

# Planning and Rights of Way Panel (WEST)

Tuesday, 24th June, 2014  
at 6.00 pm

## **PLEASE NOTE TIME OF MEETING**

Conference Room 3 and 4 - Civic  
Centre

This meeting is open to the public

### **Members**

Councillor Lewzey (Chair)  
Councillor Fitzhenry  
Councillor Hecks  
Councillor Lloyd  
Councillor Mintoff

### **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 Priorities

- **Economic:** Promoting Southampton and attracting investment; raising ambitions and improving outcomes for children and young people.
- **Social:** Improving health and keeping people safe; helping individuals and communities to work together and help themselves.
- **Environmental:** Encouraging new house building and improving existing homes; making the city more attractive and sustainable.
- **One Council:** Developing an engaged, skilled and motivated workforce; implementing better ways of working to manage reduced budgets and increased demand.

**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 2014/15

#### Planning and Rights of Way - WEST

2014	2015
24 June 2014	27 January 2015
22 July	24 February
19 August	24 March
16 September	21 April
14 October	
11 November	
9 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 3.

## **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PECUNIARY INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **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 ELECTION OF VICE CHAIR**

To appoint a Vice Chair to the Panel for this municipal year.

### **3 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary 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 Democratic Support Officer.

### **4 STATEMENT FROM THE CHAIR**

### **5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

To approve and sign as a correct record the Minutes of the meeting held on 13 May 2014 and to deal with any matters arising, attached.

## **CONSIDERATION OF PLANNING APPLICATIONS**

### **6 TANNERS BROOK PRIMARY SCHOOL, ELMES DRIVE SO15 4PF 14/00346/R3CFL**

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

### **7 SOUTHAMPTON GENERAL HOSPITAL, TREMONA ROAD 14/00574/FUL**

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

**8 MAYFLOWER PARK, HERBERT WALKER AVENUE 14/00636/FUL**

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

**9 CENTRAL SITE, WEST QUAY PHASE 3, HARBOUR PARADE 14/00668/REM**

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

**10 BROOKLANDS COURTYARD, FIRST AVENUE SO15 0LJ 14/00692/FUL**

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

**11 NATIONAL OCEANOGRAPHY CENTRE, EUROPEAN WAY 14/00399/FUL**

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

Monday, 16 June 2014

HEAD OF LEGAL AND DEMOCRATIC SERVICES

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SOUTHAMPTON CITY COUNCIL  
PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 13 MAY 2014

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Present: Councillors Mrs Blatchford (Chair), Claisse, Cunio (Vice-Chair), L Harris, Lewzey (Except Agenda Item 8 / Minute 135), Lloyd and Norris

130. **STATEMENT FROM THE CHAIR**

The Chair expressed her thanks to the Panel for their service over the past year on this last meeting of the municipal year and on behalf of the Panel expressed thanks to Councillor Cunio who would not be standing for re-election in the forthcoming City elections.

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

**RESOLVED** that the minutes of the meeting held on 22<sup>nd</sup> April 2014 be approved and signed as a correct record.

132. **13/01940/FUL 11-12 VINERY ROAD**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Retention of building works already undertaken, reconstruction and extension to form a block of five self-contained flats (four x two bedroom, one x three bedroom).

Stephen Loosemore (local resident / objecting) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the applicant had submitted an appeal for non determination with respect to this application and that the recommendation had been amended as, in order to defend the appeal the Local Planning Authority needed to indicate to the Planning Inspector what the Council's decision would have been had an appeal for non-determination not been made prior to the Planning Committee's consideration of the application.

The Planning Officer also reported that Condition 1 had been deleted and wording to Condition 9 regarding the Code for Sustainable Homes amended.

**Amended Condition**

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

Before the commencement of any further site works, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for

Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

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

**RESOLVED** to indicate to the Planning Inspector that the Council's decision would have been to refuse the application had an appeal for non-determination not been made by the applicant prior to the Planning Committee meeting being held.

### Reasons for Refusal

#### 1. REFUSAL REASON - Overdevelopment of the site/Impact on Neighbour.

The proposed development by reason of its design, depth of two-storey rear projection, height, massing and proximity to the boundary with 13 Vinery Road would appear unduly dominant and overbearing when viewed from 13 Vinery Road and would be harmful to the character and appearance of the area. Furthermore the proposed roof extension by reason of bulk and massing and contrived dormer design would be out of keeping with the host building, harmful to the visual amenities of the area and would appear overbearing and unduly dominant when viewed from neighbouring occupiers. The aforementioned concerns are symptomatic of a site overdevelopment. The development proposal is therefore contrary to 'saved' Policies SDP1 (i), (and be contrary to paragraphs 2.2.1 and 2.2.18, 2.3.1, 2.3.2, 2.5.2 and 2.5.4 of the approved Residential Design Guide SPD 2006) SDP7 (iv) and (v) and SDP9 (i) and (v) of the adopted saved City of Southampton Local Plan March 2006 and Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010).

#### 2. REFUSAL REASON - Parking.

In spite of the parking survey, the intensification of the use of the property with nil parking to support it would result in localised overspill parking from the development to the detriment of existing neighbours who are reliant on the street for parking and who would then face further competition for space and the possibility of parking further away from their homes. The development proposal is therefore contrary to approved Policy SDP1 (i) of the saved City of Southampton Local Plan March 2006 and the requirements of the Council's Approved Parking Standards SPD (2011).

### 133. **14/00074/FUL - 57 WESTRIDGE ROAD**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Change of use from six-bedroom House in Multiple Occupation (Class C4) to eight-bedroom HMO [Retrospective].



David Neame (agent), Mrs Mansfield and Mrs Theobald (local residents / objecting) and Councillor Vinson (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported:-

- amendments to the conditions relating to cycle and refuse storage;
- receipt of a Parking Survey; and
- that the property had been registered as six person HMO (C4 Use) on 8 March 2012 and re-registered as an eight person HMO (Sui Generis Use) on 30 March 2012.

### Amended Conditions

#### 2. APPROVAL CONDITION – Refuse storage

Within two months of the decision notice details shall be submitted to be agreed in writing by the Local Planning Authority for refuse storage providing facilities for domestic and recyclable waste, where the structure shall not be taller than the existing front boundary treatment. Unless the approved scheme is carried out and completed within one month of the Local Planning Authority's approval, the occupation of the use approved shall cease until such time as details of the refuse storage referred to above have been submitted, approved and the works completed to the written satisfaction of the Local Planning Authority (such consent not to be unreasonably withheld or delayed) and thereafter retained on site for those purposes.

Reason:

As the approved works will regularise a breach in planning control in the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

#### 3. APPROVAL CONDITION - Cycle storage [Regularisation Condition]

Unless within two months of the decision notice details shall be submitted to be agreed in writing by the Local Planning Authority for a secure, covered space with cycle stands to provide for eight bicycles to be stored. Unless the approved scheme is carried out and completed within one month of the Local Planning Authority's approval, the occupation of the use approved shall cease until such time as details of the cycle store referred to above have been submitted, approved and the works completed to the written satisfaction of the Local Planning Authority (such consent not to be unreasonably withheld or delayed) and thereafter retained on site for those purposes.

Reason:

As the approved works will regularise a breach in planning control to encourage cycling as an alternative form of transport.

### RESOLVED:-

- (i) that the application be refused planning permission for the reasons set out below; and
- (ii) that authority be delegated (to the Planning and Development Manager in consultation with the Head of Legal and Democratic Services) to take enforcement action against the unauthorised use of the premises as an eight person HMO (Sui Generis Use) to revert to a C4 use.

## Reason for Refusal

### 1 - REASON FOR REFUSAL Impact on character of the local area

The Intensification of occupation of the property to an eight person HMO will result in an adverse impact on the overall character and amenity of the area surrounding the application site in terms of the mix and balance of households in the local community and the residential amenity of neighbours. Therefore, the proposal will be contrary to saved policies SDP1 (i) and H4 (ii) of the City of Southampton Local Plan Review (Adopted March 2006) and policy CS16 of the City of Southampton Local Development Framework Core Strategy Development Plan Document (Adopted January 2010) as supported by the relevant sections of the Houses in Multiple Occupation Supplementary Planning Document (Approved March 2012), in particular sections 5.4 and 6.7.

RECORDED VOTE to refuse planning permission and delegate authority to take enforcement action.

FOR: Councillors Claisse, Harris, Lewzey, Lloyd and Norris  
AGAINST: Councillors Mrs Blatchford and Cunio

### 134. 14/00253/OUT - 1 BEECHMOUNT ROAD

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Erection of two x four-bedroom houses with integral garages (Use Class C3) arranged on three floors (top floor in roof space) with associated bin/cycle storage and car parking spaces following demolition of existing house (Outline application seeking approval of access, appearance, layout and scale) (amended description).

Rob Wiles (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported amendments to Conditions 1 and 12 and an additional condition regarding obscured glazing to prevent overlooking.

The Panel requested the addition of an informative note to the applicant that occupation by three or more unrelated individuals would require planning permission for change of use.

**RESOLVED** that planning permission be granted subject to the conditions in the report, and the amended and additional conditions and note to the applicant set out below.

### Amended Condition

#### 01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site

and the buildings, the appearance and design of the structure, the scale, massing and bulk of the structure is approved subject to the following:-

- (i) Written approval of the details of the landscaping reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site;
- (ii) An application for the approval of the outstanding reserved matter shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission;
- (iii) The development hereby permitted shall be begun either before the expiration of three years from the date of this Outline permission, or before the expiration of two years from the date of approval of the last application of the reserved matters to be approved (whichever is the latter).

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

#### 12. APPROVAL CONDITION - Garages and parking spaces to be retained for vehicle parking

Notwithstanding the provisions of Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, the garages and parking spaces shown on the approved plans shall only be used in connection with the dwelling units hereby approved and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure adequate on-site car parking provision for the approved dwelling units remains available for that purpose and to prevent parking on the adjoining highway. To provide a landscaped setting to the development in the interests of the verdant character of the area.

#### Additional Condition

##### APPROVAL CONDITION - Glazing panel specification

The first-floor windows in the side elevations of the building hereby approved shall be glazed in obscure glass and shall only have a top light opening. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

#### Note to applicant

Planning permission is hereby granted for two x four-bedroom dwelling houses within Use Class C3. A citywide Article 4 direction has removed the permitted development rights of house owners to convert a single dwelling house (Class C3) into an HMO (Class C4). Therefore if the building is occupied by three or more unrelated individuals then planning permission will be required for change of use.

135. **14/00261/FUL - FORMER TELEPHONE RELAY STATION, GARFIELD ROAD**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Redevelopment of the site. Erection of two detached two storey houses (one x three-bedroom, one x four-bedroom) with associated parking, refuse and cycle storage following demolition of the existing building.

John Pardey (agent / architect), Benedicta Kumar (local resident / objecting) and Councillor Lewzey (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a total of three car parking spaces were proposed to serve the development and a resulting amendment to the condition regarding car parking.

**RESOLVED** that planning permission be granted subject to the conditions in the report and the amended condition set out below.

**Amended Condition**

**24. APPROVAL CONDITION - Car Parking**

The car parking spaces hereby approved shall be laid out with two spaces provided for the four-bed dwelling and one space for the three-bed dwelling. The car parking area shall be fully laid out and surfaced to the satisfaction of the Local Planning Authority before the buildings are first brought into use and shall be retained and made available for that purpose at all times.

Reason: To ensure adequate on-site car parking provision and to avoid congestion on the adjoining highway.

**NOTE:** Councillor Lewzey declared an interest and after addressing the meeting, withdrew for the consideration of this item.

## INDEX OF PLANNING APPLICATIONS FOR DECISION

**DATE: 24 June 2014 - Conference Rooms 3 and 4, 1st Floor, Civic Centre**

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
6	SH	DEL	5	14/00346/R3CFL Tanners Brook Primary School
7	SH	CAP	15	14/00574/FUL Southampton General Hospital
8	RP	CAP	5	14/00636/FUL Mayflower Park
9	RP	CAP	15	14/00668/REM Central Site, West Quay Phase 3, Harbour Parade
10	SH	CAP	5	14/00692/FUL Brooklands Courtyard
11	SH	CAP	5	14/00399/FUL National Oceanography Centre

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent  
SH – Stephen Harrison; RP – Richard Plume

## **Report of Executive Director of Environment & Economy**

### **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) Developer Contributions SPD (September 2013)
  - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood 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 Aldermoor 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 Ethelburt 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 (2012)
- (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)
- (vv) Parking standards (2011)

\* 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) National Planning Policy Framework (27.3.2012)

8. 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 - BREDC
- (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 2013)

9. Other Statutes

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



# Agenda Item 6

**Planning, Transport & Sustainability Division  
Planning and Rights of Way Panel 24/06/2014  
Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Tanners Brook Primary School, Elmes Drive SO15 4PF			
<b>Proposed development:</b> Erection of a single storey pre-school building to enable relocation of the existing pre-school and community centre.			
<b>Application number</b>	14/00346/R3CFL	<b>Application type</b>	R3CFL (City Council Full Application)
<b>Case officer</b>	David Nip	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	30/04/2014 (Over)	<b>Ward</b>	Millbrook
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Denness Cllr Galton Cllr Thorpe

<b>Applicant:</b> Mr Colin Floyd, SCC	<b>Agent:</b> Capita Property And Infrastructure
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to the completion of an internal Undertaking</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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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 proposal will support the Council's school building and expansion programme, ensuring that children in the city can continue their education whilst the school facilities are improved. The objections from local residents regarding noise, traffic generation and highway safety involving additional trips by school children is not considered to have sufficient weight to warrant refusal of the application, as a package of off-site measures has been put in place to ensure that people reach the site safely. The overall impact on the local highways network is acceptable. Other material considerations identified in the request to the Planning and Rights of Way Panel meeting on 24th June 2014 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, SDP5 SDP9, SDP16, NE4 of the City of Southampton Local Plan Review (March 2006) and CS11, CS13, CS18, CS19, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>	
1	Development Plan Policies
2	Relevant Site History

### **Recommendation in Full**

1. Delegate to the Planning and Development Manager to grant deemed planning permission following the completion of an internal undertaking to secure a contribution towards travel plan work with the school to ensure that the school engages with parents and pupils to encourage sustainable modes of travel to school, and reduce car borne trips at school times; and
2. That the Planning and Development Manager be given delegated powers to vary relevant parts of the S.106 Unilateral Undertaking and to vary or add conditions as necessary.

### **Procedural matters**

#### **Council's Own Development**

The proposed scheme is a Regulation 3 application for Full Permission. A Regulation 3 application relates to proposals made by the Local Authority (in this case as the Local Education Authority) for development that it wishes to undertake as part of its remit as a public sector service provider.

It is general practice that following the proper assessment of the planning merits of the proposal that Regulation 3 applications should be either approved, if considered acceptable, or the application should be requested to be withdrawn if not considered acceptable for justifiable planning reasons that would normally result in a refusal.

#### **1.0 The site and its context**

- 1.1 This application site comprises an area of open space laid to grass and with boundary trees sitting behind a 1.5m high brick boundary wall which runs along the whole of the frontage of the south-east corner of Tanners Brook Primary School fronting Elmes Drive. The existing vehicular and pedestrian access points will remain unaltered and car parking arrangements for the community building will be as existing within the school grounds (for approximately 40 vehicles sharing between the community centre and the school).
- 1.2 The area is predominantly residential, with two storey housing facing the site in Elmes Drive and houses immediately backing onto the site in Munro Crescent. The carriageways on both roads are relatively narrow and Elmes Drive in particular has traffic calming and parking restrictions in place due to the location of the entrance points into the school.

## **2.0 Proposal**

- 2.1 It is proposed to relocate the existing pre-school and community centre from the rear of the existing school grounds to a more accessible and visible location. Planning permission for a linking structure between the original school buildings was granted earlier this year and will effectively create a barrier to accessing the existing community building. The new building will also allow the planned expansion of the school in the future with the expectation that the existing community building will be re-used as classrooms without the need for planning permission.
- 2.2 The new building would be approximately 17m long and 10m wide and sited approximately 21m away from the closest residential properties on Munro Crescent. The total height of the unit will be approximately 3 metres. The perimeter of the site will be surrounded by new anti climb fencing not to exceed 1.8m in height.
- 2.3 The scale and appearance of the proposed building is similar to the new classroom building which was granted permission in 2012. This building will be located to the west of the site and also backing onto houses in Munro Crescent. However, the function of the building will only be indirectly associated with the school. The community building will be used as a pre-school during the day time and a community centre during the rest of the day and evening. The scheme also comprises two small external stores which will be sited at the southern edge of the site. Further details of these will need to be subject of a planning condition.
- 2.4 The school site has sufficient open space at the rear (west) to serve existing and future pupils. In 2012 the school sought to remedy its shortage of accommodation by the provision of new classroom accommodation on the southern edge of the site. The proposed relocation of the community building will allow the expansion of the school to happen through the re-use of the existing building. It is expected that there will be a gradual increase of 120 pupils and 8 staffs over the next few years.
- 2.5 It should be noted that the applicant asserts that this application does not directly relate to the school expansion programme but merely seeks a relocation of existing facilities within the site. The assessment of the application should be limited to the impact of the physical works and the activities that take place within the building on surrounding amenity.

## **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 Local Development Framework Core Strategy Policies CS3 and CS11 are supportive of proposals for community led and educational purposes.

3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4.0 Relevant Planning History**

4.1 12/00126/R3CFL - Erection of a single storey building to provide 3 classrooms and a covered walkway. Approved - 01/05/2012

4.2 There have been various applications for extensions and alterations to provide additional educational facilities. A detailed planning history is attached 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 undertaken which included notifying adjoining and nearby landowners and erecting a site notice (11 and 28<sup>th</sup> March 2014). At the time of writing the report **8 objections** (including a call in to Panel from former Ward Cllr Furnell) and **1 support** (from Ward Cllr Galton, a Governor at the School) have been received. The following is a summary of the planning issues raised:

5.2 Comment

*Increase of vehicular traffic and parking demand as a result of the proposal.*

Response: The applicant has proposed no additional parking on site as this application only sought for relocation of the existing pre-school and community centre. However, the Council's Highways Development Team considers that the proposal would lead to additional traffic to be generated as it facilitates the school expansion. It is suggested that the Education Department would need to invest more to mitigate the potential additional highways pressure including promoting alternative modes of transportation. The Highways section of this report provides further discussion.

5.3 Comment

*Increased harm to existing residential amenity in terms of excessive noise, access to daylight and privacy infringement.*

Response: Subject to the imposition of a suitable planning condition to secure an acoustic report. There are sufficient measures in place to mitigate the potential impact in terms of noise. It is not considered that the scheme will impact significantly upon existing residential amenity in terms of daylighting, shadowing, or privacy due to the separation distance proposed.

5.4 Comment

*Building would appear overbearing.*

Response: It is not considered that the building would be overbearing given its single storey nature and distance from the neighbours. It is understood from the agent that the proposed two stores adjacent to the southern boundary will be

approximately 1.5m tall and will not be visible to the neighbours when viewed from the their rear gardens.

## **Consultation Responses**

- 5.5 **SCC Highways** - Recommend approval subject to a S.106 Unilateral Undertaking to improve the school travel plan to create new or improved method to encourage parents to travel sustainably as the proposals directly facilitate the planned schools expansion programme.
- 5.6 **SCC Environmental Health (Pollution & Safety)** - Raise concern about the potential for noise disturbance given the proximity of the new building to residential units and some of the activities that take place within the community centre, including band practice. Despite requests a noise survey has not been undertaken by the applicant and therefore it has not been possible to undertake a full noise assessment. Appropriate conditions could be used to limit noise or the time during which noise generating activities take place. Discussion is ongoing and an update will be provided at the Panel meeting.
- 5.7 **SCC Trees** - No comments received. An update will be provided at the Panel meeting, if representations are made.
- 5.8 **SCC Historic Environment** - No objection.

## **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. Highways;
- v. Trees.

### **6.2 Principle of Development**

- 6.2.1 Policy CS11 states that high quality education and related facilities which encourage community use of their facilities will be promoted. The proposals seek to retain existing community activities on the site in a new purpose built structure in a more accessible and visible location. The principle of the development is therefore acceptable.
- 6.2.2 It is important to understand that as a direct consequence of relocating the existing facilities, it enables the schools scheduled expansion which is necessary due to a rise in school roll and demand for places. The proposed relocation will enable to first phase of the expansion, to allow the school to use the existing pre-school building for additional classrooms.
- 6.2.3 The NPPF states that *'the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education.'* (Paragraph 72 refers).

6.2.4 The principle of development which supports the further expansion of schools is also acceptable in principle, subject to the successful mitigation of any associated impacts.

### 6.3 Design and character

6.3.1 The adopted LDF Core Strategy Policy CS13 continues the Council's commitment to securing high quality design. The proposed building will sit comfortably in the space.

6.3.2 The building is similar to the one approved in 2012 in terms of its design, scale, and appearance and there is no objection to the proposed building in these terms. Further details regarding the building materials will be secured by planning condition. The design of the main building is not considered to be out of keeping with the appearance and character of the school site and surrounding area. The existing vegetation along the Elmes Drive boundary will be retained and will partially screen the building from the street scene.

6.3.3 The proposed boundary treatment along the Elmes Drive frontage is going to be taller than the existing boundary wall. It is considered essential to ensure the safety and security of the pupils. According to the submitted Design and Access Statement, the perimeter of the site will be surrounded by new anti-climb fencing not to exceed 1.8m in height. It is considered that the proposed fencing will create a stronger sense of enclosure to the site, having regard to the necessity of the high fence to protect the young pupils within the site.

6.3.4 Concerns have been raised regarding the buildings impact on neighbours. The single storey building is considered acceptable in the area, where the frontage of the building is set back from the edge of the site. The agent has provided limited details in terms of the appearance and scale of the external stores but has confirmed that they would be approximately 1.5m tall, which is considered acceptable. A planning condition is recommended to secure further details with regards to the design and dimension of the stores to ensure they are acceptable in terms of visual character and adjoining residential amenity.

6.3.5 Overall, the site would not be overdeveloped and still retain a reasonable amount of playspace. Therefore, it is considered that the proposal will not detract from the visual amenity of the local area.

### 6.4 Neighbouring amenity

6.4.1 A number of local residents have voiced their concerns over the proposed development in terms of the potential noise it might generate from the relocation of the pre-school and the community centre. It is noted that there is a band practice occasionally in the existing community centre.

6.4.2 The distance between the proposed building and nearest neighbour is approximately 21m which accords with the Council's Residential Design Guide in terms of minimal separation distance for privacy.

6.4.3 The proposed building will be constructed using good practice guidance for school design. However, it is understood from the Principal Environmental Health

Officer that this building standard/method is used for reducing internal noise levels instead of controlling breakout noise. At the time of writing the Environmental Health Department are concerned with the lack of noise information provided.

- 6.4.4 Discussion is ongoing with the consultee and agent with regard to the noise issue, at this stage, it is recommended that a pre-commencement condition be imposed to request an acoustic report which includes all noise mitigation measures (i.e. soundproofing etc.) to be submitted and agreed in consultation with the Environmental Health Team, to ensure that the development would have no harmful impact towards the adjoining neighbours.

## 6.5 Highways impact

- 6.5.1 Parking and traffic generation was considered acceptable when the previous application (12/00126/R3CFL) was approved.
- 6.5.2 The school has existed on this site since the 1950's.
- 6.5.3 It is recognised that residents living near schools endure disruption at the beginning and end of the school day as a result of parent drop off and collection by car. This proposal is only for the relocation of existing facilities that already take place on the site. There will be no additional activities of traffic generation associated with the community building itself. However there is clearly a direct link between the proposals and the schools expansion programme. When a school is to be expanded to increase its roll numbers the amount of disruption is likely to increase. The applicant disputes that the proposed development is directly related to the expansion of the primary school and maintains that there is no proposal to alter or increase the parking capacity of the existing school car park.
- 6.5.4 In contrast, the Council's Highways Development maintains that the proposed relocation forms part of the school expansion programme and, therefore, it is anticipated that there would be an increasing pressure of traffic volume especially during peak time. To mitigate the potential impact it is recommended that there shall be investment and measures to take account of any potential highways implications led by the expansion. It is recommended that a planning contribution towards measures to encourage use of alternative modes of transport by parents of pupils is provided and implemented. It is considered the potential highways impact would be adequately mitigated through improved green travel arrangements.

## 6.6 Impact on trees

- 6.6.1 There are a number of trees which are likely to be affected by the proposed development. One tree will be lost directly from the proposed building but it is considered that a replacement tree on site will be an acceptable solution to mitigate the loss. A condition will be applied to require a landscaping scheme to be provided and method of protection of the existing trees during construction period.

## **7.0 Summary**

7.1 The proposed relocation will support the Council's school building programme, ensuring that school facilities are improved to meet the current and future demand.

7.2 It is considered that there is a direct link between the proposals and the school expansion programme and this will result in additional traffic and trips. It is also considered that sufficient measures can be implemented to ensure that the impact on traffic generation is mitigated. This requires an agreement to be entered into. Other concerns such as noise can also be mitigated through the imposition of the suggested planning conditions.

## **8.0 Conclusion**

8.1 It is recommended that this application is delegated to the Planning and Development Manager to grant planning permission subject to the completion of an internal Undertaking to secure the matters set out in this report.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(vv), 6(c), 7(a), 9(a), 9(b).

#### **SCSD for 24/06/14 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 - 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.

#### **03. APPROVAL CONDITION - Restricted Use [Performance Condition]**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the building hereby approved shall only be used for educational purposes with ancillary sporting and leisure facilities available to the public through the community use agreement, and for no other purpose within Class D1 of Town and Country Planning (Use Classes) Order 1987 (as amended)



Reason:

To allow the local planning authority to control the nature of development in terms of protecting the character and amenity of the surrounding area.

**04. APPROVAL CONDITION - Operation restriction [Pre-Occupation Condition]**

The school premises hereby approved shall be operated on a "dual use" basis in accordance with further details that shall be agreed in writing with the Local Planning Authority prior to first occupation. These details shall include the proposed hours of use, the on-site management of the community uses and a pricing policy (if applicable). The site shall be closed and vacated of all persons enrolled on educational courses or accessing the building through the community use agreement between the hours of 22:00 (10pm) and 07:30 (7:30am) on a daily basis.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties at to secure wider community benefit in accordance with Policy CS11.

**05. 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.

**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, 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

#### 07. APPROVAL CONDITION - Boundary fence [Pre-Occupation Condition]

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the buildings provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

Reason:

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

#### 08. APPROVAL CONDITION - Stores [Pre-Commencement Condition]

The development to which this consent relates shall not be brought into use in full until details of the design and materials of the two proposed stores on the southern boundary have been submitted and approved by the Local Planning Authority. The stores shall be erected in accordance with the agreed details.

Reason:

In the interest of visual amenity of the area and neighbouring amenity, given the proximity of the proposed stores from the adjoining residents.

#### 09. 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.

10. APPROVAL CONDITION - Cycle parking facilities [Pre-Occupation Condition]  
The development shall not be occupied until provision of the cycle parking facilities detailed in the approved plans shall be provided and such space shall not thereafter be used other than for the purposes for which it is provided.

Reason:  
To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

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

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

12. APPROVAL CONDITION - Noise Report - [Pre-Occupation Condition]  
Unless otherwise agreed in writing with the Local Planning Authority an acoustic report shall be submitted to and agreed in writing with the Local Planning Authority prior to the occupation of the hereby approved development. The mitigation measures proposed by the acoustic report to minimise noise shall be implemented in accordance with the approved Noise Report prior to the building's first use. The agreed measures of the approved Noise report shall be retained thereafter for the lifetime of the development.

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

13. APPROVAL CONDITION, Control of amplified equipment - [Performance Condition]  
At no time shall sound amplifying equipment be used or installed which would generate noise audible from the boundary of the nearest noise sensitive property to the building hereby approved unless otherwise agreed in writing with local Planning Authority.

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

14. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]  
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.

15. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

16. APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS3	Community Uses
CS11	An Educated City
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS22	Protecting biodiversity and habitats
CS25	Delivery of Infrastructure and Developer Contribution

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP16	Noise
NE4	Protected species

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012

**Relevant Planning History**

RSR/313 - School - Permitted 1949

RSR/1039 - Groundsman Hut - Permitted 1952

RSR/1293 - School - Permitted 1953

1388/38 - two classroom blocks - conditionally approved 1970

871669/WH - ERECTION OF A DOUBLE ANDOVER CLASSROOM UNIT -Conditionally Approved 1987

12/00126/R3CFL - Erection of a single storey building to provide 3 classrooms and a covered walkway - Conditionally Approved 01.05.2012

14/00291/FUL - Erection of a single storey extension to provide a covered walkway, widening of existing gated pedestrian access and formation of new pedestrian gated entrance - Conditionally Approved 11.04.2014

# 14/00346/R3CFL



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# Agenda Item 7

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 24<sup>th</sup> June 2014**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Southampton General Hospital, Tremona Road			
<b>Proposed development:</b> Replacement of existing ground level car park and erection of a two tiered, fast park car park			
<b>Application number</b>	14/00574/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Mathew Pidgeon	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	10/07/2014	<b>Ward</b>	Shirley
<b>Reason for Panel Referral:</b>	Major planning application subject to objection	<b>Ward Councillors</b>	Cllr Chaloner Cllr Coombs Cllr Kaur

<b>Applicant:</b> Southampton University Hospital NHS.	<b>Agent:</b> Bell Cornwell Chartered Town Planners
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
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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 provision of the two tiered car park within the allocated campus of Southampton General and Princess Anne Hospitals is required to free up space within the site for additional development to ensure that the hospital remains a world class centre for treatment and research. The proposal is fully in accordance with Policy CS10 of the Core Strategy and Policy HC1 of the City of Southampton Local Plan Review which promotes and safeguards the Hospital site for the development of healthcare and support facilities. Other material considerations such as light pollution, visual impact, privacy, noise, disturbance localised congestion and air quality have been considered and have been mitigated through the design of the car park and do not 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. In reaching this decision the Local

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

“Saved” Policies – SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, SDP15, SDP16 and HC1 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS10, CS13 and CS22, and the Council’s current adopted Supplementary Planning Guidance.

<b>Appendix attached</b>	
1	Development Plan Policies
2	Relevant Planning History

## **Recommendation in Full**

### **Conditionally approve**

#### **1 The site and its context**

- 1.1 The General Hospital is located 4km to the north west of the city centre in the Coxford/Shirley area of the city and is a site of regional and national importance for healthcare, research and teaching. The Southampton University Hospitals Trust, who own and operate the site, provides health care facilities to over half a million people on an annual basis and employ 7,500 full time equivalent members of staff.
- 1.2 The site is tightly constrained being surrounded by residential roads on all sides. The limited site area combined with the continual need to provide new and improved healthcare facilities served by appropriate transport options means that development proposals have to be carefully managed. The Trust has therefore developed a Vision document and an Estates Strategy to guide new development up to 2020.
- 1.3 At the present time the Hospital has authorisation to provide up to 3240 car parking spaces across the General and Princess Anne Campuses. This figure does not include an additional 120 park and ride spaces currently operated by Southampton University Hospital Trust at Lordshill or the further space provided at B&Q Nursling. At the present time, due to site area constraints and continuous development pressures, the maximum number of parking spaces allowed are not provided on site.

#### **2 Proposal**

- 2.1 The proposal seeks to provide a new two level car park on the south west edge of the hospital site adjacent to Laundry Road. The proposal is required so that the current car parking arrangement within the site can be redistributed. This will enable the current disabled car parking area to be vacated and in its place a world class cancer sciences research facility provided. The research facility will be the subject of a future planning application.
- 2.2 The proposed position of the two level car parking area is currently used for surface level car parking and therefore the nature of the use will not alter,

however the concentration of cars parked on the application site will increase from 155 to 261; a net gain of 106. The scheme will however only result in a net gain across the whole of the hospital site of 23 car parking spaces.

- 2.3 The structure would have the same design and use the same materials as the decked car-park which exists on site at present (please refer to section 4 below). The maximum height of the structure, including the privacy screen to avoid overlooking and car headlights disturbing neighbours, is 5.5m above ground level. The height of the lighting columns serving the car park would be 7.5m above ground level which is similar to the height of the lighting columns used in the open air surface columns along the south-west boundary of the site backing onto houses and flats in Laundry Road.
- 2.4 The position of the car park would be on the north east side of Laundry Road opposite properties 2 to 26 Laundry Road (evens only). As such the proposed car park would be at least 5m from the boundary of the site with Laundry Road and 16.5m from the front elevation of those properties opposite.
- 2.5 The car park would be for staff permit holders only and would be accessed from the existing internal roads which already benefit from barrier access controls to ensure proper management of the on-site parking areas. Access to the upper deck would be from a ramp adjacent and parallel to Laundry Road. The access to both ground and first floor would be from the internal access road. There are no newly proposed access arrangements into the hospital site as a consequence of the development.

### **3 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 National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4 Relevant Planning History**

- 4.1 In 2002 planning permission was granted for the erection of additional floor to a multi-storey car park on site, reconfiguration of the layout to the internal road network and new landscaping. A Section 106 legal agreement accompanied the permission and now forms the basis for the management of car parking on the site.
- 4.2 An audit of spaces undertaken as part of that application identified the total number of spaces available on the site at that time. Since that date any additional parking spaces had to be attributable to new development providing parking in accordance with our adopted standards.

- 4.3 The layout of the site dictates that car parking is generally limited to the periphery of the site with the central core and other zones being dedicated to building infrastructure.
- 4.4 The recently approved and now operational decked car park (10/00921/Ful) was extended by planning permission 11/01270/Ful. The applications contribute towards the long term long term management of parking on the site. Given the limited site area and the potential for future capital investment large areas of surface parking are not an efficient use of space. The current application represents the next stage of the strategic approach to parking management.
- 4.5 **Appendix 2** demonstrates that there is a constant requirement to review and amend the parking on site in order to make facilitate the long term positive advance of the hospital.

## **5 Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (18/04/2014) and erecting a site notice (17/04/2014). At the time of writing the report **5** representations have been received from surrounding residents. The following is a summary of the points raised:

- 5.2 *Use of Laundry Road by hospital staff travelling west after exiting from the Tremona Road site entrance. Staff park in surrounding streets irrespective of on-site parking availability. Highways safety concerns.*

RESPONSE. Whilst dealing with the planning application the Council cannot control where staff park or the route used to get to and from the hospital. The scheme does not result in additional staff being employed at the hospital therefore it will not lead to significant increase in traffic.

- 5.3 *Building of the fast park system will not solve the parking problem in surrounding streets. Un-justified proposed additional car park deck. There are more appropriate places within the site. Site is insufficient in size for continued development.*

RESPONSE. The scheme proposed is not designed to address parking concerns of local residents. The development enables new buildings to be constructed within the site where surface level parking currently exists. The purpose will be to create a world class cancer sciences facility.

- 5.4 *Un-attractive design. In-consistent design strategy across the site e.g materials and colours.*

RESPONSE. The separation distance from the road edge and properties on the opposite side of Laundry Road, coupled with the landscaped border of the hospital site together mitigates harm caused by the structure.

- 5.5 *Increase in fumes and emissions which puts health at risk. Impact of light pollution. Noise generated by the access ramp.*

RESPONSE. The Environmental Health Team have been consulted and their comments will be updated at the Panel meeting. It is anticipated that, as the Environmental Health Officer did not object to the earlier car park application, no objection will be raised to this similar scheme.

5.6 *Overlooking of neighbouring properties.*

RESPONSE. A screen is proposed at first floor level on the edge of the building that will prevent users of the car park from looking at residential properties.

**5.7 Consultation Responses**

5.8 **SCC Highways** - Southampton University Hospital is at the beginning of a chain of events which trigger the need to clear space adjacent to the University Research building. This has resulted in the need for disabled parking spaces to be relocated. The main car park will be modified to re-provide these spaces, and an additional surface level car park will be provided adjacent to the Oncology block to ensure that visitor spaces are not compromised within the hospital campus. There will be no loss of spaces.

5.9 Southampton University Hospital are working hard to ensure that the public car park is kept clear for visitors, and the number of staff permitted to park there is minimised. The hospital aim to only permit emergency staff to park within the public car park, this being consultants required at short notice or maintenance staff called as an emergency to repair failed equipment.

5.10 The hospital travel planning team have worked closely with their staff, supported by the Council, and have found new incentives to encourage alternative modes of transport and more efficient use of private cars by means of car sharing initiatives. As a consequence there has been a reduction in staff requiring parking permits.

5.11 The hospital continues to work closely with the Council to ensure that the overall transport strategy achieves a reduction in demand for parking, reduction of patient perception of lack of parking on site and to relieve the pressure on the highway network.

5.12 There are no objections to the current scheme in terms of highway safety.

**5.13 SCC Environmental Health (Contaminated Land)**

5.14 The proposal is for the construction of a two tiered car park. This is not regarded as a sensitive land use; however the mobilisation of contaminants that may be present on the site could present a risk to human health and / or the wider environment during the construction phase.

5.15 Land contamination hazards associated with such land uses includes inorganic chemicals, metals and metalloid compounds and hydrocarbons. Consequently there exists the potential for such hazards to significantly impact upon the development. Therefore if planning permission is granted a condition should be added to ensure that the risk of harm from contaminants is minimised should contaminants be discovered during construction works.

## 5.16 **SCC Tree Officer**

5.17 Supportive of the development and would like to see the following section from the Planning Support statement conditioned:

*Landscaping 1.13 The existing 2m landscaping strip will be retained along with the existing 2m high close boarded fence along the north eastern side of Laundry Road as part of the existing and established landscaping strategy of the hospital as a whole. This is consistent with the Trust's strategic landscape strategy 2005 to 2015.*

Recommend the following conditions:

- Vegetation retention and protection [Pre-Commencement Condition]
- Overhanging tree loss [Performance Condition]

## **6 Planning Consideration Key Issues**

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

- i Principle of Development
- ii Impact on the amenities and health of neighbours
- iii Operational requirements
- iv Impact on surrounding road network

### 6.2 Principle of Development

6.3 The position of the application is within the allocated hospital site, as defined by the Southampton City Council Local Plan Review. Southampton General Hospital is of significant importance to the city. The Council actively encourage and promote, through its adopted policies, continued modernisation of health care facilities at the same time as managing the travel needs for hospital staff and patients.

6.4 Access to the site for staff, visitors and patients is essential to ensure the efficient functioning of the hospital and delivery of healthcare to the region. Parking is just one element of a complex transport strategy for the site which includes delivery of other non-car options such as public transport, cycle facilities, park and ride, car sharing and management of staff parking permits.

6.5 The result of the new dual level car parking as proposed would be an increase of 23 parking spaces within the site. The additional parking numbers would not lead to an increase over the agreed 3240 spaces. Accordingly the principle of the development is not opposed.

### 6.6 Impact on the amenities and health of neighbours

6.7 The most affected neighbours by the physical form of car park deck are those in Laundry Road whose properties are located at least 16.5m from the raised deck of the car park.

6.8 The two storey height of the structure is equivalent to a two storey flat roofed building in height and therefore would be lower than the height of typical houses

within the neighbourhood. The separation distance from the properties on Laundry Road along with the landscaped boundary to the hospital site, also help to reduce the visual impact. Whilst at 65m long the car park will change the street scene its location in close proximity to other hospital buildings is deemed to be entirely appropriate.

- 6.9 The Council have supported another dual level car park positioned adjacent to residential accommodation within the site. The proposed car park is very similar in height to that of the existing car park and therefore issues of visual impact will be similar.
- 6.10 The use of privacy screens has been successful on the existing deck on site to avoid overlooking and the potential negative impact from car headlights. The privacy screen also prevents activity on the deck from being seen from habitable rooms opposite.
- 6.11 The lighting columns on the deck will also be visible from the adjacent houses. However, these columns will be no higher than existing columns on the site and will be designed more efficiently than the older style columns to ensure light is directed downwards and spillage is minimised.
- 6.12 An air quality assessment has not been provided with the application. The proposals represent a very minor increase of on-site parking which is not considered to represent a significant additional impact on transport activity or emissions coming from the site. The car-park is located to the north east of the nearest houses and with prevailing winds generally from the south-west, any additional emissions will generally dissipate to the north-east away from these houses.
- 6.13 The car park will be used for staff only and will be managed and controlled by the Hospital Trust to ensure misuse by those who should not be present on the site does not occur.
- 6.14 The raised deck is some 16.5m from the houses and flats in Laundry Road. This separation distance combined with the privacy screen and other design matters will ensure that whilst the deck and the lighting columns will be visible residential amenity will not be harmed.
- 6.15 Operational requirements
- 6.16 For any hospital to function effectively access must be available for staff, patients and visitors. The location of the site is acknowledged to be tightly constrained as it is surrounded by residential roads on all sides. This combined with the very limited site area and the continual need to provide new and improved healthcare facilities served by appropriate transport options, means that development proposals have to be carefully managed. This is particularly so given the Major Trauma status of the Hospital and the fact that Southampton University Hospitals Trust who own and operate the site, provide health care facilities to over half a million people on an annual basis and employ 7,500 full time equivalent members of staff. Thus new development and facilities within the hospital often have an implication for parking on the site.

- 6.17 The site's masterplan needs to achieve a site layout that can accommodate the construction of new buildings to deliver new and improved healthcare facilities across the campus with efficiencies of internal space, whilst at the same time satisfying the planning requirements of appropriate car parking, landscaping and safe circulation routes around the campus.
- 6.18 The overall transport strategy for the site is continually monitored and reviewed; and whilst alternative modes of transport are encouraged parking for some private cars must also be provided on site as part of the overall strategy.
- 6.19 The Hospital also operates a park and ride facility which currently provides 120 spaces at Lordshill and approximately 100 spaces at B&Q. Additional park and ride facilities are part of the review of the overall transport strategy but are not directly related to this application. In addition the hospital provides motor cycle parking and in excess of 600 cycle parking spaces. Due to continued work by the trust there is also now a decline in applications for parking permits by staff, and fewer staff are applying to renew permits due to car sharing initiatives and the availability of other means of more sustainable travel.
- 6.20 The nature of the site and its use inevitably results in the need for parking to be at the periphery of the site so to allow the central core and other areas to be developed for new healthcare buildings. Space within the site being at a premium also dictates that the existing surface level car parks are not an effective use of a scarce resource and is an inefficient use of land.
- 6.21 In order to meet all these competing demands it is inevitable that raised car parks of appropriate design will be sought. The current layout of the internal access roads and the configuration of the existing car parks and the proposed deck car park mean that this location has the least impact on hospital operations, but not at the expense of existing residential amenity for the reasons outlined in this report.
- 6.22 This site therefore meets the operational needs of the Hospital and should therefore be judged on whether its impact on adjacent occupiers is acceptable rather than whether or not it should be located elsewhere.
- 6.23 Impact on Surrounding Road network
- 6.24 The Council's highways officers have assessed the application and do not consider that the additional 23 spaces that are to be provided will have a significant impact on the surrounding road network or on highway safety.

## **7 Summary**

- 7.1 The proposals will make up some of the existing shortfall in existing permitted parking spaces across the site. The location best meets the Hospitals' operational needs. The height of the deck is typical of a two storey building which is assessed as appropriate for this part of the site taking into account the proximity to houses. The design includes privacy screens and efficiently designed lighting to avoid wider light spillage. The management of the raised deck is down to the Hospital to avoid misuse. Whilst there may be some impact on nearby residents this is not judged to be harmful.



## **8 Conclusion**

8.1 Subject to appropriate conditions planning permission should be granted.

### **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), 3(a), 6(c), 6(h), 7(a), 8(a), 9(a), 9(b) 10(a) and 10(b)

**MP3 for 24/06/2014 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 - Hours of work for Clearance / Construction [Performance Condition]**

All works relating to the 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.

#### **03. 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 schedule of materials and external finishes including colour to be used for external walls including privacy screen has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented and maintained only in accordance with the agreed details.

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.

#### 04. APPROVAL CONDITION - Use of Car-park by Staff only - Performance Condition

The car park shall only be used by staff of the hospital entitled to parking permits as identified within the Hospital Transport Strategy.

Reason: To ensure the use of the car park is limited to those staff for whom other transport options delivered through the transport strategy are impractical given the need to ensure the effective delivery of healthcare and related services on the site.

#### 05. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

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

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

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

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

#### 06. APPROVAL CONDITION - vegetation retention and protection [Pre-Commencement Condition]

No development, including site works of any description, shall take place on the site unless and until all the existing bushes, shrubs, and hedgerows to be retained (including the existing 2m landscaping strip and 2m high close boarded fence along the north eastern side of Laundry Road) on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems of 5 metres or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised or lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots encountered with a diameter of 25mm or more shall be left un-severed.

Reason: To ensure the retention and maintenance of vegetation which is an important feature of the area.

#### 07. APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

Reason: To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

Note to Applicant:

Signage should be erected on site to direct visitors to the surface level car park adjacent to the oncology block.

The Hospital Trust is reminded to operate in accordance with the travel plan to reduce staff demand for parking permits and prevent the need for staff to use public car parks to ensure that the risk of traffic queuing, which could affect the public highway is kept to a minimum.

Three disabled bays should be provided within the surface level car park adjacent to the oncology unit so that provision is made for taller vehicles to park within the hospital grounds.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS10	A Healthy City
CS18	Transport: reduce – manage- invest
CS19	Car and Cycle Parking

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP15	Air Quality
SDP16	Noise
HC1	Hospital related development

Other Relevant Guidance

The National Planning Policy Framework 2012

**Relevant Planning History**

11/01270/Ful - Demolition of the Transport Depot Building and extension of the adjoining Fast Park Car Park to create new ground and first floor parking. – Conditionally Approved.

10/01753/FUL - Demolition of 7-11 Laundry Road (Elmwood Court) and reconfiguration of car park to provide an additional 26 car parking spaces with associated lighting (relocation of existing light columns). - Conditionally Approved.

10/00921/FUL - Reconfiguration of the Coxford Road Car Park and construction of a deck above to provide additional parking. – Conditionally Approved.

09/00272/FUL - Rationalisation and re-grading/surfacing of existing car park in southern corner of the site to provide additional 32 spaces and new lighting and cctv fittings. – Conditionally Approved.

08/00412/FUL - Creation of 24 new car parking spaces within the existing hospital car park following the demolition of 21 Laundry Road and an existing squash court. - Conditionally Approved.

07/00373/FUL - Creation of 6 car parking spaces on the site of 125 Tremona Road and changes to the layout of car parking and landscape on the site of Block 6 as approved under permission 05/00159/FUL. - Conditionally Approved.

06/00560/OUT - Demolition of the Victoria House building and erection of a new building as the final phase of the oncology centre with additional car parking to be provided within an additional deck to the multi-storey car park and in parking decks above the Laundry site and Coxford Road Car Parks (Outline application seeking approval for the siting of buildings and the means of access). – Conditionally Approved.

05/00159/FUL - Construction of a 63 space car park. - Conditionally Approved.

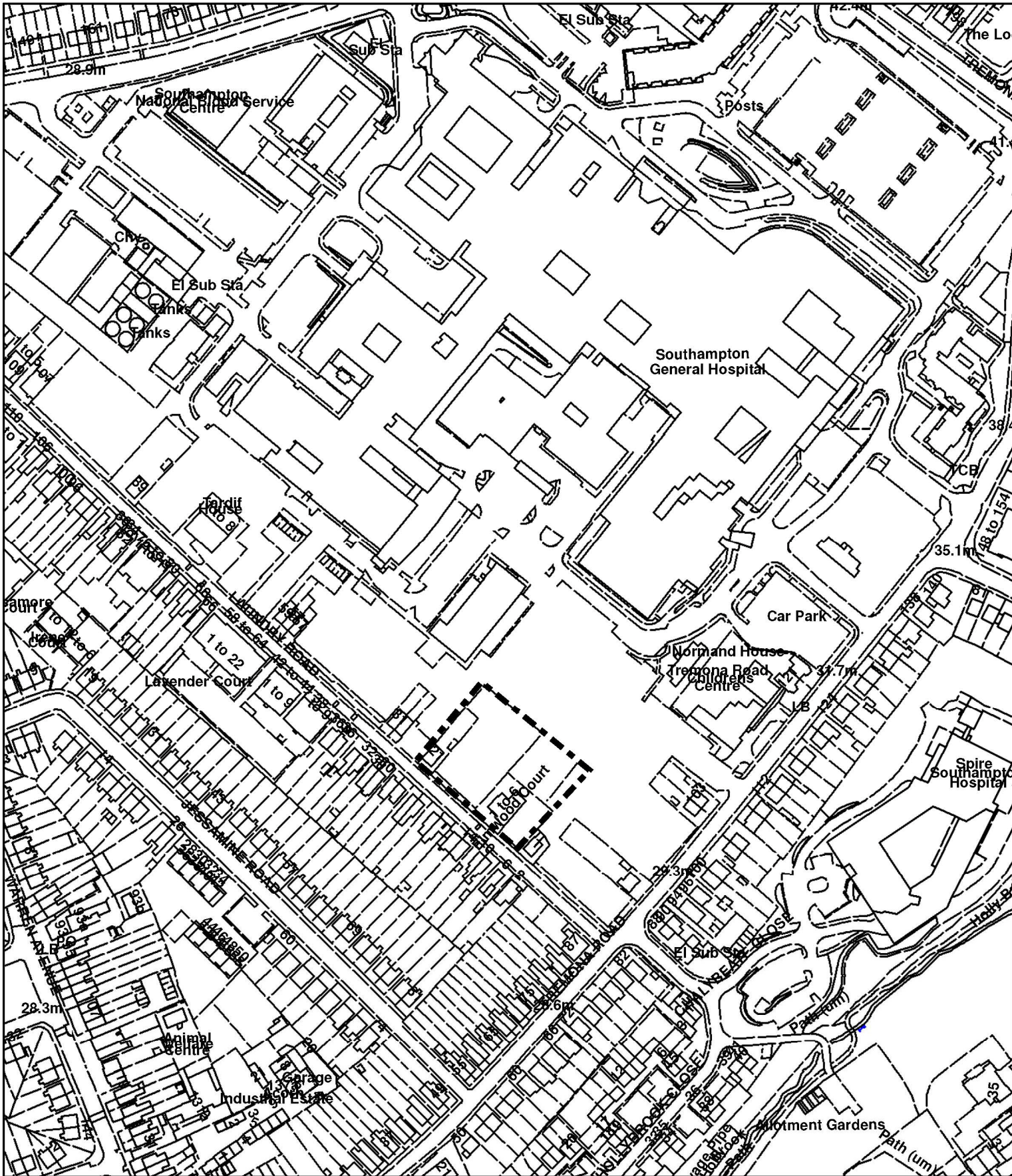
04/01360/FUL - Demolition of existing property and reconfiguration of existing parking to create additional 30 car-parking spaces. Conditionally Approved.

03/01802/FUL - Erection of single storey extension to the existing Oncology Unit (Phase 2A) with replacement car park. - Conditionally Approved.

03/01751/FUL - Creation of an additional 143 car parking spaces from the demolition of 89 Tremona Road, 17-19, 65-69, 85-87, 95-105 Laundry Road and School of Medicine and adjoining Social Club. (Departure From Local Plan). - Conditionally Approved.

02/01358/FUL - Erection of additional floor to multi-storey car park, reconfiguration of internal road layout and new landscaping to front of Centre Block. - Conditionally Approved.

# 14/00574/FUL



Scale: 1:2,500

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# Agenda Item 8

**Planning, Transport & Sustainability Division  
Planning and Rights of Way Panel 24 June 2014  
Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Mayflower Park, Herbert Walker Avenue			
<b>Proposed development:</b> Erection of a Spitfire Monument and Memorial on the river frontage of the park.			
<b>Application number</b>	14/00636/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Richard Plume	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	03.06.2014	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Referred by the Planning & Development Manager due to wider public interest	<b>Ward Councillors</b>	Cllr Bogle Cllr Noon Cllr Tucker

<b>Applicant:</b> National Spitfire Project - Mr A Jones	<b>Agent:</b> Nick Hancock Design Studio
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>No</b>
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## Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council is satisfied that the development would not adversely affect the character or appearance of the Old Town Conservation Area or adjoining listed buildings. The development would not result in the loss of open space and the impact on other activities within Mayflower Park can be mitigated through planning conditions and other measures. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7, SDP9, SDP12, SDP17, NE4, HE1, HE3, CLT11, MSA1 and MSA4 of the City of Southampton Local Plan Review (March 2006) and CS6, CS12, CS13, CS14 and CS21 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

## **Recommendation in Full**

### **Conditionally approve**

#### **1. The site and its context**

- 1.1 The application site is within the south-western corner of Mayflower Park on the River Test frontage. The location of the proposed Spitfire Monument is at the position on the site where the existing Mayflower Park meets the area which is proposed to be reclaimed from the river as part of the Royal Pier project.
- 1.2 The surrounding area is mixed, although predominantly commercial in character with the Port of Southampton, Western Docks, directly adjoining to the west at Berth 101. The application site is not within a conservation area, the boundary of the Old Town West Conservation Area runs along the line of the Town Walls to the north-east of the site.

#### **2. Proposal**

- 2.1 The application proposes a 1:5 scale replica of a Spitfire aircraft mounted on a curved 'vapour trail' mast. To the highest point the structure would be 40 metres and would be finished in stainless steel.
- 2.2 The base of the structure would be approximately 32 metres in diameter and would partially project over the river to be supported by piles into the riverbed. The base of the structure would be a viewing platform incorporating a ramp for disabled access and a public seating edge. At the centre there would be a memorial pool, Tribute Roundels of the Allied Air Forces and a series of Tribute Plaques to the designers, constructors and test pilots of the aircraft.

#### **3. 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**. Mayflower Park falls within site allocation Policy MSA4 which, together with an extensive area of adjoining land, is allocated for a major mixed use development.
- 3.2 The emerging City Centre Action Plan allocates the area of Mayflower Park, Royal Pier and Town Quay for a major mixed use development which could include cultural and leisure attractions, a range of commercial uses and improved public open space to create a high quality waterfront destination.



3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4. Relevant Planning History**

4.1 There is no planning history directly relevant to this proposal in Mayflower Park. However, planning permission was granted in December 2011 for an identical proposal at Trafalgar Dry Dock within the Eastern Docks (reference 11/01670/FUL). This permission remains valid until December of this year.

#### **5. Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (16.04.2014) and displaying a site notice (25.04.2014). At the time of writing the report **0** representations have been received from surrounding residents. The following comments have been submitted by adjoining owners and other interested parties.

5.2 **Associated British Ports** - ABP have an interest in the land as they are responsible for the maintenance of the revetments that protect the sea wall along the boundary of Mayflower Park where the proposed monument would be located. The proposed monument includes piled foundations into the revetments to support the concourse, which is proposed to extend over the water. There is insufficient information of the construction methodology to demonstrate to ABP how the revetment will be protected and maintained both during and after construction. Without this information ABP have no alternative at this stage but to maintain an objection to the proposal as it stands. If the Council is minded to grant consent ABP request that a planning condition is imposed requiring the submission and approval of details concerning the construction methodology including the protection and maintenance of the revetment. (Note - a planning condition is recommended).

5.3 **National Boat Shows** (Organisers of the Southampton International Boat Show Ltd - SIBSL) - If the proposal goes ahead it should only be constructed as part of, and in time with, the overall waterfront development scheme. If the monument was to be considered on the existing Mayflower Park layout it would have a very serious negative impact on the future of the Boat Show. At present the SIBSL is competing in a competitive market of worldwide boat shows from existing established shows and from new boat shows being launched annually in emerging markets such as the Middle East, China and South America. Marine companies, particularly boat manufacturers from the UK, Europe and USA make careful considerations as to which boat shows they invest in to maximise the return on crucial expenditure. In doing so they are demanding that the boat shows in which they participate are able to provide a suitable and appropriate event where they can present their brand to deliver maximum presence and display the type of boats required to meet their customers' expectations. If a boat show is not able to deliver that platform then such companies will either participate at another show or reduce their presence at the show unable to meet their demands.

- 5.4 The key for any leading boat show is to retain its profile by retaining its key major companies ie. exhibitors showing key brands, with the lead being taken by the world's leading boat manufacturers. If they are not at a boat show or only in a less than significant presence this will have an impact on other companies exhibiting, ie, from the supply chain, which then will make the show less appealing to visitors. Losing major companies/brands will lead ultimately to a show's decline. The PSP Southampton Boat Show (PSP SBS) is owned by the British Marine Federation, the trade association for the UK Leisure, Superyacht and Small Commercial Marine industry. An industry of 4,200 businesses, many based in the South of the UK, generating an annual revenue of £2.8b, of which over £1b is export trade, and employing 31,000 employees. The PSP SBS is a major part of the industry's marketing and sales activity to deliver the revenue together with being an ideal event to encourage growth to boating participation and thus boats and equipment.
- 5.5 The PSP SBS is ranked in the top 'ten boat shows in the world' and SIBSL is currently able to retain the show's major exhibitors by meeting their demands as to what the PSP SBS needs to deliver. These challenges are being met at present with the present boat show site (Mayflower Park and surrounding areas) and with the added benefit of the capability and flexibility of the current marina installation. The marina is the unique selling point of the PSP SBS and at present is able to accommodate not only some of the largest boats on the market and can host world launches of new models, but also present one of the largest temporary boat show marinas in the world. The combination of such is critical for the continued success of the PSP SBS. However, the present site has very little in reserve to expand or to produce additional or suitable space.
- 5.6 The space available to the PSP SBS within Mayflower Park is limited and any disruption or reduction in the existing capacity to the land or marina space will have a detrimental effect on the PSP SBS. It is considered the proposed SM on the existing Mayflower Park will significantly impact on the space available and impede the ability of SIBSL to deliver the boat show of the profile and status required to assure its future.
- 5.7 **City of Southampton Society** - The society heartily endorses the application for a Spitfire Monument at the western end of Mayflower Park. It is a particularly suitable site overlooking the River Test on Council owned land. The Society would hope that access to the monument will be possible at all times, even when the Royal Pier Development Project by Morgan Sindall takes place. We would recommend a footpath directly to the monument from Herbert Walker Avenue, near Dock Gate 8. CoSS also draws your attention to the need for a two-way view of the monument, to and from the Old Town Walls.
- 5.8 **Southampton Common and Parks Protection Society** – SCAPPS supports the proposal to locate the Spitfire monument in Mayflower Park. Changes in circumstances means the rationale for choosing the site where permission was granted in 2011 no longer applies. Mayflower Park is a better site because the monument would be more visible from the City Centre and would be set in a context where it can be enjoyed and appreciated. It would be a welcome addition to the attractions and attractiveness, of Mayflower Park. It would be a major visitor attraction and a very visible 'destination' drawing visitors to the far end of the

Park. It would provide the 'landmark structure' which the City Centre Action Plan (CCAP) proposes should be included in the Royal Pier Waterfront development and should certainly not be visually challenged, rivalled or masked by another tall structure within the scheme. There should be public access to the monument throughout construction of the Royal Pier Waterfront development.

- 5.9 The Spitfire monument would mean more people visit Mayflower Park. SCAPPS has already expressed concern that visitors approaching the Park from the Old Town/Bugle Street have to contend with crossing chaotic vehicle movements in and out of the Red Funnel ferry terminal. Increased numbers of pedestrians mean the City Council should explore with ABP/Red Funnel ways to improve the situation for pedestrians to the Park and monument and not leave the issue unresolved in the hope that the eventual Royal Pier Waterfront development may result in some improvement.
- 5.10 **BAA** – Southampton International Airport has no objections to the proposal. Should any height or lighting details change, this application must be resubmitted for a full assessment.
- 5.11 **English Heritage** – The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- 5.12 **Natural England** - (Comments submitted for the previous application at Trafalgar Dry Dock). **Assessment under the Conservation of Habitats and Species Regulations 2010:** In Natural England's opinion this proposal in its current form is unlikely to have a significant effect on the interest features of the SPA/Ramsar site (Solent and Southampton Water) and therefore does not require appropriate assessment in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 provided conditions to the effect of the following are attached to any planning permission granted:
- Given the bird sensitivities in the area, the proposed construction will need to be timed and undertaken in a suitable way to minimise disturbance to overwintering and nesting birds, therefore it will be necessary to:
  - Ensure best practice is in place for operating machinery to reduce unnecessary noise;
  - No percussive piling or works with heavy machinery occur within the waterfowl overwintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example, use of pneumatic drills or excavators.

**Advice under S28I of the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000)**

It is Natural England's advice that the adjoining SSSI (Hythe to Calshot Marshes) is unlikely to be adversely affected by the above proposal provided conditions to the effect of the above are attached to any planning permission granted.

- 5.13 **Ministry of Defence** – There are no safeguarding objections to this application
- 5.14 **Environment Agency** - no objection to the proposed development in terms of flood risk. The applicant should contact the agency to make the necessary arrangements for Flood Defence Consent.

5.15 **Southern Water** - No objection as the proposed means of surface water drainage is via a watercourse.

## 6. Planning Consideration Key Issues

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

- The principle of this form of development
- The height, design and appearance of the structure and any impact on key views
- The impact on other activities within the park especially the annual Southampton Boat Show.

### 6.2 Principle of Development

The principle of a large landmark structure to commemorate the Spitfire and its importance to the City on a waterfront site was established by the permission granted for an identical form of development at Trafalgar Dry Dock. Circumstances have changed and it now transpires that the site within the eastern docks is required for the future relocation of the Red Funnel terminus as a result of the Royal Pier development. The alternative location subject of this application is considered to be preferable as it would be a better location for permanent public access, being within a park, rather than within the operational docks. The structure would be visible from many viewpoints around the city and would represent a tourist destination for one of the main publicly accessible parts of the city's waterfront. The principle of this development is therefore acceptable.

### 6.3 Height, design and appearance of the structure

The proposal to create a Spitfire monument on this site accords with planning policy objectives to provide an attractive waterfront. Saved Policy SDP9 of the Local Plan supports the principle of tall structures at the waterfront. The proposed structure would have an elegant profile and its positioning on one of the key public spaces in the city would make a positive addition to the city's skyline. The submitted Design and Access Statement demonstrates that a high-quality public realm would be created at the base of the monument. Given the 'open nature' of the surroundings the monument, being 40 metres in overall height, would be visible from views into and out of the Old Town Conservation Area. However, the profile and nature of the structure is such that it would result in a positive impact. The Town Walls are some 250 metres from the structure. Consequently it is considered that the revised location for this monument would not be detrimental to the character or appearance of the conservation area or the setting of the various listed buildings within the Old Town.

### 6.4 Impact on other uses of Mayflower Park including the boat show

Mayflower Park is used extensively for a range of public events including circuses, firework displays etc in addition to the closure of the park for the annual Southampton International Boat Show. It is a key public open space in the city. The proposed monument would add an important public attraction without reducing the area of open space; in fact the area of publicly accessible open space would effectively be enlarged due to the deck extending out over the water.

- 6.5 The importance of the boat show to the city is very significant. The operators of the boat show are understandably concerned about the future of the boat show but it does not necessarily follow that this proposal would reduce the area available for the boat show or make it more difficult to operate. The area of the park affected is relatively small: the base of the monument takes up approximately 400 square metres of existing parkland. The applicants have submitted an indicative drawing to show that the base of the monument could be used as a corporate entertainment area or similar during the boat show event.
- 6.6 The application does lack detail at this stage relating to issues such as the structural works necessary to support the monument and the impact on the river wall. ABP's concerns can be met by imposing a condition covering the structural integrity of the development. Other issues raised relating to access to the monument via a separate footpath and the stability of the structure can be dealt with by the Council as landowner once an application is made for the necessary licence. The use of planning conditions can ensure that impacts on Ecology and the nearby designated sites can be managed and mitigated against. Concern has been expressed that the monument should only be constructed as part of the wider Royal Pier project which will involve land reclamation on the river frontage. However, this planning application needs to be considered on its own merits and the location chosen demonstrates that the monument can be constructed on the site as existing or with the enlarged park. Planning permissions are normally granted for a 3 year period. In this case a 5 year consent would seem appropriate given the need to raise funds for the project and to ensure greater certainty over the wider Royal Pier project.

## **7. Summary**

- 7.1 The principle of this form of development on the waterfront has been established by the previous permission at Trafalgar Dry Dock. The new location in Mayflower Park is considered to be preferable in terms of public access in a key location. The development would not adversely affect the Old Town and its many heritage assets. Other concerns about structural impact and the effect on the operation of the boat show can be dealt with by conditions or through the Council's role as landowner.

## **8. Conclusion**

It is recommended that permission be granted subject to conditions

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 3(a), 4(d), 4(g), 4(r), 6(a), 6(c), 7(a), 9(a) and 9(b).

**RP2 for 24/06/2014 PROW Panel**

## **PLANNING CONDITIONS**

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

The development works hereby permitted shall begin not later than five 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 structure hereby permitted shall commence unless and until details and samples of the materials and finishes to be used 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 Environmental Management Plan [pre-commencement condition]**

Notwithstanding the information already submitted, the applicant shall submit a Construction Environmental Management Plan (CEMP) to the Local Planning Authority for approval in writing prior to the commencement of development. The CEMP shall set out procedures to ensure that there are no adverse effects on the integrity of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC). The plan should include details of mitigation including measures to avoid disturbance to waterfowl and migratory salmon, including timetabling works to avoid sensitive periods for such species. The plan shall include monitoring procedures and shall be reviewed and agreed annually with the Local Planning Authority and Natural England, and more frequently if required, by these parties. Works shall be implemented in accordance with the agreed details and maintained thereafter.

Reason:

To ensure that the natural conservation interests of the site and surrounds are adequately safeguarded.

### **04. APPROVAL CONDITION - Piling Method [pre-commencement condition]**

Prior to the implementation of the development hereby approved, the applicant shall submit in writing to the Local Planning Authority the proposed method of piling to be used in the construction of development. No development shall commence until the submitted details have been agreed in writing by the Local Planning Authority. Development shall be implemented and proceed only in accordance with the agreed details.

Reason:

To satisfy the requirements of Natural England and the Environment Agency, and to ensure that an appropriate form of piling is undertaken for each phase in the interests of protecting residential amenity and the habitat of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site,

the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC), whilst ensuring that any piling methods used do not cause pollution, harm or nuisance.

**05. APPROVAL CONDITION - Lighting Scheme [pre-commencement condition]**

Prior to the commencement of the development hereby approved a detailed lighting scheme shall be submitted to the Local Planning Authority for approval. The scheme shall be implemented in accordance with the approved details prior to the development first coming into occupation.

**Reason**

To ensure that the lighting does not adversely impact on local biodiversity.

**06. APPROVAL CONDITION - Details of river wall (Pre-Commencement Condition)**

No development shall commence until details of the construction methodology, including the protection and maintenance of the revetment and sea wall, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved by the Local Planning Authority.

**Reason**

To ensure that the construction details are satisfactory to safeguard adjoining land and in the interests of maintaining flood defences.

**07. 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)

CS1	City Centre Approach
CS6	Economic Growth
CS9	Port of Southampton
CS12	Accessible and Attractive Waterfront
CS13	Fundamentals of Design
CS14	Historic Environment
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP12	Landscape & Biodiversity
SDP17	Lighting
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
NE4	Protected Species
NE5	Intertidal Mudflat Habitats
HE1	New Development in Conservation Areas
HE3	Listed Buildings
HE6	Archaeological Remains
CLT10	Public Waterfront and Hards
CLT11	Waterside Development
CLT12	Waterside Open Space
MSA1	City Centre Design
MSA4	Royal Pier and Town Quay

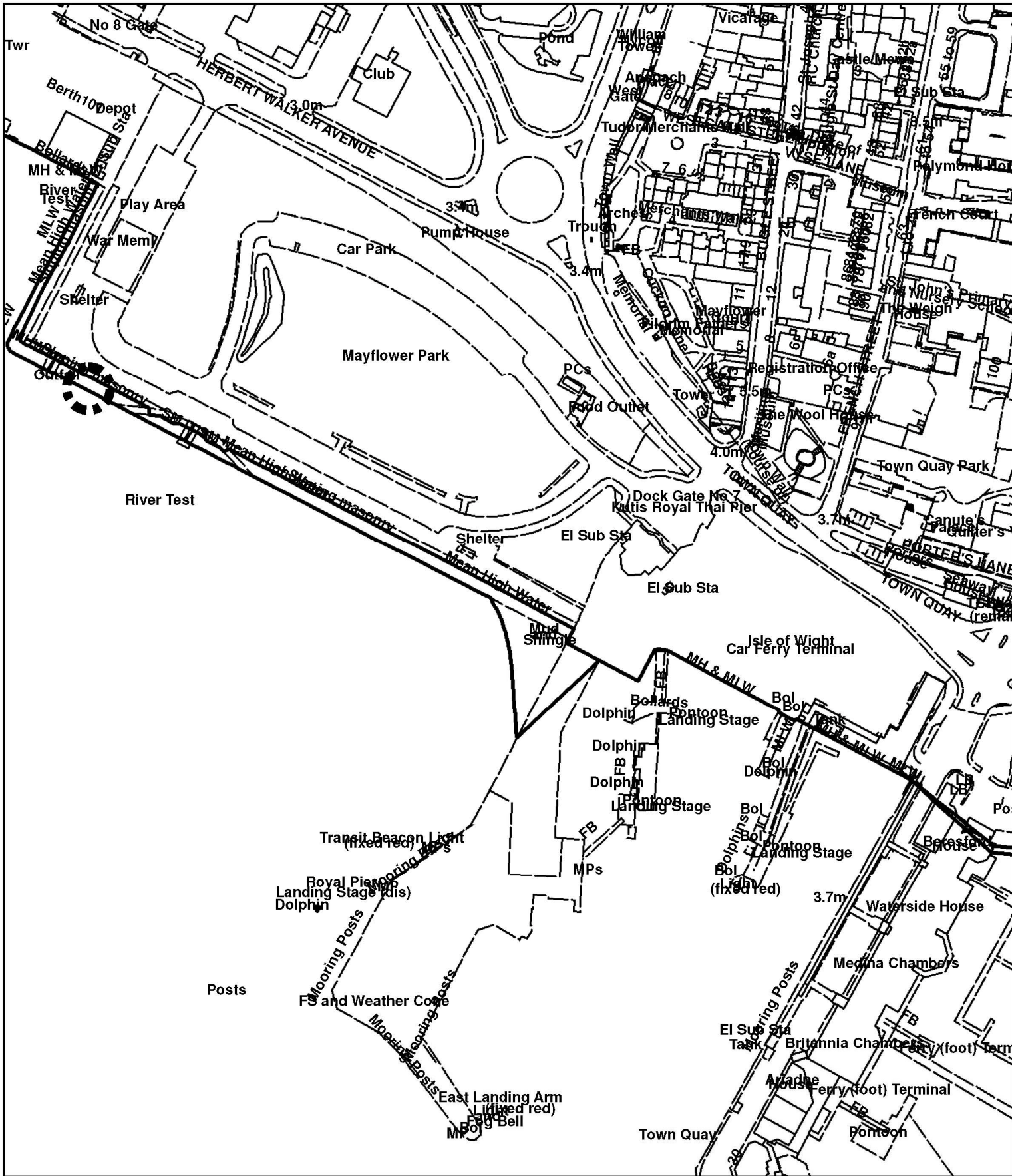
Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012





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# Agenda Item 9

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 24 June 2014**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Central Site, West Quay Phase 3, Harbour Parade			
<b>Proposed development:</b> Application for reserved matters approval for Phase 1 of the Watermark West Quay development (covering layout, scale, appearance and landscaping pursuant to planning permission reference 13/00464/OUT) to provide leisure use including cinema (Class D2 - 11,200 square metres floorspace) retail (Classes A1, A2, A3, A4 and A5 - 13,000 square metres floorspace) and public realm works.			
<b>Application number</b>	14/00668/REM	<b>Application type</b>	REM
<b>Case officer</b>	Richard Plume	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	15.07.2014	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Referred by the Planning and Development Manager due to strategic importance	<b>Ward Councillors</b>	Cllr Bogle Cllr Noon Cllr Tucker

<b>Applicant:</b> Hammerson (Watermark) Ltd	<b>Agent:</b> Barton Willmore
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Yes</b>
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<b>Appendix attached</b>			
1	Development Plan Policies	2	Copy of Outline permission (13/00464/OUT)

## Recommendation in Full

**Conditionally approve**

## **1. The site and its context**

- 1.1 The application site is the first phase of the Watermark West Quay development on land directly to the south of the West Quay Shopping Centre (WQSC), between Portland Terrace and Harbour Parade. The majority of the site consists of a large area of hardstanding which has mainly been used in connection with the annual Boat Show and other temporary uses. The southern extent of the site is part of the road and footpath in Western Esplanade; the northern extent of the site includes the existing external terrace and part of WQSC, as well as part of the multi-storey car park on the western side of Harbour Parade; the eastern extent of the site is a portion of Portland Terrace and Bargate Street including the existing pedestrian subway. The full extent of the site subject of the previous outline planning permission, extended to an area of approximately 4.27 hectares and included part of The Quays Swimming and Diving Centre (QSDC) which adjoins to the south. The site of the outline permission also included the two existing surface level car parks at the top of the Town Walls at Albion Place/Castle Way. Neither the land associated with The Quays nor the two car parks form part of the current application for reserved matters approval.
- 1.2 The application site is within the city centre as defined in the Local Plan. The surrounding area is predominantly commercial in character to the north, west and south and predominantly residential in character to the south-east within the Old Town. The WQSC which lies to the north of the site is a large covered purpose built shopping centre providing approximately 74,500 square metres gross retail floorspace. The building consists of three trading floors with two car parking levels below in a podium car park. The centre includes approximately 4,000 car parking spaces provided within the levels below the shopping centre (1,550 spaces) and the separate multi-storey car park (2,450 spaces) to the west on the opposite side of Harbour Parade. There is pedestrian access to WQSC from Portland Terrace, Above Bar Street or Harbour Parade as well as from the Arundel Circus Terrace. Vehicular access to both the podium car park and for service vehicles is from Harbour Parade.
- 1.3 To the west of the application site, on the opposite side of Harbour Parade, is the WQSC multi-storey car park. Adjoining that is the six-storey Premier Inn Hotel with a vacant site adjoining known as West Quay 3 Site B; for which there is outline planning permission for an office development (application reference 09/00247/OUT) and beyond that site is the six-storey office building for the Carnival UK headquarters. To the south is the Quays Swimming and Diving Centre and its surface car park with additional car parking for the De Vere Grand Harbour Hotel to the west.
- 1.4 Part of the road in Western Esplanade is within the application site up to the base of the medieval Town Walls which is a Scheduled Ancient Monument and Grade I listed structure. To the south-east, facing the application site, are two/three-storey terraced houses in Forest View with further predominantly residential properties beyond within the Old Town. The application site is not within a conservation area but the adjoining land to the east is within the Old Town West Conservation Area, the boundary of which runs along the line of the Town Walls.

## 2. **Proposal**

- 2.1 This is an application for reserved matters approval covering the layout, scale and appearance of the building and landscaping of the public areas of Phase 1 of this development. The outline application divided the whole site into four separate development zones (DZ). Phase 1 of the development, which is subject of this application, includes all of DZ1 (the retail and leisure block) and part of DZ2 (public realm). The Phase 1 public realm works include:- infilling the Bargate Street subway, providing the public plaza, the public realm works along Western Esplanade and the link to Harbour Parade. The Phase 2 works will be the subject of a later reserved matters submission and will include all of DZ3 (commercial uses) and DZ4 (residential block) and the remaining public realm works along Western Esplanade, the pocket park and the landscaped car parks on top of the walls.
- 2.2 The outline planning permission granted approval for the principle and maximum quantum of the development across the whole site and the means of access to and through the site. The permission incorporates flexibility over the mix of uses to be provided. The permission was also subject to a series of Parameter Plans which gave a range of building heights and layout criteria for the various development zones. A separate document sets out Design Principles to guide the future design phases of the scheme. Of relevance to this Phase 1 submission the overall floorspace permitted by the outline approval is between 4,000 square metres and 18,500 sq.m for retail/restaurant use (Classes A1 to A5 inclusive), and between 6,000 sq.m and 19,500 sq.m for Leisure Use, including a cinema (Class D2). As part of the outline permission it was agreed that there would be no additional public car parking within DZ1 and DZ2. Any additional car parking would be part of the development of Phase 2 for commercial and residential uses which is not part of the current application. The existing West Quay car parks will serve the proposed development.
- 2.3 **Development Zone 1 (DZ1):** This is the northern part of the site with the WQSC to the north, Harbour Parade to the west, and the former road in Western Esplanade and the Town Walls to the east. This part of the site will be developed with a single large building to be used for leisure uses including a 10 screen cinema on the upper floors and various units on the lower levels to be used for Class 'A' uses, mainly retail and restaurant uses. All servicing of the commercial units and the cinema will be internally from the service yard which will be accessed off Harbour Parade opposite the Premier Travel Inn. The eastern side of the building will have two sloping promenades that face the Plaza with active commercial uses and external seating areas. The access to the cinema will front Harbour Parade with a lobby at an upper level. There will be another main entrance into the building in the north-western corner fronting Harbour Parade. A new pedestrian bridge which will connect the WQSC multi-storey car park and the upper ground floor level of the building was approved at the outline permission stage. Due to a slight change in the alignment of the bridge, a separate application has been submitted for the construction of this bridge (14/00613/FUL). The building will have a height of between 33.80 metres and 37.60 metres (AOD). The total floorspace of the building will be 24,200 square metres of which 13,000 sq.m will be for retail/restaurant or similar uses within Classes A1, A2, A3, A4 and A5. The remaining 11,200 sq.m would be for leisure uses, including the proposed cinema (Class D2). There will be no additional car parking in DZ1. The outline

approval indicated that there would be additional retail uses within this building including a large store fronting Harbour Parade but this now seems unlikely and the indicative drawings suggest that the majority of this development will be a mixture of leisure and restaurant/cafe uses although the applicant is keen to ensure flexibility to assist in the marketing process. The proposed floorspace is consistent with that approved at the outline stage.

- 2.4 **Development Zone 2 (DZ2):** As part of the outline permission DZ2 encompassed all the public realm surrounding the buildings. This was the eastern side of the site at the base of the Town Walls; the existing surface level car park of the QSDC as well as the two existing car parks on top of the walls at Castle Way/Albion Place. DZ2 has now been split into two to reflect the phased nature of the project. The current application for reserved matters approval covers the new plaza at the base of the walls, the connection from the plaza through to Harbour Parade, and the area of Western Esplanade which extends down to the area adjoining the emergency access into the Quays car park. The area of the proposed plaza would be about 3,600 square metres. The plaza varies in width (east-west) from a minimum of 20 metres at the southern end to 42 metres at the northern end. Pedestrian access is provided from either Bargate Street to the north, Western Esplanade to the south and Harbour Parade (through the new scheme) to the west. This ground level link to Harbour Parade would be a minimum of 13 metres wide. Temporary landscaping is proposed on the boundary with the Phase 2 area including a hedge and grassed bank. The existing pedestrian subway on Bargate Street will be closed and sealed, new trees planted in Bargate Street and new public steps will be provided adjoining Arundel Tower. Vehicular access which will only be occasional to cater primarily for the staging of events and to allow emergency vehicles, will be from the south in Western Esplanade. The Plaza has been designed to cater for a number of different uses and events. This includes outdoor dining, outdoor events and leisure associated with the use of the scheme and the city centre. The majority of the area will be hard landscaped although existing trees will be retained where possible and new trees will be added within the public spaces. A total of 14 trees will be removed. A water feature will be a key element of the events space and an open swale will be included in the southern part of the site along the line of Western Esplanade. The paving pattern for the area next to the Town Walls is based on a 'foreshore concept' reflecting the historic promenade alignment of the site. The geometric paving form and water feature are to capture the theme of the mudflats which previously occupied this part of the site.
- 2.5 The proposed external materials for the building would be a mixture of clear glazing for the commercial units (particularly where they face the Town Walls) a banded metal facade to the cinema part of the building, with pre-cast concrete bands to the plinth of the building especially fronting Harbour Parade. The proposed surfacing materials to the public realm will be: Purbeck stone strip to the base of the walls; various types of granite with concrete paving and natural stone steps to the area around the Plaza.
- 2.6 The outline planning application was accompanied by an Environmental Statement (ES) under the EIA regulations. No further ES is required, as the content of the development and local circumstances have not changed since the earlier consideration, although this application is supported by a series of specialist reports.

### **3. 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, together with adjoining land to the west of Harbour Parade and the land to the east (above the Town Walls) fronting Castle Way and the High Street; forms part of the West Quay 3 site which is allocated for a mixed use development under Policy MSA6 of the adopted Local Plan. The recommended uses include retail, food and drink, offices, residential and leisure. A proposal for a multi-purpose sports and leisure facility with an ice rink was identified for the land to the west of Harbour Parade. These sites, known as West Quay 3 sites A and B; are those now occupied by the Carnival office building and Premier Inn Hotel. The policy recommends the following:- that major urban spaces are created above and below the Town Walls; any buildings fronting the City Plaza open space have active frontages; pedestrian and cycle routes are provided to and through the site; improvements are made to Portland Terrace as a key public transport interchange; enhancements are made to Western Esplanade between new buildings and the Town Walls to reinforce its sense of place and encourage attractive pedestrian linkages to the Old Town and Waterfront.

3.3 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

3.4 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

3.5 There are a series of supplementary planning documents approved over the years which promote the use of this key site for a major mixed use development including a new public space with associated public realm improvements. These documents include The City Centre Urban Design Strategy and West Quay Phase 3 Masterplan which was approved in 2003 and updated in 2005.

#### 3.6 City Centre Action Plan - Preferred Approach (January 2012)

The application site is within the Heart of the City as defined in the emerging City Centre Action Plan. Policy 24 relates to the area north of West Quay Road and promotes a mixed use development on the application site. Suitable uses will include retail, food and drink or leisure uses. The site is also suitable for office, hotel and residential uses. Development will be expected to respect and enhance the Town Walls and their setting and create a major civic square at the foot of the Town Walls, with adjoining buildings providing active frontages. The development will enhance pedestrian/cycle links from the Bargate, through the site: to Mayflower Park and the waterfront by enhancing the Western Esplanade; and to Harbour Parade to connect with the wider Major Development Quarter.

#### **4. Relevant Planning History**

- 4.1 The majority of the application site was previously used for temporary vehicle parking, including use as a coach and lorry park.
- 4.2 The outline planning permission for the West Quay Shopping Centre was granted in October 1995 and was for a comprehensive mixed use development incorporating shopping, leisure, offices, housing and restaurants together with pedestrian walkways, highways, town arena, car parking and bus facilities with open space and landscaping. Reserved matters approvals were subsequently granted in 1996, 1997 and 1998 and the shopping centre opened in 2000.
- 4.3 In February 2010, outline planning permission (reference 08/01734/OUT) was granted for redevelopment of the site to provide a mixed use development including an extension and alterations to the West Quay Shopping Centre comprising Retail (Use Class A1, A2 and A3 - 34,700 square metres maximum floorspace); Hotel (Use Class C1 - 5,600 square metres maximum floorspace); Residential (Use Class C3 - Maximum 241 flats); Cinema (Use Class D2 - 7,800 square metres maximum floorspace); public open space; with associated car parking, access, highway, landscaping and other works including infilling the existing pedestrian subway in Bargate Street.
- 4.4 In February 2014, outline planning permission was granted for a mixed use development including alterations to the West Quay Shopping Centre comprising Retail (Use Class A1, A2, A3, A4 and A5 - 19,500 square metres maximum floorspace); Hotel (Use Class C1 - 28,000 square metres maximum floorspace); Residential (Use Class C3 - maximum 260 flats); Leisure (Use Class D2 - 19,500 square metres maximum floorspace) including a Cinema; Offices (Class B1(a) - maximum 10,000 square metres floorspace); public open space; with associated car parking, access, highway, landscaping and other works including infilling the existing pedestrian subway in Bargate Street (Outline application with access for consideration at this stage - Environmental Impact Assessment Development- ref: 13/00464/OUT).

#### **5. Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (2.5.2014) and erecting a site notice (29.04.2014). At the time of writing the report, **1** representation had been received from a local business, not raising an objection but concerned about possible noise and disturbance especially at unsocial hours and the impact this might have on guests at the adjoining hotel.

**Response** - the outline permission includes a condition limiting the hours of construction to the standard times so nothing further is needed for this application.

The following is a summary of the points raised by other consultees and interested parties.



## Consultation Responses

- 5.2 **SCC Highways** - The applicant is already in discussion with our Highways Partners Balfour Beatty, to agree the detailed content of the off site highways works under a Section 278 Agreement, which affects Harbour Parade, Portland Terrace and Bargate Street. The proposed delivery area only has capacity for one articulated lorry but the applicant anticipates a maximum of two articulated deliveries per day, which will be managed to ensure they do not conflict with one another and other smaller delivery vehicles, to ensure that vehicles do not end up waiting on the public highway to access the delivery area. A refuse management plan will be required to ensure that all waste is correctly handled and collected from an appointed collection point. It will be necessary to also consider anti terrorism measures to the delivery bay, where retractable anti ram-raid blocks are indicated but also within the public plaza area and build these features into the public realm. Visitor cycle parking will also need to be provided within the public realm areas. There is a need to ensure that all users can easily move within the development from the upper to the lower levels, and the applicant has demonstrated that ramps and lifts will be available to negotiate the level changes of the site. No additional car parking is to be provided as part of this phase of development, as it has been demonstrated that there is sufficient capacity within the existing multi storey car park.
- 5.3 **SCC Heritage** – The archaeological issues raised by this development are covered by conditions attached to the outline permission (reference 13/00464/OUT).
- 5.4 **SCC City Design** - The applicant's design team have designed a unique and distinctive new landmark for the city that cleverly knits itself into the existing fabric of the city centre to create a very special new 'place' at the heart of the city. It addresses significant level differences between the Medieval Old Town and the historic shoreline in an accessible and dynamic manner with a series of terraces and promenades that lead into a new plaza. The development proposal promises a high quality development that will 'showcase' the new leisure and dining offer as well as providing a fine setting for the Town Walls. The design principles set out in the Outline Application have generally been adhered to in developing the reserved matters application, in particular that the overall height is generally less than the maximum envisaged.
- 5.5 The Design and Access Statement implies that the scheme will be delivered to the highest quality – which is what is expected of this VIP development. Large areas of the development will be subject to considerable wear and tear and scrutiny from the public; residents and visitors from the wider sub region, nationally and internationally will be drawn to this development and its popularity and resultant high footfall is anticipated. Therefore the specification of materials, the 'publically accessible' architectural and public realm detailing will be absolutely critical to the success of the scheme. Although an indication of some of the materials and detailing proposals has been submitted, there is no certainty of the actual specification in the built scheme; it is therefore essential that key specifications, materials and details are conditioned for approval at an appropriate time as the construction commences.

Details and Materials - the overall concept has been carried through consistently to the more detailed plans and sections now submitted. Conditions will need to be applied to ensure that all materials on the public facing elements of the building

and the roof are agreed, including part plans, sections and elevations at 1:20 detailing how they will be assembled. Weathering of materials such as timber and metal will need to be considered.

- 5.6 The principles of the overall public realm design are acceptable. The 'foreshore' concept is a great way to remind us of the history of the site and, combined with the water feature, it is an exciting and innovative concept which is bound to draw the crowds. It is important that the setting of the Town Walls is respected. The amendments to the application incorporate a widened strip of Purbeck stone at the base of the walls which is welcomed. Conditions will be needed to control details and specification of materials, benches, cycle racks, lighting, canopies and other street furniture.
- 5.7 **SCC Ecology** - No objections. Initially there was a concern that a bat emergence survey had not been undertaken and that proposals for lighting the Town Walls might adversely affect bat roosts. However, bat emergence surveys have recently been undertaken at sunrise and sunset and no evidence of bat roosts within the Town Walls was found, although there was evidence of bats foraging along the tree line in Western Esplanade. A condition should be applied to the consent requiring submission of a plan detailing the precise mitigation and enhancement measures that will be implemented.
- 5.8 **English Heritage** – English Heritage have undertaken extensive pre-application discussions with the applicant and are pleased to see that previous comments have been given great weight within the design proposals for the scheme. Broadly, the proposals appear to be sympathetic to the setting of the heritage assets within the vicinity of the development, principal amongst which is the standing section of Southampton's medieval Town Walls, which is a Scheduled Monument. The Design and Access statement includes proposals for the lighting of the Town Walls at night. The principle of lighting the Town Walls is one which is acceptable, and which will enhance public appreciation of this heritage asset. It is recommended however that lighting trials are undertaken to ensure that the lighting is appropriate and sympathetic to the wall. It may be desirable to enforce trials by condition, to ensure that the lighting solution satisfies the requirements of both Southampton City Council and English Heritage. The installation of paving at the base of the wall will result in works taking place within the area of the Scheduled Monument.

### **Recommendation**

The principle of the scheme has already been approved through the granting of outline planning permission. Therefore, at this stage it is necessary to highlight where elements addressed in the reserved matters application may harm the significance of the heritage asset, which must be weighed against the public benefits of the scheme; as well as to indicate elements which can be considered to enhance the significance of the surrounding heritage assets.

- 5.9 The implications of the scheme on undesignated buried archaeology and the direct impacts of the construction phase on the Town Walls have already been addressed through the placement of conditions on the outline planning permission for the scheme. The improvements to the public realm are considered beneficial as they are likely to enhance the communal and aesthetic value of the Town Walls, whilst emphasising elements of its illustrative value. This mitigates, to some degree, the loss of the full extent of the view from Harbour Parade to the Town Walls. A key element of the aesthetic enhancements of this area is lighting

and further details of the lighting scheme are required to ensure that the proposals are sensitive to the character and significance of the Town Walls . There will however be some unavoidable harm caused by the scheme, particularly to the illustrative value of the monument in relation to the connection between the Town Walls and the sea. This harm has been accepted, but it is necessary to ensure that the visual corridors retained by the current design, and referred to in the planning documents adequately retain this relationship. It is not possible to do this without first seeing accurate visualisations of the view from Catchcold and Arundel Towers. Detailed consideration should be given to the choice of cladding for the cinema structure, to ensure that it does not cause harm to the aesthetic or illustrative value of the Town Walls or the Old Town Conservation area. On balance, the scheme appears to offer a re-development option which is generally sympathetic to the character of the heritage assets and which offers potential enhancements of its aesthetic and communal values in particular.

5.10 **BAA** – The proposal could conflict with the safe operation of aircraft unless the following condition can be satisfied.

1. No light, reflection or glare of any kind shall be exhibited from the development at any time which (a) is liable to endanger aircraft taking off or landing from Southampton Airport; or (b) may be mistaken for an aeronautical ground light and liable to endanger aircraft. Southampton International Airport Limited shall have sole discretion to determine if a particular condition or structure is liable to endanger aircraft and have it adjusted or removed at the expense of the developer and/or land owner.

**Reason:** To ensure the development does not endanger the safe movement of aircraft or the operation of Southampton International Airport through confusion with aeronautical ground lights or glare.

**Mitigation:** Page 48 of the Design and Access statement makes reference to “reflective surfaces,” and the roof will be fitted with Photovoltaic arrays. A glint and glare study should be carried out taking into consideration both the PV arrays and reflective building materials used to demonstrate that the building will not interfere with aircraft safety. This is aligned with interim advice as issued by the Civil Aviation Authority (CAA) on solar PV installations.

5.11 **Southern Water** – Nothing to add to the comments made at the outline application stage.

5.12 **Environment Agency** - No objection in principle to the proposed development as submitted. A condition in relation to surface water management should be attached to any permission granted. (Response - a condition to this effect was included on the outline permission so no further condition is required at this stage).

## 6. **Planning Consideration Key Issues**

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

1. The principle of the development.
2. Design issues including the impact on the character and appearance of the area and the setting of the Town Walls.

3. Landscaping and public realm issues.
4. The likely impact on neighbouring occupiers.
5. Transportation issues

## 6.2 Principle of Development

The principle of this development has been accepted by the previous outline permissions for this site. The amount of floorspace across the whole site, the access arrangements and the parameters of the building in terms of its siting and height have been agreed and this application fits within these limits. The proposed uses are consistent with the outline planning permission. The issues associated with additional retail use within the Primary Shopping Area and a new cinema were addressed at the outline stage and no new issues arise with this application. Redevelopment of this vacant site for a mixed use development has been a long-standing aspiration for the city. The site is identified in the Local Plan, together with adjoining land, under Policy MSA6 for a major mixed use scheme. Various design and master planning documents identify the site as a keynote project to increase the commercial 'offer' of the city centre, provide landmark buildings and significantly upgrade the public realm with improved connectivity to the rest of the city centre and to the waterfront. The proposed mixed use development is in accordance with these policy aims and design aspirations.

## 6.3 Design issues

Members attention is drawn to the comments of the Council's City Design Team in paragraphs 5.4 - 5.6 of this report and those of English Heritage in paragraphs 5.8 and 5.9. It has always been recognised that the proposals for the Watermark site would be for very large buildings which would have a significant impact on the appearance of this key site within the city centre. The scale, layout and appearance of the building forming part of this submission are very similar to the indicative images presented as part of the last outline application. The principle of tall buildings has been established through the various design documents, including a masterplan, taken forward through Policy MSA6 and established through the previous permissions. This reserved matters submission demonstrates that a high quality design and a striking new building would be provided. The result is a highly innovative development which reduces the large mass of the cinema by use of an articulated façade that recedes back from the Town Walls whilst providing shelter to the terraces below, that also places the Town Walls at its heart as a key focus for the scheme. The mix of uses should enhance the West Quay Shopping Centre's offer substantially, drawing more people to use this part of the City, also encouraging greater exploration of the Old Town and its heritage assets. The proposed building would have a significant impact on views into and out of the adjoining Old Town Conservation Area. However, it is considered that the impact would largely be positive and enhance the attractiveness of this central part of the city. The proposed building is no closer to the Town Walls than approved at the outline stage (approximately 40 metres away). Because of this and the significant enhancements to the public realm the status of the Town Walls as a listed building and scheduled monument would be safeguarded.

## 6.4 Landscaping and Public Realm

The creation of the plaza fulfils a long standing policy requirement of the Council to provide a vibrant and high quality public space. It would be the focal point of the development, fronted by active retail/leisure uses and with pedestrian routes to the south and west. The area of public realm to be delivered as part of Phase 1 has been enlarged compared with the outline application and this is welcomed. The Plaza is intended to be an accessible and inclusive destination for all user groups and a significant public realm attraction for the wider city centre. At the northern end, the wider space is aimed at larger gatherings and events and at the southern end, a narrower space of 20 metres in width will cater for smaller scale outdoor events and seating which will generate activity throughout the year. The hard-surfaced landscaping with the use of high quality paving, including Purbeck Stone at the base of the walls, interspersed with trees and containing a water feature, will provide an appropriate setting for the Town Walls. Illumination of the Town Walls is a key element of the proposed lighting strategy and a variety of lighting types are proposed to help create a safe and attractive environment all year round. As the proposal is a multi-level scheme with external terraces at ground and upper levels, new and important local views of the Town Walls will be introduced which will allow greater public appreciation of one of the City's main heritage assets. The inclusion of a series of gently sloping stone steps will allow for casual public use and a more inclusive public space. The application will result in the loss of a large number of mature and semi mature trees, although several of the existing trees will be retained at the southern end of the site fronting Western Esplanade where they partially screen the QSDC car park. The outline permission granted in 2010 accepted that all the existing trees could be removed. The loss of trees is often regrettable, but in this case, not all are in good condition and they would not be compatible with the design concept which is for a predominantly hard-surfaced events space. There will be some replacement planting, although the numbers have intentionally been kept to a relatively few trees to allow for views of both the waterfront and the Town Walls to be maintained. The provision of new tree planting in Bargate Street following the infilling of the subway will be a welcome improvement to this part of the streetscene.

#### 6.5 Impact on neighbouring occupiers

The immediate surroundings of the application site are predominantly commercial in character and this large scale mixed use development would be compatible with that character. The residential neighbours immediately adjoining are those in Forest View and Cement Terrace, but the amenities of these neighbours are likely to be more affected by the future development of the buildings on Phase 2, rather than this building, which is some 60 metres away from the nearest house. The properties in Forest View are set on higher ground and although the scale of the new building will result in a markedly different outlook for those neighbours who overlook the site, there will be little direct impact in terms of loss of light or overlooking. The development includes outdoor terraces to the commercial units as well as the multi-use events capacity of the plaza area. These are important areas for the vitality and viability of the scheme and there are restrictions on the hours of use as part of the outline approval.

#### 6.6 Transportation issues

The means of access to this development was approved at the outline stage. The only new vehicular access is from Harbour Parade to the servicing area.

Highways officers are satisfied with the layout of this servicing area subject to management controls which can be covered by a condition. In terms of pedestrian and cycle accessibility, the difference in levels between the Old Town/Bargate area of the city and the lower level of the reclaimed land, which forms the majority of the application site, has been a significant challenge for this development. The closure of the subway in Bargate Street has been approved as part of the previous outline permissions and no new issues arise with this submission. This application maintains the previously approved route for cyclists, which will be through the development between Phase 1 and 2, linking onto Harbour Parade to join up with the existing cycle route. The promenade route down from Arundel Tower will allow a dismounted cycle connection to the lower level. New pedestrian routes through the scheme would significantly enhance the public realm in this part of the city. The current application demonstrates good pedestrian movement between the different levels of the scheme by the sloping promenades, lifts, staircases and escalators.

## **7. Summary**

7.1 The majority of the application site has been vacant or underused for many years and it has long been recognised as a key element in the regeneration of the city centre. This application provides the first phase of a mixed use development which will significantly contribute to the status, offer and attractiveness of the city centre and create a distinctive and inspiring new destination. The proposal is consistent with the longstanding policy framework and the outline permission and will deliver significant public realm and accessibility benefits. The application has been the subject of extensive discussions with Council officers and with English Heritage, and amendments have been made to overcome earlier concerns/objections. The development will create a new 'sense of place' around the Plaza where formal and informal events will be held. This will provide a focus that allows the Town Walls to create a dramatic setting for the development. An attractive and inclusive pedestrian environment will be created which will help to improve accessibility between the waterfront and the city centre. High quality materials are proposed which could help raise the architectural standard for future developments in the city. The development will open up additional views and experiences of the Town Walls and it is considered that the setting of the walls and the character and appearance of the adjoining conservation area would not be adversely affected.

## **8. Conclusion**

It is recommended that reserved matters permission for Phase 1 be granted subject to conditions.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 3(a), 4(d), 4(r), 4(v), 4(ll), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a) and 9(b).

**RP2 for 24/06/2014 PROW Panel**

## **PLANNING CONDITIONS**

### **01. 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 samples and 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; the signage location and specification; terraces, balustrading, canopies and interface with steps; shopfronts and tenants' terrace paving/cafe furniture; assembly drawings for interface between existing shopping centre and DZ1 on Harbour Parade. 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.

### **02. APPROVAL CONDITION - Details of public realm works (Pre-Commencement Condition)**

No works within Development Zone 2 shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Hard and soft landscape - specification and colours for all materials; paving pattern; specification for all trees; precise location of trees on the link to Harbour Parade; tree pits and shrubs, soil, planting and management plan; protection of hedges whilst they mature; and details of phasing of public realm works.
- b) Street furniture - specification and colours for all materials
- c) Lighting - specification for all products and trial testing of illuminating the Town Walls
- d) visitor cycle hoops - location and specification
- e) bollards and similar features - location and specification

#### **Reason**

To ensure satisfactory treatment of these important details.

### **03. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]**

All trees shown as being retained 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.

**04. APPROVAL CONDITION - no storage under tree canopy [Performance Condition]**

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality.

**05. APPROVAL CONDITION - Landscaping detailed plan [Performance Condition]**

The whole of the landscaping scheme shown on the approved drawings shall be completed prior to the occupation of any building on the site or during the first planting season following the full completion of building works whichever is sooner.

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 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.

**06. 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.



07. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme.

Reason

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

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

The following commercial units as shown on the approved plans shall only be used for purposes within Class A1, A3 or A4 of the Town and Country Planning (Use Classes) Order 1987 as amended or any subsequent amending Order - WM 03, WM 04, WM 05 on Level 02 and WM 06, WM 07, WM 08, WM 09 and WM 11 on Level 03.

Reason:

To ensure the development provides an appropriate active frontage to the new public space in accordance with the aspirations for the development set out in the applicants Design and Access Statement and other supporting documents.

09. APPROVAL CONDITION - Servicing Management Plan (Pre-Occupation Condition)

The building hereby approved shall not be first occupied until a servicing management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail how deliveries will be controlled to prevent the need for HGV's to be waiting adjacent to the delivery bay to gain access and how security vehicles can service the various units without the need to drive within the public realm area. The servicing arrangements shall be carried out in accordance with the approved scheme.

Reason

In the interests of highway safety and the pedestrian environment.

10. APPROVAL CONDITION - Clear glazing (Performance Condition)

The areas shown on the approved drawings as being clear glazing to the commercial units shall be installed as such before first occupation and retained thereafter to allow views into the relevant unit.

Reason

To ensure genuinely active frontages are retained to this important new building and to allow for surveillance of the adjoining public spaces.

11. APPROVAL CONDITION - Impact on Southampton Airport (Performance Condition)

No light, reflection or glare of any kind shall be exhibited from the development at any time which (a) is liable to endanger aircraft taking off or landing from Southampton Airport; or (b) may be mistaken for an aeronautical ground light and liable to endanger aircraft. Southampton International Airport Limited shall have sole discretion to determine if a particular condition or structure is liable to endanger aircraft and have it adjusted or removed at the expense of the developer and/or land owner.

Reason:

To ensure the development does not endanger the safe movement of aircraft or the operation of Southampton International Airport through confusion with aeronautical ground lights or glare.

## 12. 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)

CS1	City Centre Approach
CS2	Major Development Quarter
CS4	Housing Delivery
CS5	Housing Density
CS6	Economic Growth
CS8	Office Location
CS9	Port of Southampton
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

### City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE4	Protected Species
HE1	New Development in Conservation Areas
HE3	Listed Buildings
HE6	Archaeological Remains
CLT1	Location of Development
CLT5	Open Space in New Residential Developments
CLT6	Provision of Children's Play Areas
CLT14	City Centre Night Time Zones and Hubs
H1	Housing Supply
H2	Previously Developed Land
H3	Special Housing Need

H7	The Residential Environment
REI7	Food and Drink Uses (Classes A3, A4 and A5)
REI15	Office Development Areas
TI2	Vehicular Access
MSA1	City Centre Design
MSA6	West Quay Phase 3

#### Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

#### Other Relevant Guidance

The National Planning Policy Framework 2012

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)



**DETERMINATION OF APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Town and Country Planning  
(Development Management Procedure) (England) Order 2010**

Barton Willmore LLP  
7 Soho Square  
London  
W1D 3QB

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 determined. The decision is:

**OUTLINE APPLICATION - CONDITIONAL APPROVAL**

**Proposal:** Mixed use development including alterations to the West Quay Shopping Centre comprising Retail (Use Class A1, A2, A3, A4 and A5 - 19,500 square metres maximum floorspace); Hotel (Use Class C1 - 28,000 square metres maximum floorspace); Residential (Use Class C3 - maximum 260 flats); Leisure (Use Class D2 - 19,500 square metres maximum floorspace) including a Cinema; Offices (Class B1(a) - maximum 10,000 square metres floorspace); public open space; with associated car parking, access, highway, landscaping and other works including infilling the existing pedestrian subway in Bargate Street (Outline application with access for consideration at this stage - Environmental Impact Assessment Development).

**Site Address:** Land between Harbour Parade and Portland Terrace to The South of West Quay Shopping Centre Southampton

**Application No:** 13/00464/OUT

Subject to the following conditions.

**01. APPROVAL CONDITION - Outline Permission Timing Condition**

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, the means of access (vehicular and pedestrian) into the site is approved subject to the following:

- (i) Written approval of the details of the following awaited reserved matters in relation to each phase of the development shall be obtained from the Local Planning Authority prior to any works in respect of such phase taking place on the site  
the layout of the buildings on site and detailed siting of associated areas,  
the appearance and architectural design specifying the external materials to be used,  
the scale of the buildings indicating massing and building bulk, and  
the landscaping of the site specifying both the hard, soft treatments and means of enclosures.

(ii) An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years with the exception of the reserved matters relating to the residential element of the development which shall be submitted before the expiration of five years from the date of this Outline Permission

(iii) The development hereby permitted shall be begun either before the expiration of five years from the date of this Outline permission, or before the expiration of two years from the date of approval of the last application of the reserved matters to be approved whichever is the latter.

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended). A longer time period is considered appropriate given the complexity and viability of the development.

02. APPROVAL CONDITION - Additional Details Required (Pre-Commencement Condition)

Details of the following particulars of the proposed development in addition to the submission of Matters Reserved from the Outline Planning Permission hereby approved shall be submitted to and approved in writing by the Local Planning Authority before commencement of the relevant phase of the development:

(A) In addition to Reserved Matters for the layout of the building(s) and for the means of access thereto in respect of each phase of the development, a plan showing the detailed siting of structures on the site showing the position of trees to buildings, and the vehicular parking areas to access points in relation to such phase;

(B) In addition to Reserved Matters for the appearance and design of the building(s) in respect of each phase of the development a detailed plan showing the size of the building(s) and specifying the external materials to be used in relation to such phase;

(C) In addition to Reserved Matters for the size of the building(s) in respect of each phase of the development details of the height, width, length of the structures and the massing and bulk of the buildings to the open areas shall be provided in relation to such phase;

(D) In addition to Reserved Matters for the landscaping to the site in respect of each phase of the development, a detailed plan indicating a programme of implementation together with details specifying the numbers, types, size and species of trees, hedgerows and shrubs to be planted, and the method of ground preparation and mulching treatment, the construction and specification details of all hard landscaping areas including those relating to the detailed design of any public art work, tree pits, street furniture and signing in paved areas, proposed in relation to such phase. This should be accompanied by a detailed Management and Maintenance Plan;

(E) Details of the treatment to the boundaries of the site, and all screen walls or fences within the proposed development in respect of each phase of the development;

(F) Details of the means of refuse disposal and siting of refuse disposal points and recyclable material storage and collection points in respect of each phase of the development;

(G) Detailed plans specifying the areas to be used for contractors 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 in respect of each phase of the development ;

(H) Detailed cross-sections of the site showing existing levels and proposed finished levels, position of access roads, car parking areas and buildings and position of trees on the site in respect of each phase of the development ;

(I) Details of the layout of on-site car parking in respect of each phase of the development;

(J) Details of the construction of all highways and vehicular access ways, including a specification of the type of construction proposed for the roads and footpaths, together with all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels and details of street lighting in respect of each phase of the development;

(K) Details of the proposed drainage of the site, including details of the provision for the protection of existing sewers which cross the site during the period of all works of excavation and construction in respect of each phase of the development ;

(L) A plan showing the location and depth of trenches in connection with the laying of services

in respect of each phase of the development;

(M) Details of the method of construction of each phase of the development, including piling, and the means of protection to safeguard the Town Walls as a listed building and Scheduled Ancient Monument.

Reason:

To ensure the proposed development is satisfactory as regards layout, access, appearance, landscape provision and in all other detailed respects.

### 03. APPROVAL CONDITION - Parameter Plan and Design Principles

The details of the reserved matters submitted pursuant to this permission shall be carried out in accordance with the Parameter Plans Amended (Dated July 2013) and Design Principles Amended (Dated July 2013) documents accompanying this planning application and be consistent with the Design and Access Statement Amended (Dated July 2013).

REASON

To secure the satisfactory development of this important site in accordance with the agreed principles and objectives and to ensure high design quality is achieved.

### 04. APPROVAL CONDITION - Phasing

The development may be carried out on a phased basis and applications for reserved matters may be submitted in respect of any of the phases of development within the site in any order.

The development hereby permitted shall not be commenced until a phasing plan has been submitted to and agreed in writing by the local planning authority. The phasing plan shall identify and describe the phases of construction of development including the relevant public realm/infrastructure elements. The development shall be carried out in accordance with the provisions of the approved phasing plan and/or any subsequent amendment to it that has been agreed in writing by the local planning authority.

REASON

To ensure the development is carried out in a comprehensive and controlled manner.

### 05. APPROVAL CONDITION - Floorspace

The gross internal area constructed at the application site for purposes within Classes A1, A2, A3, A4, A5, B1, C1, and D2 on the application site shall not exceed 68,500 sq m and Class C3 shall not exceed 260 units. The areas for these purposes shall be:

	Minimum Floorspace(sq m)	Maximum Floorspace (sq m)
Retail/restaurant (A1-A5)	4,000	18,500
Retail Kiosks	0	500
Offices	0	10,000
Hotel Class C1	0	28,000
Leisure Class D2	6,000	19,500
Residential Class C3	140	260 units

For the avoidance of doubt the gross floor area of the proposed car park is excluded from the maximum proposed floorspace levels for Development Zone 3.

**REASON**

To control the development in accordance with the Environmental Impact Assessment submitted with the application.

**06. APPROVAL CONDITION - Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]**

Prior to the commencement of each phase 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 relevant part of the site to which such phase relates 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;
  - o historical and current sources of land contamination
  - o results of a walk-over survey identifying any evidence of land contamination
  - o identification of the potential contaminants associated with the above
  - o an initial conceptual site model of the site indicating sources, pathways and receptors
  - o a qualitative assessment of the likely risks
  - o 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.

**07. 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



**08. 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 in relation to such phase of the development to which such contamination relates 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

**09. APPROVAL CONDITION - Archaeological investigation [Pre-Commencement Condition]**

No development shall take place within such part of the site to which a phase relates until the implementation of a programme of archaeological work in respect of such phase 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.

**10. APPROVAL CONDITION - Archaeological work programme [Performance Condition]**

The developer shall secure the completion of a programme of archaeological work for each phase of the development 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.

**11. APPROVAL CONDITION - Archaeological damage-assessment [Performance Condition]**

The type and dimensions of all proposed groundworks in respect of each phase of the development shall be submitted to and approved by the Local Planning Authority. The developer will restrict groundworks in accordance with the approved details 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.

**12. APPROVAL CONDITION - Archaeological investigation example 1 [Pre-Commencement]**

Two successful borehole samples will be taken by a geoarchaeologist through the underlying peat deposits, as well as the deposits immediately above and below them, before development begins on the site.

**Reason:**

To ensure that the archaeological investigation includes the recovery of regionally important evidence.

13. APPROVAL CONDITION - Archaeological investigation example 2 [Performance Condition]

Following the removal of the modern infill in the area of the proposed residential tower, but before the removal of the underlying intertidal muds, an appropriate archaeological contractor will undertake an evaluation of the tower-base site, in strips, comprising about 17.5% of that area. If significant archaeological remains are encountered as a result, they will be investigated, recorded and recovered, in accordance with a further written scheme of investigation that has been submitted to and approved by the Local Planning Authority, before the applicant may remove the underlying muds.

Reason:

To ensure that the archaeological investigation includes a close examination of an area possibly containing wrecks.

14. APPROVAL CONDITION - Preservation of the archaeological record [Performance Condition]

Allowance will be made, as an integral part of the archaeological work, for the full analysis of the data, leading to the publication of at least one report in an appropriate form (either in the appropriate journal or journals or as a monograph); the provision of required data to the Southampton Historic Environment Record; the conservation of all materials requiring conservation; and the deposition of the full site archive, including recovered materials, with Southampton City Museums.

Reason

To ensure that the archaeological work is appropriately recorded.

15. APPROVAL CONDITION - Noise - plant and machinery [Pre-Occupation Condition]

The Class A1, A3, A4, A5, B1, C1 and D2 uses hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the relevant phase of the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the amenities of the occupiers of existing nearby properties

16. APPROVAL CONDITION - Extract Ventilation - control of noise, fumes and odour [Pre-Occupation Condition]

The use of each phase of the development shall not commence until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment in respect of such phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

Reason

To protect the amenities of the occupiers of existing nearby properties

17. 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 LPA.

Reason

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

#### 18. APPROVAL CONDITION - Lighting [Pre-Commencement Condition]

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

Reason

To protect the amenities of the occupiers of existing nearby residential properties. In addition, it is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Southampton Airport.

For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)).

#### 19. APPROVAL CONDITION - Piling [Pre-Commencement Condition]

Prior to the commencement of each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs in respect of such relevant phase shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

Condition Informative 1

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

Condition Informative 2

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

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

Prior to the commencement of any development in each phase of the development a written construction environment management plan in respect of such phase shall be submitted to and approved by the Local Planning Authority. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to

ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

**Reason**

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

**21. APPROVAL CONDITION - Waste Management Plan [Pre-Occupation Condition]**

A waste management plan containing full details of measures to reduce the wastage of materials and promote the recycling of materials during the construction process and in the subsequent use and operation of each phase of the development shall be submitted and agreed in writing with the Local Planning Authority prior to the first occupation of such relevant phase of the development hereby granted consent. The plan will contain measures to promote the reuse, segregation and composting of wastes produced on site.

**Reason:**

To ensure that resource consumption is minimised and opportunities for recycling are maximised on site and to comply with policy SDP13 (viii) of the City of Southampton Local (2006)

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

Before the residential development commences, written documentary evidence demonstrating that the residential development will achieve a minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

**REASON:**

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

**23. APPROVAL CONDITION - Code for Sustainable Homes [performance condition]**

Within 6 months of any part of the residential development first becoming occupied, written documentary evidence proving that the development has achieved a minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body shall be submitted to the Local Planning Authority for its approval.

**REASON:**

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

**24. APPROVAL CONDITION - BREEAM (commercial development) [Pre-Commencement Condition]**

Before individual phases of the development commence, written documentary evidence demonstrating that the development phase will achieve a minimum rating of Excellent against the BREEAM standard in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

**REASON:**

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

**25. APPROVAL CONDITION - BREEAM (commercial development) [performance condition]**

Within 6 months of any part of the commercial development first becoming occupied, written documentary evidence proving that the development has achieved a minimum rating of Excellent against the BREEAM standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

**REASON:**

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

**26. APPROVAL CONDITION - Renewable / Low Carbon Energy Sources (Pre-Commencement Condition)**

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable / low carbon 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 each phase of the development hereby granted consent. Renewable / low carbon energy technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the relevant phase 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).

**27. APPROVAL CONDITION - Rainwater /Grey-water Harvesting (Pre-Commencement Condition)**

A feasibility study demonstrating the investigation of the potential for the installation of a rainwater/grey-water harvesting system on site shall be carried out and verified in writing by the Local Planning Authority prior to commencement of each phase of the development hereby granted consent. If the study demonstrates that the installation of such a system would be technically and financially viable, a specification shall be agreed in writing with the Local Planning Authority. A system to the approved specification must be installed and be rendered fully operational prior to the first occupation of the relevant phase of the development hereby granted consent and retained thereafter.

**REASON:**

To reduce overall water consumption and demand on resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

## 28. APPROVAL CONDITION - Green roof feasibility study (Pre-Commencement Condition)

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

### Reason:

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

## 29. APPROVAL CONDITION - Signage Strategy

Prior to the commencement of each phase of development, a 'Signage Strategy' for any non residential uses within that phase shall be submitted to and approved in writing by the Local Planning Authority for use in the determination of any subsequent applications for Advertisement Consent. The Strategy shall include details of a universal fascia size, means of projection, the use of materials and the form of illumination. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing with the Local Planning Authority.

### REASON:

In the interests of visual amenity by securing some uniformity in the signage of the development whilst not preventing a successful corporate branding.

## 30. APPROVAL CONDITION - Surface Water Drainage (Pre-Commencement Condition)

Before each phase of development approved by this planning permission no development shall take place until such time as a scheme to manage surface water has been submitted to, and approved in writing by, the local planning authority.

1. The surface water drainage scheme should be based on the sustainable drainage principles referred to within the Flood Risk Assessment and shall also include;

- a) Confirmation of the surface water drainage techniques to be used. (Following on-site testing of ground conditions, contamination and infiltration rates)
- b) Confirmation of dimensions and location of specific drainage features (e.g. green roofs, permeable paving, soakaways, ponds etc.)
- c) Specific details in relation to how the drainage system will be maintained over its development life.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the development proposals or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### Reason

This condition is required for the following reasons:

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

2. To reduce the risk of flooding to the proposed development and future users. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to the development itself as well as third parties off site.

### 31. APPROVAL CONDITION - Foul and Surface Water Drainage (Pre-Commencement Condition)

No development shall commence until details of the proposed means of foul and surface water sewerage disposal for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

#### Reason

In order that the Local Planning Authority may be satisfied with the drainage arrangements and to ensure the development will not result in an increased risk of flooding in the area.

### 32. APPROVAL CONDITION - Height Limitation on Buildings and Structures

No building or structure (including cranes) of the development hereby permitted shall exceed 116 metres AOD.

#### Reason

Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Southampton Airport and endanger aircraft movements and the safe operation of the aerodrome.

See Advice Note 1 'Safeguarding an Overview' for further information (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp))

### 33. APPROVAL CONDITION - Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority for each phase of the development. The submitted plan shall include details of management of any flat/shallow pitched/green roofs on the buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow. The Bird Hazard Management Plan shall be implemented as approved upon the completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

#### REASON

It is necessary to manage the roofs of the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport.

For information: The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season, gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by

BAA Airfield Operations Staff. In some instances, it may be necessary to contact BAA Airfield Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences from Natural England before the removal of nests and eggs.

34. APPROVAL CONDITION - Car Parking (Performance Condition)

The car parking within Development Zone 3 hereby approved shall be used as specified in the application. No more than 140 car parking spaces shall be made available for general public use to replace the existing public parking. The remaining car parking spaces shall not be used other than by occupiers of the residential accommodation within Development Zone 4.

Reason

To ensure the car parking is provided as set out in the application and to prevent the addition of long stay commuter car parking which would be contrary to Core Strategy Policies CS18 and CS19.

35. APPROVAL CONDITION - Protection of sewers (pre-commencement condition)

No development shall commence until details of measures to be undertaken to protect public sewers has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved measures unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure satisfactory protection of the public sewers.

36. APPROVAL CONDITION - Cycle parking (Pre-occupation condition)

The buildings hereby approved shall not be occupied until cycle parking facilities relating to that building for occupiers and visitors have been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include secure enclosed facilities for employees and showering, changing and locker facilities for employees. Thereafter these cycle and associated facilities shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To promote cycling as a sustainable mode of transport.

37. APPROVAL CONDITION - Safety and security (Pre-Commencement Condition)

No development shall take place within such part of the site to which a phase relates until a scheme of safety and security measures including security of the car parking areas, a lighting plan, a plan showing location and type of CCTV cameras and access to the residential building has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first occupation of the phase to which the works relate and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of safety and security.



38. APPROVAL CONDITION - Park and Plaza (Pre-occupation condition).

None of the buildings within individual Development Zones (1, 3 and 4) shall be occupied until the corresponding approved works for the Plaza (Development Zone 2) have been substantially completed in accordance with the approved phasing plan number 052-ACME-SKE078 Rev E.

Reason

To ensure the development is carried out comprehensively in accordance with the application and to ensure a high quality public realm and pedestrian environment is created in accordance with Local Plan Policy MSA6.

39. APPROVAL CONDITION - Means of Enclosure (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other Order revoking or re-enacting this Order) no walls, fences or other permanent means of enclosure shall be erected within Development Zone 2.

Reason

To safeguard the open character and appearance of this important area of open space adjoining a Scheduled Ancient Monument.

40. APPROVAL CONDITION - Ecology/bird strike (Pre-commencement condition)

No development of the residential tower (Development Zone 4) shall commence until appropriate design measures relating to the height and position of the tower to minimise the risk of bird strike has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the design of the building unless otherwise agreed in writing by the Local Planning Authority.

Reason

To minimise the impact of the development on the flight paths of migratory birds and the designated features of the SPA and Ramsar sites.

41. APPROVAL CONDITION - Hours of Use Class A3, A4 and A5 (Performance Condition)

The Class A3, A4 and A5 uses hereby approved shall not be open to the public outside the hours of 0800 to midnight on any day.

Reason

To protect the amenities of adjoining residential occupiers.

42. APPROVAL CONDITION - Management plan for Plaza

No development of Development Zone 2 shall commence until a management plan relating to the future use of that area has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of outdoor seating and associated facilities, the management of special events and hours of use. The use of the plaza shall be carried out in accordance with this management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure control over the management and operation of the plaza in the interests of the amenities of the area.

#### 43. APPROVAL CONDITION - Servicing Management Plan (Pre-Occupation Condition)

The development shall not be occupied until a scheme relating to vehicular servicing arrangements for each phase of the development has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding what is shown on the approved plans, the details submitted to discharge this condition shall include the detailed design and layout of the service yard forming part of DZ2. The approved measures shall be in place before the phase of the development to which the works relate is first occupied and retained in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

##### Reason

To ensure the arrangements for vehicular servicing are satisfactory for this large scale development and in the interests of highway safety.

#### 44. APPROVAL CONDITION - Road design (Pre-commencement condition)

No development of Development Zones 3 or 4 shall take place until the Local Planning Authority has approved in writing detailed drawings and a specification of the construction of the road and footpath leading from Harbour Parade roundabout to the car park. The works shall be carried out in accordance with these approved details.

##### Reason

To ensure that the road is constructed in accordance with the standards required by the Local Highway Authority.

#### 45. APPROVAL CONDITION - Design of Plant (Pre-commencement condition)

Notwithstanding what is shown on the Parameter Plans, no development shall take place until details of the full extent of the rooftop plant areas of the buildings within that particular phase has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.

##### Reason

To ensure satisfactory treatment of this important part of these buildings in a sensitive location adjoining a conservation area and Scheduled Ancient Monument.

#### 46. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

##### Reason:

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

#### 47. APPROVAL CONDITION - Access for people with disabilities (Pre-Commencement Condition)

Prior to the commencement of each phase of development approved by this planning permission, details of measures to ensure appropriate provision of means of access and facilities for peoples with disabilities shall be submitted to and approved in writing by the Local Planning Authority. These measures shall include suitable car parking provision and means of negotiating the different levels of the development. The approved measures shall be in place prior to the occupation of the phase of the development to which the works relate and retained thereafter.

Reason: To ensure this important city centre development makes adequate provision for people with disabilities.

## REASON FOR GRANTING PERMISSION

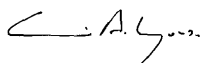
The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has taken into account the findings of the Environmental Statement and other background documents submitted with the application, in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The Council accepts the methodology used in the Environmental Statement and its conclusions and is satisfied that the future submission of reserved matters will be controlled through the Parameter Plans and Design Principles Documents which were part of the assessment in the ES and are subject of planning conditions. The Council has undertaken a Habitats Regulations Assessment in connection with the development and is satisfied that any adverse impact can be adequately mitigated through the obligations within the Section 106 agreement. The Council has also considered the significant regeneration benefits associated with the development. The Council has considered the impact of the development on the setting of the adjoining conservation area, listed buildings and Scheduled Ancient Monument and found the impact to be acceptable. Other material considerations do not have sufficient weight to justify a refusal of the application. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies SDP1 - SDP13 (inclusive), SDP15, SDP20, SDP21, SDP22, NE1, HE1, HE3, HE6, CLT1, CLT5/6, CL14, H1, H2, H7, H8, H9-H11, H12, REI 1, REI 7, MSA1, MSA6 and IMP1 of the City of Southampton Local Plan Review (March 2006).

CS1, CS2, CS4, CS5, CS6, CS8, CS9, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS21, CS24 and CS25 of the City of Southampton Core Strategy (2010).

### Note to Applicant

1. A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or [www.southernwater.co.uk](http://www.southernwater.co.uk).
2. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or [www.southernwater.co.uk](http://www.southernwater.co.uk)
3. A formal application for connection to the water supply is required in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or [www.southernwater.co.uk](http://www.southernwater.co.uk)



**Chris Lyons**  
**Planning & Development Manager**

21 February 2014

If you have any further enquiries please contact:  
**Richard Plume**

**IMPORTANT NOTE TO APPLICANT**

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings.

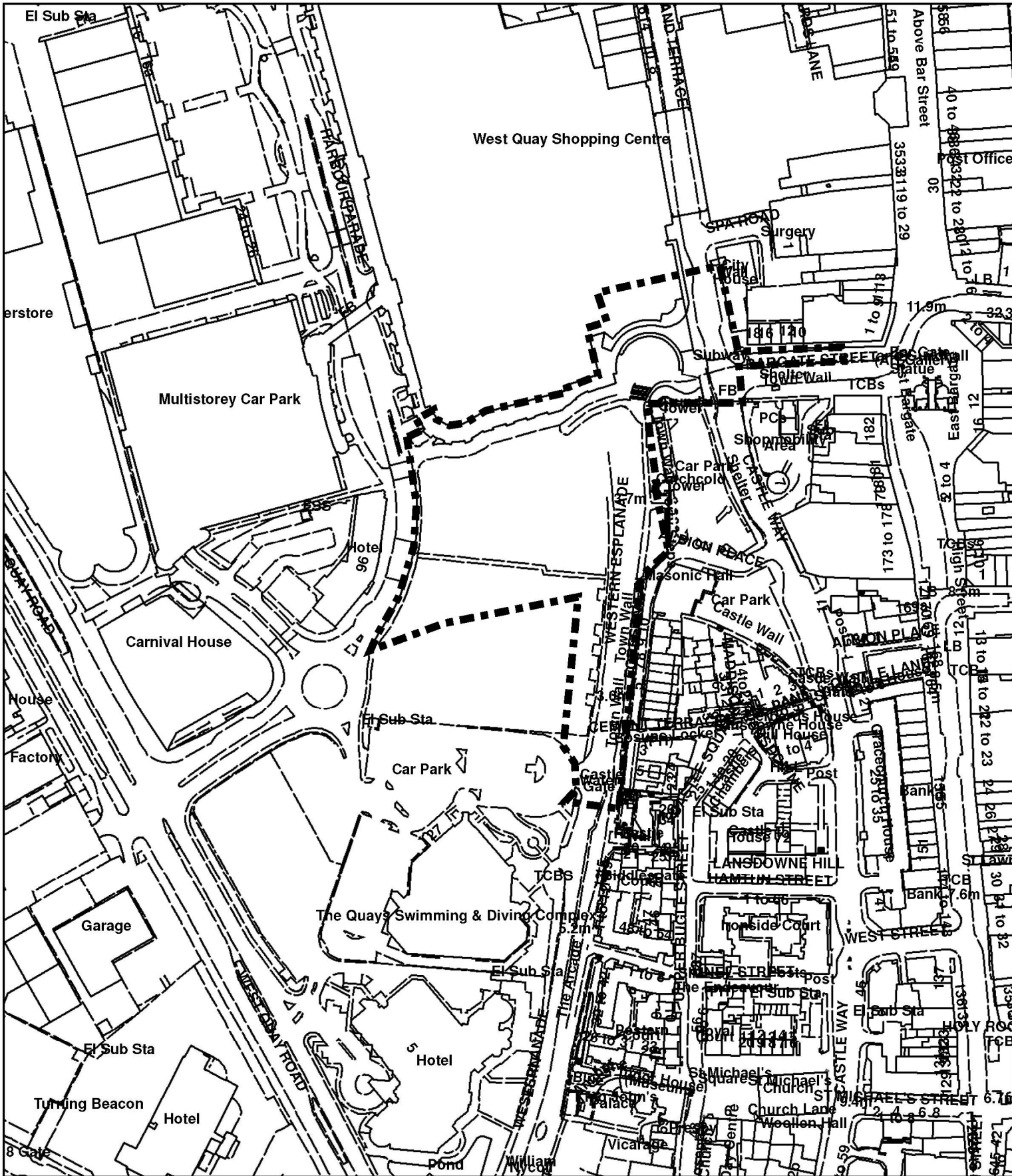
<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
PARAMETER PLANS	Amended July 2013	Other Plans	03.07.2013	Approved
DESIGN PRINCIPLES	Amended July 2013	Other Plans	03.07.2013	Approved
PHASING 052-ACME-SKE078	Rev E	Other Plans	28.11.2013	Approved

**NOTES**

1. This permission relates to Planning Control only. Approval under the Building Regulations may also be required and should you be in any doubt about this, please contact Building Control Services, Tel. 023 8083 2558. Any other necessary consent must be obtained from the appropriate authority. Special attention is drawn to the fact that this permission does not relate to the display of advertisements and separate consent is required under the Town and Country Planning (Control of Advertisements) England Regulations 2007. Development affecting buildings of special Architectural or Historical interest is also subject of separate Listed Building Consent. Any queries should be made to Development Control Service as indicated below.
2. This permission has been granted on the basis of all the information submitted by the applicant shown on the plans accompanying the application. Any material misstatement or wrong information may invalidate the permission.
3. If the applicant is aggrieved by the decision of the Local Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
4. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
5. If permission to develop land is granted subject to conditions, whether by the Local Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council a purchase notice requiring the Council to purchase their interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade, and you are advised to contact Building Control Services as set out in Note 1.
8. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
9. The applicant is recommended to retain this form with the title deeds of the property.
10. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012)  
Please address any correspondence in connection with this form quoting the application number to: **Development Control Service, Southampton City Council, Civic Centre SOUTHAMPTON. SO14 7LS**

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# Agenda Item 9 14/00668/REM



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# Agenda Item 10

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 24.6.14**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Unit C Brooklands Courtyard First Avenue SO15 0LJ			
<b>Proposed development:</b> Change of use of Units A, B And C (Brooklands Courtyard) from a Warehousing Use (Use Class B8) to a Training Centre Use (Use Class D1).			
<b>Application number</b>	14/00692/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Andrew Gregory	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	19.06.2014	<b>Ward</b>	Redbridge
<b>Reason for Panel Referral:</b>	Departure from the Development Plan	<b>Ward Councillors</b>	Cllr McEwing Cllr Whitbread Cllr Pope

<b>Applicant:</b> Carillion Plc	<b>Agent:</b> Gerald Eve Llp
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>The proposed use does not trigger any CIL liability.</b>
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## Reason for granting Permission

The site is safeguarded for Industry and Warehousing use under Saved Policy RE10(ii) of the Local Plan Review. Whilst the proposed training centre (Use Class D1) does not strictly accord with the site specific designation, the Council is satisfied that the site has been marketed for a sufficient period without take up, and the proposed skills training for the construction industry is a suitable alternative use for the site. Furthermore the development would bring this vacant building back into use.

The development is acceptable taking into account all other relevant policies and proposals in the Development plan as set out below. Overall the principle of this scheme is acceptable, particularly as it would provide continued employment use for the site and the proposed use will not prejudice neighbouring commercial and industrial activities.

Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and

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

Policies - SDP1, SDP3, SDP4, SDP7 and REI10(ii) of the City of Southampton Local Plan Review (March 2006) and policies CS6 and CS7 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

## **Recommendation in Full**

### **Conditionally approve**

#### **1.0 The site and its context**

- 1.1 The application site has an area of 0.2 hectares and comprises three interconnected units (A-C) authorised for warehousing use. Access is taken from First Avenue with forecourt parking located to the front of the site with additional parking within the middle of the site.
- 1.2 The surrounding area is commercial in nature and safeguarded for industry and warehousing uses. Polyclear plastics factory is located to the south-east, Formerton builders merchants are located to the north-west and SETA engineering training centre is located opposite.
- 1.3 On-street parking is restricted on one side of First Avenue with no parking Mon-Sat 8am-6pm.

#### **2.0 Proposal**

- 2.1 Carillion plc seek to convert the vacant warehouse and office space into a training centre to provide skills training for the construction industry. The buildings will be fitted out to provide classroom lessons, workshop training areas and supporting administration. No external changes are proposed to the existing buildings on site.
- 2.2 The submission indicates that the training centre's employees and apprentices will be mainly from the local area; with assessors and placement/monitoring officers to be local tradesman. It is anticipated that 92% of the apprentices will be from the surrounding Millbrook area. The expected staff numbers will be 10 and they aim to recruit around 90-100 apprentices each year with apprenticeships lasting from 12 months - 3 years on average. They would expect to have approximately 160 apprentices on programmes at any one time.
- 2.3 The submission indicates that 17 car parking spaces are available on 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 National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

3.3 The site is safeguarded for light industrial, general industrial and storage and distribution uses within Classes B1 (c), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) under saved policy RE1 10 'Industry and Warehousing' of the Amended Local Plan Review and identified as such on the Policies Map.

3.4 Policy CS 7: Safeguarding Employment Uses: Policy CS 7 of the Core Strategy 'Safeguarding Employment Sites' is also relevant to consider with the proposal. This states that all existing employment sites and allocations will be safeguarded for employment use unless it satisfies the specified criteria. In this instance, the following criteria would apply;

- i. There is clear evidence that a site is not, and is not likely to become, viable for employment use; or
- ii. There is strong justification to release a site from employment safeguarding, on the following grounds:
  - a) The redevelopment of the site, given its specific location, could deliver strong and distinctive planning / regeneration benefits.

3.5 In relation to the above, the applicant has provided marketing material that demonstrates that this site has been vacant for around five years. This will need to be considered in relation to satisfying criteria i above.

3.6 Paragraph 22 of the NPPF is also a relevant consideration whereby it is stated that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It is further stated that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. The proposed training centre would satisfy the NPPF requirements.

### **4.0 Relevant Planning History**

4.1 Planning permission was granted for the existing warehouse and construction of hardstanding and loading facilities on 26.11.1985 under application ref W19/1670.

## **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 undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (06.05.2014) and erecting a site notice (16.05.2014). The application was advertised as a departure on 16.5.14. At the time of writing the report **no** representations have been received. The following is a summary of the points raised:

### **Consultation Responses**

- 5.2 **SCC Highways** - No objection subject to a condition to secure 17 parking space and scooter and cycle parking facilities.

The Carillion Training company already occupies premises accessed from Third Avenue, a short distance from this site. There is also another training company, Seta, located near this site. Due to the nature of the training provided and the age and circumstances of the apprentices, vehicle traffic generation at the site is low, but the applicant states that there is provision of 17 parking spaces on site. Using our current parking standards, this would comply with our low accessibility area providing parking for up to 20 staff and 135 students. In addition to this the Highway Team require provision of cycle parking at the rate of 1 space per 4 students (expected on a daily basis), and 1 space per 10 staff, in a covered, secure and overlooked space. Some students ride scooters, and a suitable parking area should be provided for these.

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

## **6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- Principle of development;
  - Visual Impact;
  - Impact on residential amenities;
  - Highways and parking.

### **6.2 Principle of Development**

Whilst the proposal strictly represents a departure from policy REI 10 of the Local Plan Review, which safeguards the area for industry and warehousing use, the proposed training centre is considered to be a 'good fit' for the site and would be compatible with neighbouring commercial use within First Avenue. Skills training for the construction industry is a suitable use within a safeguarded employment area and it should be noted that Carillion currently occupy units 1 and 2 within Brazier Industrial Estate, Third Avenue.

- 6.3 The existing warehousing has been vacant for 5 years and sufficient evidence has been provided to demonstrate the site has been marketed for industry and warehousing use.
- 6.4 It is noted from the supporting letter that the training centre will provide a source of valuable local employment. It is not known in this instance how many jobs the

training centre would create. However, it is accepted that the site (although not providing traditional employment uses (B1-8 uses)) would be compatible with neighbouring employment uses and would provide a valuable contribution to the local economy through the provision of skills to locally unemployed residents. This could therefore serve as a catalyst for providing additional jobs locally.

6.6 It is recommended that a condition is attached to the permission which would prevent the premises being used for any other purpose other than as a training centre (including any other purpose within Class D1). This would help to control any future potential use of the site.

6.7 Impact on the appearance of the area  
No external changes are proposed to the building and therefore the development will have no visual impact.

6.8 Impact on nearby residential amenities  
The nearest residential properties are a considerable distance away on the north side of Millbrook Road. The development will have no adverse impact on those residents having regard to the nature of the use and separation distance from those properties. There is existing background noise for surrounding commercial uses and traffic noise on Millbrook Road. The Council's Environmental Health team has raised no objection to the proposal.

6.9 Highways  
The provision of 17 parking spaces accords with the Council's maximum car parking standards. It is anticipated that many of the staff and apprentices will be from the local area and therefore the site can be reached sustainably. Cycle and scooter parking should be secured by condition.

## 7.0 Summary

7.1 Whilst the proposed training centre (Use Class D1) does not strictly accord with the site specific designation, officers are satisfied that the site has been marketed for a sufficient period without take up, and the proposed skills training for the construction industry is a suitable alternative use for the site. The Council is satisfied that the site has been marketed for a sufficient period without take up, and the proposed alternative use is acceptable on the basis that it brings this vacant site back into use and supports the local job market.

## 8.0 Conclusion

8.1 It is recommended that planning permission be granted subject to conditions.

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

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(g), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a), 9(b).

**AG for 24/06/14 PROW Panel**

## **PLANNING CONDITIONS**

### **01. APPROVAL CONDITION - Full Permission Timing Condition - Change of use**

The use 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 - Only be used for the D1 use specified in the Description of Development**

The premises shall only be used for the use specified in the Description of Development above and for no other purpose whatsoever, including any other purpose in the Schedule to the Town and Country Planning (Use Classes) Amendment Order 1991, (or in any equivalent provision in any statutory instrument revoking or re-enacting that Order), Class D1.

REASON: To enable the Local Planning Authority to retain control over the development to ensure that suitable employment use is retained on the site.

### **03. APPROVAL CONDITION - Parking**

Unless otherwise agreed in writing with the Local Planning Authority, the development to which this consent relates shall not be brought into use in full or in part until a minimum of 17 car parking spaces, secure covered space for 40 bicycles and provision for scooter parking are laid out within the site for the benefit of staff/apprentices, in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The car parking, cycle storage and scooter parking shall thereafter be retained on site for that purpose.

REASON: In the interests of highway safety, to secure a satisfactory form of development and to encourage cycling as a sustainable form of transport.

### **04. 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)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS24	Access to Jobs

City of Southampton Local Plan Review – (March 2006)

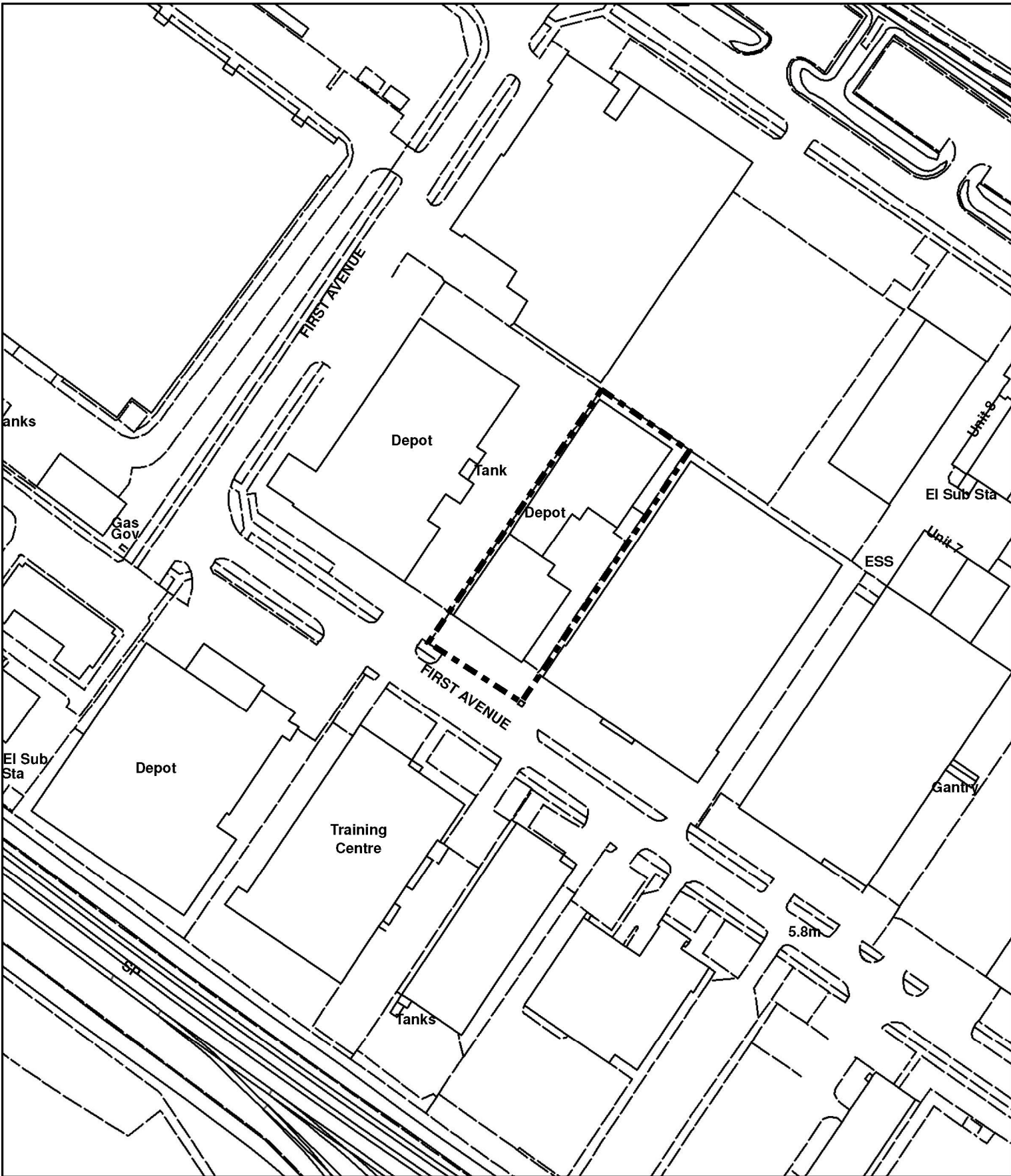
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP16	Noise
REI10	Industry and Warehousing

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012



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# Agenda Item 11

**Planning, Transport & Sustainability Division  
Planning and Rights of Way Panel – 24 June 2014  
Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> National Oceanography Centre, European Way			
<b>Proposed development:</b> Erection of a first floor extension to the front, a single storey rear extension and external alterations including new entrances (Departure to Local Plan)			
<b>Application number</b>	14/00399/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	12.05.2014	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Departure from the Development Plan	<b>Ward Councillors</b>	Cllr S Bogle Cllr J Noon Cllr M Tucker

<b>Applicant:</b> Mr David Kearney National Oceanography Centre	<b>Agent:</b> Parsons Brinckerhoff
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
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## **Reason for granting Permission**

The development is a departure from the Development Plan in that it fails to achieve BREEAM Excellent. However, given the specific circumstances relating to this building both in terms of its function and as a relatively small extension to a large building pre-dating BREEAM requirements it is accepted that the achievement of BREEAM Excellent is not achievable in this instance. Given all other factors are acceptable and given the need for the extension to provide and improve educational provision on the site, then on balance, the scheme is considered to be acceptable taking into account all other policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, SDP13, SDP14 and L7 of the City of Southampton Local Plan Review (March 2006) and CS11, CS18, CS 19, CS 20, CS 23, CS 25 (of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Planning History

## **Recommendation in Full**

### **Conditionally approve**

#### **1.0 The site and its context**

- 1.1 The site is the Oceanography Centre which is a research centre. The National Oceanography Centre (NOC) Southampton is the collaborative partnership between University of Southampton and Natural Environment Research Council (NERC) and is its principal research centre for the marine scientists and engineers at the Southampton waterfront campus.
- 1.2 It is located close to the Solent on European Way; to the north of the site is a car park and Sapphire Court, a seven storey apartment block and to the east of the site is additional residential housing on Ocean Way.
- 1.3 The site lies within an area designated under 'saved' policy L7 of the adopted Local Plan, which relates to University of Southampton development and seeks to promote development that provides academic and teaching facilities and research facilities.

#### **2.0 Proposal**

- 2.1 The proposal forms two distinct parts. A first floor front extension to the NOC building seeks to provide additional floor space and provides clear entrances to the building. The new floor will provide an internet café/exhibition area (open plan central space) and offices, three meeting rooms and lab with staff/student facilities (715sqm in total).
- 2.2 The second element is a rear single storey extension proposed to square off the building to the rear and provide a workshop/storage area using the same materials as the existing warehousing building. The workshop extension will be 277sqm and will replicate the existing workshop building in terms of design and materials, aesthetic and profile. A total of 992sqm of additional teaching and ancillary floor space is proposed.
- 2.3 The site is going to be used by the Marine Autonomous and Robotic Systems Group (MARS), which is a group set up to provide autonomous and robotic systems on behalf of NERC.

#### **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 Developments of this nature are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. Currently all schemes proposing more than 500sqm of new commercial floorspace are expected to achieve BREEAM ‘Excellent’. This is not possible in this case.

3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4.0 Relevant Planning History**

4.1 In 1991 permission was granted for erection of a new oceanographic research centre comprising research and teaching laboratories offices workshops stores ship operating and servicing facilities and car parking application no 901691/E.

4.2 In 2010 (10/01715/FUL) permission was given for the erection of a two storey building to provide a sediment core sample storage facility and associated uses (approved 03.02.2011).

4.3 All other applications relate to alterations to windows and doors and the insertion of air condition units. A full planning history can be found in **Appendix 2** of this report.

#### **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 undertaken which included notifying adjoining and nearby landowners, placing a press advertisement 6<sup>th</sup> June 2014 and erecting a site notice 25<sup>th</sup> March 2014. At the time of writing the report **0** representations have been received from surrounding residents. The following is a summary of the points raised:

##### **5.2 Consultation Responses**

5.3 **SCC Sustainability** – No objection to the departure subject to conditions requiring the development secure a BREEAM score of 59 (Very Good) following discussions with the applicant and the submission of an amended pre-assessment. In order to achieve 'excellent' an overall score of 70 is required as well as achieving mandatory credits. This is not possible in these circumstances.

5.4 **SCC Highways** - No comments as there is no impact on the highway

5.5 **Environment Agency** - No objection

## **6.0 Planning Consideration Key Issues**

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

- Principle of development
- Design and Scale
- Highway Issues; and
- Sustainability

### **6.2 Principle of Development**

6.2.1 As the scheme seeks to expand the building for educational purposes and as the site is secured within the local plan for this type of use the principle is acceptable. The proposal is a departure (and has been advertised as such) from Policy CS20 of the Core Strategy as the scheme cannot not meet the BREEAM standard of 'excellent'. This is discussed further in the 'sustainability' section.

### **6.3 Design and Scale**

6.3.1 The front first floor extension provides an infill frontage to the building. The current grey clad building is very industrial in design and detracts from the brickwork found on other parts of the building. The proposal seeks to create a modern looking extension which will enhance the building. The metal/silver effect cladding materials proposed will provide an attractive appearance and area appropriate for the building.

6.3.2 The first floor extension protrudes further than the ground floor element and is supported by columns clad in circular metal casing. The main central area has a glazed wall once again in a silver finish to the fenestration. Mid grey panelling is proposed at ground floor and in addition, the existing brickwork will remain. The first floor is to be clad in a silver rainscreen cladding panel system and will provide a clean modern finish.

6.3.3 In terms of the warehouse element, the proposal only seeks to extend an existing warehouse so the height, design and materials will match the existing. This is not visible from the road streetscene but will be visible from the water. However, there are a number of structures and some equipment that would hide the view. Regardless of this the extension mimics the existing and does not detract from the development site as a whole. The proposed works satisfy the design requirement of the Local Development Core Strategy Policy CS13.

### **6.4 Sustainability**

6.4.1 The proposals do not meet BREEAM requirements and therefore represent a departure from the Local Plan requiring Panel approval. In this instance the form of the development (an extension to an out dated building) will not achieve BREEAM excellent. The revised BREEAM pre-assessment and evidence schedule regarding the development has achieved (according to the Council's Sustainability Officer) the maximum level of sustainability that could reasonably be put in place.

- 6.4.2 High BREEAM standards are difficult for small schemes and extensions to existing buildings. This scheme has both of these. It is important to note that the extension is connecting up to existing mechanical and ventilation systems which have been installed across the NOC site. These aren't as efficient as a system which is installed today. The applicant has committed to a sizeable amount of solar panelling as part of the scheme which although are not shown on the plans, will be required as part of the suggested sustainability conditions.
- 6.4.3 With respect to the reduction of emissions, the assessment indicates a reduction in the operational emissions from the development of over 20% compared to what would be required under Building Regulations. This shows a commitment to the sustainability particularly was assessed against the size of the scheme and the fact that this is an extension to an existing building (with pre-installed mechanical and engineering systems).
- 6.4.4 Furthermore, the Council's Sustainability Officer advises that *'a great deal of detailed work into ensuring that the maximum level of sustainability is achieved whilst successfully integrating the development into the existing facility has been achieved'*. The level achieved is mid-way between the 'Very Good' and 'Excellent' thresholds.
- 6.4.5 The Sustainability Officer recommends that the standard conditions are modified to require a specific score to be achieved. In this case, a score of 59 is requested, given that as a great deal of detailed work has gone into the pre-assessment (whilst there will also be a need for a design stage assessment) the likelihood of slippage is significantly reduced and that level is therefore achievable. Notwithstanding, there are also a number of areas where further credits may be possible as the project moves forward.
- 6.4.6 In summary, the Council's Sustainability Officer states that *'overall, the development will achieve the highest level of sustainability that could reasonably be expected. Considering the size of the scheme it will be a highly energy efficient building and the deviation from Policy CS20 is supported'*

## 6.5 Highway Issues

- 6.5.1 The Council Highway Officers have concluded (based on the information provided) that, as the exhibition space is a flexible open space for use by members of MARS who will reside in the office areas of the building only no S106 mitigation will be required. It is noted that the floor area created is in excess of 250sqm and therefore it triggers the potential requirement for a S106 legal agreement. This conclusion has been made on the basis that the uses are similar to the existing uses on site and that the extensions will not attract new visitors as they are just an improvement of the facilities for existing members/users. The result being that there will not be a significant increase in the number of trips to and/or from the site when the development is completed.
- 6.5.2 Highway Officer's have raised concerns that if the building were to be sold to a third party the use of the site may alter and additional trips may be created. Therefore, a planning condition securing the use of this area for its intended educational purpose has been recommended.

## 7.0 **Summary**

7.1 In summary, the proposal provides an extension to existing educational facilities, which will not only provide more floor space for educational purposes but will also enhance the appearance of the overall building. Whilst the scheme is a departure from the local plan due to its failure to achieve BREEAM 'Excellent' requirements, other material considerations including no objection from the Council's Sustainability Officer are considered to outweigh the sustainability policy in this instance.

## 8.0 **Conclusion**

8.1 Planning permission should be granted with conditions.

### **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), 3(a), 4 (f), (vv) 6 (a), (c), (f), (i), 7 (a)

### **AL for 24/06/14 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 - BREEAM Standards (commercial development) [Pre-Occupation Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum a BREEAM score of 59, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

REASON:

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

04. APPROVAL CONDITION - BREEAM Standards (commercial development) [Performance Condition]

Within six months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum a BREEAM score of 59 in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

REASON:

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

05. APPROVAL CONDITION - Restricted Use [Performance Condition]

The extensions hereby approved shall only be used for the purposes indicated in the submitted details (i.e. educational and research purposes) and not for any other purpose such as hiring the space out for external exhibitions or an entertaining space.

REASON:

For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development in the interests of highway safety.

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS11	An Educated City
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS23	Flood Risk

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
L7	The University of Southampton

Other Relevant Guidance

The National Planning Policy Framework 2012



**Relevant Planning History**

901691/E Conditionally approved 23.08.1991  
Erection of new oceanographic research centre comprising research and teaching laboratories offices workshops stores ship operating and servicing facilities and car parking.

901692/E Conditionally approved 23.08.1991  
Erection of new oceanographic research centre comprising research and teaching laboratories offices workshops stores ship operating and servicing facilities and car parking.

980918/E Conditionally approved 21.10.1998  
Construction of a single storey extension to the biology collection building.

990079/E Conditionally approved 12.04.1999  
Construction of extension to existing coresample store.

920401/EA Conditionally approved 08.05.1992  
Erection of a freestanding project sign board.

00/00467/FUL Conditionally approved  
11.10.2000  
Construction of two storey office extension and staircase tower to existing building, with two container docking ports.

03/00819/FUL Conditionally approved 24.07.2003  
Single storey extension to south west elevation to facilitate the docking of 2 containerised laboratories.

03/00714/ADV Withdrawn 02.09.2003  
Erection of X2 non-illuminated signs.

04/01804/ADV Conditionally approved 24.12.2004  
Installation of 2 non - illuminated fascia signs at 8th floor level

04/01857/FUL Conditionally approved  
24.01.2005  
Installation of two double doors to the South West elevation of the gymnasium/multi purpose room.

06/01637/FUL Conditionally approved 02.01.2007  
Erection of a bus stop shelter

06/01788/FUL Conditionally approved 19.01.2007  
Replacement of two existing air conditioning chillers and installation of one additional chiller onto an existing tower flat roof

08/00753/FUL Conditionally approved 24.07.2008  
Installation of a wind turbine mounted on a 9 metre high pole at roof level on the south west corner of the building.

09/00316/FUL Conditionally approved 18.05.2009  
Erection of 4 x 2.55m high bicycle stand covers adjacent to the main entrance into the building.

09/01079/FUL Conditionally approved 02.12.2009  
Erection of single storey storage building within existing storage yard.

10/00812/FUL Conditionally approved 20.08.2010  
Erection of 4 x 2.55m high bicycle stand canopy adjacent to the north wing.

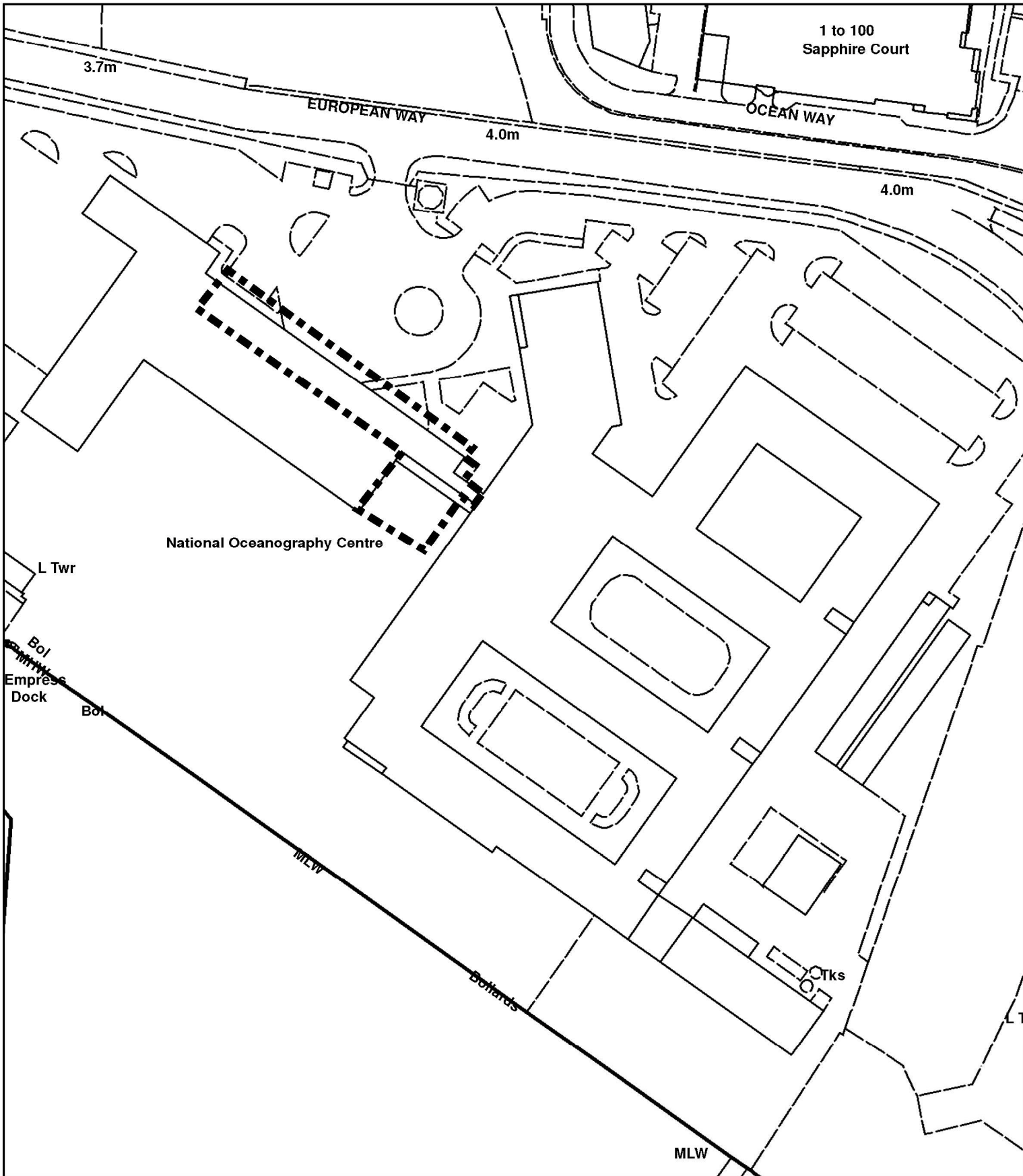
10/01563/FUL Conditionally approved 16.12.2010  
Erection of 2x2.55m high bicycle stand canopy adjacent to the north wing.

10/01684/FUL Conditionally approved 01.02.2011  
Installation of photovoltaic cell system to existing roof.

10/01715/FUL Conditionally approved 03.02.2011  
Erection of a 2 storey building to provide a sediment core sample storage facility and associated uses.

14/00486/FUL Conditionally approved 22.05.2014  
Replacement of existing timber screens on balcony with aluminium curtain walling

# 14/00399/FUL



Scale: 1:1,250

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