection of 5 flats (4x2 bedroom and 1x1 bedroom) in a two-storey block including living accommodation in the roof with associated car/cycle parking and refuse store (resubmission) (amended description).

4.3 09/00404/DIS

Pending

Application for Approval of details reserved by conditions 2,5,6,9,12,13 and 16, relating to planning ref 08/01033/FUL (materials, land contamination, access, storage and removal of refuse, means and details of enclosure, sustainable measures).

4.4 A copy of the decision notice and panel report relating to application 08/01033/FUL and 08/00606/FUL are attached as Appendices 2 & 3

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, and erecting a site notice (posted 30.12.2010). At the time of writing the report 1 representation has been received from nearby residents which can be summarised as follows:

Request that enforcement action be taken to remedy the breach of planning permission granted on 25 November 2008, Reference 08/01033/FUL because the building does not correspond with approved plans numbered 301 Rev C, and 302 Rev C.

The height of the finished building, as shown on submitted drawing 601 is significantly taller than on the approved plans. The projecting gables over the front bay windows have a greater ridge height. The finished ridge and eaves height appear to be identical to those on the plan for refused application reference 08/00606/FUL.

The increased overall height of the building and the prominence of the roof accommodation have reintroduced the 3 storey effect which was the reason for refusal 08/00606/FUL.

The harm caused by the breach is the harm expressed in Reason 01 of the Decision Notice dated 23 June 2008 in refusal of application 08/00606/FUL, namely the detrimental visual impact on the existing street scene by virtue of the height and mass of the building and by being out of keeping with neighbouring dwellings and in contravention of the stated adopted policies and guidance.

6.0 Planning Consideration Key Issues

6.1 The key issue for consideration in the determination of this planning application is whether the development will have a harmful impact on the character and appearance of the street scene or the general visual amenities of the area.

6.2 It is considered that the development has been carried out in the general spirit of planning permission 08/01033/FUL. However a number of adjustments were carried out at construction stage which has resulted in the overall build height being greater than originally approved. The unforeseen adjustments include an increase of 225mm on the ground floor slab to remedy damage to the underfloor heating, an increase of 225mm on the upper floors because an error was made in the setting out of the stairs

which meant that a further riser had to be incorporated, and 50mm was added to the roof because further insulation was required to satisfy building regulations. The applicant has sought to lessen the impact by making some adjustments to the internal levels.

6.3 The overall height difference of 500mm is considered to have a negligible impact on the street scene. The increase in ridge height will not be seen because the roof pitches back into the site as part of a hipped roof form. The increase in height has resulted in taller projecting gables over the front bay windows however this element reads as subservient to the main roof when viewed along the street and they are not considered significantly harmful to the street scene to substantiate a reason for refusal. Therefore it is not considered expedient to take enforcement against these unauthorised works.

6.4 However the 250mm increase in eaves height adjacent to 60 Wilton Road is considered harmful having regard to the consistent eaves height of established development within the street. This height deviation makes the building step up in height within the street, making it appear unduly dominant.

6.5 Therefore, following discussions with officers the applicant has submitted a revised application to show a mansard corner section of roof to lower the eaves level adjacent to 60 Wilton Road in order to remedy the breach of planning control. The alteration in this section of the roof form brings the eaves in line with the height of those originally approved. In visual terms, the proposed roof alteration creates a better transition between the eaves height of the neighbouring dwellings and the approved development. It also improves the overall appearance of the building within the street scene.

6.6 The flatted development, as altered by this application, is considered materially different to the refused flatted development on site, reference 08/00606/FUL. In terms of eaves height, design, scale and bulk within the roof (the refused scheme incorporated a flat-roof and larger left-side projecting front gable).

7.0 Summary

7.1 The alteration to the existing roof comprising a mansard edge to lower the eaves height of the building adjacent to 60 Wilton Road will not adversely harm the design of the building or the character and appearance of the surrounding area.

7.2 Development has not been carried out strictly in accordance with planning permission 08/01033/FUL because the height of the building is greater than shown on the approved plans. The lowering of the eaves height with the incorporation of a mansard edge would remedy the planning breach and it is not considered expedient to take any further action, should that alteration be made within a set time frame

8.0 Conclusion

8.1 Conditionally Approve.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), 1(b), 2(b), 2(d), 6(c)

AG for 15.02.2011 PROW Panel

PLANNING CONDITIONS

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

The development works hereby permitted shall begin not later six months 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) and to remedy a breach of planning control that would otherwise have resulted in formal enforcement action being taken.

2. APPROVAL CONDITION - Materials to match [Performance Condition]

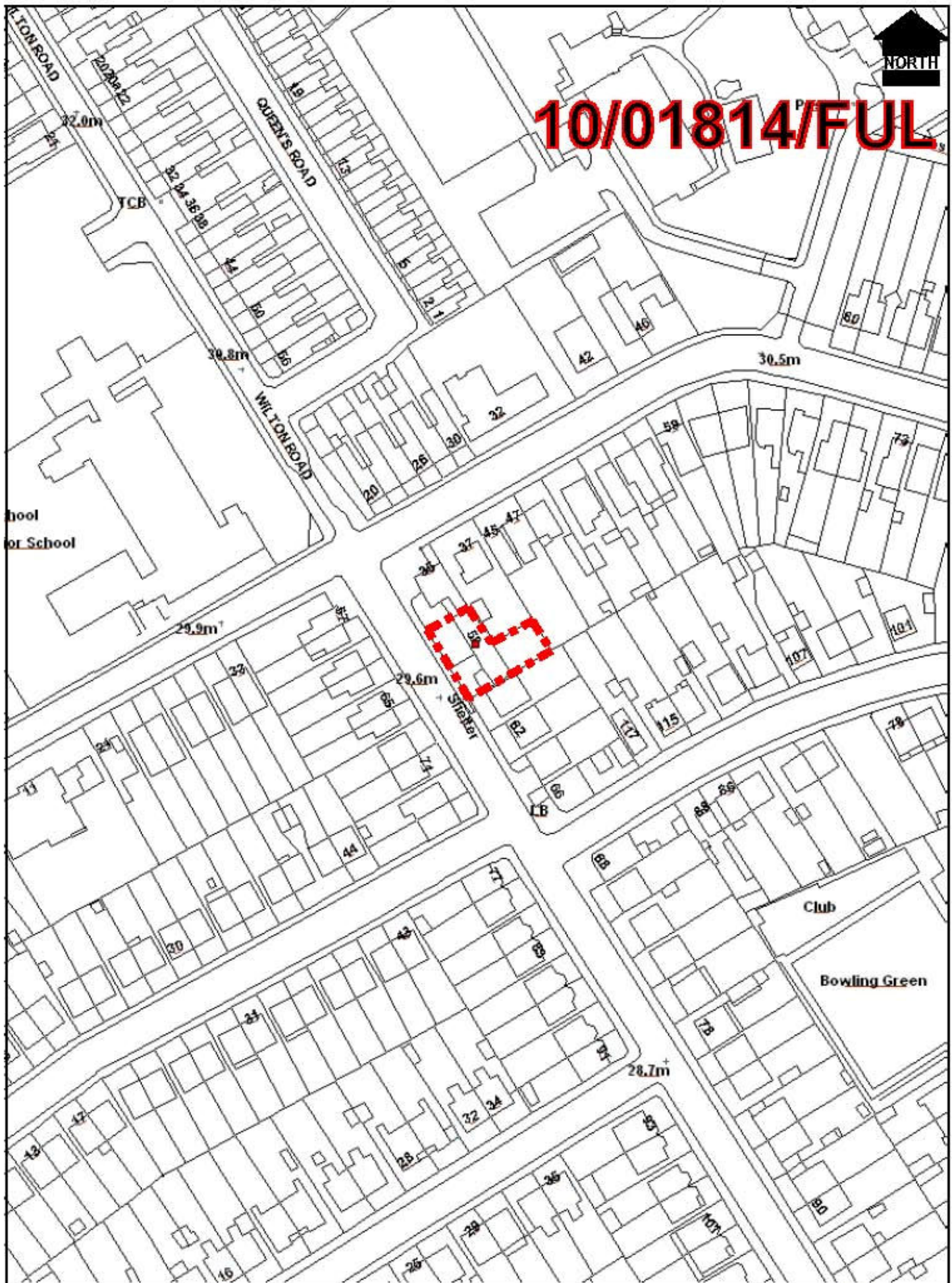
The roofing materials to be used for the mansard edge hereby approved shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.



10/01814/FUL



Scale : 1:1250

Date :01 February 2011

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Agenda Item 10

Appendix 1

Application 10/01814/FUL
APPENDIX 1

POLICY CONTEXT

Core Strategy - (January 2010)

CS13 Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

SDP1 Quality of Development
SDP7 Context
SDP9 Scale, massing and appearance

Supplementary Planning Guidance
Residential Design Guide

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**Application 10/01814/NMA
APPENDIX 2**

Decision Notice for 08/01033/FUL



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Development Procedure) Order 1995

Mr Alan Maclean
12 High Street
Lyndhurst
Southampton
Hants
SO43 7BD
UK

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been granted:

CONDITIONALLY APPROVED

Proposal: **Erection of 5 flats (4x2 bedroom and 1x1 bedroom) in a two-storey block including living accommodation in the roof with associated car/cycle parking and refuse store (resubmission) (amended description).**

Site Address: **58 Wilton Road Shirley Southampton S015 5SZ**

Application No: **08/01033/FUL**

In accordance with the plans and application submitted with the above Full Application, subject to the following condition(s):

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 & samples of building materials to be used [Pre-Commencement Condition]

Full details of the manufacturers, types and colours of the external materials to be used, including samples if required, shall be submitted to and approved by the local Planning Authority before development commences.

Reason:

In order to control the appearance of the development in the interests of visual amenity.

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 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

04.

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

05.

Approval Condition - Land Contamination investigation and remediation [Pre-Commencement & 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 desk top study including;
historical and current sources of land contamination
results of a walk-over survey identifying any evidence of land contamination
identification of the potential contaminants associated with the above
an initial conceptual site model of the site indicating sources, pathways and
receptors
a qualitative assessment of the likely risks
any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the
site and
allowing for potential risks (as identified in phase 1) to be assessed.
3. 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 (3) 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 any stage of the development. 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.

06.

APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement 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 - Unsuspected Contamination

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

08.

APPROVAL CONDITION - Glazing specification

The velux windows in the north-west facing roof slope serving the bedroom of unit 5 shall be fixed and permanently retained at a minimum height of 1.6m above the finished floor level and the first floor window within the rear elevation serving bedroom 2 of Unit 3 shall be fitted and permanently retained with obscure glazing to a minimum height of 1.6m above the finished floor level.

REASON

To protect the privacy and amenity of the adjoining property.

09.

APPROVAL CONDITION - Stopping up existing access [Pre-Commencement Condition]

Any redundant access to the site shall be stopped up and abandoned and the footway, and verge crossings and kerbs shall be reinstated before the development is brought into use.

Reason

To provide safe access to the development and to prevent congestion on the highway

10.

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

Before the 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 whilst the building is used for residential/commercial purposes.

Reason:

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

11.

APPROVAL CONDITION - Bicycle storage

The building shall not be occupied in full or in part until secure, covered space has been laid out within the site for a minimum of 5 bicycles to be stored for the benefit of the occupants in

accordance with the approved plans. The store should be secured by solid wooden doors, hung within hardwood framing on captive pin security hinges with hinge bolts and locked by 5 lever security mortice deadlocks to BS 3621 :2004 or better. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON: To encourage cycling as a sustainable form of transport.

12.

APPROVAL CONDITION -Sightlines specification [Pre-Commencement Condition]
Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, with the exception of railings, no fences walls or other means of enclosure shall be erected above a height of 0.6m above carriageway level, a minimum distance of 2 metres either side of the site access.

Reason

To provide safe access to the development and to prevent congestion on the highway

13.

APPROVAL CONDITION - Means of enclosure

No development shall be commenced until details of all means of enclosure on the site have been submitted to and approved by the Local Planning Authority. Such detailed scheme shall be implemented before the development is brought into use. The means of enclosure shall subsequently be retained to the satisfaction of the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and to protect the amenities and privacy of occupiers of neighbouring properties.

14.

APPROVAL CONDITION -Lighting specification

The illumination of the communal doorsets, parking, cycle and bin stores should be by facade mounted, anti-vandal, low energy down lighter luminaries operated by photoelectric sensors. Low level lighting bollards should not be used.

REASON

In the interests of safety and security

15.

APPROVAL CONDITION - Specification of ground floor windows and communal doorsets

The two communal doorsets and the flat access doorsets should be to BS PAS 23-1 1999/BS PAS 24-1 1999; Doors of Enhanced Security. Additionally, any integral glazing within these doors should be laminated on the inner pane. The ground floor windows within the development should be to BS 7950 1997; Windows of Enhanced Security.

REASON

In the interests of safety and security

16.

APPROVAL CONDITION - Sustainable measures [Pre-Commencement Condition]
No development shall take place until the applicant has provided to the Local Planning Authority for approval in writing a report assessing the feasibility of incorporating the following sustainable design measures into the development:

- Energy minimisation and renewable energy or low carbon technologies
- Water efficiency measures
- Urban Drainage Systems
- Waste management and recycling
- Sustainable construction materials

The report shall include an action plan detailing how these measures will be integrated into the development. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development hereby granted consent.

Reason

To ensure the development minimises overall demand for resources and is compliant with the City of Southampton Local Plan (March 2006) policies SDP13 and SDP6.

Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP4, SDP5, SDP6, SDP?, SDP9, CLT5, H1, H2, H?, H8 and IMP1 of the City of Southampton Local Plan Review -Adopted March 2006.

Note To Applicant

Approved Plans

The development hereby approved shall be implemented in accordance with the drawings received by the Local Planning Authority on 05.11.08 numbered 301 Rev C and 302 Rev C and any details required pursuant to a condition of this consent or as may be amended and accepted in writing by the Local Planning Authority.

David Rothery
Development Manager

25 November 2008

If you have any further enquiries please contact:

Andrew Gregory

APPLICATION TYPE: Full Application
APPLICATION NO: 08/01033/FUL
APPLICANT: Elmgreen Properties (Mr Stuart Ainsley)
AGENT: Alan Maclean Associates
SITE ADDRESS: 58 Wilton Road, Shirley, Southampton
PROPOSAL: Erection of 5 two-bedroom flats in a two-storey block including living accommodation in the roof with associated car/cycle parking and refuse store (resubmission) (2 car parking spaces).

RECOMMENDATION:

Delegate the Development Control Manager to grant planning approval subject to:-

1. The applicant entering into a Section 106 Legal Agreement to secure:
 - i. A financial contribution towards the provision and maintenance of open space in accordance with policy CLT5 of the City of Southampton Local Plan.
 - ii. a financial contribution towards site specific transport contributions for highway and street scene improvements in the vicinity of the site
 - iii. a financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan
 - v. repairs to any damage to the public highway arising from the build process.

Or

2. That the D C Manager be authorised to refuse permission if the Section 106 Agreement has not been completed within a reasonable timeframe on the ground of failure to secure the provisions of the Section 106 Agreement.
-

REPORT

BACKGROUND

This application has been brought before the panel at the request of a Ward Councillor following the receipt of more than 5 local objection letters.

THE SITE & SURROUNDINGS

The application site has an area of 0.03 hectares and comprises a group of vacant single-storey buildings. The premises was historically occupied as a print works. The site is enclosed by a 1.5m high brick wall along the Wilton Road frontage, with gated pedestrian and vehicular access.

The surrounding area is predominantly residential in nature, primarily comprising traditional two-storey semi-detached and detached properties. The adjacent property

at the corner of Wilton Road and Bellemoor Road (35 Wilton Road) is occupied by a hairdressing salon on the ground floor with a flat over. A large outbuilding to the rear of 37 Wilton Road abuts the rear boundary of the application site. Bellemoor Junior School is located to the north-west.

APPLICATION DETAILS

The application proposes residential redevelopment following the demolition/removal of the existing single-storey building on site. The proposal is for the construction of a two-storey building with living accommodation within the roof, to provide 5 flats (4 two-bedroom and 1 one-bedroom). The proposed building picks up the front and rear building lines of established properties within Wilton Road. The front of the site would be occupied by 2 car parking spaces interspersed amongst hard and soft landscaping, enclosed by the existing wall with vehicular and pedestrian access. A bin store is also located within the front of the site. Communal amenity space and bicycle storage is located to the rear. A pathway running adjacent to the south-eastern boundary provides external access to the rear of the site.

The proposed building is two-storey in height to eaves level with the third floor accommodation contained within a pitched roof. The building incorporates double bay windows with forward projecting gables and a recessed link with a canopy over. Glazing is contained within the forward projecting gables and velux windows are proposed within the side and rear roof slopes.

KEY ISSUES

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

- i. Principle of development, residential design, density and impact on the established character;
- ii. The impact on existing residential amenity;
- iii. The quality of residential environment for future occupants
- iv. Whether the travel demands of the development be met.

RELEVANT PLANNING HISTORY

06/00152/FUL Conditionally Approved 16.5.06
Redevelopment of the site by the erection of a two-storey block comprising 2 x one bed and 1 x two-bed flats.

08/00606/FUL Refused 23.6.08
Erection of 5 x two bedroom flats in a two-storey block with living accommodation in the roof with associated car/cycle parking and refuse store.

A copy of the decision notices relating to applications 06/00152/FUL and 08/00606/FUL are attached as **Appendix 1**

PLANNING POLICY

City of Southampton Local Plan Review (March 2006)

There are no site-specific policies which relate to the application site.

A schedule of relevant policies are provided in **Appendix 2** to this report.

Policy Assessment

Residential re-development is compliant with neighbouring land uses and has been established with a planning approval for 3 flats on the site (Reference – 06/00152/FUL). Intensified use of the site for housing delivery is compliant with central government advice and local plan policies H1 and H2.

The development has a density of 166 dwellings per hectare which is considered acceptable given that the proposed development respects the form of established development within Wilton Road. There is no maximum density level defined by Local Plan Policy.

The site is located within a low accessibility zone. A maximum of 7 spaces are allowed under the Council's Maximum Car Parking Standards as set out within the local plan review – adopted version. The application proposes 2 car parking spaces and 5 long stay cycle parking spaces which accords with policy SDP5.

The level of amenity space provision broadly satisfies the minimum standard of 20 square metres per unit. Contributions will be sought for open space in line with the SPG on Planning Obligations (2005) and policy IMP1.

Sustainability Assessment

The redevelopment of this site with a higher density complies with the principles of local and national planning policy. Planning conditions are recommended to secure development that complies with policy SDP13.

CONSULTATION AND NOTIFICATION

A publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice. At the time of writing the report, 8 representations had been received from surrounding residents.

The application was subsequently amended with revision to the design, massing and external appearance of the building. Due re-consultation has been carried out. Any additional representations will be provided as a verbal update at the panel meeting.

Representations

Displaced parking would use Wilton Road leading to increased congestion and prejudice highway and pedestrian safety, particularly during peak school times

Response

The level of car parking is compliant with the council's maximum car parking standards, as set out within Appendix 1 of the Local Plan. There is no minimum standard and the Councils Highway Engineers have raised no objection on highway safety grounds.

The style of property is out of character with the Upper Shirley area.

Response

The design, massing and external appearance of the building has been amended to reflect the scale and character of established housing within the area. The scheme incorporates double bay windows with gables over and a hipped roof form. The link has been recessed to allow the building to read as a pair of detached dwellings within the street. The third floor of accommodation is concealed within the roof. The design

The design approach reflects and responds to the established pattern of development, particularly the rhythm / spacing between the detached properties to the south-east (60-66 Wilton Road)

Family housing should be provided

Response

Planning Policy Statement 3 (PPS3) calls for a greater emphasis on housing mix, particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people. The proposal incorporates 4 two-bedroom and 1 one-bedroom flats and will therefore increase and improve the choice of housing within the community. The application assists in creating a 'mixed and balanced community'.

The proposal represents an overdevelopment

The proposal has a scale, density and layout which makes efficient and effective use of previously developed land without compromising the established character of the area.

The scale and massing of the building is out of keeping

Response

The design and massing of the building has been amended to reflect the height and proportions of existing properties within the street. The third floor of accommodation is concealed within the roof. Policy H8 seeks to maximise density in the City and is stated as a minimum rather than a maximum. Moreover, density figures alone do not indicate the scale of development appropriate for a site. Regard also has to be had to the other factors mentioned above.

The development does not provide any space for a garden

Response

The development seeks to provide 90sqm of communal amenity space to the rear of the building which is considered appropriate in terms of its quality and usability. The Councils Residential Design Guide, which is approved supplementary planning guidance, advises that 20sqm of amenity space should be provided per unit within suburban locations. Whilst the proposal is 10sqm of the recommended guidance, this shortfall is considered acceptable given the proposal incorporates a 1-bedroom unit, having regard to recent appeal decisions which have allowed a level of provision below the standards within the Residential Design Guide, particularly for 1-bedroom properties is deemed acceptable. Furthermore residents are a short walk from St James Park and the Common

The development will devalue properties within the area

Response

This is not a material planning consideration and is not supported with any quantifiable evidence.

The windows are unusually small and a kitchen window is obscure glazed which constitutes poor design and would lead to an unacceptable residential environment for future occupiers.

Response

The proposed internal layout is compatible with modern living standards. Modern kitchen and bathrooms can be artificially vented and illuminated. The kitchen window has been obscured to prevent overlooking. The size and design of the window

openings are in keeping with the design of the host property and will not be harmful to the character and appearance of the surrounding street scene.

Additional noise generation from occupiers/tenants

Response

The building will be soundproofed, in line with current building regulations. Any public order and nuisance problems arising from future occupiers of the flatted accommodation can be controlled under separate legislation by Environmental Health Officers and/or the Police.

The proposed site access has a bus stop and double yellow lines in front of it

Response

There are two existing vehicular access points into the site. The proposed development would provide an access which is outside of the demarcated bus stop area. No objection has been raised by the Councils Highway Engineers.

There will be overlooking / overshadowing of 37 Bellemoor Road

Response

The first floor windows adjacent to the boundary with 37 Bellemoor Road have been obscured to prevent any unreasonable overlooking. A shadow analysis has been undertaken to demonstrate that the proposal will not lead to a harmful increase in shadowing of 37 Bellemoor Road, particularly as there is a large outbuilding within the rear garden of this property that already creates afternoon shade.

Concern as to the stability of the detached rear garage at 37 Bellemoor Road

Response

This is a party wall/private civil matter and not a material planning consideration.

The development would require scaffolding on neighbouring land.

Response

Right of access onto neighbouring land is a private civil matter and can be resolved through party wall legislation.

Consultation comments

Highway Development Control – The number of parking spaces proposed accords with the authority's maximum standard and the level of provision will not compromise highway safety; however careful consideration should be given to measures to encourage alternative modes of transport to the private car. Appropriate site lines will need to be demonstrated and retained at the proposed access. To meet the aims of PPG13, contributions are sought via a S106 Agreement from the developer to reduce dependence on the private car.

Environmental Health (Land Contamination) – Potentially contaminated site; adequate assessments will need to be carried out on site to determine the likely presence of contaminants.

Environmental Health (Pollution and Safety) – The hours of works should be restricted through condition and no bonfires should be allowed.

Police (Crime Prevention Design Officer) – advises that details of the cycle store should be reserved through condition. Means of site enclosure to the sides and rear should be a minimum of 1.8m in height and be topped by 450mm of substantial

trellis. The specification of the two communal doorsets and ground floor windows should be secured through condition. The illumination of the communal doorsets, parking, cycle and bin stores should be by façade mounted, anti-vandal, low energy down lighter luminaries operated by photoelectric sensors. Low level lighting bollards should not be used.

Southern Water – raise no objection.

PLANNING CONSIDERATIONS

The development proposal needs to be assessed in terms of its design, scale and massing within the Wilton Road street scene; its impact on neighbouring residential amenities; whether or not adequate amenity space is provided and if it is acceptable in terms of highway matters including cycle and refuse storage.

1. Principle of Development

The re-development of the site for residential purposes is acceptable and accords with policies contained within the development plan. The level of development fits within the density parameters for the site and is in accordance with central government's wishes for more intensive use of brownfield sites. The provision of 5 flats (4 two-bedroom and 1 one-bedroom) will provide a greater choice and mix of accommodation within this community, in accordance with central government planning guidance on housing development (PPS3).

2. Scale, Design and Appearance

A design statement has been submitted in accordance with the requirements of Policy SDP6 of the Local Plan identifying measures to be taken in contributing towards maintaining the character of the area and achieving high standards of design.

The Wilton Road street scene is characterised by a mix of traditional two-storey semi-detached and detached properties. A strong eaves and ridgeline is evident and buildings are set back to a defined building line. The proposed building responds to this defined character with a comparable eaves height, roof form and overall build height. The design and massing of the building has been revised to better respond to height and proportions of the existing detached properties. The central entrance and corridor has been recessed to allow the block to read as two detached properties within the street scene. The building incorporates traditional double bay windows with gables over and sash windows to reflect the established architectural detailing within the street

3. Impact on Residential Amenity

The proposed development will not have any adverse impact upon neighbouring residential amenity. The windows at first-floor level and within the roof will not give rise to unreasonable overlooking; the first-floor windows adjacent to the boundary with 37 Bellemoor Road are obstructed by the existing garage within the rear of that property, however for the avoidance of doubt the bathroom window has been fully obscured and the bedroom obscured up to 1.6m above the finished floor level. The remaining first floor windows and roof lights within the rear elevation will have a typical rear aspect, across the communal amenity area. The velux windows within the north facing roof slope are proposed to be set 1.6m above the finished floor level and the velux window within the south facing roof slope is fixed shut and obscure glazed. A planning condition is recommended regarding details of the glazing.

The proposed building will not lead to unreasonable overshadowing or enclosure of 37 Bellemoor Road. A shadow analysis has been submitted which indicates that the impact from the proposed development will be negligible when considered against the existing level of shadowing from the garage within the rear of 37 Bellemoor Road. Moreover the aforementioned garage mitigates against unreasonable enclosure, providing a 3.5m buffer from the garden of 37 Bellemoor Road and the proposed two-storey block.

In amenity terms the residential environment proposed for the potential occupants is acceptable. The internal layout is compatible with modern living standards and all habitable rooms are served by natural lighting and ventilation. The proposal seeks to provide accommodation in the roof space which is an efficient use of space and symptomatic of modern housing. The loft space offers genuine usable accommodation, with all lounge and bedrooms provided with an acceptable outlook. The amenity space provision is acceptable in terms of its quality and usability; moreover the level of provision of 90 square metres is acceptable for the proposed residential type and mix. The scheme is considered to comply with Local Plan policies SDP1, SDP7 and SDP9.

4. Highways

The application site is within an area, which is defined as a low accessibility zone in the in the Adopted Version of the Local Plan Review. However the site is located immediately adjacent to a bus stop on Wilton Road and is located within close proximity to services within Winchester Road and Shirley High Street which is a 10 minute walk. The level of parking provision proposed needs to be assessed against the maximum parking standards set out in the adopted Local Plan. The scheme proposes 2 parking spaces. This level of provision accords with the level of provision that would be acceptable for this type and scale of development in this locality.

Adequate provision has been for the storage of bicycles and facilities for the storage and collection of refuse.

Summary

Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area.

CORPORATE AWARENESS CONSIDERATIONS

The planning assessment made on this planning application proposal has taken into account the relative importance of Council initiatives and corporate aims as considered appropriate to the formulation of the recommendation reached. For this scheme there has been no significant corporate issue identified.

CONCLUSION

By securing the matters set out in the recommendations section of this report by the completion of a Section 106 Legal Agreement, the proposal would be acceptable. The application is therefore recommended for delegated approval to the Development Control Manager.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 3(a), 4(s), 6(a), 6(c), 6(f), 6(h), 7(c), 8(a), 9(a), 9(b) and City Plan Review (Adopted Version) (AG 13.10.08 for 28.10.08 PROW Panel

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DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Development Procedure) Order 1995

Mr Alan MacLean
12 High Street
Lyndhurst
Southampton
Hants
SO43 7BD
UK

In pursuance of its powers under the above Act and Order, Southampton City Council as the District Planning Authority, hereby gives notice that the application described below has been:

REFUSED

Proposal: **Erection of 5 x two bedroom flats in a two-storey block with living accomodation in the roof with associated car/cycle parking and refuse store.**

Site Address: **58 Wilton Road Shirley Southampton SO15 5SZ**

Application No: **08/00606/FUL**

For the following reason(s):

01.

REFUSAL REASON - DESIGN

The proposed development by virtue of its design, scale appearance and finished eaves level, having particular regard to the 3-storey build height, is out of keeping with the pattern of development within Wilton Road and the surrounding context that is defined by two storey semi-detached dwellings. Accordingly the development would be detrimental to the visual amenities of the area, and would be contrary to and policies SDP1, SDP7, SDP9 and H7 of the adopted City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (September 2006).

02.

REFUSAL REASON - NEIGHBOURING AMENITY

The proposal represents an un-neighbourly form of development with the second floor (third storey) bedroom windows within the rear elevation giving rise to overlooking and loss of privacy of properties to the north-east boundary. Accordingly the proposal would be detrimental to the residential amenities of the neighbouring occupiers at 37, 45 and 47 Bellemoor Road. The development proposal is thereby contrary to policies SDP1, SDP9, H2 and H7 of the adopted City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (September 2006).

03.

REFUSAL REASON - HIGHWAYS

The proposed vehicular access is considered inadequate in width to allow two vehicles to pass and therefore would prejudice highway safety by creating congestion at the entrance into the site contrary to Policies SDP1 and TI2 of the City of Southampton Local Plan Review (March 2006) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (2006)

04.

REFUSAL REASON - S.106

In the absence of a completed S.106 Legal Agreement the proposals fail to mitigate against their direct impact and do not, therefore, satisfy the provisions of policy IMP1 of the City of Southampton Local Plan Review Adopted Version March 2006 as supported by the Council's Supplementary Planning Guidance on Planning Obligations (August 2005 as amended) in the following ways:-

- A) Measures to satisfy the public open space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT7.
- B) Measures to satisfy the play space requirements of the development have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 Policy CLT6.
- C) Measures to support sustainable modes of transport such as necessary improvements to public transport facilities and pavements in the vicinity of the site have not been secured contrary to the City of Southampton Local Plan Review Adopted Version March 2006 policies SDP1, SDP2 and SDP3;
- D) Measures to support strategic transportation initiatives have not been secured. As such the development is also contrary to the City of Southampton Local Plan Review Adopted Version March 2006 policies SDP1, SDP2 and SDP3;
- (E) In the absence of a Highway Condition survey the application fails to demonstrate how the development will mitigate against its impacts during the construction phase; and

S.106A Informative

The applicant is advised that the second reason for refusal could be overcome following the completion of a S.106 Legal Agreement to support an acceptable scheme.

Note to Applicant:

In reaching its decision to refuse this application the Local Planning Authority has considered drawing numbers 9687-07RevA, 9687-03RevB and 9687-01RevC received on 25.4.08.



David Rothery
Development Control Manager

23 June 2008

For any further enquiries please contact:
Andrew Gregory

Agenda Item 11

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 15.02.2011
 Planning Application Report of the Planning and Development Manager

Application address: Unit K, West Quay Road, Southampton, Hampshire			
Proposed development: Application for removal of condition 1 of planning permission 07/01214/Vc to allow permanent use as a dance studio and variation of condition 4 to extend opening hours from 19.00 - 00.00 (Midnight) to 19.00 - 03.00 on Fridays and Saturdays and additional day time use of 08.00 - 19.00 Monday - Friday during school holidays.			
Application number	10/01472/FUL	Application type	FUL
Case officer	Bryony Giles	Public speaking time	5 minutes
Last date for determination:	30.12.2010	Ward	Bargate
Reason for Panel Referral:	Departure from the local plan.	Ward Councillors	Cllr Bogle Cllr Damani Cllr Willacy

Applicant: Mr Rees	Agent: Ian Donohue Southern Planning Practice Youngs Yard Churchfields
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning approval subject to criteria listed in report
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Reason for granting Permission

The application constitutes a departure from the Development Plan ('saved' Policy REI 1 (xiii) of the City of Southampton Local Plan March 2006 and CS7 of the Core Strategy January 2010), but is compliant with the other relevant Policies of the Development Plan set out below. However, on the basis of the low demand for industrial and warehouse use within this centre at this present time and the intention to create a major development quarter to expand the defined city centre boundary under policy CS2 of the Core Strategy it is considered appropriate to this location and to securing the future of the business for full consent to be granted.

Policies - SDP1, SDP5, SDP7 and REI10 xiii of the City of Southampton Local Plan Review (March 2006) and CS3, CS7, CS13, CS19 and CS24 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Delegate to the Planning and Development Manager to grant planning approval subject to

1. The applicant entering into a Section 106 Legal Agreement to Secure:
 - i. The continued implementation and monitoring of a travel plan to address the impact of the development;
 - ii. The use, in the evening, of car parking areas of nearby properties for the benefit of the patrons of the dance studio; and,
 - iii. A financial contribution towards site specific transport demands, namely a contribution towards Late Night Bus Services.
2. That the Planning and Development Manager be authorised to refuse permission if the Section 106 (Deed of Variation) Agreement has not been completed within 28 days of this meeting on the ground of failure to secure the provisions of the Section 106 Agreement.

1. The site and its context

1.1 The site is located in the middle of three industrial type units on the south side of a cul-de-sac service road off the main West Quay Road. It is situated between a car hire business to the east and a car repair workshop to the west.

1.2 The unit comprises 615sqm floor space with a private forecourt to road frontage which contains 4 car parking spaces in a double banked arrangement. There is a common service yard to the rear of the site. The surrounding users are wholly commercial in character. A private pay and display car park to the Leisure World Entertainment complex is located some 300m to the north of the site.

1.3 Unit K, West Quay Road is occupied by Mo' Jive, a dance venue which offers modern jive, dance, bollywood and ballroom classes as well as roller skate lessons and roller skate social events. The aim of Mo' Jive is to appeal to a range of different community groups and provide family orientated events.

1.4 The premises currently operates between 19.00 to 23.00 Monday to Thursday, 19.00 to Midnight Friday and Saturday and 19.00 to 23.00 with day time uses for dance workshops and young persons dance classes between 13.00 and 18.00.

2. Proposal

2.1 Unit K West Quay Road is currently in operation as a Dance Studio which was granted a temporary planning permission which is to expire in 2013. In the interest of securing the long term use of the site, the applicant seeks consent to remove condition 1 of consent 07/01214/VC to allow permanent use of the site as a dance studio.

2.2 In addition, the applicant seeks relief of condition 4 to extend closing time on Friday and Saturday to 3am and to allow daytime opening during school holidays from 8am to 7pm.

2.3 There are no proposed changes to the external appearance or layout of the site.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The policies of the South East Plan, Southampton’s Core Strategy and Local Plan Review have been taken into account in the consideration of this application. The Core Strategy is in general conformity with the South East Plan, and it is not considered that the policies in the South East Plan either conflict with or add particular weight to the policies in the Core Strategy for this application. Consequently only the local statutory development plan policies (Core Strategy and Local Plan Review) have been cited in this report.

3.3 The site is safeguarded for light industrial, general industrial and storage and distribution uses under REI10 of the local plan review. It is the intention of this policy to safeguard opportunities for industrial and warehouse development within the city, but to ultimately ensure the city retains a broad employment base as well as a supply of sites and premises that provide a variety of opportunities for industrial and warehouse development.

3.4 Planning Policy Statement 4 (PPS4) advocates the importance of promoting the vitality and viability of town centres (as well as the delivery of sustainable patterns of development and reduced need to travel) through the provision of innovative and efficient shopping leisure, tourism and local services in town centres (section 10 refers).

4.0 Relevant Planning History

4.1 281/1188/80 – Construction of warehouse with office purposes. Approved 5 December 1960.

880149/23793/E – Change of use from warehouse and offices to general industry and storage in Units ‘J & K. Approved 17 November 1988.

940586/23793/E – Change of use to Class B1 (light industry) or Class B8 (storage and distribution) purposes. Approved 23 June 1994.

02/01315/FUL – Change of use to Class D2 dance centre. Refused planning permission 11 November 2002 for the following reasons;

- The proposed change of use to create a dance venue, would result in a significant loss of available land for industrial development. The proposal is thereby contrary to Policy RE19 of the City of Southampton Local Plan Initial Deposit Version (March 2001) which safeguards the area for light industrial, general industrial and storage and distribution uses.
- The applicant has failed to demonstrate how the proposal seeks to fully address the transportation needs associated with the occupation of the development and the need, in particular, to secure improvements to the pedestrian realm adjoining the site. The proposal is thereby considered to be contrary to the provisions of the City of Southampton Local Plan, policy T2 and the Initial Deposit Version of the City of Southampton Local Plan Review, policies SDP2 and SDP3.

03/01474/FUL – Change of use to Class D2 dance centre. Refused Planning permission 3 December 2003 for similar reason as above.

- The proposed change of use to create a dance venue, would result in a significant loss of available land for industrial development. The proposal is thereby contrary to Policy REI 11 of the City of Southampton Local Plan Revised Deposit Version (February 2003) which safeguards the area for light industrial, general industrial and storage and distribution uses.
- The applicant has failed to demonstrate how the proposal seeks to fully address the transportation needs associated with the occupation of the development and the need, in particular, to secure improvements to the pedestrian realm adjoining the site. The proposal is thereby considered to be contrary to the provisions of the City of Southampton Local Plan, policy T2 and the Revised Deposit Version (February 2003) of the City of Southampton Local Plan Review, policies SDP2 and SDP3.

04/01900/TEMP - Temporary change of use from B1 (light industry) to D2 (Assembly and leisure) – Approved 10th May 2007. Temporary consent granted until 2 October 2013.

07/00848/VC - Variation of Condition 04 of previous planning consent 04/0190/TEMP to extend opening hours from 19:00-23:00 to 19:00-0:00 on Fridays. Refused on 31st July 2007 for the failure to enter into a S106 agreement.

07/01214/VC - Variation of Condition 04 of previous planning consent 04/00190/TEMP to extend opening hours from 19:00-23:00 to 19:00-00:00 (midnight) on Fridays (Resubmission). Approved 27th September 2007.

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 (13.01.2011) and erecting a site notice (02.12.2010 & 03.02.2011). At the time of writing this report, **0** objections had been received.

5.2 **SCC Highways** – No objections raised.

5.3 **SCC Planning Policy** – No objection raised.

6.0 Planning Consideration Key Issues

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

- i. The appropriateness of use
- ii. The appropriateness of extended opening hours

6.2 The appropriateness of use

6.2.1 The use is in a highly accessible location and compliments leisure and recreational facilities in the city centre, most notably the Leisure World facility ½km further north of this site. Within recent years, the development of Ikea has further enhanced the site's

connections with the city centre, particularly pedestrian access, which further improves the site's links to public transport within the city centre.

6.2.2 The continued use of the site for leisure purposes retains and increases employment opportunities within the city and enhances the ability of the city's residents to access jobs within the city as advocated by policy CS24 of the adopted Core Strategy.

6.2.3 There are no residential properties within the area, which is commercial and industrial in character. Therefore, the use of amplified music associated within this activity and the traffic and noise generation related to customers entering and leaving the site will not impact on amenity of surrounding land use.

6.2.4 At the time of considering the temporary change of use, it was recognised by the local planning authority that the unit had been vacant for some time and bringing it back into use had clear benefits for the vitality of the area as well as employment. The applicant has identified that at this present time, at least three other units within the West Quay Road Industrial Estate are vacant. As such, should another business wish to locate to the Industrial Estate there is opportunity for them to do so.

6.2.5 It is noted that other non-industrial uses have emerged in close proximity to the application site such as Jungle Jeans, a children's play centre which is located to the south west of the application site.

6.2.6 Mo' jive has attracted an established customer base in recent years, providing an alternative leisure choice which promotes exercise and healthy living for all ages.

6.2.7 The manager of the premises has demonstrated a clear commitment to improving the site's facilities to ensure customer safety through the provision of CCTV and encourages car shares and sustainable modes of travel as encouraged by policies SDP1 of the Local Plan and CS19 of the adopted Core Strategy. Adequate cycle storage facilities are provided adjacent to the site to accommodate those wishing to travel by bike, on road parking and city centre car parks are available as necessary and late night bus services are available from nearby leisure world.

6.2.8 As the use primarily operates during the evening it is possible for customers to park within the forecourts of neighbouring businesses without issue.

6.2.9 The continued use of Mo' Jive in this location retains a popular leisure venue which adds to the vitality of the immediate area and retains and increased employment opportunities within the as supported by policy SDP1 of the Local Plan Review and CS23 of the adopted Core Strategy.

6.3 The appropriateness of extended opening hours

6.3.1 The council's Night Time Economy Briefing Paper (Guidelines for opening hours relating to policies CLT14 and CLT15 of the Local Plan Review) identifies Leisure World, Bargate and Below Bar as being areas suitable for late night opening until 3am.

6.3.2 West Quay Road Industrial Estate is located a short walking distance from Leisure World. The late night opening of Leisure World means that there is already a significant degree of late night activity within the area. The extension opening hours on Fridays and Saturdays will add to the existing late night economy without adversely affecting the amenity of surrounding land uses.

6.3.3 The extend use of the premises during the school holidays is considered acceptable. Other uses within the Industrial Estate will be in operation at these times; however, this has not proven to be an issue for Jungle Jeans which provides a play space for toddlers and young children and is located to the rear of Mo' Jive.

6.3.4 As previously mentioned within this report, sufficient parking is available within the Industrial Estate and the wider city centre area, as well as good public transport links.

6.3.5 Safe and lit pedestrian footpaths are provided to and from the site.

6.3.6 Increase leisure opportunities for children during the school holidays is supported by the Local Planning Authority.

7.0 Summary

7.1 The use provides a well used leisure facility within the city centre that compliments surrounding leisure and recreational facilities.

8.0 Conclusion

8.1 The application is therefore recommended for delegated approval to the Planning and Development Manager.

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

1 (a) (b) (c) 2 (b) (c) (d) 3 (a) 6 (c) (i) 7 (a) (f)

BG for 15/02/2011 PROW Panel

PLANNING CONDITIONS

01. Approval Condition – (Performance Condition)

Permission is hereby granted for the use of the premises as a dance studio within Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking, amending, or re-enacting that Order) and shall not be used for any other use within that Class.

Reason:

In recognition of the limited parking facilities available on the site and in order to avoid congestion on the adjoining highway for other forms of use within the same use class given the intended periods of use (after normal business hours) of the building within this commercial and industrial area.

02. Approval Condition – Restricted pedestrian access (Performance Condition)

No pedestrian access to the premises shall be provided for customers and patrons from the rear access to the building (from the service road area).

Reason:

In the interests of highway and pedestrian safety.

03. Approval Condition - Hours of operation (Performance Condition)

Unless the Local Planning Authority agree otherwise by the submission of a further planning application the premises shall only be used for the purpose hereby approved (that is as a dance studio) between the hours specified below and at no time on Sundays or recognised Public Holidays.

Monday to Thursday : 19.00 hours to 23.00 hours

Friday & Saturday: 19.00-03:00 hours (the following day)

Sunday: 19.00 hours to 23.00 hours with day time use for dance workshops and young person dance classes between 13.00 hours and 18.00 hours

Public Holidays (except for Christmas Day and Easter Sunday): 19.00 hours to 23.00 hours.

School Holidays (Not including individual school insert days and training days) Monday to Friday 08.00 and 19.00.

Reason:

To protect the amenities of surrounding areas.

04. Approval Condition – Additional facilities (Performance Condition)

The existing changing and washroom facilities provided within the building for the benefit of staff, customers and patrons shall be retained at all times unless otherwise agreed in writing by the local planning authority.

Reason:

To encourage cycling as an available alternative sustainable transport and in the interest of hygiene safety.

05. Approval Condition –Refuse storage, Lighting, Soundproofing and CCTV (Performance Condition)

The existing refuse storage, external lighting and CCTV to the car park area and internal sound proofing as detailed in the applicants letter dated 17th January 2011 shall be retained and maintained at all times unless otherwise agreed in writing by the local planning authority.

Reason:

To protect the amenities of the surrounding area and in the interests of crime prevention given the remote location of the premises from regular foot passage during the hours of operation of this use.

POLICY CONTEXT

Core Strategy - (January 2010)

CS1	City Centre Approach
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP10	Safety & Security
CLT14	City Centre Night Time Zones and Hubs
REI10	Industry and Warehousing

Supplementary Planning Guidance

Planning Obligations (Adopted - August 2005 and amended November 2006)

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)

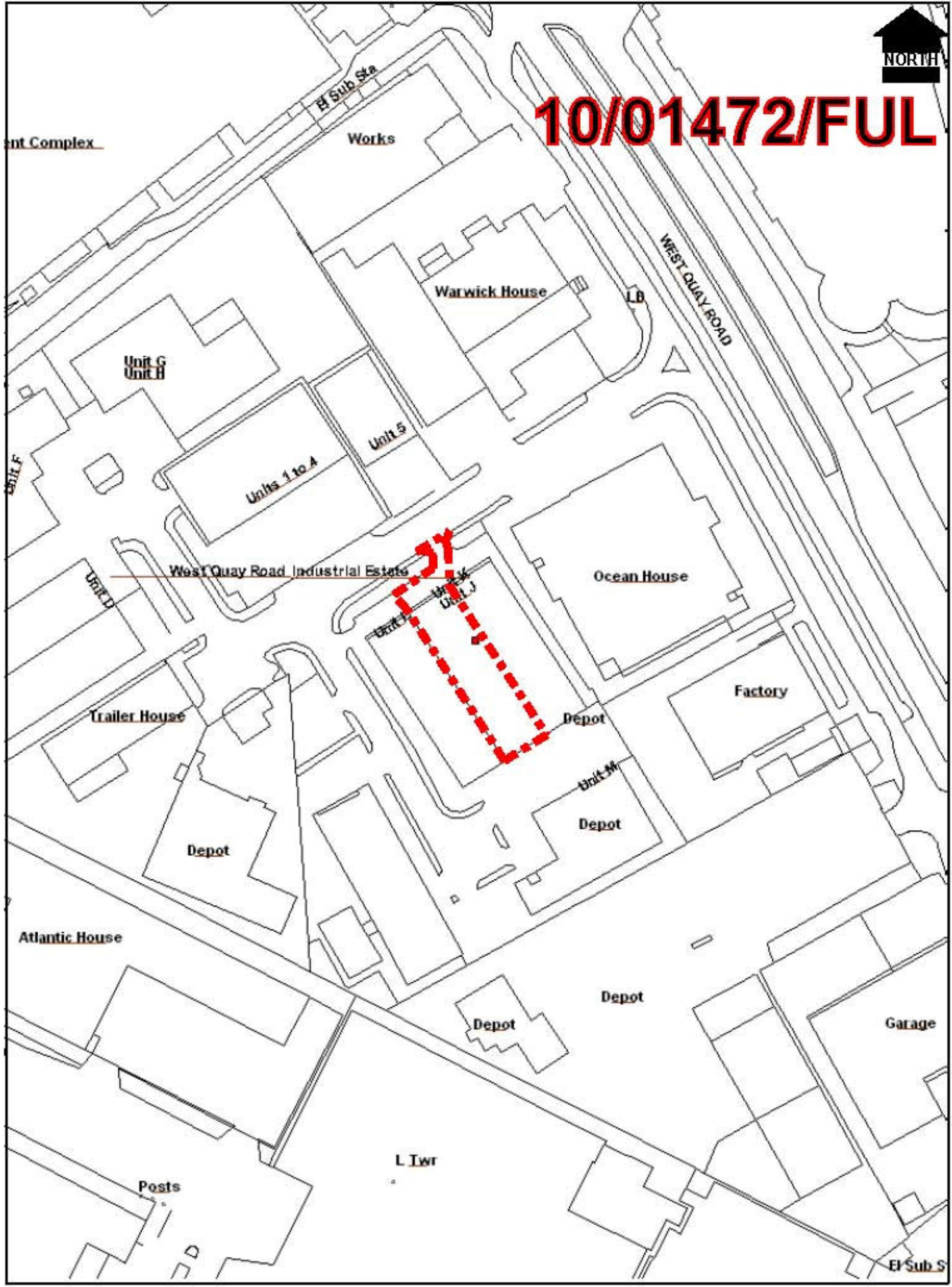
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)

Planning Policy Statement: Eco-towns - Supplement to Planning Policy Statement 1 (July 2009)

PPS4 Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009)



10/01472/FUL



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Date :01 February 2011

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Agenda Item 12

DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL
SUBJECT:	OPTION TO MODIFY THE DEFINITIVE MAP AND STATEMENT BY ADDING A FOOTPATH
DATE OF DECISION:	15 FEBRUARY 2011
REPORT OF:	HEAD OF PLANNING AND SUSTAINABILITY
STATEMENT OF CONFIDENTIALITY:	
N/A	

BRIEF SUMMARY

As a consequence of Panel's determination of a Schedule 14 Application at its meeting 23rd November 2010, (item 13; minute 93), the Rights of Way Officer was tasked to prepare and present to Panel a report on the alternative courses of action that:

- ◆ addressed the matter of public safety in and around the site of the footpath; and
- ◆ adds a public right of way footpath to the Definitive Map and Statement.

This Report introduces two Appendices:

- ◆ Appendix 1: Investigation Report into Pedestrian Safety at and across the Delivery Service Area off Lord's Hill Centre East; serving those businesses within Units 1 to 17 Lord's Hill District Centre, ("The Safety Report").
- ◆ Appendix 2: Investigation Report into Options that add the right of way footpath, at the rear of Lord's Hill District Centre, to the Definitive Map and Statement, ("The Options Report").

RECOMMENDATIONS:

- (i) That Panel accepts the conclusions contained in the Safety Report, (Appendix 1), in that whilst there were risks associated with use of the original footpath, these were minimal and not as severe as to warrant its closure.
- (ii) That Panel agrees to the recommendation made in the Options Report, (Appendix 2), in that the original route, now designated a public right of way footpath, be diverted to an alignment, as illustrated on plan1 contained within that report.
- (iii) That Panel authorise the Head of Legal Services to make a Combined Public Path Diversion Order.

REASONS FOR REPORT RECOMMENDATIONS

1. To comply with Panel's directive at its meeting 23rd November, to prepare and report to Panel on the two issues of pedestrian safety and options available to update the Definitive Map and Statement.

DETAIL (Including consultations carried out)

Consultations

2. This report has been sent to officers within Legal, Finance, Travel and Transport Policy and the Cabinet Member with Portfolio for Environment and Transport.
3. A draft copy of both Supplementary Reports, (Appendices 1 and 2) was sent to the representative of the land owner / land occupier for comment.

Alternative Options

4. There were no alternatives regarding the directive from Panel requesting this report and its appendices.
5. The Options Report, Appendix 2, details the two alternatives that meet the aims referred to above, (paragraph 1), and a final recommendation for Panel to consider (paragraphs 3(ii) and (iii)).

Background

6. At its meeting on 23rd November 2010 (item 13) Panel resolved that a public right of way subsists over a specified route and had accrued public right of way status by presumed dedication, as defined in Section 31 of the Highways Act 1980, and that it should be added to the Definitive Map and Statement.
7. Discussion centred on what options would best serve the two issues of public safety and what options were available that addressed that issue and recorded the right of way on the Definitive Map and Statement.
8. As a consequence, the Rights of Way Officer was tasked in producing and presenting to Panel a report on these matters

Investigation; Safety

9. The investigation looked into three themes:
 - i. Statistical data relating to reported / known incidents / accidents that have occurred in and around the Service Area;
 - ii. Vehicular Traffic movement to and from the Service Area; and
 - iii. Statistical data relating to pedestrian use of the footpath.
10. The conclusions, based on the lack of or minimal available statistical data, are that:
 - ◆ there has not been any serious incident or number of incidents to warrant the obstruction of the footpath;
 - ◆ any inherent risk in using the original route had been accepted by users, irrespective of increased traffic movement over the last 25 years and therefore;
 - ◆ the risks associated with traffic movement, considered as high importance by the land owner / occupier, were not so severe as to warrant the closure of the route.

Investigation; Options

11. The investigation identified two possible courses of action;
 - ◆ To create a footpath that lies parallel to and alongside the southern side of the entrance. The diverted right of way to be added to the Definitive Map and Statement by means of a Combined Public Path Diversion Order; or
 - ◆ To re-establish the original route to a standard that was recorded in October 2009, but with additional improvements, including the re-siting of the brick storage compound that lies just inside the entrance. The original alignment of the right of way to be added to the Definitive Map and Statement by means of a Definitive Map Modification Order.
12. The diversion of the route onto a new footpath meets both aims and concentrates all works in and around one site with little interference to the continual traffic movements in and about the extant access.
13. The re-establishment of the original footpath, together with any agreed improvements would necessitate the additional costs of relocating the storage compound, (owned and administered by Corporate Portfolio), and the interruption to the continual use of the access.

RESOURCE IMPLICATIONS

Capital/Revenue

Capital: None

Revenue:

14.
 - ◆ In considering the original application, any financial implications were not taken into account, as the Council had a statutory duty to determine the application.
 - ◆ The recommendations would necessitate costs of the making of the Combined Public Path Diversion Order being met by this Council, for which only the Highway Authority can apply.
 - ◆ Funding for the rights of way service is currently contained within the Environment and Transport Revenue Estimates, under the Planning and Sustainability Division.

Property/Other

15. If Panel disagrees with the recommendation and opts to have the original footpath re-established, Corporate Portfolio will need to agree to the relocation of the storage compound with the additional responsibility of having the area re-registered in its Title and that of the surrounding Titles through H.M. Land Registry at Weymouth.

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

16.
 - ◆ Section 53(5) of the Wildlife and Countryside Act 1981
 - ◆ Sections 53(2) and (3) of the Wildlife and Countryside Act 1981

- ◆ Schedules 14 and 15 of the Wildlife and Countryside Act 1981
- ◆ Section 31 of the Highways Act 1980
- ◆ Sections 116 and 117 of the Highways Act 1980

Other Legal Implications:

17. None

POLICY FRAMEWORK IMPLICATIONS

18. The proposals and recommendations are not covered in the Policy Framework but as a direct result of applying the statutory duties contained within Highway and Rights of Way Legislation.

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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	Investigation Report into Pedestrian Safety at and across the Delivery Service Area off Lord's Hill Centre East; serving those businesses within Units 1 to 17 Lord's Hill District Centre
2.	Investigation Report into Options that add the right of way footpath, at the rear of Lord's Hill District Centre, to the Definitive Map and Statement

Documents In Members' Rooms

1.	N/A
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Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	NO
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Other Background Documents

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	N/A	
Integrated Impact Assessment and Other Background documents available for inspection at:		RIGHTS OF WAY SECTION, ONE GUILDHALL SQUARE
WARDS/COMMUNITIES AFFECTED:		COXFORD

Investigation Report into Pedestrian Safety at and across the Delivery Service Area off Lord's Hill Centre East; serving those business within Units 1 to 17 Lord's Hill District Centre



Purpose of Report: To comply with a directive from the Planning & Rights of Way Panel at its meeting 23rd November 2010

SCC Officer: Dave Blakeway: Rights of Way Officer (Tel. 023 8083 3987)

Date of Report: January 2011

Aim: To present collated evidence relating to pedestrian and vehicular traffic movement at the site described above.

Objective: To inform the Planning & Rights of Way Panel as to the safety issues associated with pedestrian use of the right of way, (as determined by Panel, 23rd November 2010).

Summary: This investigation looked at three themes;

- i. Statistical data relating to reported / known incidents / accidents that have occurred in and around the Service Area;
- ii. Vehicular Traffic movement to and from the Service Area; and
- iii. Statistical data relating to pedestrian use of the footpath.

It has not referred to any records that may have been made by local businesses relating to such incidents which may or may not have been reported to the Health & Safety Executive as part of Health & Safety at Work Reporting Procedures.

Conclusions: That there has not been any serious incident or number of incidents to warrant the obstruction of the footpath.

That any inherent risk in using the original route had been accepted by users, irrespective of increased traffic movement over the last 25 years.

That risks associated with traffic movement, considered as high importance by the land owner / occupier, were not so severe as to warrant the closure of the route.

1. Introduction

- 1.1 An application was made to record a route as a public footpath on Southampton's Definitive Map and Statement – the legal record of public rights of way. The application and its supporting evidence were presented to Panel on 23rd November 2010.
- 1.2 At that meeting, the recommendation contained in the Panel Report was accepted, being that, on the balance of probability, a public right subsists, or is reasonable alleged to subsist, over the route and that it should be added to the Definitive Map & Statement, (Panel Minute 93).

- 1.3 In furtherance of that, Panel sought further information, being a report on the options available that would facilitate both the inclusion of the right of way on the Definitive Map.
- 1.4 In support of this, Panel also requested that a secondary report be submitted that considered the safety issue of pedestrian use of the footpath which had initially prompted the action of obstructing it in September 2009.

2. Statistical Data relating to Reported Incidents or Accidents

- 2.1 On the 24th November 2010, a request was sent to relevant officers within this Council, seeking data on Reported Incidents and Traffic Movement pertaining to the site.
- 2.2 Statistical data relating to any incident or accident in and around the Delivery Service Area is non-existent.
- 2.3 Records held by this Council or its Highways Partner, Balfour Beatty, are concerned with those incidents that occur on the public highway only and do not include any incidents that may have occurred on private land.
- 2.4 The only recorded accident occurring since January 2000 involved two vehicles at the junction of Hornchurch Road and Lord's Hill Centre East, when one vehicle failed to give way.
- 2.5 There are no recorded pedestrian incidents in Lord's Hill Centre East between the junctions of Hornchurch Road and Tangmere Drive.
- 2.6 The information above as supplied 7th December 2010 by Balfour Beatty / Southampton Highways Partnership.
- 2.7 The local beat Police Officer supplied data that solely contained anti-social and criminal activity in the immediate area and which did not include accidents involving pedestrians and vehicles, none being recorded.

3. Vehicular Traffic Movement to and from Service Area

- 3.1 Data that demonstrates the quantity and type of vehicular traffic movement initially proved non-existent.
- 3.2 There has not been any prior requirement to undertake a vehicle count and therefore reliance was placed on making enquiry of those businesses that use the Delivery Area.
- 3.3 On the 24th November 2010, letters were sent to the six businesses that abut the Service Area.
- 3.4 Requests for such data resulted in one response that detailed three deliveries a week.

- 3.5 In light of the lack of statistical data, it had been left to conjecture as to the volume of traffic which is alleged to have increased mainly due to the expansion of the Sainsbury's store and its Home Delivery Service.
- 3.6 However, following consultation on the findings of this report, traffic movement data applicable to J Sainsbury's was supplied and which indicates substantial flow over any given week:
- | | |
|------------|--|
| Sunday: | 12 Vehicle Movements between 0900-1600 |
| Monday: | 26 Vehicle Movements between 0800-2200 |
| Tuesday: | 34 Vehicle Movements between 0800-2300 |
| Wednesday: | 34 Vehicle Movements between 0800-2300 |
| Thursday: | 34 Vehicle Movements between 0800-2300 |
| Friday: | 32 Vehicle Movements between 0800-2300 |
| Saturday: | 22 Vehicle Movements between 0800-2300 |
- 3.7 No Traffic Movement count has been authorised or carried out by the City Council as part of this investigation.

4. Statistical Data relating to Pedestrian Use

- 4.1 Statistical evidence relating to pedestrian use is extremely thin; being that no data was ever required or collated prior to the obstruction September 2009.
- 4.2 Following the installation of the barrier, there has been no use of the route, so a user-count cannot be established
- 4.3 The only evidence collated has been the review of User Evidence Forms and correspondence that were submitted as part of the application to have the route added to the Definitive Map & Statement.
- 4.4 Use of the route by all those submitting evidence in support of the Schedule 14 Application was on foot and that 24 witnesses have used the route for, at least, the last 20 years
- 4.5 This indicates that there has been an acceptance by users that the route entails the crossing of the Delivery Service Area concourse.
- 4.6 That acceptance seems to have been perpetuated by the land owners / occupiers in that they either carried out or allowed to be carried out the improvements and enhancements that had been made to the path during its existence.

5. Summary

- 5.1 There is no substantive, indicative data on any incidents or accidents involving pedestrians and vehicles that have been facilitated by use of the footpath, and no quantitative evidence regarding traffic movement.
- 5.2 There is evidence of use which accepts the apparent risk of crossing the main concrete concourse to and from the Service Delivery Area.

- 5.3 That with only the one minor incident that occurred in March 2009, this appears to be the sole reason for obstructing the route by installing additional railings across the gap.
- 5.4 That the risks to users of the original / obstructed footpath, considered as high importance by the land owner / occupier, were not so severe as to warrant the obstruction of the route.
- 5.5 That with the alleged increase of traffic movement, pedestrian safety is still very much at the forefront of the land owner / occupier regarding use of the footpath and which needs to be addressed when determining which option, (to record an alignment of a footpath on the Definitive Map), is acceptable to all parties.

END

Investigation Report into options that add the right of way footpath, at the rear of Lord's Hill District Centre, to the Definitive Map and Statement.



Purpose of Report: To comply with a directive from the Planning & Rights of Way Panel at its meeting 23rd November 2010

SCC Officer: Dave Blakeway: Rights of Way Officer (Tel. 023 8083 3987)

Date of Report: January 2011

Aim: To present collated information relating to the most feasible option that adds the right of way footpath to the Definitive Map & Statement.

Objective: To inform the Planning & Rights of Way Panel of options available and to seek authorisation to make the relevant Order and undertake the associated tasks as contained in the recommendation below.

Summary: The method, and thereby the relevant Order required that adds the right of way to the Definitive Map & Statement, relies on which alternative course of action is considered to be the most feasible way of addressing the user safety issue that prompted the action taken in September 2009.

Discussions have taken place with Highways Officers, the Highways Planning Officer, SCC Legal Officers and the Legal Representative of both the land owner and land occupier.

A Draft copy of this report is now being circulated to all interested parties and comments received will be addressed.

Conclusions: There are two alternative courses of action which would result in adding the right of way to the Definitive Map, but by differing types of legal Order. Both address the issue of user safety; one involving the creation of a new diverted footpath as illustrated on Plan 1 appended to this report. The second being the re-instatement of the original footpath and continuous but improved use of the concrete concourse that is the vehicular access to the Delivery Service Area of the Lord's Hill District Centre, illustrated on Plan 2.

Option One: To create a footpath that lies parallel to and alongside the southern side of the entrance and to be bounded by safety fencing. The diverted right of way to be added to the Definitive Map & Statement by means of a Combined Public Path Diversion Order.

Option Two: To re-establish the original route to a standard that was recorded in October 2009, but with additional improvements, including the re-siting of the brick storage compound that lies just inside the entrance. The original alignment of the right of way to be added to the Definitive Map & Statement by means of a Definitive Map Modification Order.

Recommendation:

That the original route, now designated a public right of way footpath, be diverted to an alignment as illustrated on Plan 1 appended to this report by means of a Combined Public Path Diversion Order.

1. Introduction

- 1.1 An application was made to record a route as a public footpath on Southampton's Definitive Map and Statement – the legal record of public rights of way. The application and its supporting evidence were presented to Panel on 23rd November 2010.
- 1.2 At that meeting, the recommendation contained in the Panel Report was accepted, being that, on the balance of probability, a public right subsists, or is reasonably alleged to subsist, over the route and that it should be added to the Definitive Map & Statement.
- 1.3 In furtherance of that, Panel sought further information, being a report on the options available that would facilitate both the inclusion of the right of way on the Definitive Map and also address the safety issue that had initially prompted the action of obstructing the route.
- 1.4 In support of this, Panel also requested that a Safety Report be submitted.

2. Background

- 2.1 When investigating an application to modify the Definitive Map & Statement by adding a route, such matters as safety, anti-social activity, maintenance and liability etc are not considered.
- 2.2 The only facts considered are those pertaining to the use by members of the public and whether or not the route has been either expressly dedicated as a right of way or that it can be reasonably alleged that public rights have accrued because of relevant factors. In this case; continual use for a period in excess of 20 years retrospectively from when use was brought into question, (The Highways Act 1980, section 31(1) refers).

3. Description of the options available

- 3.1 In consultation with the Highways Planning Officer, and taking into account previous representations made by the representative of both the land owner and land occupier, it was determined that there were two alternatives that met both aims of addressing pedestrian safety and adding the right of way to the Definitive Map & Statement.
- 3.2 One: To create a footpath that lies parallel to the southern side of the entrance which would be formed from a 1.5 metre-wide strip of the existing concrete concourse; the width of the latter to be maintained by the removal of a 'crescent' of grass verge from the opposite side of the entrance . The diverted right of way being

added to the Definitive Map & Statement by means of a Combined Public Path Diversion Order, (Plan 1 at page 7).

- 3.3 Two: To re-establish the original route to a standard that was recorded in October 2009, but with additional improvements, including the re-siting of the brick storage compound that lies just inside the entrance. The original alignment of the right of way being added to the Definitive Map & Statement by means of a Definitive Map Modification Order. (Plan 2 at page 8).

4. Option One

- 4.1 The normal course of events following an application to have a right of way added to the Definitive Map would be to make a Definitive Map Modification Order, (DMMO), which would go for a 6-week period of public notification.
- 4.2 During this period, objections could be made to the making of the Order, which if not withdrawn, results in the Order being submitted to the Secretary of State which in turn involves the Planning Inspectorate to determine the case, which could be by means of a Public Inquiry that would be costly in terms of money and time.
- 4.3 If no objections are received during that 6-week period, or that any objections received were withdrawn within that same period, the Council could confirm the Order as unopposed.
- 4.4 It is understood however, that if a DMMO had been made immediately following the Panel Meeting 23rd November, objections would have been received by the Land Owner and Land Occupier, their objections being based on the issue of pedestrian safety.
- 4.5 During dialogue leading up to Panel's Meeting 23rd November, the land owner proposed that, should Panel determine the route as being a public right of way, then it would be the subject of a public path diversion order; the new route being parallel to and along but outside the southern boundary of the Delivery Service Area.
- 4.6 This proposal was brought to the attention of Panel, 23rd November, as paragraph 9.7 of the Investigation Report, (Appendix 1 to the Panel report), and pages 45 to 47 of the Documentary Evidence File, (Appendix 2 to the Panel Report).
- 4.7 Since Panel, 23rd November, the proposal by the land owner has been modified and offers a more feasible alternative in forming a new footpath alongside the southern perimeter fence utilising a 1.5 metre strip of the concrete concourse which would be fenced along the side of the Delivery Area entrance and with a low-level handrail on the opposite side, (Plan 1, page 7).

5. Option One in Practice

- 5.1 The creation of a new footpath along an alternative route such as that proposed would be the result of this Council making a Combined Public Path Diversion Order, under the relevant section of the Highways Act 1980.

- 5.2 Once confirmed, the Order diverts the footpath onto a new alignment which only then can be created, with the 'old' footpath remaining "in use" until such times as the new route has been certified as operational and usable.
- 5.3 It is appreciated that in this case, with the 'old' route having been obstructed, the Council has a choice of action. Either;
- ◆ Enforce the reopening of the old route until such times as the Diversion Order has been confirmed and the new footpath created and usable; or
 - ◆ Accepting an application, (to be made by the land owner), for a Temporary Traffic Regulation Order to close the 'old' public right of way for the necessary period so that works associated with the creation of the new footpath can be undertaken.
- 5.4 The costs of design and creation would be met by the land owner and/or the land occupier. The costs of making the Combined Public Path Diversion Order to be met by the Council.

6. Option Two

- 6.1 The second option entails complying with normal procedure and making a Definitive Map Modification Order, (DMMO), which would go for a 6-week period of public notification; the general procedure and consequences being outlined above, 4.1 to 4.6.
- 6.2 Irrespective of whether the Order was opposed and that it would then have to be submitted to the Planning Inspectorate, it is assumed that at some point in the future, the Order would be confirmed. This would mean that the original route, as detailed in the original application, would need to be reinstated to at least the standard and quality that it was in at the time of the application.
- 6.3 This on its own is costly and only meets the aim of adding the route to the Definitive Map. It does not address public safety.

7. Option Two in Practice

- 7.1 Enhancements could be made to better identify the footpath, (a "Zebra Crossing" over the concrete concourse) and possibly flashing Amber Warning Lights either side of the concourse; activated by sensors set back into the Delivery Area that react to traffic movement.
- 7.2 More importantly, in order to address the inter-visibility between drivers and pedestrians, the brick-built storage compound would need to be relocated further north-westwards towards the main building structure, but remaining within the verge area. Such works may negate the need for warning devices as outlined in 7.1
- 7.3 Relocation of the storage compound would create open space that would greatly improve clear visibility between vehicles and pedestrians.

- 7.4 The compound is presently owned / administered by this Council's Corporate Portfolio; therefore to relocate will need the additional consideration of officers with relevant responsibilities and the consent of land owner / occupier.
- 7.5 It has been confirmed that the storage compound is still used on a daily basis by an SCC street cleaning operative who stores equipment enabling the maintenance of the Lordshill area.
- 7.6 The question as to who would fund the relocation has not been addressed, however, costs associated with the making of the Order and the improvements required to re-open the footpath would have to be met by the land owner / occupier.
- 7.7 Should the Order have to be submitted to the Planning Inspectorate, the land owner and Southampton City Council would have to bear their own costs.

8. Conclusions on Pedestrian Safety

- 8.1 As detailed within the Safety Report that accompanied this investigation, the installation of the railings that instigated the Schedule 14 Application, appear to have been the result of one minor incident in March 2009.
- 8.2 Prior to that, the route had been in existence for at least 25 years and had been accepted by the public who, by using the route, accepted the inherent risk of crossing the concrete concourse of the Service Delivery Area.
- 8.3 The statistical evidence provided by this Council's Highways Partners, Balfour Beatty, does not include any record of other instances that were facilitated by use of the original footpath.
- 8.4 Therefore, provided enhancements are carried out to the original route which open up sight lines and provides demarcations as to where the public may actual cross the concourse, such measures might satisfy the minimum requirement for user safety, but would not entirely negate risk.

9. Conclusions on Options

- 9.1 It is appreciated that many users have been disenfranchised of access to the Lord's Hill Shopping Centre, in that use of the only available alternative route entails steep inclines that either they or their mobility aids cannot cope with, certainly in adverse weather, and that therefore time is an essential factor in concluding the matter.
- 9.2 Whilst both options entail legal processes that will take time, the main obstacle to option 2 is considered to be the added time and costs associated with the relocation of the Storage Compound.
- 9.3 Accounting for the additional works that option 2 involves, there is absolutely no guarantee that such measures would negate all risks associated with crossing the entrance to the Delivery Service Area.
- 9.4 The land owner and occupier are adamant that public safety should be paramount and therefore the making of a DMMO would attract their objection, resulting in

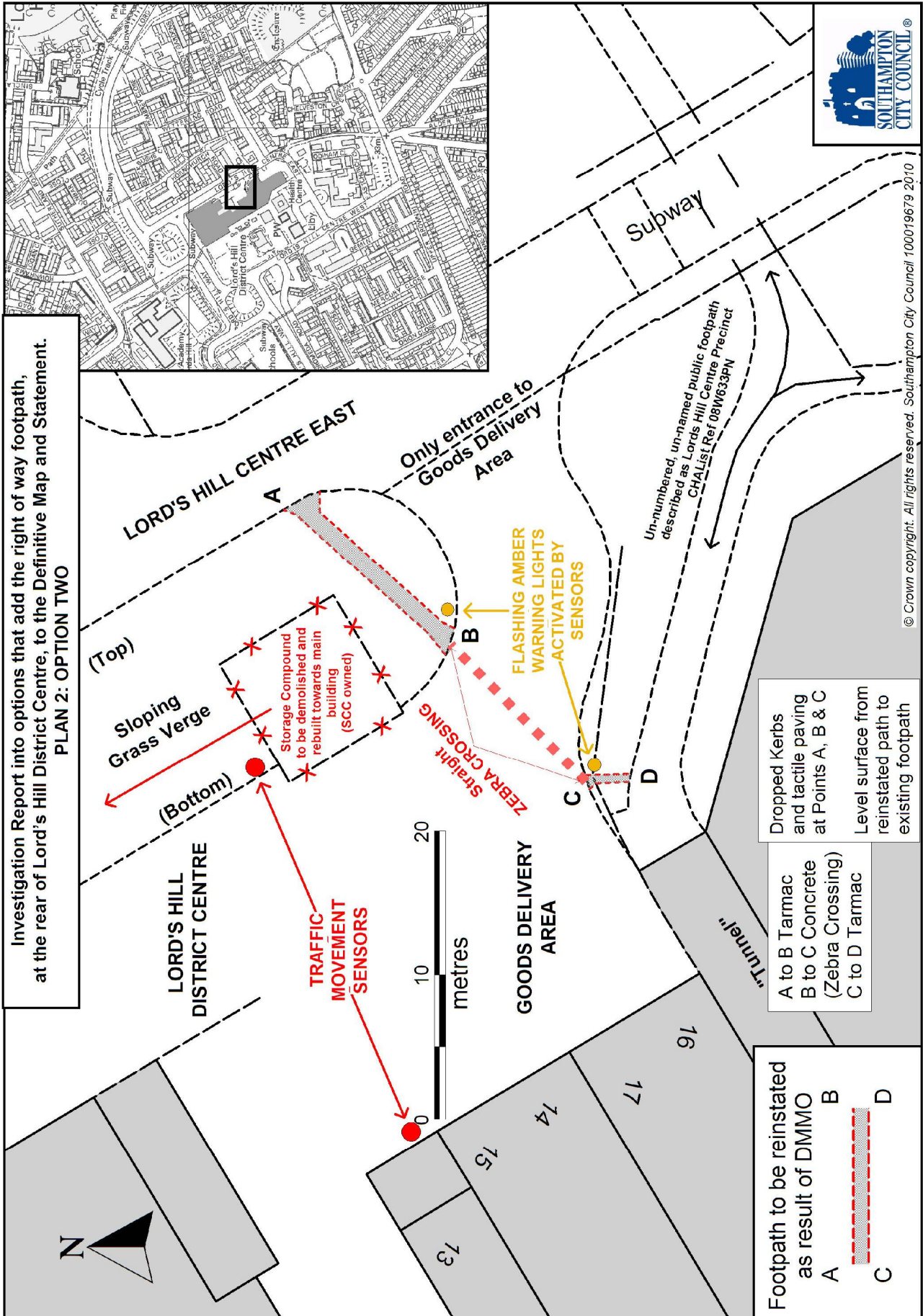
protracted timescales in having to submit the opposed Order to the Planning Inspectorate for determination.

- 9.5 Option 1, with optimum cost, ensures the safety of users by taking them off the concrete concourse and closer to the “table” crossing area above the underpass on Lord’s Hill Centre East carriageway; it allows retention of the amenity land occupied by young trees and maintains a wide egress at the Delivery Service Area for vehicular movement .

10. Recommendation

That the original route, now designated a public right of way footpath, be diverted to an alignment as illustrated on Plan 1 appended to this report, by means of a Combined Public Path Diversion Order under the relevant section of the Highways Act 1980.

PLAN 2



DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL
SUBJECT:	PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT
DATE OF DECISION:	15 FEBRUARY 2011
REPORT OF:	HEAD OF PLANNING AND SUSTAINABILITY
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

This report introduces an appendix that provides an update on the main activities of the Rights of Way function and is supplementary to the quarterly update reports sent by email to Panel members during 2010.

RECOMMENDATION:

That Panel note the contents of the Report and Appendix as a means of bringing it up-to-date with some of the current key issues affecting the Rights of Way function.

REASONS FOR REPORT RECOMMENDATIONS

1. It was resolved by the Planning and Rights of Way Panel at its meeting on 8th January 2008 that an update report is received annually with interim e-mail updates to the Panel members (Minute 38).
2. To consolidate the three interim e-mailed update reports sent to Panel Members during 2010.
3. To inform Panel of those activities and issues which have developed since the last quarterly report September 2010.

DETAIL (Including consultation carried out)

Consultations

4. A draft (version 1) of this report and appendix was sent to officers within Legal, Finance, Travel and Transport Policy and the Cabinet Member with Portfolio for Environment and Transport.

Alternative Options

5. There were no alternatives considered as the topics outlined in the Appendix are statutory duties and the action of reporting to Panel complies with a previous resolution of January 2008.

Statutory Responsibilities

6. The overall duty of the Rights of Way Section is to fulfil the City Council's statutory responsibilities in respect of:-
 - The National Parks and Access to the Countryside Act 1949 (NP&AC);
 - The Countryside Act 1968 (CA);
 - The Highways Act 1980 (HA);
 - The Wildlife and Countryside Act 1981 (W&C);

- The Countryside and Rights of Way Act 2000 (CROW);
- The Marine and Coastal Access Act 2009 (MCA); and
- All other legislation that impacts on public rights of way within the City.

Statutory Duties

7. Primary duties include the:-

- review and maintenance of a Definitive Map and Statement;
- (preparation, publication), implementation and monitoring of a Rights of Way Improvement Plan;
- representing the City Council on the Local Access Forum, (the Hampshire Countryside Access Forum) and other bodies as required and
- consideration, assessment and investigation of Schedule 14 applications submitted by the public under section 53(5) of the W & C Act 1981.

Other Responsibilities

8. Some of the non statutory work undertaken includes the:-

- preparation, implementation, recording and reporting on a Local Performance Indicator, (ex BVPI 178; made obsolete in favour of National Indicators that do not include any for public rights of way);
- enforcement to remove obstructions from rights of way;
- historic research and investigation of routes that are potentially rights of way as part of the continuous review of the Definitive Map and Statement as directed by section 53(3)(c) of the W & C Act 1981;
- guidance to planning officers and others in respect of developments that impact on rights of way or potential rights of way; and
- response to all manner of enquiries from the public, Council Members, Council Officers, outside bodies, Government Departments and other Local Authorities.

RESOURCE IMPLICATIONS

Capital/Revenue

9. **Capital:** None

10. **Revenue:**

- The responsibilities to which this report refers result from statutory duties placed on the Council by various legislation and therefore any financial implications have not been taken into account.
- Funding for the rights of way service is currently contained within the Environment and Transport Revenue Estimates, under the Planning and Sustainability Division.

Property/Other

11. There are no implications resulting from this report, its recommendation or its appendix.

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

12. None

Other Legal Implications:

13. Those Acts that direct the rights of way function;
- Sections 53(2) and (3) of the Wildlife and Countryside Act 1981;
 - Sections 60 and 61 of the Countryside and Rights of Way Act 2000;
 - Section 61(1)(e) of the Countryside and Rights of Way Act 2000;
 - Section 94 of the Countryside and Rights of Way Act 2000;
 - Section 17 of the Crime and Disorder Act 1998;
 - Natural Environment and Rural Communities Act 2006;
 - The Highways Act 1980, as amended by various statutes including the Clean Neighbourhoods and Environment Act 2005; and
 - The Human Rights Act 1998 and anti-discrimination legislation.

POLICY FRAMEWORK IMPLICATIONS

14. Whilst the publication of an Improvement Plan and maintenance of a Definitive Map and Statement are statutory duties, the tasks associated with these and much of the work carried out by the rights of way section endeavours to meet the aims and objectives of several plans and strategies that constitute the Policy Framework:
- The City of Southampton Strategy: A 20-year vision
 - Corporate Improvement Plan 2010/13
 - City of Southampton Local Plan Review 2006
 - Community Safety Strategy
 - City of Southampton Local Transport Plan 2006/11
 - Medium Term Plan
 - Green Spaces Strategy 2008

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SUPPORTING DOCUMENTATION

Appendices

1.	Report of the Rights of Way Section on its activities since September 2010
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Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	NO
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Other Background Documents

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
Integrated Impact Assessment and Other Background documents available for inspection at:		N/A
WARDS/COMMUNITIES AFFECTED:	ALL	

Report of the Rights of Way Section on its activities since September 2010

1. Introduction

- 1.1 This report complies with the resolution, recorded as minute 38 of the Planning & Rights of Way Panel meeting 8th January 2008; that an update report be received annually by the Panel, with interim e-mail updates to Panel Members.
- 1.2 Since the last full report to Panel, January 2010, there have been three interim reports; March, June and September 2010.
- 1.3 The purpose of this paper is to précis those interim reports and update Panel on more recent activities, thereby giving Panel the opportunity to comment.

2. Responsibilities

- 2.1 The overall duty of the Rights of Way Section is to fulfil the City Council's statutory responsibilities in respect of:-
 - The National Parks & Access to the Countryside Act 1949, (NP&AC);
 - The Countryside Act 1968, (CA);
 - The Highways Act 1980, (HA);
 - The Wildlife & Countryside Act 1981, (W&C);
 - The Countryside & Rights of Way Act 2000, (CROW);
 - The Marine & Coastal Access Act 2009, (MCA); and
 - All other legislation that impacts on public rights of way within the City.
- 2.2 Primary duties include the:-
 - review and maintenance of a Definitive Map & Statement;
 - (preparation, publication), implementation and monitoring of a Rights of Way Improvement Plan;
 - representing of the City Council on the Local Access Forum, (the Hampshire Countryside Access Forum) and other bodies as required and
 - consideration, assessment and investigation of Schedule 14 applications submitted by the public under section 53(5) of the W & C Act 1981.
- 2.3 Other Responsibilities include the:-
 - preparation, implementation, recording and reporting on a Local Performance Indicator, (ex BVPI 178, now obsolete in favour of National Indicators that do not include any for public rights of way);
 - enforcement to remove obstructions from rights of way;
 - historic research and investigation of routes that are potentially rights of way as part of the continuous review of the Definitive Map and Statement as directed by section 53(3)(c) of the W & C Act 1981;
 - guidance to planning officers and others in respect of developments that impact on rights of way or potential rights of way; and
 - response to all manner of enquiries from the public, Council Members, Council Officers, outside bodies, Government Departments and other Local Authorities.

3. Definitive Map & Statement; Ward Review

- 3.1 The Ward Review for Bassett has been successfully completed with an additional 19 rights of way being added to the Definitive Map & Statement.
- 3.2 The remaining Definitive Map Modification Order to add two Restricted Byways to the Map is presently being determined by the Planning Inspectorate by means of written representations.

4. Definitive Map & Statement; Legal Events

- 4.1 The outcome of the Public Inquiry in August this year successfully concluded with the Inspector confirming the Order which has now added the right of way footpath between Bassett Green Road and Bassett Wood Road on the Definitive Map.

5. Other Actions

5.1 Schedule 14 Applications

The Schedule 14 Application to have the footpath that lies to the rear of Sainsbury's, Lord's Hill District Centre, added to the Definitive Map & Statement has been investigated and was presented to panel for its consideration of the evidence.

Panel determined that public rights had accrued over the route and therefore, it should be added to the Definitive Map & Statement.

In order to consider the best means of securing this and address the pedestrian safety issue that initiated the application, the Rights of Way Officer was tasked with returning to Panel with a report on the options available supplemented with a report on the safety issues.

5.2 Rights of Way Improvement Plan, (RoWIP).

Since the annual Full Report to Panel, January 2009, which included a summary list of the status for all actions from the RoWIP (as at December 2009), there has been progress within most of the generic actions.

Work has resumed on the Procedures and Management Framework document that was identified as a requirement within the Action Plan, I.D. C2.

5.3 Local Transport Plan; LTP3

The rights of way section is preparing input into the LTP3 document.

5.4 Coastal Access

Part 9 of the Marine and Coastal Access Act 2009 introduced new powers that extend recreational access to the coast, placing a duty on the Secretary of State

and Natural England to secure, as far as possible, a continuous signed and managed long distance route accessible on foot.

Presently, there is no involvement required from this Authority, as the primary aim of Natural England is securing coastal access in and around Weymouth, in preparation for the Olympic and Paralympics sailing events in 2012. The consultation on these proposals ended 10th January 2011

The latest information available from Natural England, as at August 2010, states:

“As a result of a five percent reduction to this year’s budget Natural England has needed to assess the scope and delivery of some of its in-year programmes. Five local authorities (Cumbria, East Riding of Yorkshire, Somerset, Kent and Norfolk) are involved in the implementation of the first phases of the roll out of the All England Coastal Path. Work at the Weymouth stretch of the coast path is continuing but the five local authorities have been informed that the scale and scope of the initial roll out in their areas will need to be reduced to accommodate the reductions in this year’s budget.

It is incorrect to say that the coastal access project has been shelved; the availability of funding for a wider rollout of coastal access schemes will become clearer following the Comprehensive Spending Review process expected to be completed this autumn.

Natural England is continuing with the roll out in the five pilot areas and will await clarification from the CSR process about the long term budget that is likely to be available for funding rollout in these areas and elsewhere.”

5.5 Southampton Online

The new look website, Southampton Online, went live in October 2009 and includes pages on public rights of way. These are closely monitored to reflect changes and news, together with the interactive on-line plan of Rights of Way and Research Projects, which is constantly updated as a result of successful additions of rights of way and/or new routes that require investigation. (Direct link being at www.southampton.gov.uk/rightsofway)

5.6 Planning & Development

The rights of way section, as an internal consultee, has been involved in several planning applications and pre-applications that impact on rights of way or potential rights of way, including proposed regeneration of ex-car park areas within Thornhill and other locations.

5.7 Cross Boundary Routes

The rights of way section is an active participant in the Solent CAP Working Group, a subgroup of the Hampshire Countryside Access Forum to which Southampton is a tripartite member. Hampshire produced 7 Rights of Way

Improvement Plans for differing geographical parts of the County, terming them Countryside Access Plans, (CAP’s).

The purpose of the Solent CAP Working Group is to facilitate and carry out the improvements that were identified within the Solent CAP area; SCC’s involvement being to address those issues that cross-boundary with Southampton.

5.8 PATHH Project

The Hampshire Countryside Access Forum recently won Heritage Lottery Funding to carry out a major county-wide research project in continuance of the old Discovering Lost Ways national project.

Providing Access To Hampshire's Heritage, PATHH, was initiated by the Hampshire Countryside Access Forum, the project being managed by the Hampshire and Wight Trust for Maritime Archaeology and supported by Hampshire County Council and the New Forest Access Forum.

Southampton has been invited to join the steering group and participate in the project which seeks to identify historical routes that can help fill the gaps in the rights of way network, an action contained in relevant Improvement Plans.

After Hampshire Countryside Access Forum ran a successful pilot project in 2008, the new PATHH project has been expanded across the whole county, with invites to Southampton and Portsmouth to participate.

6. Resources

- 6.1 Due to Divisional Restructuring late 2010, the Assistant Right of Way Officer post was deleted, with the incumbent having taken redundancy. This has resulted in Rights of Way reverting to a sole-officer function.
- 6.2 The work and responsibilities that were assigned to the redundant post will, in part, be absorbed into those carried out by the Rights of Way Officer.
- 6.3 As the work and responsibilities within the function overall have increased over the last several years, consideration has had to be given to prioritising them and which will result in a short-fall in the projected work-plan for the Ward Review.
- 6.4 There will also be a reduction in facility time to respond to status enquiries, land charges searches, planning application consultations and implementing actions identified within the Rights of Way Improvement (Action) Plan.

End DP Blakeway

January 2011

Action Plan: by ID

ID	Action	Priority	Spend	When	Involving	Year	07	08	09	10	11	12	13	14	15	16	17
M1	Investigate the use of Field Operatives to monitor and assess seasonal vegetation growth and general route conditions.	H	REV	2007 - 08	RoW / Hwys		C										
M2	To carry out a feasibility study towards instigating a programme of general maintenance and cutback, (including height clearance for cyclists & horse riders), which is independent of current practices involving other divisions.	H	REV	2007 - 09	RoW / NP / P & OS			C									
M3	To establish maintenance regimes around wildlife and ecological considerations, e.g. nesting birds.	M	CAP	2008 - 10	RoW / P & OS / Hwys				C								
M4	Upgrade surfaces where appropriate to accommodate less mobile users.	M	REV	2010 - 13	RoW / P & OS / Hwys												
M5	Where appropriate and conducive, install waste bins for both litter and dog waste.	L	CAP	2013 - 17	RoW / P & OS / Hwys												
M6	Where appropriate and conducive, improve lighting along routes with consideration to wildlife, e.g. bats.	L	CAP	2013 - 17	RoW / SL / Hwys												
A1	Where appropriate and conducive, assess removal of barriers, stiles or gates that obstruct free use by wheelchairs and similar, but with reservation that in some cases barriers assist in the reduction of anti-social and criminal behaviour.	M	REV	2010 - 17	RoW / P & OS / Hwys												
A2	During the continuous review of the Definitive Map, to place more strategic importance on routes that link open space, schools, shops and other local amenities and that link to the wider countryside.	H	REV	2007 - 17	RoW		I/H										
A3	Negotiate for the upgrade of suitable routes to Bridleway or Restricted Byway, where practical, to extend the equestrian and cycle networks with consideration to ecological issues.	L	REV	2012 - 17	RoW / BHS / Users												
A4	Ensure that routes affected by proposed development are considered in the planning application and development control process.	H	REV	2007 - 17	RoW / P & DC		I/H										
A5	Prepare guidance notes for planners and developers that advise on routes and public rights of way affected by proposed developments.	M	REV	2008 - 11	RoW / P & DC			I/H									
A6	To assess and advise on the creation of new routes as part of the planning and development process.	H	CAP	2007 - 17	RoW / P & DC		I/H										
A7	To advise on any proposals that develop waterside areas where it is possible to create links to other existing or planned routes.	M/H	REV	2009 - 10	RoW / P & DC		I/H										
A8	To liaise with the Planning Ecologist when creating, upgrading or working on routes when in ecologically sensitive areas.	M	REV	2007 - 17	RoW / PEco / P&DC		I/H										
A9	To strengthen links to water user groups and develop improvements to access to water via known public hard, quays and slipways, and make better use of non-tidal waterways.	M	REV	2009 - 11	RoW / Hwys / Users												
A10	To upgrade and improve the quality of signposts to better combat vandalism.	H	REV	2007 - 09	RoW		I/H										
A11	To carry out a sign and route condition audit to better identify signing needs and improvements.	H	REV	2007 - 09	RoW		C										
A12	To improve road safety at road crossings where rights of way and link routes meet main carriageways.	M	CAP	2011 - 17	RoW / Hwys / HCC												
A13	To work more closely with adjoining Local Authorities on actions within this RoWIP that involve cross-boundary issues.	M	REV	2007 - 17	RoW / HCC			I/H									
A14	To research internal and external opportunities for funding projects to improve the rights of way network and other access issues.	H	REV	2007 - 17	RoW		I/H										
C1	Strengthen links with local community groups to ensure they are aware of / involved in the overall management of rights of way and access issues by closer involvement with Neighbourhood Partnerships.	H	REV	2007 - 09	RoW / NP / Users		I/H										
C2	To prepare and present to the relevant Council committee proposals for a comprehensive policy document on rights of way, to involve the Local Access Forum, (Hampshire Countryside Access Forum) during preparation stage.	H	REV	2007 - 10	RoW / NP / Users / HCAF / L & DS		I/H										
C3	To prepare and publish a new reformatted version of the Definitive Map & Statement by late 2009.	H	REV	2007 - 09	RoW				I/H								
C4	To prepare leaflets on rights of way; their meaning, status, where they are and the Definitive Map.	M	REV	2008 - 10	RoW / P & OS / PEco / P & DC			I/H									
C5	To prepare leaflets that promote walks to and within open spaces, outlining topics of interest, such as flora and fauna, and which are available to different users in other languages or medium.	L	REV	2011 - 13	RoW / P & OS / PEco												
C6	To prepare leaflets aimed at promoting responsible use of the network, and the rights and responsibilities of users and landowners.	M	REV	2009 - 11	RoW												
C7	To revise internal procedures for responding to allegations of misleading signs on or along rights of way.	M	REV	2011 - 13	RoW												
C8	To encourage use of the network by including destination, distance and user information on signposts.	M	CAP	2011 - 13	RoW												
C9	To produce a biannual rights of way newsletter for all interested groups and individuals.	H	REV	2007 - 08	RoW			C									
C10	To increase the amount of rights of way information available on the City Council's web pages.	H	REV	2007 - 09	RoW / IT				C								
C11	To undertake a feasibility study into creating an interactive Definitive Map facility for Southampton.	M	CAP	2010 - 13	RoW / IT			C									

BHS British Horse Society
HCAF Hampshire Countryside Access Forum
HCC Hampshire County Council,
(Rights of Way Section)
Hwys (Highways) Balfour Beatty Group

IT Information Technology Unit
Southampton City Council
L & DS Legal & Democratic Services,
Southampton City Council
NP Neighbourhood Partnerships

P & DC Planning & Development Control,
Southampton City Council
P & OS Parks & Open Spaces,
Southampton City Council
PEco Planning Ecologist,
Southampton City Council

RoW Rights of Way Section,
Southampton City Council
SL Street Lighting
Users User groups
C COMPLETED or IN HAND,
I/H as at DEC 2010

CAP Capital Spend
REV Revenue Spend
→ On-going

Action Plan: by Priority

ID	Action	Priority	Spend	When	Involving	Year	07	08	09	10	11	12	13	14	15	16	17
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M1	Investigate the use of Field Operatives to monitor and assess seasonal vegetation growth and general route conditions.	H	REV	2007 - 08	RoW / Hwys	C													
M2	To carry out a feasibility study towards instigating a programme of general maintenance and cutback, (including height clearance for cyclists & horse riders), which is independent of current practices involving other divisions.	H	REV	2007 - 09	RoW / NP / P & OS	C													
A2	During the continuous review of the Definitive Map, to place more strategic importance on routes that link open space, schools, shops and other local amenities and that link to the wider countryside.	H	REV	2007 - 17	RoW	I/H													
A4	Ensure that routes affected by proposed development are considered in the planning application and development control process.	H	REV	2007 - 17	RoW / P & DC	I/H													
A6	To assess and advise on the creation of new routes as part of the planning and development process.	H	CAP	2007 - 17	RoW / P & DC	I/H													
A10	To upgrade and improve the quality of signposts to better combat vandalism.	H	REV	2007 - 09	RoW	I/H													
A11	To carry out a sign and route condition audit to better identify signing needs and improvements.	H	REV	2007 - 09	RoW	C													
A14	To research internal and external opportunities for funding projects to improve the rights of way network and other access issues.	H	REV	2007 - 17	RoW	I/H													
C1	Strengthen links with local community groups to ensure they are aware of / involved in the overall management of rights of way and access issues by closer involvement with Neighbourhood Partnerships.	H	REV	2007 - 09	RoW / NP / Users	I/H													
C2	To prepare and present to the relevant Council committee proposals for a comprehensive policy document on rights of way, to involve the Local Access Forum, (Hampshire Countryside Access Forum) during preparation stage.	H	REV	2007 - 10	RoW / NP / Users / HCAF / L & DS	I/H													
C3	To prepare and publish a new reformatted version of the Definitive Map & Statement by late 2009.	H	REV	2007 - 09	RoW														
C9	To produce a biannual rights of way newsletter for all interested groups and individuals.	H	REV	2007 - 08	RoW	C													
C10	To increase the amount of rights of way information available on the City Council's web pages.	H	REV	2007 - 09	RoW / IT														
A7	To advise on any proposals that develop waterside areas where it is possible to create links to other existing or planned routes.	M/H	REV	2009 - 10	RoW / P & DC	I/H													
M3	To establish maintenance regimes around wildlife and ecological considerations, e.g. nesting birds.	M	CAP	2008 - 10	RoW / P & OS / Hwys														
M4	Upgrade surfaces where appropriate to accommodate less mobile users.	M	REV	2010 - 13	RoW / P & OS / Hwys														
A1	Where appropriate and conducive, assess removal of barriers, stiles or gates that obstruct free use by wheelchairs and similar, but with reservation that in some cases barriers assist in the reduction of anti-social and criminal behaviour.	M	REV	2010 - 17	RoW / P & OS / Hwys														
A5	Prepare guidance notes for planners and developers that advise on routes and public rights of way affected by proposed developments.	M	REV	2008 - 11	RoW / P & DC														
A8	To liaise with the Planning Ecologist when creating, upgrading or working on routes when in ecologically sensitive areas.	M	REV	2007 - 17	RoW / PEco / P&DC	I/H													
A9	To strengthen links to water user groups and develop improvements to access to water via known public hard, quays and slipways, and make better use of non-tidal waterways.	M	REV	2009 - 11	RoW / Hwys / Users														
A12	To improve road safety at road crossings where rights of way and link routes meet main carriageways.	M	CAP	2011 - 17	RoW / Hwys / HCC														
A13	To work more closely with adjoining Local Authorities on actions within this RoWIP that involve cross-boundary issues.	M	REV	2007 - 17	RoW / HCC														
C4	To prepare leaflets on rights of way; their meaning, status, where they are and the Definitive Map.	M	REV	2008 - 10	RoW / P & OS / PEco / P & DC														
C6	To prepare leaflets aimed at promoting responsible use of the network, and the rights and responsibilities of users and landowners.	M	REV	2009 - 11	RoW														
C7	To revise internal procedures for responding to allegations of misleading signs on or along rights of way.	M	REV	2011 - 13	RoW														
C8	To encourage use of the network by including destination, distance and user information on signposts.	M	CAP	2011 - 13	RoW														
C11	To undertake a feasibility study into creating an interactive Definitive Map facility for Southampton.	M	CAP	2010 - 13	RoW / IT														
M5	Where appropriate and conducive, install waste bins for both litter and dog waste.	L	CAP	2013 - 17	RoW / P & OS / Hwys														
M6	Where appropriate and conducive, improve lighting along routes with consideration to wildlife, e.g. bats.	L	CAP	2013 - 17	RoW / SL / Hwys														
A3	Negotiate for the upgrade of suitable routes to Bridleway or Restricted Byway, where practical, to extend the equestrian and cycle networks with consideration to ecological issues.	L	REV	2012 - 17	RoW / BHS / Users														
C5	To prepare leaflets that promote walks to and within open spaces, outlining topics of interest, such as flora and fauna, and which are available to different users in other languages or medium.	L	REV	2011 - 13	RoW / P & OS / PEco														

BHS British Horse Society
 HCAF Hampshire Countryside Access Forum
 HCC Hampshire County Council, (Rights of Way Section)
 Hwys (Highways) Balfour Beatty Group
 IT Information Technology Unit
 L & DS Southampton City Council
 NP Neighbourhood Partnerships
 P & DC Planning & Development Control, Southampton City Council
 P & OS Parks & Open Spaces, Southampton City Council
 PEco Planning Ecologist,
 RoW Rights of Way Section, Southampton City Council
 SL Street Lighting
 Users User groups
 C COMPLETED or IN HAND, as at DEC 2010
 I/H
 CAP Capital Spend
 REV Revenue Spend
 → On-going

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DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL
SUBJECT:	STREET NAMING – GARAGE SITE, GRATELEY CLOSE
DATE OF DECISION:	15 FEBRUARY 2011
REPORT OF:	HEAD OF PLANNING AND SUSTAINABILITY
STATEMENT OF CONFIDENTIALITY	
NOT APPLICABLE	

BRIEF SUMMARY

This report recommends the name ‘Shire Horse Close’ as the street name for the new housing development under construction on the former garage site at Grateley Close, Weston.

RECOMMENDATIONS:

- (i) Members are asked to consider the proposed name and agree this report’s recommendations.
- (ii) A list of all the names to be considered for this development are attached at Appendix 1

REASONS FOR REPORT RECOMMENDATIONS

1. The purpose of this report is to decide the name of a new street to enable postal addresses to be allocated to the properties before occupants take residence.
2. Also, utility companies will not install services without an official postal address allocated by the City Council.

DETAIL (Including consultation carried out)

3. Southampton City Council are building 9 new properties on the site of 12 under-used garages at Grateley Close, Weston. A plan indicating the location is attached in Appendix 2.
4. The developer submitted a list of proposed street names which are attached at Appendix 1.
5. The Royal Mail has been consulted on all the names proposed. They have raised objection to the names ‘Lawrence Close’ and ‘Longstock Close’ because they are similar to existing street names. All the other names are acceptable.
6. The street name ‘Shire Horse Close’ is not being used within the City and the Royal Mail has raised no objection. It is recommended that the proposed name should be supported.

RESOURCE IMPLICATIONS

Capital/Revenue

7. There are no financial implications associated with this report. Street nameplates will be funded by the developer.

Property/Other

8. None

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

9. The power for the City Council to name streets is contained in the Town Improvement Clauses Act 1847.

Other Legal Implications:

10. None

POLICY FRAMEWORK IMPLICATIONS

11. None

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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	List of Proposed Street Names
2.	Site Plan

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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Other Background Documents

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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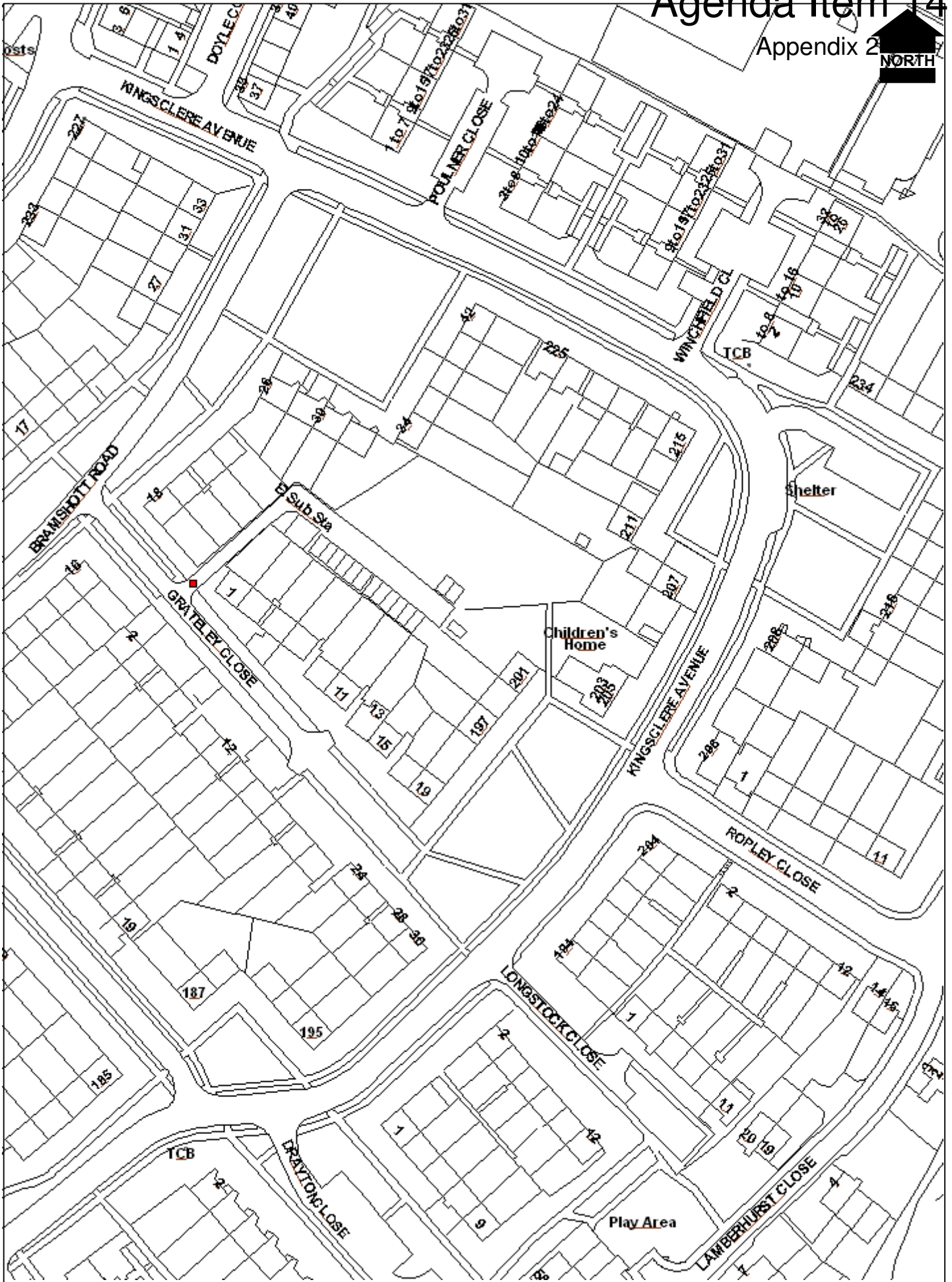
1.	N/A
Integrated Impact Assessment and Other Background documents available for inspection at:	
WARDS/COMMUNITIES AFFECTED:	Woolston

Agenda Item 14

Appendix 1

CONSULTEE	SUGGESTION	SUPPORTING COMMENTS	ROYAL MAIL
Councillor Baillie	Lawrence Close	It would appear that T E Shaw (Lawrence of Arabia) had been seconded to the British Powerboat Company (at Hythe) by the RAF in 1931 and lodged close to the site.	The Royal Mail have raised objection due to an existing 'Lawrence Grove' within the vicinity of the site.
Councillor Baillie	Shire Horse Close	The name has been suggested after a local public house in Grateley and is the preferred choice of the Councillor and developer.	No Objection
Councillor Baillie	Longstock Close	The name given to a village close to Grateley.	Objection has been raised due to an existing Longstock Close within the City.
Local Resident	West Wood Drive	The name suggested is after a local nature reserve which is known as 'Westwood'.	No objection was raised by the Royal Mail however the SNN Officer felt that the name may be confused with West Wood Road.
The developer	Andover Close	Geographically Andover is the biggest town nearest to Grateley.	No objection
The developer	Spearywell Close	Named after a village close to Grateley	No objection
The developer	Cockerell Close	Suggested after the late Sir Christopher Cockerell who lived just over the Solent from the site (in Hythe) and is credited with developing the hovercraft.	No objection

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Scale : 1:1250

Date :01 February 2011

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