

# Planning and Rights of Way Panel

Tuesday, 14th November,  
2017

at 6.00 pm

## **PLEASE NOTE TIME OF MEETING**

Conference Rooms 3 and 4 - Civic  
Centre

This meeting is open to the public

### **Members**

Councillor Denness (Chair)  
Councillor Savage (Vice-Chair)  
Councillor Barnes-Andrews  
Councillor Claisse  
Councillor Hecks  
Councillor Murphy  
Councillor Wilkinson

### **Contacts**

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## **PUBLIC INFORMATION**

### **ROLE OF THE PLANNING AND RIGHTS OF WAY PANEL**

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**

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

**SMOKING POLICY** – The Council operates a no-smoking policy in all civic buildings

**MOBILE TELEPHONES:-** Please switch your mobile telephones to silent whilst in the meeting

**USE OF SOCIAL MEDIA:-** The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

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**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 2017/18**

<b>2017</b>	
20 June	3 October
11 July	24 October
1 August	14 November
22 August	5 December
12 September	

<b>2018</b>	
9 January	13 March
30 January	3 April
20 February	24 April

## 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

### **1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

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

### **2 DISCLOSURE OF PERSONAL AND 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.

### **3 STATEMENT FROM THE CHAIR**

### **4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meetings held on 24 October 2017 and to deal with any matters arising.

## **CONSIDERATION OF PLANNING APPLICATIONS**

### **5 PLANNING APPLICATION - 17/01461/FUL - FORMER FORD MOTOR CO WIDE LANE** (Pages 9 - 84)

Report of the Service Lead, Planning, Infrastructure and Development recommending that the Panel delegate approval in respect of an application for a proposed development at the above address.

### **6 PLANNING APPLICATION - 17/01414/FUL - 170 PORTSWOOD ROAD** (Pages 85 - 94)

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

Monday, 6 November 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 24 OCTOBER 2017

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Present: Councillors Savage (Chair), Barnes-Andrews, Hecks, Murphy, Wilkinson and Coombs

Apologies: Councillors Denness and Claisse

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

The temporary resignation of Councillor Denness and the apologies from Councillor Claisse were noted by the Panel. The Service Director, Legal and Governance acting under delegated powers, appointed Councillor Coombs to replace Councillor Denness for the purposes of this meeting.

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

**RESOLVED:** that the minutes for the Panel meeting on 3 October 2017 be approved and signed as a correct record.

35. **PLANNING APPLICATION - 17/01345/R3CFL - SPRINGWELL SCHOOL HINKLER ROAD**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Construction of a single-storey and a two-storey extension to the Springwell School Phase 1 Development, with associated external works, the formation of a car park and multi-use games area and a new site egress onto Hinkler Road and include amendment to Condition 33 of Application 15/02412/R3CFL resulting in the reduction of total car parking from 115 to 94 spaces.

Thomas Han (agent), Paul Atkins (applicant) and Jackie Partridge were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported no updates but circulated information that clarified the proposed parking arrangements and spaces. Panel Members raised concerns that the Multi User Games Area did not have floodlighting associated with it and requested that an additional condition be added.

The Panel then considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was lost.

A further motion to grant planning permission on the basis of the officers original recommendation and subject to the amendment to the condition listed below was

then proposed by Councillor Savage upon being put to the vote this motion was carried unanimously carried.

**RESOLVED** that the Panel:

- (i) Subject to the receipt of an on-site public open space retention phasing plan (to include means of enclosure) the Panel agreed to refer the application to the National Planning Casework Unit (NCPU) in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 following objection from Sport England;
- (ii) In the event that the NPCU confirm that the Secretary of State does not wish to 'call in' the application and that the matter can be determined by the Local Planning Authority the Panel then delegated to the Service Lead Infrastructure, Planning and Development to grant planning permission subject to: the conditions set out within the report; the additional condition set out below proposed by the Panel; and the completion of an Internal Undertaking to secure the following planning obligations:
  - a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - b. The submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
  - c. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
  - d. Open Space and Playing Field Loss Mitigation in line with policy CLT3 of the City of Southampton Local Plan Review (as amended 2015), policy CS21 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - e. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
  - f. Submission and implementation within a specified timescale of a Travel Plan;
  - g. Securing the Community Use Agreement; and,
  - h. The design, landscaping and formation of a green corridor and permissive route linking Hinkler Road with Byron Road and Donkey Common as shown on the proposals plan. The delivery of this corridor to be linked to the first occupation of any development.
- (iii) That the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the above requirements and/or conditions as necessary and refuse planning permission in the event that an undertaking is not forthcoming within a reasonable timeframe.



**Additional Conditions:**

MUGA, Flood Lighting.

Prior to the occupation of the hereby approved development flood lighting associated with the MUGA will be provided in accordance with details that will first be approved in writing by the local planning authority. Once provided the flood lighting shall be made available for use in association with the MUGA in perpetuity.

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

36. **PLANNING APPLICATION - 17/00127/FUL - 63 VIOLET ROAD**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Erection of a 2 storey side extension and alterations to existing single storey extension (description amended).

Mr Shepherd (applicant) was present and with the consent of the Chair, addressed the meeting.

The Panel sought clarification in regard to the parking arrangements at the property and requested that condition 3 as set in the report be deleted. In addition the Panel noted that no cycle storage condition had been included with the publish report and that a condition be added for bicycle storage.

The Panel then considered the officer recommendation to grant conditional planning permission as set out in the report. Upon being put to the vote the recommendation was lost.

A further motion to grant conditional planning permission subject to the amendments listed below was then proposed by Councillor Savage and was carried unanimously.

**RESOLVED** that the Panel grant planning permission subject to the conditions set out in the report and the amendments set out below.

**Additional and Amended Planning Conditions**

Delete condition 03 Parking as set out in the report.

**Additional condition**

**CYCLE STORAGE FACILITIES (Pre-Commencement Condition)**

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

REASON: To encourage cycling as an alternative form of transport.

37. **PLANNING APPLICATION - 17/01551/FUL - WEST QUAY PUBLIC PLAZA**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Installation of temporary Christmas ice rink with ancillary food and drink uses, including the installation and removal of ancillary structures.

The presenting officer reported that there had been an additional public comment in objection to the application since the publication of the report. It was noted that the additional objection raised no new concerns issues to those set out in the report.

The Panel then considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was carried.

**RESOLVED** that the Panel:

- (i) Delegate to the Service Lead, Infrastructure, Planning and Development to grant temporary planning permission following the close of the public consultation period on 27.10.17, subject to no new relevant planning considerations being raised if five or more objections are subsequently received; and
- (ii) That the Service Lead, Infrastructure, Planning and Development be given delegated powers to add, vary conditions as necessary.

## INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 14<sup>th</sup> November 2017 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	SH	DEL	5	17/01461/FUL Unit 2 – Former Ford Site
6	VH	CAP	5	17/01414/FUL 170 Portswood Road

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

Case Officers:

SH – Stephen Harrison

VH – Vincent Haines

**Southampton City Council - Planning and Rights of Way Panel**

**Report of Planning & Development Manager**

**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 Plan (Adopted 2013)
  - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
  - (c) Local Transport Plan 2006 – 2011 (June 2006)
  - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
  - (e) Adopted City Centre Action Plan (2015)
  - (f) Community Infrastructure Levy Charging Schedule (2013)
  - (g) Bassett Neighbourhood Plan (Adopted 2016)
  
3. Statutory Plans in Preparation
  
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. Government Policy Planning Advice

- (a) National Planning Policy Framework (27.3.2012)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

**Planning and Rights of Way Panel 14<sup>th</sup> November 2017  
 Planning Application Report of Service Lead – Infrastructure, Planning &  
 Development**

<b>Application address:</b> Former Ford Motor Co, Wide Lane, Southampton			
<b>Proposed development:</b> Application for removal of condition 2 (Restricted Use and Operational Hours) of planning permission 16/02035/NMA to allow Unit 2 for use as an industrial laundry on a 24 hour basis			
<b>Application number</b>	17/01461/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Stephen Harrison	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	12.10.2017	<b>Ward</b>	Swaythling
<b>Reason for Panel Referral:</b>	Five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Mintoff Cllr Painton Cllr Vassiliou
<b>Referred to Panel by:</b>	N/A	<b>Reason:</b>	N/A

<b>Applicant:</b> Mountpark Logistics	<b>Agent:</b> Oxalis Planning Attn. Mr Steve Harley
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<b>Recommendation Summary</b>	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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<b>Community Infrastructure Levy Liable</b>	No
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the context of the site allocation for industrial and warehousing development as set out in the Development Plan, and the importance of the additional employment to be created by this development. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise but this impact can be mitigated by Section 106 obligations, and planning conditions, and has been assessed in the context of the site's former historic use for significant manufacturing. Other material considerations have been considered, as set out in the report to the Planning and Rights of Way Panel (14.11.17), and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and

proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP22, NE4, NE5, TI2, HE6 and REI9(ii) of the City of Southampton Local Plan Review (LPR - as amended 2015) and CS6, CS7, CS13, CS18, CS19, CS20, CS22, CS23, CS24 and CS25 of the Local Development Framework (LDF) Core Strategy Development Plan Document (as amended 2015) and guidance in the NPPF (2012).

<b>Appendix attached</b>			
1	16/00885/FUL Panel Report	2	16/00885/FUL Panel Minutes
3	16/02035/MMA Decision Notice		

## **Background**

The Planning and Rights of Way Panel considered and approved a speculative planning application in October 2016 for the part-redevelopment of the former Ford factory site in Swaythling (LPA ref: 16/00885/FUL). This approval relates to the southern part of the site and comprises of 4 buildings for B2 (manufacturing and general industrial) and/or B8 (storage and distribution) uses. A 24 hour operation was approved but with limits on the extent of B2 operations that could occur, and further controls regarding acoustic treatments and night time management. A copy of the Panel report and relevant minutes are attached to this report at **Appendix 1 and 2** respectively.

Permission 16/00885/FUL was then amended by LPA ref: 16/02035/MMA ahead of the commencement of development to rearrange the approved floorspace within 5 buildings (rather than 4). The first three buildings along the site's southern boundary have been constructed and are close to occupation with strong interest from tenants.

The current application concerns Unit 2 from this amended permission, which is the middle of the 3 buildings along the southern boundary. As worded the revised permission restricts the extent of B2 operations. The prospective tenant for this unit operates a commercial laundry business serving the hotel industry and cruise business. The operator is keen to take Unit 2 but requires a 24 hour B2 operation. An application has, therefore, been submitted to relax the following planning condition to facilitate their commercial needs:

### **16/02035/MMA – Condition 2 - Restricted Use & Operational Hours (Performance)**

*The maximum floorspace of the development hereby approved shall be 35,371 square metres (gross external), and the buildings shall not be sub-divided into separate units without the first written approval of the Local Planning Authority. Furthermore, this permission does not allow for the installation of additional mezzanine floorspace (other than those shown) within the buildings to serve the development.*

*Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details (namely B1c, B2 and/or B8) and not for any other purpose.*

*Any office space provided to serve the development shall be ancillary to uses specified and shall not be let, leased or sold separately.*

*The B2 use hereby approved shall be limited to 45% of the total operational floorspace as assessed through the planning application submission.*



*Whilst any B8 use may operate on a 24 hour/day basis **any non B8 use (excluding the ancillary office space) shall be restricted to the following hours, as submitted and hereby approved, unless otherwise agreed in writing with the Local Planning Authority: 7am - 7pm (7 days/week) as set out in the planning application form***

The applicant proposes to delete the final sentence (in bold), as it relates to Unit 2, to then allow a commercial laundry facility operating a 3 shift, 24 hour (7 days per week) operation to service the hospitality sector (Use Class B2: General Industrial).

A full copy of permission 16/02035/MMA is attached to this report at **Appendix 3**. The Panel will note that if the change is accepted all conditions, and their ongoing control over the development, will still apply.

The reason for imposing condition 2 in the first place is cited as:

*In the interest of the amenities of neighbouring occupiers, to ensure that the site is retained for employment generating uses, to ensure that the office space provided is integral to the principal uses due to the out of centre location and in the interests of highway impacts that have been determined.*

The issues raised by this reason for the planning condition are the key considerations, alongside the third party response to the application (set out below), for the Panel. The proposed layout, building heights and design, quantum of development and land use have been agreed with the grant of the original planning permission (16/00885/FUL). At the time of writing negotiations are ongoing between the applicant and the Council's Environmental Health Officer (EHO), although significant progress is being made with the applicants now committing to a noise level from the building that would be 10Db below existing background noise, and a verbal update will be given at the meeting. Without the support of the EHO officers would be reluctant to extend the operational hours for the laundry as proposed.

### **Recommendation in Full**

1. Delegate to the Planning and Development Manager to grant conditional planning permission subject to:
  - i. The Environmental Health Officer (EHO) removing their current holding objection to the change in hours – *verbal update to be given at the Panel meeting following most recent submission*; and
  - ii. The completion of a S.106 legal agreement Deed of Modification to ensure that Unit 2 is bound by the terms of the 16/02035/MMA permission (as set out in the Panel report attached at **Appendix 1**).
2. In the event that the Council's EHO maintains their objection to the proposals following the Panel's decision the Service Lead – Infrastructure, Planning & Development be authorised to refuse permission on the basis of their concerns and defend an appeal on that basis (should one arise).
3. In the event that the legal agreement is not completed within two months of the Panel the Service Lead – Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

4. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

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

- 1.1 The application site is largely as described in the Panel report attached at **Appendix 1**. Following the grant of planning permission for redevelopment the first 3 employment buildings, and their associated hardstanding and landscaping, have been erected on site. This application relates to the middle building (Unit 2). The building is set away from the boundary with the rear gardens of Walnut Grove by approximately 10 metres. A back to back distance between buildings of between 23 and 30 metres is achieved along this boundary.

## **2.0 Proposal**

- 2.1 Planning permission is in place for Unit 2, which has been constructed in accordance with the approved plans. Permission was granted before an end tenant had been secured.
- 2.2 Condition 2 of permission 16/02035/MMA, as set out above, allows for Unit 2 to be operated on a 24 hour/day basis for a B8 (storage and distribution) use.
- 2.3 Condition 2 also allows for Unit 2 to be operated between 7am and 7pm for a B2 (general industrial) use. The Panel will note, however, that the Ford factory evolved its manufacturing (B2 use) over decades and was unrestricted in planning terms with regards to its operational hours.
- 2.4 The prospective tenant for Unit 2, Berendsen plc, operates a commercial laundry business serving the hospitality sector. They require a building on the south coast with an authorised B2 use. They also require a 24 hour unrestricted permission for their laundry business (B2 use) to be viable and competitive. The applicants have, on behalf of Berendsen plc, applied to vary condition 2 of permission 16/02035/MMA to remove the 7am to 7pm restriction thereby allowing a 24 hour operation for the intended business from Unit 2. The B2 restriction would remain in force for the remaining units. The applicants have updated their acoustic assessment of the building, and the intended operation, and this is currently under review by the Council's Environmental Health Officer. A verbal update will be given at the meeting, although a commitment by the applicant to secure noise levels below existing background levels is noted and welcomed and should assist in securing the support of the EHO.
- 2.5 In terms of the processes undertaken by the proposed use the application submission explains that Berendsen currently service Southampton from their Bournemouth facility and further expansion into Southampton is, therefore, desirable. They would operate a 3 shift pattern (6am-2pm, 2pm-10pm and 10pm-6am) with the night shift being the least intensive, and Summer months the busiest. These shift patterns will avoid peak traffic times. External lighting of the yards is again proposed (albeit sensorised) and the yards are separated from the nearest residents by the buildings themselves (as approved). The laundry uses the latest technology with all processes internal to the building. It is expected that up to 25 lorries will operate from the site, plus up to 10 supplier vehicles per week.

The Berensden vehicles are typically parked up and remain inactive from around 6pm. Some 40 cars per shift are expected (around 120 per day in total), which is less than was assumed by the original Transport Assessment for Unit 2. The laundry is steam free and is not 'dry cleaning' but water based. The detergent used is PH neutral and odour free unlike a domestic laundry, and is used within the building's controlled environment. 150 jobs are expected to be created.

### **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton hasn't changed since applications 16/00885/FUL and 16/02035/MMA were approved (as set out in the Panel report attached at **Appendix 1** of this report).

3.2 In summary the application site is designated for employment development under Local Plan Review (LPR) Policy REI9(ii) which reads as follows:

#### *Policy REI 9 Major Employment Sites*

*The major employment sites are defined on the Proposals Map and will be safeguarded for employment use. Development proposals will be permitted as follows:...*

*(ii) Ford's, Wide Lane for light or general industrial (Classes B1c and B2), research and development (Class B1b), storage or distribution (Class B8) and ancillary office use.*

3.3 Of particular relevance to this application, in light of the third party objections and the comments made by the Council's Environmental Health Officer, is LPR Policy SDP16 (Noise), which states that:

#### *Proposals for:*

- i. noise-generating development will not be permitted if it would cause an unacceptable level of noise impact;*
- ii. noise-sensitive development will not be permitted if its users would be adversely affected by significant noise from existing or proposed noise-generating uses.*

*Applicants may be required to submit a noise impact report to assess the effect of the proposed development on existing noise source(s) upon the existing or proposed noise-sensitive development prior to the determination of a planning application.*

3.4 The supporting text adds that 'developments which in themselves are not normally considered to be noise generating, increasingly incorporate air handling fan or ventilation plant for heating and cooling. This type of plant can be a significant source of noise. To ensure that these noise sources do not increase the existing background level, their design noise emission specification should be designed at 10 decibels... below pre-existing background levels.'

3.5 At the time of writing the applicants have committed to this requirement with further details to be submitted and verified. A verbal update will follow at the meeting.

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

4.1 The site's evolution is as set out in the Panel report attached at **Appendix 1**. Of more relevance to this application is the recent planning history that can be summarised as follows:

4.2 16/00885/FUL – Approved 14.12.2016

Development to provide new industrial and warehouse buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting and new boundary treatment, new car parking and service areas, new vehicular access from Wide Lane and associated works-description amended following receipt of amended plans showing the removal of a proposed footpath through the site to Stoneham Cemetery Road and an increase to the acoustic fence between unit 1 and 4 along the southern boundary from 2.1 to 4 metres.

16/02035/MMA – Approved 23.02.2017

4.3 Minor material amendment sought to planning permission 16/00885/FUL for the sites redevelopment to provide new industrial warehouse buildings for business use (class B1 c), industry (class B2) and storage/distribution (class B8). Amendments sought to the layout and number of the buildings along the southern boundary of the site (with no change to Units 2 and 3 along the northern boundary) and planning conditions 3 (construction phasing), 9 (Landscaping and Boundary treatment) and 34 (Approved plans) to accommodate the change. No increase in the approved floor space proposed.

17/00834/NMA – Approved 27.06.2017

4.4 Non material amendment sought to planning permission ref: 16/02035/MMA affecting layout and external appearance to units 1 - 3 including a reduction in height, the removal of roof overhangs and a change to the landscape bund

4.5 17/01470/FUL– Pending Consideration

Development to provide new industrial and warehousing buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting, new car parking and service areas, vehicular access to Wide Lane via the approved employment site (Phase 1) to the south and other associated infrastructure.

#### **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 (05.09.2017) and publishing a press notice (08.09.2017). At the time of writing the report **5 objections** (all from Walnut Avenue). The following is a summary of the points raised:

5.2

- Noise Impact – machines, extractor fans etc. operating on a 24 hour basis this close to existing residential property will affect residential amenity and cause sleep disturbance.

##### **Response**

Concerns noted. This is the key issue in the determination of this planning application and is discussed further in the Planning Considerations section of this report. At the time of writing the Council's Environmental Health Officer has

lodged a holding objection to the application and further information has been sought (as set out below). A verbal update will be given at the meeting following the applicant's commitment to meet the requirements from adopted LPR Policy SDP16 (as set out above).

- 5.3 • Odour and fumes from a laundry will be excessive and harmful to neighbours health.

**Response**

The Council's Environmental Health Officer has no objection to the impacts of the proposed change on odour impacts. A planning condition is requested to limit the use of solvents and this can be added should an approval be supported.

- 5.4 • Local roads and bridges cannot accommodate the additional lorry movements.

**Response**

The quantum of development does not change with this application and nor does the associated impacts on the highway network. The permission is flexible in terms of the type of employment use that occupies each building, and the associated impacts from this quantum of development was found to be acceptably mitigated with a s.106 legal agreement secured ahead of permission 16/00885/FUL being granted. The Panel report at **Appendix 1** sets out the terms of this agreement, and includes a contribution towards the local highway network and bridges. No further action is needed on this matter ahead of considering the impacts of extending the hours of operation for this B2 use (as proposed).

- 5.6 • The existing landscape bund between the approved buildings and the rear of property in Walnut Grove is too high leading to a loss of privacy. Full access into the bund is possible meaning that residents have lost security to the rear of their houses.

**Response**

The applicants have agreed to erect further fencing to prevent access onto the landscaping bund. A condition is recommended. Access into the landscaped buffer will be for maintenance only.

- 5.7 • The design of the buildings are not aesthetically pleasing and block out sun in the morning.

**Response**

The external appearance and layout have planning permission, and were found to be acceptable when application 16/00885/FUL was approved. The buildings have been constructed in accordance with that permission.

- 5.8 • The laundry business should wait for buildings in Phase II to be approved and built as these are located away from existing residential neighbours.

**Response**

Phase II of the Ford site doesn't have planning permission, whilst Unit 2 of Phase I does and is ready for occupation. Whilst there is some merit in the suggestion this is a commercial decision rather than a matter for the planning process, providing that the impacts are found to be acceptable.

- 5.9 • The buildings are not 30 metres from existing residential neighbours

**Response**

The buildings are located between 23 and 30 metres from the rear of those

dwellings fronting Walnut Avenue as per the approved plans.

5.10 **Consultation Responses**

5.11 **SCC Highways** – No objection

5.12 **SCC Environmental Health** – Holding Objection

Mechanical Services - The noise level in the garden has not been demonstrated, but will likely to be above levels set in BS5228 for gardens, of a level of an Leq of 50dB(A) (max 55 dB(A)) The external noise levels to the rear of the house is at background levels at night, and so will be the dominant sound during the night and will be audible inside the bedrooms. Although the level at the house is in compliance with national planning policy, with the proximity of the outlets, as much attenuation should be applied as reasonably possible. It is also not clear if the noise level has been calculated from all the outlets affecting a house, or just one. It is also not clear what other services may be discharging from the building and may be adding to the external noise climate.

5.13 Paragraph 2.88 of the local plan says “developments which in themselves are not normally considered to be noise generating, increasingly incorporate air handling fan or ventilation plant for heating and cooling. This type of plant can be a significant source of noise. To ensure that these noise sources do not increase the existing background level, their design noise emission specification should be designed at 10 decibels (A weighting) (dB(A)) below pre-existing background levels. This specification has regard to the prevention of a ‘creeping’ increase in background noise levels in the city”. It is for this type of noise that this policy was developed

5.14 Service yard - Is this site to be operated with docking system as in Reading? If the yard is to be operated at night, I would want to see a noise management plan, to control any potential issues from noise, including docking and reversing alarms.

5.15 Internal Activity Breakout - The report recognises the need to line the building to reduce the breakout of noise, but does not give detail of the design, nor the noise levels at the receiver once designed

5.16 Odour report - I am not sure if the outlets described in the noise report and the odour report are the same, as they appear different to me. Can this be clarified? The odour report shows a 1.5 odour contour through the rear gardens in Walnut Avenue. This is at a level that is just detectable, for 2% of the time or 7 days a year. This will not be at nuisance levels so I do not object to this application. This does rely on no solvents or odorous detergents being used, and I would ask for this to be conditioned.

5.17 **Response from Applicant’s Noise Consultant to EHO Commentary:**

*Mechanical Services - With regard to your comments, I assume you mean BS 8233 rather than BS 5228 which relates to construction noise, however when assessing noise from mechanical services plant neither standard is the main assessment method. Instead as detailed in our report we have carried out an assessment in accordance with BS 4142:2014 ‘Method for rating and assessing industrial and commercial sound’ As you aware this assessment compares the impact of noise from industrial sources (including feature correction) against the existing background noise level.*

5.18 *The 2014 version of the report states that ‘subject to context’ a difference between*

*the rating level and background level of around +10 dB is an indication of significant adverse impact, a difference of +5 dB is an indication of adverse impact whilst in situations where the rating level does not exceed the background sound level, this is an indication of having a low impact. This can be related to the national policy aims of the NPPF and Noise Policy Statement for England, which are to avoid significant adverse impacts and where there is an adverse impact to mitigate and minimise noise as far as possible. There is no requirement in national policy for inaudibility and such a requirement would be considered unreasonable.*

- 5.19 *I understand your concerns regarding the lack of an assessment in the garden of the properties but am confused that you relate this to night time noise levels. Given the potential 24 hour operation of the laundry, I understand your concerns regarding night time working however during these periods people will not be in gardens and therefore as assessment of night time impact in the garden is irrelevant. This is point picked up in the examples within BS 4142:2014 (Example 6 and 8).*
- 5.20 *You are correct that a full assessment of the plant has not been carried out this was due to full plant details not being available, however based on the site visit to the existing site in Reading the main sources of noise from mechanical plant were the discharge to the driers. These have been assessed and recommended that they are fitted to with attenuators to meet the proposed noise criteria not to exceed background levels or 'low impact subject to context.' I note your comments in relation to background creep and requiring noise to be at least 10 dB below background noise levels however I do not think it is applicable in this case. Background creep occurs can occur in built up areas like city centres where there is a proliferation of mechanical services plant each contributing to the overall noise level at a certain receptor. If each piece of new plant was designed to meet background noise levels, this would result in the background level to creep upwards. At the site there is currently no plant, so the issue of background creep is not applicable and therefore as described above the plant has been designed not to exceed background levels.*
- 5.21 *Although I note your local policy does refer to ensuring plant is 10 dB below background as described above this is not consistent with national policy aims to avoid significant adverse impacts.*
- 5.22 *Moving this forward I would suggest the in the absence of a plant details, noise from mechanical services plant could be controlled by planning condition.*
- 5.23 *Service Yard - A detailed assessment of delivery activity has been carried out based on observations and measurements of service yard activity at the site in Reading. The nearest residential properties are significantly screened from the service yard by the building and as shown in our assessment service yard activity will be negligible. However if you still consider that a service yard management plan is required this can be controlled through the planning condition.*
- 5.24 *Internal Activity Breakout - As above full details of the unit construction will not be determined until later in the design process, however an indicative assessment based on measurements with an existing laundry has been carried out. This has identified that in the washing area further sound insulation up and beyond that which would expect from a composite metal clad industrial building may be required. We have identified the type of construction methods required to ensure that noise levels do not exceed background levels at the nearest residential*

*properties however the final scheme will depend on the final layout and detailed design requirements. As above these issues can be controlled by planning condition.*

5.25 **Note from Officer:**

*At the time of writing it has not been possible for the applicant, their noise consultant and the Council's Environmental Health Officer to reach agreement on the true impacts of extending a B2 use into the hours (currently restricted) of between 7pm and 7am (ie. 24 hours). Discussions are, however, ongoing and it is entirely possible, following the commitment from the applicants to satisfy the 10Db requirement, that agreement can be reached by the time the Panel meeting is held. The current recommendation seeks further delegation back to officers in the event that agreement is not achieved by 14<sup>th</sup> November and a verbal update and (possible) amendment to the recommendation and associated conditions will be given at the Panel meeting.*

**6. Planning Consideration Key Issues**

6.1 As planning permission is in place for the quantum and type of development, its physical form and their highway impacts (as reconfirmed by SCC Highways above) the key issue for consideration in the determination of this planning application is the impact of proposed extended hours to serve a commercial laundry business; and its additional noise impacts upon the residential amenity of nearby residents, and particularly those living adjacent to the site in Walnut Avenue (5 of whom have objected to the proposed change).

6.2 Noise and Residential Amenity

6.2.1 This site is synonymous with employment uses, and particularly manufacturing, and is protected by existing local planning policy for such uses. In this instance, however, the Panel need to consider the likely impacts that a change to the operational hours of Unit 2 will have on the residential enmity of neighbours. There are no affected residential neighbours to the east, north or west. Any change from that consented will result in some form of impact, particularly to residents in Walnut Avenue, but it is the significance that is relevant and whether or not further mitigation can be used to reduce the impacts to within acceptable tolerances. As the proposed commercial laundry could operate from Unit 2 between the hours of 7am and 7pm under the current consent it is now for the Panel to decide whether extending these hours to enable a three-shift pattern, including the extended period from 7pm to 7am (ie. 24 hours), will be acceptable.

6.2.2 The approved layout reduces residential outlook but improves the noise environment. The local area is already characterised by relatively high levels of background noise as a consequence of the M27, railway and airport beyond. There is likely to be a noise impact resulting from vehicle movements on site, including manoeuvring and reversing into loading bays. In response to this context the proposed buildings turn their backs on the residential neighbours to the south, and will then act as a barrier to noise from their associated operations (which, as with the Ford factory, could be on a 24 hour basis), the M27 and the airport.

6.2.3 The Council's Environmental Health Officer (EHO) previously assessed the applicant's noise report and air quality assessments, when asked to consider the first application (LPA ref: 16/00885/FUL), and was satisfied that a 24 hour



employment use would be appropriate for this site despite the proximity of existing residential neighbours. Controls were however sought and added to the permission. Condition 2 relates.

- 6.2.4 At the time of writing the EHO has not removed their holding objection to the amended hours proposed and negotiations continue. Until the EHO does so it is not possible for officers to conclude that the development will fully satisfy LPR policies SDP1(i) and SDP16, which seek to protect the existing amenity of residents living in the city. Further discussions are ongoing between the relevant parties and a verbal update will be given at the meeting; at which point the Panel can decide whether or not the introduction of the proposed laundry business, albeit on a 24 hour basis, will be harmful or acceptable to residential amenity.

### 6.3 Off-site Mitigation

- 6.3.1 LDF Policy CS25 seeks to ensure that all new development mitigates against its direct impacts and this scheme is no different. The proposed uses do not attract the Community Infrastructure Levy (CIL), but any approval of this application would need to link the revised use back to the mitigation secured under permissions 16/00885/FUL and 16/02035/MMA. A S.106 Deed of Modification is recommended to secure this as set out at the start of this report.

## 7. Summary

- 7.1 The redevelopment of the Ford site with employment buildings is welcomed and gained planning permission last year. The applicants are in the process of finding tenants and require a change to the hours imposed for a B2 (general industrial) use within Unit 2. A commercial laundry operator is interested in this unit and has applied to extend the hours of operation from 7am to 7pm to 24 hours per day. They estimate that 150 jobs will be created. This potential change in hours has implications for the local noise environment and the possible disturbance of nearby residents.

- 7.2 The land is identified in the Council's Local Plan for employment development of the type proposed in this application. The economic development and employment opportunities weigh in support of the proposal, however, at the time of writing the Council's Environmental Health Officer (EHO) is maintaining a holding objection to the revised acoustic report, and scheme of mitigation offered to enable the extended hours. Until this objection is removed officers cannot confirm that the proposed change will be acceptable, but are mindful that the applicant needs to progress their interest in taking the unit which is why this report has been prepared. As such, the above recommendation is made to enable further discussion between the Council's Environmental Health Officer and the applicant's noise consultant, in anticipation that common ground can be established ahead of the Planning Panel meeting. A verbal update will be given at the meeting.

## 8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to the EHO's holding objection being resolved, and a Section 106 Deed of Modification being completed. Rather than remove condition 2 (as suggested by the Description of Development) amended wording is recommended as set out below. A delegation back to officers is sought on this basis.

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

1a-d, 2b,d,f, 4b,f,vv, 6a-b & 7a

**SH2 for 14/11/2017 PROW Panel**

**PLANNING CONDITIONS to include:**

Those listed on permission 16/02035/MMA, as updated by any applications that have discharged the requirement, and the following:

**16/02035/MMA – Condition 2 - Restricted Use & Operational Hours (Amended)**

The maximum floorspace of the development hereby approved shall be 35,371 square metres (gross external), and the buildings shall not be sub-divided into separate units without the first written approval of the Local Planning Authority. Furthermore, this permission does not allow for the installation of additional mezzanine floorspace (other than those shown) within the buildings to serve the development.

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details (namely B1c, B2 and/or B8) and not for any other purpose.

Any office space provided to serve the development shall be ancillary to uses specified and shall not be let, leased or sold separately.

The B2 use hereby approved shall be limited to 45% of the total operational floorspace as assessed through the planning application submission.

Whilst any B8 use may operate on a 24 hour/day basis any non B8 use (**excluding the ancillary office space, and Unit 2 that shall operate as a commercial laundry in accordance with the planning submission 17/01461/FUL on a 24 hour basis**) shall be restricted to the following hours, as submitted and hereby approved, unless otherwise agreed in writing with the Local Planning Authority:

7am - 7pm (7 days/week) as set out in the planning application form

Reason:

In the interest of the amenities of neighbouring occupiers, to ensure that the site is retained for employment generating uses, to ensure that the office space provided is integral to the principal uses due to the out of centre location and in the interests of highway impacts that have been determined.

New Condition – Security Fencing to Rear

**New Condition – Solvents**

Prior to the use of the site for manufacturing and/or industrial processes involving solvents an odour mitigation plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall proceed only in accordance with these agreed details.

Reason:

As the application has not been supported by an odour nuisance mitigation strategy in the event that the manufacturing process includes plastics and solvents.

**New Condition – Security Fencing**

In addition to the boundary treatment(s) approved under LPA ref: 16/02035/MMA additional fencing shall be provided to the rear of Units 1-3 to further secure the rear boundary to those neighbours in Walnut Avenue. The fencing shall be erected as agreed by Wal Groves in his email to the LPA dated 17th October 2017 prior to the first occupation of the development hereby approved and shall be retained as agreed.

Reason:

In the interests of site and neighbour security

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**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel 4<sup>th</sup> October 2016  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Former Ford Motor Co, Wide Lane, Southampton			
<b>Proposed development:</b> Development to provide new industrial and warehouse buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting and new boundary treatment, new car parking and service areas, new vehicular access from Wide Lane and associated works - <i>description amended following receipt of amended plans showing the removal of a proposed footpath through the site to Stoneham Cemetery Road and an increase to the acoustic fence between unit 1 and 4 along the southern boundary from 2.1 to 4 metres.</i>			
<b>Application number</b>	16/00885/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Stephen Harrison	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	19.08.16 (PPA)	<b>Ward</b>	Swaythling
<b>Reason for Panel Referral:</b>	Request by Ward Member <u>and</u> five or more letters of objection have been received <u>and</u> the scheme is of strategic importance to the economic growth of the city.	<b>Ward Councillors</b>	Cllr Mintoff Cllr Painton Cllr Vassiliou
<b>Referred to Panel by:</b>	Cllr Painton	<b>Reason:</b>	Concerns raised about pedestrian links through to Stoneham Cemetery Road

<b>Applicant:</b> Mountpark Logistics	<b>Agent:</b> Oxalis Planning Attn. Mr Steve Harley
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<b>Recommendation Summary</b>	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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<b>Community Infrastructure Levy Liable</b>	No
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### **Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the context of the site allocation for industrial and warehousing development as set out in the Development Plan, and the importance of the additional employment to be created by this development. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise but that this impact can be mitigated by Section 106 obligations, and planning conditions, and has been assessed in the context of the site's former historic use for significant manufacturing. The scheme has been amended during the application process to remove the pedestrian link to Stoneham Cemetery Road. Other material considerations have been considered, as set out in the report to the Planning and Rights of Way Panel (04.10.16), and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP22, NE4, NE5, TI2, HE6 and REI9(ii) of the City of Southampton Local Plan Review (LPR - as amended 2015) and CS6, CS7, CS13, CS18, CS19, CS20, CS22, CS23, CS24 and CS25 of the Local Development Framework (LDF) Core Strategy Development Plan Document (as amended 2015) and guidance in the NPPF (2012).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Hampshire County Council Response

### **Recommendation in Full**

1. Delegate to the Planning and Development Manager to grant conditional planning permission subject to the completion of a S.106 Legal Agreement to secure:
  - i. Either a s.278 Agreement to undertake agreed works within the highway or a financial contribution and other highway obligations, including Traffic Regulation Orders, where necessary, towards site specific transport improvements in the vicinity of the site in line with policies SDP4 and TI2 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013); to include replacement bus stops along Wide Lane with Real Time Information (RTI), the introduction of a dedicated cycle lane along Wide Lane (space permitting) and the ability to introduce a signalised junction into the site should future assessments demonstrate that it would be necessary, and the new access arrangement with signage, as shown on plan ref: 15/263/004 Rev A, to discourage GHVs from turning left out of the site;
  - ii. An off-site contribution towards bridge improvement works to secure access from the site to Junction 5 of the M27 as requested by Hampshire County Council and the Hampshire Chamber of Commerce, in line with policies SDP4 and TI2 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);

- iii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
  - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - v. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
  - vi. Provision of public art in accordance with the Council's Public Art Strategy to reflect the site's importance, historically, to UK manufacturing;
  - vii. Submission and implementation of a Construction Traffic Management Plan;
  - viii. Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic turning left out of the site; and
  - ix. Submission and implementation of a Staff Travel Plan.
2. In the event that the legal agreement is not completed within two months of the Panel the Planning and Development Manager be authorised to refuse permission following consultation with the Chair of the Planning & Rights of Way Panel on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
  3. That the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

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

- 1.1 The application site is some 7.6 hectares in area, and is situated on the eastern side of Wide Lane. The application site forms part of the former Ford factory site, which itself has a significant history of manufacturing having been central to the manufacturing of aircraft components and parts during the Second World War. Following the War the site evolved and grew into the manufacture of vehicle chassis and eventually the Ford Transit van before its closure in 2013.
- 1.2 The application site is bounded to the east by Stoneham Cemetery Road, to the north by the retained factory buildings (in separate land ownership), the M27 and Southampton Airport beyond, to the west by Wide Lane and the Southampton to London Waterloo railway line, and to the south by the back gardens of residential neighbours fronting Walnut Avenue. The application site is currently a cleared site with demolition of part of the former Ford factory having taking place to slab level. There is mature tree planting to the site's eastern, western and southern boundaries,

and the site is designated in the Local Plan Review (LPR) for light or general industrial (Classes B1c and B2), research and development (Class B1b), storage or distribution (Class B8) and ancillary office use (LPR Policy REI9(ii) refers). The application site is close to the administrative boundary of the city with Eastleigh Borough Council.

## **2.0 Proposal**

- 2.1 The application involves developing this currently open site with four business/storage and distribution buildings to provide a total of 35,371 sq.m square metres of floorspace (Gross External). This is a speculative development with no end user(s) currently reported. The largest of the four buildings (Unit 1) would run along the southern site boundary for 160 metres and would provide 12,262 square metres of floorspace. Unit 2 in the northern part of the site, would provide 8,962 sq.m. Unit 3 sits adjacent Unit 2 and would provide approximately 5,606 sq.m. Unit 4 completes the development, has a floorspace of 8,514sq.m, and also sits alongside Unit 1 on the site's southern boundary. It has a length of 110 metres. It is separated from Unit 1 by car parking and a 4m high acoustic fence. Ancillary office space is also proposed to serve the development.
- 2.2 The development seeks flexibility in terms of land use to enable the buildings to operate for either manufacturing and/or industry (Use Class B1c/B2 – 7am-7pm) or storage and distribution (Use Class B8). The latter would potentially be on a 24 hour/day basis as was the former Ford factory. Such flexibility is not uncommon for this type of speculative development and details of late night activity can be secured with the attached planning conditions.
- 2.3 Vehicular access would be from a new 'T' junction onto Wide Lane, with scope in the future for this junction to be signalised in the event that the development's traffic generation is higher than currently anticipated. 4 trees including a Field Maple, 2 Willows and a Silver Birch will be felled to accommodate this access. A total of 372 car parking spaces would be provided for the four units (assuming a B8 operator) with scope for increasing the car parking to 567 should the levels of B8 reduce to 50%, with the hardstanding reallocated from lorry parking and turning space to staff car parking. Plans have been submitted to show alternative layouts for all buildings.
- 2.4 The proposed external materials will be a mixture of horizontal cladding panels, dark rainscreen cladding and extensive areas of glazing serving the office uses. Officers are still in dialogue with the developers to ensure that the cladding along the site's southern boundary (to the rear of the existing residential neighbours) is carefully chosen so that any glare from the sun is properly considered and mitigated.
- 2.5 The height of the buildings will be 12 metres to the eaves and between 15.6 to 15.9 metres in height to the ridge. Between the two buildings on the southern boundary, an acoustic fence would be built to a total height of approximately 4 metres. A 10 metre wide mature landscaped buffer is proposed upon a 1.2 metre high bund filling the gap between the buildings and the common boundary separating the development from the residential neighbours. A back to back distance between buildings of between 23 and 30 metres is proposed. Existing trees are to be retained except where the new access onto Wide Lane is proposed.



2.6 The application has been amended since it was initially submitted. The main changes to the scheme involve the removal of a pedestrian link from Stoneham Cemetery Road, and an increase in height to the acoustic fence between units 1 and 4. Objectors, and those neighbours most affected, have been re-notified of these changes. If approved the applicants suggest that the development would take 6-8 months to complete and it is hoped the buildings could be occupied by late 2017.

### **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 (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**. The application site is designated for employment development under Policy REI9(ii) which reads as follows:

#### 3.2 *REI 9 Major Employment Sites*

*The major employment sites are defined on the Proposals Map and will be safeguarded for employment use. Development proposals will be permitted as follows:*

*(ii) Ford’s, Wide Lane for light or general industrial (Classes B1c and B2), research and development (Class B1b), storage or distribution (Class B8) and ancillary office use.*

3.3 LDF Policy CS7 adds that:

*In order to meet the South East Plan’s economic aims, as set out in Policy CS 6, there is a strong need to safeguard employment sites. All existing employment sites and allocations will be safeguarded for employment use...*

3.4 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. The applicant’s pre-assessment for this scheme predicts that the buildings will achieve the Building Research Establishment’s Environmental Assessment Method (BREEAM) ‘Excellent’ rating as required.

#### 3.5 **SCC Planning Policy** – No objection

*As a general principle, we support the proposal for redeveloping the site with B1c, B2 and B8 uses as they would help towards maximise employment opportunities on the site. It would therefore be compliant with criterion ii of Amended Local Plan Review retained Policy REI 9 ‘Major Employment Sites’ and Core Strategy Policy CS 6 ‘Economic Growth’ in contributing towards the delivery of industrial and warehouse development.*

3.6 *It is noted from the submitted plans that ancillary office development (two storey mezzanines) are proposed to be incorporated into 3 of the units. Core Strategy Policy CS 8 ‘Office Location’ is therefore applicable whereby office development greater than 750sq m gross will be directed towards the city, town or district centres in line with Government Guidance. It is further noted in paragraph 4.6.13 of the policy background / justification text within the Core Strategy that where office development is part of an industrial or research / development operation of a similar or larger scale belonging to the same company on the same site, the potential need for co-locating the offices with this wider operation will be considered. Therefore, it*

*must be clear that the proposed ancillary offices would be ancillary and integral to a wider operation of the units.*

- 3.7 *In order to maximise the benefits of the proposal, it will be necessary to take account of Core Strategy Policy CS 24 'Access to Jobs' whereby measures will be sought from major employment generating development to promote access to jobs it creates amongst those residents of the city who can have difficulty returning to the labour market. This will be particularly relevant to the proposal in that it would provide industrial development significantly greater than 1,700 square metres, warehouse development significantly greater than 4,000 square metres and well over 50 full time equivalent jobs (i.e. 900 – 1,000 full-time equivalent employees).*
- 3.8 *In terms of our existing planning policies within the Amended Local Plan Review (2015) and Amended Core Strategy (2015), we do not have anything which specifically requires one type of employment use (i.e. B1-8) over another. It would be preferable if the proposal was to include a mix of B1c, B2 and B8 uses as this would see a higher job density created. However, it is also noted that B8 uses can provide skilled logistical jobs and provide potential linkages to Port related activities and with this in mind, we can be flexible on the overall mix of uses proposed if this can be demonstrated by the applicant/agent. Such provision would also help towards delivering 97,000sq.m's of industrial and warehouse development (of which there is no distinction between the two) in the city between 2006 and 2026 as set out in the Adopted Core Strategy (2015). The recently published PUSH Spatial Position Statement (June 2016) shows a planned increase of 74,000sq.m of B-class employment floorspace over the 2011-2034 period whereby the proposal would also help towards meeting this target which is based on latest evidence.*
- 3.9 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 The site's physical development has evolved since the Second World War and has been used for manufacturing since before the current planning system. The Council's planning history records numerous additions to the site throughout this period although none of this planning history is directly relevant to the current application.
- 4.2 Part of the site to the north of this application site has been retained as a vehicle repair centre and export distribution centre (LPA ref: 14/00028/FUL), but the demolition of the other buildings has commenced, and is largely complete for this part of the wider site. These works were approved through the demolition 'prior approval' process (LPA ref: 14/01825/DPA, 15/00114/DPA and 15/01001/DPA).
- 4.3 The Panel will be aware that the Council has determined other planning applications for similar developments across the City and, by way of comparison, these can be summarised as follows:

4.4 • **Lidl Distribution - 12/00106/FUL**

*Demolition of six residential properties and erection of a Regional Distribution Centre (42,820 square metres gross floor space - Class B8), 186 associated car parking spaces, HGV hardstanding, two sprinkler tanks and pump room and new peripheral landscaping. Proposal includes the stopping up of Lower Redbridge Lane and diversion of a public right of way.*

Measures 311 metres in length and 124 metres in width.

The height of the building steps down from north to south in three elements:

The northern section has an eaves height of 16.66m and an overall parapet height of 18.33m; the central section has an eaves height of 14.22m and a parapet height of 15.89m; the lower and smallest section of the building at the southern end of the site has an eaves height of 11m and a parapet height of 13.10m.

4.5 • **NXP/UPS – 12/00975/OUT**

*Outline application for re-development of the site to provide up to 20,360 square metres of employment floorspace (Classes B1(a) / B1(c) / B2 / B8) with ancillary offices, service areas, estate roads, landscaping and cycle/car parking.*

The Parameters Plan (30348/FE/120) confirms that any subsequent reserved matters proposal will be restricted by the following:

Building Height - between 7.5 and 15.5m

Building Width - between 10 and 150m

4.6 • **UPS - 13/00206/REM**

*Application for reserved matters approval (access, appearance, landscaping, layout and scale) pursuant to outline planning permission dated 30 January 2013 (reference 12/00975/OUT) for redevelopment of the site. This application is for part of the site to provide an industrial/warehouse unit (Classes B1c, B2 and B8 - total floorspace of 8600 square metres) with access from Second Avenue and Allington Road, servicing areas and car parking.*

Seeking reserved matters approval for Phase 1 of the site's redevelopment. It comprises 8,600sq.m of B1c, B2 and B8 floorspace on 2.24 hectares of land. The proposals show a large distribution depot for UPS (comprising 7,520sq.m of B8 floorspace with 722sq.m of ancillary office and a Vehicle Maintenance Unit with 358sq.m). A modern warehouse building is proposed measuring 114m wide and 12.4m tall.

4.7 • **Selco - 14/01273/REM**

*Application for reserved matters approval (Layout, Access, Appearance, Scale, and Landscaping) pursuant to outline permission reference 12/00975/OUT for redevelopment for industrial and warehousing use. Application for discharge of conditions 3 (car parking), 6 (drainage), 16 (refuse and cycle storage) and 18 (tree protection) of the outline permission*

4.8 • **Test Lane - 14/01911/FUL**

*Redevelopment of the site to provide 19,132 square metres of employment floorspace in three buildings (Units 1 and 3 to be storage and distribution use (Class B8), Unit 2 to be Business use (Class B1c) and/or storage and distribution use (Class B8)) with an area of open space, associated landscaping, servicing areas and car parking with vehicular access from Test Lane (amended description following alterations to the planning application).*

19,132 square metres of floorspace. The largest of the three buildings (Unit 1) 10,860 square metres of storage and distribution unit (Class B8). Unit 2 would provide approximately 3,630 sq.m floorspace for either Business Use - light industrial (Class B1 c) or Storage and Distribution Use (Class B8). Unit 3 would provide approximately 4,640 sq.m floorspace (Class B8). The development would potentially operate on a 24 hour basis. The height of the buildings will be 12 metres to the eaves and 14.3 metres to the top of the roof. Between the two buildings on the southern boundary, an acoustic fence would be built above an earth bund to a total height of approximately 12 metres.

## **5.0 Consultation Responses and Notification Representations**

5.1 In accordance with the Council's Statement of Community Involvement, and best practice, the applicants held their own pre-application public consultation event on 8<sup>th</sup> April 2016 at which 50 local residents attended.

5.2 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners (some 440 letters sent), placing a press advertisement (03.06.16) and erecting a site notice (03.06.16). A re-notification was also undertaken following a change to the acoustic fence and linkages into Stoneham Cemetery Road. At the time of writing the report 7 representations have been received from surrounding residents, including a Panel referral request from Ward Cllr Painton due to the proposed pedestrian access into Stoneham Cemetery Road. The following is a summary of the points raised:

- 5.3
- *The height of the proposed buildings and their proximity to the properties in Walnut Grove will result in late night disturbance, loss of light, overlooking, overshadowing and they are too close. Suggests noisy activity is restricted to 7:30am-6pm Monday to Saturday.*

### Response

The proposed development introduces taller development closer to existing residents as described. A 24 hour operation is also sought. Whilst every resident's comments are important to the planning determination of this case it is worth noting that only 1 resident living in Walnut Grove has objected to the application and their concerns are addressed more fully in the 'Planning Considerations' section of this report.

- 5.4
- *There is a lack of parking on site and measures should be put in place to ensure workers will not park in local streets.*

### Response

The proposed development will be served by between 372 and 567 car parking spaces depending upon the end mix of uses. These totals are based upon the Council's maximum standards (of 1 space per 90sq.m (B8), 1 space per 45sq.m (B2 and B1c)) and, as such, the car parking offer accords with the development plan standards. In the event that all four buildings are taken for storage and distribution, which is a possibility given the excellent transport links to the motorway network and Port of Southampton, the maximum number of spaces required would be 393 spaces based on these standards. A significant amount of on-site parking is proposed and it is not envisaged that any overspill will occur; the Council could, however, introduce Controlled Parking Zones into the nearby streets following consultation with affected residents. This has not been requested by the Council's

Highways Team at the time of writing and does not currently form part of the recommendation.

- 5.5
- *The railway bridge at the top of Wide Lane is very narrow and has a sharp bend that cause problems for HGVs. A new railway crossing is needed for access to the M27 to avoid congestion caused by this development.*

Response

There is ongoing discussion with Hampshire County Council as to whether or not the development should contribute towards improvements to the existing bridge over the railway. A s.106 financial contribution can be secured if necessary. There are no plans for a new bridge link and any expectation that this development should provide this infrastructure would render the whole development unviable. In the context of the previous use it would also be unreasonable to expect this development to make such a significant contribution to improved infrastructure in the locality.

- 5.6
- *The proposed pedestrian link from the site into Stoneham Cemetery Road will compromise security, peace and will exacerbate parking issues as workers park off-site and walk through.*

Response

In design and highway terms improving linkages into the site from the east is seen positively. However, following these local concerns, and an objection from Hampshire Constabulary, the applicants have agreed to remove this link. Objectors have been re-notified of the change.

- 5.7
- *Construction traffic will add to congestion*

Response

No more so than any other major development site, and measures are in place to restrict construction hours and secure a management plan (including construction vehicle routing to ensure vehicles avoid residential areas).

- 5.8
- *The development will devalue my property*

Response

This statement is not supported by any evidence. In any event, the effect of development upon neighbouring property values is not a material consideration to which weight should be afforded in deciding on this planning application.

## **Consultation Responses**

- 5.9 **SCC Highways** – Further discussion needed

The submitted Transport Assessment (as updated) attempts to identify the likely impacts that 35,371sq.m of employment uses could have on the local and strategic highway network. The likely trip generation, particularly by HGVs, across a 24 hour/day operation have not, however, in our opinion been properly presented and instead still focus upon peak hours thereby reducing the true impacts. Their assessment of the Ford traffic as a comparison is flawed and doesn't account for the shift pattern operated by Fords, which was a 3 shift system for factory workers, 6-2, 2-10, and 10-6. Office workers were 7.30-4.30. Similarly, as far as HGV movements are concerned, again, I think the figures are misleading; Fords would not have run HGVs at peak times as they did a great deal of HGV movements at night to avoid congestion on the network. Further work is still, therefore, required.

- 5.10 That said, the previous factory use provided some 100,000sq.m across a 24 hour operation and against this baseline position the likely net trip generation is unlikely to be significant enough that it cannot be mitigated through off-site contributions and works. Further discussion with the applicant will be needed before the s.106 contributions can be agreed and the permission released, although agreement has been reached on the necessary improvements to public transport and cycle ways along Wide Lane. The applicants have also agreed that the proposed access can be future-proofed with payment made to the City Council so that traffic lights can be installed following occupation of the development; should their trip generation analysis prove to be an underestimate and vehicles are queuing within the development struggling to turn right out of the site towards the motorway. On this basis the development can proceed as the new access has been designed to accommodate 35,371sq.m of new development. The car and cycle parking provision shown is flexible to the final use and the overall numbers are compliant with our adopted maximum standards. Planning conditions, alongside the s.106 legal agreement, are recommended and controls are needed to ensure that HGVs associated with both the construction and operational phases use Wide Lane to gain access to the M27 rather than using the more residential streets to the south of the application site.
- 5.11 *Note: These comments were made prior to the receipt of the data presented in the table at paragraph 6.4.4 of this report. The trip generation discussions are ongoing and an update will be provided at the Panel meeting. The comments from Hampshire County Council (set out at **Appendix 2** and summarised below) are also relevant in these negotiations.*
- 5.12 **SCC Design – No objection**  
I'm generally happy with what has been submitted, but with regard to the landscape proposals I've attached a marked up plan indicating where I would like to see some additional tree planting.
- 5.13 The green acoustic fence should arrive pre-grown for instant/immediate effect and I note from the submitted drawings this won't be the case. I feel that this is a critical feature of the landscape and should have instant impact, rather than having to wait 5-10 years for the full effect.
- 5.14 *Note: Amended plans have been received to meet these suggested changes.*
- 5.15 Given the critical importance of establishing the southern boundary in particular, we do need to see how they propose to ensure the establishment and ongoing management of the estate landscape. I am concerned about the establishment of the southern boundary as it will be quite a hostile environment for new plants, especially the large tree material and it will be important to understand how the scheme in particular is to be irrigated. It will be vital that we have a clear maintenance specification and ensure that we are notified upon completion to ensure that we can check what has been specified actually gets planted and in the correct quantities.
- 5.16 **SCC Sustainability Team – No objection – Initial concerns addressed**  
The original BREEAM document showed a 5% improvement only, however if they are committing to the passive approach (as outlined) showing a 40% improvement on Target Emission Rates then no objection is raised subject to planning conditions.

- 5.17 **SCC Environmental Health** – No objection following amendments  
i) Air Quality  
I agree with the recommendations of the AQ report. An informative that infrastructure should be built into the development for charging points for electric cars to be installed at a later date is needed.
- 5.18 *Note: the nearest Air Quality Management Area is 400m north of the site located within Eastleigh Borough Council's administrative boundary.*
- 5.19 ii) Noise
- 5.20 Please would you find out from the applicant if the external noise levels from lorries includes refrigerated lorries, or are these excluded? If they are included, or to be included, I will want a condition for the refrigeration units to be plugged into the mains electrical supply while on site to reduce the use of diesel motors for the refrigeration unit, but to use electric motors. The noise calculations need to be recalculated if the refrigerated lorries have not been included.
- 5.21 The BS 4142 uses the LL9090 from all three monitoring points and aggregates them for the whole of the site. I believe the L90 should be calculated for each receiving location, particularly for Walnut Avenue, and the BS 4142 recalculated. The barrier at 2.5 metres between buildings 1 and 4 seems to me to be too low in this location, with noise being funnelled down the gap between the two buildings from the yard and parking area. It doesn't seem to me to fit with our discussions to move the buildings close to the edge of the site to act as a noise barrier, to allow this gap to remain for noise to escape through.
- 5.22 The noise from plant needs to recognise the design level for plant in Para 2.88 which states, 'Developments which in themselves are not normally considered to be noise generating, increasingly incorporate air handling fan or ventilation plant for heating and cooling. This type of plant can be a significant source of noise. To ensure that these noise sources do not increase the existing background level, their design noise emission specification should be designed at 10 decibels (A weighting) (dB(A)) below pre-existing background levels. This specification has regard to the prevention of a 'creeping' increase in background noise levels in the city. BS 4142 is not the method for determining the level in this case
- 5.23 The suggested condition for internal noise seems to me to be unenforceable, the building should be built with worst case in mind for the correct level of acoustic insulation to be installed at the time of first construction.
- 5.24 *Note: Following the change to the acoustic fence the Environmental Health Officer has confirmed that there will be very little impact on the residents of Walnut Avenue in noise terms.*
- 5.25 **SCC Environmental Health (Contaminated Land)** – No objection  
I am now satisfied that the site is suitable for its proposed use and will not require any further investigation with respect to land contamination. There will be a condition that requires the developer to be vigilant for evidence of unsuspected contamination being revealed during ground works. If contamination is discovered the Local Planning Authority must be notified and the contaminated land managed appropriately. If no contamination is discovered by completion of the groundworks the developer must notify the Local Planning Authority so that the condition can be

discharged in full. There will also be a condition that requires any soils imported on to the site to be validated to show that they are suitable for use and not contaminated. Conditions relating to imported soils and unsuspected contamination are required although further investigation is now unnecessary.

5.26 **SCC Ecology** – No objection

The application site comprises a cleared site that was formerly a vehicle manufacturing facility. The site is predominately hard-standing with small areas of trees, shrubs and amenity grassland around the perimeter. As a consequence it has low ecological value.

5.27 The proposed development is similar in nature to the previous use and I do not believe that there will be any significant adverse ecological impacts. I am, however, concerned about the possibility of extra lighting being introduced along the northern section of Stoneham Cemetery Lane to facilitate the cycle and pedestrian access (*note: now removed*). Stoneham Cemetery contains suitable foraging habitat for bats however, no assessment has been made of bat foraging activity. As bats are adversely affected by artificial illumination I would expect an assessment to be made prior to the introduction of additional lighting.

5.28 I am supportive of the proposed living walls however, I would like to see the inclusion of a wider range of plants including flowering species such as clematis, summer jasmine and honeysuckle to provide habitat for pollinator species. I would also prefer to see the native ivy, *Hedera helix*, which is on the Royal Horticultural Society's Perfect for Pollinators list, used rather than Irish ivy which is not. I am happy with the species selected for the proposed thicket, the indigenous hedgerow and the wildflower grassland.

5.29 The ecological appraisal makes recommendations for a number of biodiversity mitigation and enhancement measures which I would like to see implemented via a planning condition.

5.30 **SCC Archaeology** – No objection

The application is supported, however I disagree with the assertions contained in the Archaeological Desk Based Assessment (DBA) that 'any such [archaeological] remains are only likely to survive in a truncated and/or highly fragmented state.' This statement is based on the previous development history of the site supported by a watching brief on engineering test pits carried out earlier this year. It should be noted that these test pits were not positioned to establish the presence or absence of archaeological remains, and would not comprise a sufficient sample to be able to confidently predict either way.

5.31 It is clear that there has been extensive groundworks associated with the construction and use of the factory (notably the WWII Air Raid shelters shown on Arcadis fig 3 (Appendix 3 of the DBA), and further disturbance is shown in Arcadis fig 4 - Drainage networks. It is also likely that there will have been some truncation associated with the factory building, however it is clear from previous archaeological work within the site (SOU 783) that there is sufficient potential for significant archaeological remains to be present to warrant further archaeological work.

5.32 The threat to archaeological deposits (and therefore the extent of archaeological work that will be required) can be minimised primarily through the design of the



foundations. It is assumed that the proposed units will sit on deep pile foundations, and it would be extremely helpful if a piling plan can be submitted to support the application. This will enable the production of a mitigation strategy that may limit the amount of archaeological work that will be required.

- 5.33 A formal archaeological evaluation should be commissioned, based on the information contained within the piling plan and guided by the known below-ground disturbance, to establish the nature, extent and significance of any surviving archaeological deposits. This may need to be followed by a further stage of archaeological intervention, which could range from a Watching Brief to targeted archaeological excavation in areas of greatest threat. Note that, depending on their state of preservation, the WWII air-raid shelters may be worthy of archaeological recording as well. Conditions recommended.

*Note: Following these comments the Written Scheme of Investigation has been undertaken and once this report has been archived the archaeology of the site will have been correctly dealt with*

- 5.34 **SCC Tree Team** – No objection

- 5.35 **SCC Flood Risk Officer** – No Objection

The proposed surface water drainage strategy is through the use of geocellular tanks (or similar) under car park areas and access roads to accommodate the 1 in 100 year rainfall event (+ 30% climate change allowance) which in accordance with the technical standards provides a marked reduction in peak discharge to greenfield runoff rates and no increase in volume of runoff due to the equivalent existing and proposed impermeable surfaces on the site. The proposed drainage strategy is based on the assumption that infiltration is not feasible but it is stated that infiltration tests have yet to be undertaken to confirm this assumption. If infiltration is found to be suitable the following information will need to be provided in order to satisfy that an appropriate infiltration assessment has been undertaken as part of the further site investigation work. Planning conditions are recommended.

- 5.36 **City of Southampton Society** - Welcome in principle.

The road should be kept open during construction as it is an important access road to the railway station and the M27. The very narrow and sharply turning bridge near the railway station is very unsatisfactory for commercial vehicles. The access on to the Mansbridge Road near the cemetery is less than satisfactory. The Swaythling arch is heavily used and only alternatively one way. Access to and egress from the site will need greatly improved roads in the vicinity, especially so far as the M27 is concerned.

- 5.37 **Hampshire Chamber of Commerce** – Support

The Chamber was relieved to learn that employment use was to continue for this industrial land in a prime strategic location near the motorway network with good accessibility by bus, rail and cycle. They agreed that new units for a range of industrial, distribution and business use align with the Solent LEP's priorities for this area and, at the same time, the planned improvements to the landscaping and noise mitigation for the site will be good news for nearby residents.

- 5.38 The Chamber would like to see contributions from the development towards much needed improvements for Wide Lane bridge over the railway to create better traffic

flows connecting to the M27 and M3. Such improvements should also look to provide the missing link in the cycle network between Mansbridge and the Airport and provide safety for pedestrians. The new tenants should also be encouraged to operate travel plans for their staff that are monitored, in order to relieve any peak hour traffic congestion which may arise with hours of work no longer mail y on a shift basis

5.39 **Southampton Airport** – No objection

The scheme could conflict with aerodrome safeguarding criteria unless conditions relating to the submission of a Bird Hazard Management Plan, an agreement before the erection of cranes (operational and construction), the submission of a Construction Management Plan, details of obstacle lights (operational and construction) being agreed, and the submission of a lighting plan are not imposed with these details secured.

5.40 **Hampshire Constabulary** – No objection following receipt of amended plans

The applicant has engaged with the Police regarding potential crime and disorder issues and as a result has been provided with a detailed report giving a number of recommendations concerning layout, physical security of buildings, lighting and CCTV, which, if implemented, would increase security and safety measures of the buildings and for staff and visitors. In general terms, therefore, the Police would have no objection to this scheme, however, there are areas of concern which in our considered opinion are not being addressed appropriately, and are of sufficient concern to warrant an objection.

5.41 These concerns relate primarily to the proposed pedestrian/cycle route through the development and linking into Stoneham Cemetery Road. It is recognised that alternative transport routes can be useful within a travel plan but they should only be provided in appropriate locations and not at the risk of creating a crime generator or where the safety of its users is compromised. It is recognised within crime prevention advice and in government guidance such as 'Safer Streets' that these routes should be accommodated on streets and not be isolated or segregated from other vehicular traffic, as being seen by other drivers, residents and other road users affords a greater sense of security. The Stoneham Cemetery Road for all but the first 180 metres is unadopted and on viewing it, it is clear it is highly unsuitable for use by pedestrians and cyclists. It is a single tracked shared surface (with vehicles visiting the cemetery) with numerous potholes and patched repairs, it is completely unlit, poorly overlooked and the tree canopies in several places create a very enclosed space. I disagree therefore with the claim made in the Design & Access Statement Para 3.46 which states they have "clearly demonstrated the site is highly sustainable in terms of its accessibility by walking and cycling".

5.42 A further concern is that by creating this short cut to the development, Stoneham Cemetery Road will become a car park for staff, thus increasing the risk of vehicle crime and the safety of cyclists and pedestrians. This route is more likely to create an unsafe route, particularly during darkness and all concerned should be mindful of sanctioning a route which encourages users but which is a potential crime generator and safety hazard. The concerns over this route are compounded by the absence of highway lighting along the access road within the development, this again increases the risk to pedestrians and cyclists both in terms of crime and safety, particularly as the road will be used by a large number of HGVs where it is known that driver visibility is often impaired.

- 5.43 Officer Response  
*Since these comments were made the scheme has been amended and Hampshire Constabulary have no further comments to make having removed their initial objection.*
- 5.44 **Southern Water** – No objection subject to conditions  
Our initial investigations indicate that Southern Water can provide foul sewage and surface water disposal to service the proposed development. There is adequate capacity for both.
- 5.45 **Network Rail** – No objection
- 5.55 **Highways Agency** – No objection  
Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network. In this case our interest relates to the M27 Junction 5. Following confirmation from SCC of their acceptance that the existing consented use for the site is 100,000sq.m of B2 floorspace no objection raised.
- 5.56 **Hampshire County Council** – Off-site financial contribution sought  
A copy of the County Council's full response is appended at **Appendix 2** of this report.
- 5.57 **Eastleigh Borough Council** – Further consideration needed with regards to:
- The visibility of the site from the motorway – the site is at a gateway location to Eastleigh and Southampton and the quality of design and landscaping should be of high quality.
  - Access arrangements, including issues around the suitability of the current Wide Lane bridge, proposals for improvements being considered as part of the Eastleigh Strategic Transport Study and alternatives/contributions which may be required.
  - The relationship of the site with regard to the aspirations of the wider airport gateway area, including financial contributions.
  - The relationship of these proposals with the future redevelopment on the remaining area of the former Ford factory site.

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

- 6.1 The key issues for consideration in the determination of this planning application are:
1. The principle of this form of development;
  2. Economic development considerations;
  3. Traffic and transport issues;
  4. Impact on the amenities of neighbours, including noise and outlook;
  5. Design; and,
  6. Off-site Mitigation.
- 6.2 Principle of Development
- 6.2.1 National and local planning policy is supportive in principle of development proposals that bring economic development and employment opportunities; NPPF paragraphs 8, 14 and 19 are directly relevant. The NPPF confirms that economic

growth can secure higher social and environmental standards, and that the Government is committed to securing economic growth in order to create jobs and prosperity.

6.2.2 This development is in accordance with the site's designated uses under LPR Policy RE19(ii) (as set out in full above), which has been part of adopted planning policy since 2006. The principle of reconfiguring the site to provide up to date employment use, to replace the manufacturing buildings associated with Fords, is acceptable in principle.

### 6.3 Economic Development Considerations

6.3.1 Research carried out for PUSH, and other organisations, in recent years has recognised a shortage of Class B8 floorspace in South Hampshire, and a shortfall of suitable sites for large scale distribution facilities. This has been carried forward by Policy CS6 of the Core Strategy, which identifies the need for 97,000sq.m of industry/warehousing over the plan period.

6.3.2 The proximity of the site to the motorway network makes this an attractive location for a distribution facility. The applicants are seeking flexibility within any permission granted to find operations within either B1c/B2 and/or B8 uses, and the plans have been submitted to show different scenarios whereby a distribution centre would have more HGV space than parking and vice versa for a B1c/B2 end user. This is acceptable to officers, but may mean that all 4 buildings are taken for storage and distribution (rather than mixed with some manufacturing) and this may then also be repeated should the land to the north become available for a similar redevelopment. This flexibility should, however, improve the occupation rates for the development.

6.3.3 In terms of the need for local employment opportunities, the 2011 Census for the Swaythling Ward suggests 18.8% of residents have no qualifications (compared to 21% for the City as a whole), with 39% of households having no adults in employment (compared with 32.8% for the City). It confirms that 52.4% of residents in the ward are economically active (compared with 68.4% for Southampton) with 3.6% registered as unemployed. The economic development benefits associated with this development are potentially, therefore, considerable and a large number of new jobs would be created with positions likely to include warehouse operatives, office administrators, transport and logistic positions. The recommendation includes the need to secure targeted local training and employment initiatives, at both the construction and operational phases (in accordance with LDF Policy CS24). Given the loss of employment associated with the closure of Fords these economic benefits are clearly a significant material consideration in the determination of this planning application.

6.3.4 The applicants have been asked to demonstrate the likely job creation of the proposed mix and uses to enable the Local Planning Authority to assess the impacts on job creation of allowing the site for a wholly B8 use (as sought to attract an end user).

6.3.5 A standard guide as to the potential employment impacts of a site is provided by the Homes and Communities Agency (HCA). The latest version (2015) sets out the following employment density for the uses relevant to the site:

- Business Use B1c - 1 job per 47 sq.m (net internal area)
- Industrial Use B2 - 1 job per 36 sq.m (gross internal area)

- Storage/Distribution Use B8 - job per 77 sq.m for a Regional Distribution Centre

6.3.6 The application is supported by a detailed report on this issue, and the applicants are keen to point out that these metrics are, by the HCA's admission, a guide and in practice a range of factors influence how space is used and delivered. The applicants evidence, based on their other projects, suggests that the jobs created by B8 uses are greater than assumed by the HCA and point to the following examples of similar schemes:

- Amazon, Bardon (Coalville), Leicestershire – this is a site being developed by Mountpark and will be occupied as of autumn 2016. The building of approximately 95,000 sq.m for Amazon is expected to employ 2000 people when fully operational – equivalent to one job per 48 sq.m.
- Cooperative Group, Regional Distribution Centre, Andover – the building has a total area of 44,129 sq.m and employs approximately 870 people, equivalent to a density of one job per 50 sq.m.
- National Packaging, Middlemarch Business Park, Coventry – occupy a unit of 20,438 sq.m and employ around 350 staff, resulting in a density of one job per 58 sq.m.
- DPD Group's distribution building at Raunds, Northamptonshire – the building of 43,000 sq.ft (3995 sq.m) employs 200 people, equivalent to one job per 20 sq.m
- Amazon, Manchester Airport – a Mountpark building being constructed with a series of mezzanines to significantly increase floorspace is delivering 1500 jobs in a building with a footprint of only 25,650 sq.m equivalent to around one job per 43 sq.m.

6.3.7 As part of a recent report the British Property Federation (BPF) has also assessed the trends with regards to skills and training as part of a wider assessment of the economic role and contribution of the logistics and distribution sector. The BPF report seeks, in part, to dispel a number of 'myths' about the sector and common misconceptions about its value and characteristics and confirms that:

- Across the sector around 15% of employees work part-time, compared to 32% nationally;
- Average salaries in the logistics sector (£28,000) are well above the national average (£20,000);
- The average salary has grown at a higher rate (7%) over the last five years than the national average (3%);
- Employment in warehousing/distribution operations has proved more resilient than many other sectors during the recession, with employment gains equivalent to 40% between 2009-2013 when other sectors were reducing employment.

6.3.8 Typical distribution operations require a mix of 'blue' and 'white' collar roles, and an increasing mix of skills and qualifications. While generic in nature, it is possible to identify the types of job roles typically provided in distribution or logistics developments and the following roles are common examples within both categories:

'Blue collar':

- Warehouse operative (which involve some ICT based skills and training)
- Production operative
- Supervisors or Team Leaders
- Pickers/Packers

- Maintenance engineers (for vehicles or plant)

'White collar':

- Administrator
- Warehouse Manager
- Logistics Manager
- Shift Manager
- IT Support/Maintenance

6.3.9 Using the HCA Density Guidance (as set out above) if the site were to be developed wholly for B8 floorspace this would equate to 484 jobs (1 job per 73sq.m). Applying the job creation evidenced from a working example in Andover (as set out above) the development could achieve 707 jobs (1 job per 50sq.m). This compares to the potential job creation of 982 jobs if the site were approved for manufacturing only (B2). In reality it is difficult to accurately determine the number of jobs which might result given that this is a speculative development, although the above analysis would suggest that the scheme could generate between 484 and 707 jobs assuming that the Panel agree that any permission should be issued with the requested flexibility. The comments of the Council's Planning Policy Officer, as set out above, are important in reaching a conclusion on this point. The employment benefits to the local area, in terms of the range, quality and number of jobs is an important consideration for this scheme and even the more conservative estimates represent a significant boost to the local economy.

#### 6.4 Traffic and Transport

- 6.4.1 The planning application has been assessed in terms of its proposed access, its impact upon existing highway safety, its overall trip generation when assessed against previous uses, and the proposed levels of parking needed to satisfy a 24 hour/day operation. As the site is designated for industrial and warehousing development and was operational until 2013 it is not a case of comparing the proposal against the existing vacant condition of the site. The net impacts are assessed.
- 6.4.2 The intention of this development is that all large vehicles will enter and exit the site from the north, thereby limiting the impact on the residential area to the south. The design of the junction at the entrance to the site is such that heavy goods vehicles would find it difficult to turn out of the site in a southerly direction. Various measures for regulating the traffic operation of this site can be secured through the s.106 agreement and by conditions. In practice, given that the M27 is so close it is more than likely that operators will chose this route in any event.
- 6.4.3 Government guidance within the NPPF states that decisions should take into account whether safe and suitable access to the site can be achieved for all people and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF concludes that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. The Highways Officer does not believe this to be the case for this project and have not raised an objection to either the principle, detailed layouts or likely impacts upon the highway network. They do, however, have reservations regarding the possible increase in HGV movements as set out in the table below but consider that the scheme could,

in principle, be mitigated against through the s.106. A further update will be given at the Panel meeting as the information provided in the table below was only received as the report was being finalised.

6.4.4 The comments of Hampshire County Council are appended to this report at **Appendix 2**, are relevant to this point, and confirm that the development will, in their opinion, be acceptable in highway impact terms once agreement has been reached for a £400,000 off-site contribution towards a wider scheme of bridge improvement works around the M27 and its associated junction. At the time of writing this contribution requires further negotiation once the likely impacts of the development are agreed, but its inclusion within these discussions is acceptable in principle to the applicant and is likely to be a requirement of the Council's Highways Officer also given the net growth in HGV movements proposed (as detailed below). The applicants have provided the following details regarding trips and, again, further work is required before these details can be agreed by officers. It is unlikely, for the reasons given above by the Highways Officer, that the trips generated by the proposal cannot be accommodated by the existing highway network which, until 2013, accommodated the demands of 100,000sq.m of factory floorspace serving Fords. The current assumptions are as follows:

	Total Vehicle Trips Assuming 24hr operation			Total HGV Movements Assuming 24hr operation			Total Light Vehicle Trips Assuming 24hr Operation		
	AM Peak	PM Peak	Daily	AM Peak	PM Peak	Daily	AM Peak	PM Peak	Daily
Assumed Ford Operational – 100,000sq.m	445	220	3391	19	12	379	426	208	3012
Applying 45% for current site area	200	99	1526	9	8	171	191	91	1355
Potential Mountpark site as 35,371sq.m 100% B8 Use (Assuming 24hr Use)	59	57	1567	15	14	929	44	43	638
Mountpark Proposed 35,371sq.m B8/B1c/B2 Use assuming 50%/5%/45% (Assuming 24hr Use for B8)	112	102	1744	8	7	465	104	95	1279

6.4.5 These details suggests a marginal increase in overall trips when compared with Fords (ie. 1526 to 1567 for a B8 scheme), alongside a significant increase of some 440% (when B8 only is delivered) in HGV movements (ie. 171 to 929 daily trips). Officers recommend that this increase can be accommodated on the existing network but only if improvements are made to the bridges serving junction 5 of the M27 alongside other measures that are currently under review by the Council's Highways Officer. Negotiations are needed before the required contribution towards these works is known further, although Hampshire County Council have suggested a £400,000 contribution would overcome their concerns. An update on progress on this point will be given at the Panel meeting, and delegation is sought by officers to resolve these negotiations through the s.106 legal agreement process as is the usually the case for any scheme of s.106 mitigation.

6.4.6 In terms of car parking numbers, the development is in accordance with the Council's maximum car parking standards (as set out above). Each of the four

buildings would have their own independent servicing and car parking areas accessed from a new spine road. A total of 372 car parking spaces would be provided for the four units (assuming a B8 operator) with scope for increasing the car parking to 567 should the levels of B8 reduce to 50%. This is less than 1:1 in terms of the possible employees outlined above (albeit with shift work in operation this becomes less of an issue), but the site is well served by public transport, being on both bus and rail routes, and the recommendation includes a requirement for improved cycle access and real time bus information as part of a wider set of green travel initiatives. Some 150 cycle parking spaces with showering facilities are proposed, for instance. As a potentially 24 hour operation, the businesses are likely to operate a shift system with the workforce spread over the day. The buildings have large yard spaces and it seems unlikely that employees would wish to park off site. The s.106 agreement could include an obligation requiring the developer to carry out survey work of the car parking situation in adjoining residential streets once the development is operational and to investigate parking controls should this prove necessary, although this requirement has not been sought by the relevant consultees and does not currently form part of this recommendation.

The acceptability of this scheme in transport terms has been assessed against the former factory use of some 100,000sq.m, and the net impacts are deemed to be acceptable within this context. This application gives the opportunity to improve pedestrian, cycle and bus access to the site and contributions are also in place should the proposed junction serving the new access need to be signalised. The impact of HGVs on the network is under review following a let submission by the applicants and a verbal update can be given at the Panel meeting.

## 6.5 Impact on the amenities of neighbours

- 6.5.1 This site is synonymous with employment uses, and particularly manufacturing, and is protected by existing local planning policy for such uses. As such, buildings with scale are a given, and it is inevitable that a large commercial development of this nature will impact upon the established character and appearance of the area. In this instance, however, the Panel need to consider the site's previous use and built form which, although now cleared, is a relevant material consideration. The previous factory was formed by a mix of domestic scaled buildings and manufacturing sheds, with the tallest measuring 30m in height; this building was located more centrally than proposed units 1 and 4.
- 6.5.2 There are no affected residential neighbours to the east, north or west. The back gardens of those dwellings fronting Walnut Grove are located adjacent the site's southern boundary. Many of these dwellings had an outlook across the former Ford factory before its demolition, albeit the buildings immediately neighbouring these affected properties were generally of domestic scale and of brick construction. As such, there will be some areas where significant change will be experienced from both habitable rooms and rear gardens.
- 6.5.3 The proposed buildings along the site's southern boundary are nearly 16m in height to the ridge (12 metres to eaves – a typical dwelling is about 6m to eaves and 8 to ridge for comparison). The buildings will extend 160m (Unit 1) and 110m (unit 4) along this boundary and will significantly affect the outlook from these residential neighbours. To a certain extent the previous factory would have had a similar impact and these affected residents are used to living adjacent an employment site with the associated impacts upon their residential amenity. A separation distance



of 30 metres is typically secured and this narrows in places to 23m. To mitigate the increase in height and proximity of the development the applicants have proposed a significant landscape screen along the entire southern boundary of the site. All planting will sit upon a 1.2m high bund and will be semi-established at the point of planting. An irrigation scheme is proposed to ensure that the planting matures further and conditions are proposed to ensure ongoing maintenance. Officers recommend that, on balance, the scheme can be supported given the previous factory buildings that once occupied the site, and the proposed landscaped buffer that will mitigate the harm caused by placing such large buildings this close to a residential streetscene.

6.5.4 The chosen layout reduces residential outlook but improves the noise environment. The local area is already characterised by relatively high levels of background noise as a consequence of the M27, railway and airport beyond. There is likely to be a noise impact resulting from HGV movements on site, including manoeuvring and reversing into loading bays. In response to this context the proposed buildings turn their backs on the residential neighbours to the south, and will then act as a barrier to noise from their associated operations (which, as with the Ford factory, could be on a 24 hour basis), the M27 and the airport. Although the applicant is seeking unrestricted hours of operation it is not inevitable that all operators will be as busy at night as during the day. The Council's Environmental Health Officer (EHO) has assessed the applicant's noise report and air quality assessments and is satisfied that a 24 hour employment use is appropriate for this site despite the proximity of existing residential neighbours. It is likely that had the buildings been orientated differently (by removing development along the width of the boundary) that the EHO would have raised an objection and/or sought reduced operational hours that could have rendered the scheme less commercially viable.

6.5.5 There will be no loss of privacy or overshadowing of the affected neighbours given the design and location of the buildings, and existing levels of daylight and sunlight will remain. The only potential issue (in addition to the outlook issues discussed above) relate to glare from metal cladding sitting with a southerly aspect to the north of existing dwellings. The applicants have been asked to choose a cladding with reduced reflectivity, and possibly a matt finish, and it is hoped that samples of the cladding will be available to the Panel at the meeting. A planning condition will be added to agree the cladding on site prior to its formal use. The development is considered to address LPR Policy SDP1(i) that seeks to protect the existing amenity of residents living in the city.

## 6.6 Design

6.6.1 These buildings will be substantial modern warehouse buildings that are comparable with other similar examples recently approved across the City (as set out above). The layout has been designed so that each building fronts a new spine road. These large warehouse structures with delivery bay openings will inevitably be somewhat monotonous, as it is difficult to include features of interest which would be visible from outside the site. That said, the applicants have taken our design advice offered at the pre-application stage and introduced a wing of ancillary office accommodation to provide visual interest and activity to Wide Lane. The existing mesh fence is to be removed and the existing planting supplemented. The new access road will include a 4m high green/living wall to screen the service yards behind; thereby reducing the impact caused by this amount of building and hard standing. The service yards themselves will provide below ground flood attenuation

for some 6,000 cubic metres of water to deal with the 1:100 year flood event, and the scheme will, overall, achieve a BREEAM rating of 'Excellent' in respect of its sustainability credentials. The proposal will result in a modern employment park that sits within an established landscape setting that is entirely appropriate for this location.

6.6.2 The choice of external materials is acceptable and further details can be sought through a condition. The applicants are also in discussion with local artists in order to capture the importance of the site to Southampton's heritage through the introduction of a public art piece.

6.6.3 The acoustic fence and bund between Units 1 and 4 would be a substantial structure, up to 4 metres in height, but this is considered to be necessary to mitigate noise impact. There will be a landscaped screen along the southern boundary, as discussed and amended to reflect the concerns of the Council's Design Officer, but this will take some years to establish fully despite being planted as extra heavy standard and semi-mature (ie. 6-6.5 metres tall). Although the buildings and screening would be dominant structures in the landscape this purpose built layout makes improvements in appearance to the previous factory that had previously evolved across the site, and the application is acceptable overall in design terms.

## 6.7 Off-site Mitigation

6.7.1 LDF Policy CS25 seeks to ensure that all new development mitigates against its direct impacts and this scheme is no different. The proposed uses do not attract the Community Infrastructure Levy (CIL), but the negotiations with the applicants, and relevant consultees, has resulted in the need for a s.106 legal agreement to be completed before planning permission could be granted. Providing the application addresses the areas of mitigation, set out above, then the scheme will have complied with the requirements of Policy CS25.

## 7. Summary

7.1 These are substantial new buildings, on a previously developed site, which will change the character and appearance of this part of the city, but not significantly given the former use of the site for manufacturing. The land is identified in the Council's Local Plan for employment development of the type proposed in this application. The economic development and employment opportunities weigh in support of the proposal. It is inevitable that there will be an impact on local residents in terms of noise, outlook and additional traffic, but the applicants have mitigated as far as practicable against these unneighbourly effects and on balance, and subject to safeguards in the Section 106 agreement and conditions, it is considered that the issues of transport, neighbour impact and environmental issues have been satisfactorily addressed with these proposals.

## 8. Conclusion

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

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

1a-d, 2b,d,f, 4b,f,vv, 6a-b & 7a

## **SH2 for 04.10.2016 PROW Panel**

### **PLANNING CONDITIONS to include:**

#### **1.Full Permission Timing Condition (Performance)**

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason:

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

#### **2.Restricted Use & Operational Hours (Performance)**

The maximum floorspace of the development hereby approved shall be 35,371 square metres (gross external), and the buildings shall not be sub-divided into separate units without the first written approval of the Local Planning Authority. Furthermore, this permission does not allow for the installation of additional mezzanine floorspace (other than those shown) within the buildings to serve the development.

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details (namely B1c, B2 and/or B8) and not for any other purpose.

Any office space provided to serve the development shall be ancillary to uses specified and shall not be let, leased or sold separately.

The B2 use hereby approved shall be limited to 45% of the total operational floorspace as assessed through the planning application submission.

Whilst any B8 use may operate on a 24 hour/day basis any non B8 use (excluding the ancillary office space) shall be restricted to the following hours, as submitted and hereby approved, unless otherwise agreed in writing with the Local Planning Authority:  
7am - 7pm (7 days/week) as set out in the planning application form

Reason:

In the interest of the amenities of neighbouring occupiers, to ensure that the site is retained for employment generating uses, to ensure that the office space provided is integral to the principal uses due to the out of centre location and in the interests of highway impacts that have been determined.

#### **3.Construction Phasing (Pre-Commencement Condition)**

No development shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a programme of construction work has been submitted to and approved in writing by the Local Planning Authority. The programme shall define the phasing of the development to include when the buildings, the bund and landscaped buffer, the living walls, and acoustic fences along the southern boundary with the residential neighbours will be implemented. The development shall subsequently be carried out in accordance with the approved construction phase programme.

No occupation of Units 2 or 3 shall take place until Units and 1 and 4, and their associated acoustic fence between them, have been constructed and are largely complete as shown

on the approved plans, or such alternative acoustic measures have been installed as may be approved in writing by the Local Planning Authority.

Reason:

To allow the Local Planning Authority to control the construction programme in the interests of the amenities of the area and to ensure that Units 1 and 4 are in place to reduce the noise impact associated with Units 2 and 3.

**Note to Applicant:**

*In accordance with paragraph 3.11 of the submitted Planning Statement it is anticipated that as part of the sign off that there will be a commitment to implement the landscaped buffer along the southern boundary at an early stage of the build programme so as to mitigate against the construction phase itself and allow time for this landscaping to properly establish.*

**4.Noise Mitigation Measures**

The development shall be implemented in accordance with the recommendations contained within the submitted Sharps Redmore Noise Impact Report. Prior to the occupation of each building detailed noise mitigation measures, to include a scheme of management measures to include details of reversing alarms of fork lift trucks and lorries, yard surface material and maintenance, equipment maintenance, acoustic barrier maintenance, site facilities including attenuation of external plant, vehicle management arrangements, staff management arrangements and a 'Night Time Management Plan' (detailing measures between 2300 and 0700 hours to mitigate noise; including car parking management in connection with shift change) shall have been submitted to and approved in writing by the Local Planning Authority. These measures shall confirm that all refrigeration vehicles serving the site shall use electrical hook up facilities rather than diesel engines and that all refrigeration equipment within the buildings shall utilise electric compressors and not diesel. The approved measures shall be implemented before first occupation of each building and retained thereafter.

Reason:

To limit noise and disturbance and to protect the amenities of neighbours, particularly given the 24 hour nature of the proposed operation.

**5.Parking, Servicing & External Storage (Pre-Occupation)**

The parking to serve the development hereby approved shall not exceed the following 'maximum' standards unless otherwise agreed in writing with the Local Planning Authority:

- 1 space per 30sq.m of B1a office
- 1 space per 45sq.m of B1c light industrial and B2 general industrial
- 1 space per 90sq.m of B8 storage and distribution

The parking spaces and associated access shall be provided in accordance with the plans hereby approved before the each building first comes into occupation depending upon the occupying use, and shall thereafter be retained as approved for the parking by staff and visitors only. These areas shall not be used for external storage of any kind and any external storage within the service yards shall only be provided once locations and heights have been agreed in writing with the Local Planning Authority

Reason:

To define the permission for flexible end uses and to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

## **6. Electric Car Charging Points (Pre-Occupation Condition)**

No building shall be occupied until a minimum of 2 electric car charging points have been provided to serve it (ie. 8 in total for the development). The approved measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of sustainability and air quality.

## **7. Cycle parking (Performance Condition)**

Before the occupation of each building the cycle storage, changing, washing and shower facilities for members of staff shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

## **8. Details of building materials to be used (Pre-Commencement Condition)**

Notwithstanding the information shown on the approved drawings and application form (with the exception of site clearance, demolition, enabling and preparation works) no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. 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 interests of amenity by endeavouring to achieve a building of visual quality.

### ***Note to Applicant:***

*As part of its duty in signing off this condition the Local Planning Authority will request that a sample panel of the cladding system to be used along the site's southern boundary is constructed on site so that the reflectivity and glare of the materials can be properly assessed ahead of its use across the development.*

## **9. Landscaping & Boundary Treatment**

The development shall be implemented in accordance with the amended landscaping plans that were received by email on 15<sup>th</sup> August and listed at the end of this Decision Notice.

The position and height of acoustic barriers (comprising bunds and fencing) and other means of enclosure as specified along the site boundaries shall be erected in accordance with the approved plans (as updated by plan ref: 30822-PL-111C) before the first use of the development hereby approved with the existing wire mesh fence along Wide Lane being removed as shown prior to the site's 1st occupation. The boundary treatment shall thereafter be retained as approved.

Details of irrigation to the landscape bund shall be submitted to and agreed in writing prior to the commencement of development (with the exception of site clearance, demolition,

enabling and preparation works) with the approved irrigation implemented as agreed prior to the first occupation of the development.

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 owner 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 owner shall be responsible for any replacements for a period of 5 years from the date of planting, and the living wall approved to screen the service yards shall be retained for the lifetime of the development.

The approved hard and soft landscaping scheme (including parking and a 4m high living wall as hereby approved) for the whole site shall be carried out prior to first use of the buildings or during the first planting season following the full completion of building works, whichever is sooner unless an alternative phasing arrangement is agreed. The approved implemented scheme 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

#### **10.Tree Retention and Safeguarding (Pre-Commencement Condition)**

All trees to be retained pursuant to the submitted and approved plans 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.

#### **11.No storage under tree canopy (Performance – Construction & Operational))**

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason:

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

## **12. Ecological Enhancement Statement (Pre-Commencement)**

Prior to development commencing (with the exception of site clearance, demolition, enabling and preparation works) the developer shall submit a programme of habitat and species enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before the occupation of each building hereby approved takes place.

Reason:

To enhance habitat for protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity as agreed at paragraph 5.12 of the submitted Ecology Statement.

## **13. Energy**

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in CO2 emissions over part L of the Building Regulations as set out in the email dated 5/8/16 shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of each building hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

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

## **14. BREEAM Standards (Pre-Occupation)**

Written documentary evidence demonstrating that the development has achieved at minimum a rating of 'Excellent' against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing within 6 months from first occupation of each building hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA prior to first occupation taking place. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

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

## **15. Public Sewer/Water Supply protection (Performance)**

Prior to the commencement of development, details of the measures to protect the public sewer and water supply from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason:

In order to safeguard the public sewer.

### **Note to Applicant:**

*You are advised to take note of Southern Water's full response (dated 15<sup>th</sup> June 2016) to the planning application which details the restrictions on development and requirements for further approvals.*

### **16.Surface/Foul Water Drainage (Pre-commencement)**

No development approved by this permission shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason:

To ensure satisfactory drainage provision for the area.

### **17.Sustainable Drainage Systems (Pre-Commencement)**

Prior to the commencement of development (with the exception of site clearance, demolition, enabling and preparation works) a specification for the proposed sustainable drainage system (including green roofs where feasible) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of each building hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

### **18.Archaeological evaluation work programme [Performance Condition]**

Subject to the results of the evaluation the developer shall secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed as although the Written Scheme of Investigation has been approved the results have yet to be submitted and/or archived.

### **19.Use of uncontaminated soils and fill (Performance)**

Only 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.

### **20.Unsuspected Contamination (Performance)**

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. The development shall



proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

### **21. Construction Management Plan (Pre-Commencement)**

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan (CMP) for the development. The CMP shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning;
- (g) details of any cranes required to facilitate construction;
- (h) external lighting;
- (i) height of external storage areas;
- (j) Control and disposal of putrescible waste to prevent attraction of birds; and,
- (k) details of how noise emanating from the site during construction will be mitigated.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

#### **Note to Applicant:**

*Southampton Airport have requested that the construction company shall give SIAL details of UHF and VHF communication frequencies to ensure no interference with operations at Southampton Airport and that the applicant maintains regular communication with SIAL Safeguarding (contact: Connor Gladwin) to discuss plans and progress throughout the construction phase.*

### **22. Obstacle Lighting during The Construction Period - Airport**

Obstacle lights shall be placed on cranes and other construction equipment above 32 metres above ground level to be used in the development of the Former Ford Site. The obstacle lighting scheme shall be implemented for the duration of the construction period. These obstacle lights must be steady state red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of guidance material 'CAP168 Licensing of Aerodromes.

Reason:

Permanently illuminated obstacle lighting is required for the duration of construction and on construction equipment to avoid endangering the safe movement of aircraft and the operation of Southampton Airport.

**Note to Applicant:**

*For further information please refer to Advice Note 4 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).*

**23.Hours of work for Demolition / Clearance / Construction (Performance)**

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 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

Once the external fabric of Units 1 and 4 are completed these hours may be relaxed in accordance with further details that shall have been submitted to and agreed in writing by the Local Planning Authority prior to any change in working hours.

Reason:

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

**24.Piling (Pre-Commencement)**

A piling/foundation design and method statement shall be submitted to and approved in writing by the Local Planning Authority prior to any piling taking place in the construction of this development. The development shall be carried out in accordance with the agreed details.

Reason:

In the interest of residential amenity.

**25.External Lighting Scheme (Pre-Commencement)**

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be thereafter retained as approved.

Reason:

In the interest of residential amenity, to minimise the impact on protected species and to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

**Note to Applicant:**

*The development is close to the aerodrome and/or aircraft taking off from or landing at the aerodrome. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal. For further information please refer to Advice Note 2 'Lighting Near Aerodromes'*

*Your attention is drawn to the Air Navigation Order 2009, Article 221, which states that, "A person must not exhibit in the United Kingdom any light which: (a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft." The Order*

*also grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft.*

#### **26. Permanent Obstacle Lighting Scheme - Airport**

Obstacle lights shall be placed on the buildings prior to their first use and shall be retained thereafter. These obstacle lights must be steady state red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of guidance material 'CAP168 Licensing of Aerodromes'.

Reason:

It is recommended that permanent illuminated obstacle lights are installed on the highest point of development to avoid endangering the safe movement of aircraft and the operation of Southampton Airport.

#### **27. Refuse & Recycling (Pre-Commencement)**

Prior to the occupation of each building further details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before each building is occupied and shall thereafter be retained as approved.

Reason:

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

#### **28. No other windows or doors other than approved in specific location**

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) in relation to the development hereby permitted, no alternative or additional windows (including roof windows or dormer windows), doors or openings other than those expressly authorised by this permission shall be constructed in the southern elevations of Units 1 and/or 4.

Reason:

To protect the amenities of the adjoining properties.

#### **29. Advertisement Restriction (Performance Condition)**

Notwithstanding the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, or any subsequent amending regulations, no site marketing advertising shall be displayed on the southern elevation of Units 1 and/or 4 so as to be visible from the residential properties in Walnut Grove.

Reason:

In the interests of the amenities of neighbouring residential properties.

#### **30. Redundant Access Points & Stoneham Cemetery Road**

The existing 'redundant' access points serving the site that are no longer required to serve the proposed development shall be closed off, re-kerbed at the highway and made good prior to the first occupation of the development.

No access (pedestrian or otherwise) shall be created from the site into Stoneham Cemetery Road with the prior approval of the Local Planning Authority.

Reason:

To ensure that the amendments made to pedestrian access during the lifetime of the development are retained in the interests of residential amenity and highway safety.

### **31. Removal of PD Rights for Cranes & Construction Equipment - Airport**

Notwithstanding the permitted development offered by Schedule 2 Part 4 Class A (Temporary Buildings) of the Town & Country Planning (General Permitted Development) (England) Order 2015 there shall no cranes erected to serve the construction phase of the development hereby approved without the prior written approval of the Local Planning Authority in consultation with Southampton Airport. Development shall be implemented as approved.

Reason:

To ensure that construction operations and equipment on the application site or on any adjoining land do not breach the Obstacle Limitation Surface (OLS) surrounding Southampton Airport and endanger the movement of aircraft and the safe operation of the aerodrome.

### **32. Submission of a Bird Hazard Management Plan - Airport**

Development shall not commence (with the exception of site clearance, demolition, enabling and preparation works) until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The BHMP shall be in accordance with AOA Advice Note 8 and shall include details of:

- monitoring of any standing water within the site temporary or permanent
- management of any flat/shallow pitched/green roofs on 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’ attached \* See next page for information \*
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- monitoring of waste imports (although this may be covered by the site licence)
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

The BHMP shall be implemented as approved on 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 LPA.

Reason:

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

#### **Note to Applicant:**

*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 SIAL Airside Operations staff. In some instances it may be necessary to contact SIAL Airside 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 where applicable from Natural England before the removal of nests and eggs.*

### **33.Security**

A 'Security Management Plan' for each building shall be submitted to and agreed prior to its first occupation. The agreed scheme shall be implemented as agreed.

Reason:

In the interests of security for the site as recommended by Hampshire Constabulary

### **34.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.

#### **Note to Applicant – Southern Water:**

*Water Main - The exact position of the public water distribution main on the site must be determined before the layout of the development is finalised. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.*

*The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.*

*A formal application for connection to the water supply is required in order to service this development.*

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

*The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)*

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
SDP22	Contaminated Land
NE4	Protected Species
HE6	Archaeological Remains
RE19	Major Employment Sites
TI2	Vehicular Access

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)

**FORMAL RESPONSE FROM HAMPSHIRE COUNTY COUNCIL (HIGHWAYS)**

*Economy, Transport and Environment Department*

*Elizabeth II Court West, The Castle  
Winchester, Hampshire SO23 8UD*

Tel: 0300 555 1375 (General Enquiries)

0300 555 1388 (Roads and Transport)

0300 555 1389 (Recycling Waste & Planning)

Textphone 0300 555 1390

Fax 01962 847055

www.hants.gov.uk

Southampton City Council,  
Civic Centre,  
Southampton,  
SO14 7LY

<i>Enquiries to</i>	Gemma McCart	<i>My reference</i>	6/3/9/265(app1185)
<i>Direct Line</i>	01962 846824	<i>Your reference</i>	16/00885/FUL
<i>Date</i>	15 <sup>th</sup> September 2016	<i>Email</i>	Gemma.mccart@hants.gov.uk

**For the attention of Stephen Harrison**

Dear Sirs

**Development to provide new industrial and warehouse buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting and new boundary treatment, new car parking and service areas, new vehicular access from Wide Lane and associated works-description amended following receipt of amended plans showing the removal of a proposed footpath through the site to Stoneham Cemetery Road and an increase to the acoustic fence between unit 1 and 4 along the southern boundary from 2.1 to 4 metres.**

Thank you for providing Hampshire County Council the opportunity to comment on the above planning application.

**Site Location**

The site is located on Wide Lane, on the southern element of the former Ford manufacturing site in Swaythling, Southampton. The site is within 1km of M27 Junction 5, within 650m to Swaythling rail station and within 850m of Southampton Airport Parkway rail station.

**Local Policy Context**

The proposed development site is considered a Key Employment Area under Southampton City Council's Core Strategy (2010) in particular policy CS7 which seeks to safeguard all existing employment sites and allocations. The Transport Assessment discusses the Eastleigh Borough Council Interim Strategic Transport Study, which considers potential improvements to the Wide Lane overbridge and acknowledges that this would be of significant improvement to the local highway network.

## **Access by sustainable modes**

The proposed development is accessible by bus with existing bus stops within 100m. Existing services provide links to Southampton City Centre, Southampton Airport and low frequency provision to Eastleigh, Winchester and Hedge End.

Swaythling rail station is also within 650m and is accessible utilising existing footway provision. Within the jurisdiction of Hampshire County Council a route is also in place to Southampton Airport Parkway although the width of this route along Wide Lane requires improvement and this proposal is included on the access drawing 15-263/001 D. Wide Lane forms part of National Cycle Route 23, Reading to Southampton. The route crosses the railway line on the eastern side of the Wide Lane bridge between the two roundabouts, although at 1.5m the path width is sub-standard. Overtaking cyclists on the bridge is currently hazardous due to limited width and the very limited northbound visibility of southbound vehicles approaching.

It is acknowledged that the application is supported by a Travel Plan which will be assessed and monitored by Southampton City Council.

## **Vehicular Access**

The proposed access arrangement is made up of a right turn lane facility on Wide Lane. Subsequent to the Transport Assessment, modelling has been undertaken to demonstrate the proposed arrangement is suitable in capacity terms. The access point itself is located within Southampton City Council and therefore the principle of this arrangement is to be considered the Engineers at your Authority. It is however noted that a small element of the associated works, including widening of the existing footway on Wide Lane are across the Hampshire County Council boundary. Therefore the County Council will need to be a party to the necessary Section 278 Agreement.

## **Highway Safety**

Accident analysis has been provided within the Transport Assessment which identifies that a total of 18 accidents have been recorded between 2010 and October 2015. No accidents have been recorded within the immediate vicinity of the site access.

## **Traffic Impact**

### Trip Generation

Interrogation of the TRICS database has been undertaken in order to establish the forecast trip generation of the development proposal. The resultant outputs set out the following;



<b>B8</b>			
Time Period	Arrival	Departures	Two-Way
AM 08.00-09.00	17	12	29
PM 16.00-17.00	10	18	28
Daily	394	389	783
<b>B2</b>			
AM 08.00-09.00	58	12	70
PM 16.00-17.00	12	52	65
Daily	403	415	818
<b>B1c</b>			
AM 08.00-09.00	10	3	13
PM 16.00-17.00	2	7	9
Daily	71	72	142
<b>Total</b>			
AM 08.00-09.00	85	27	112
PM 16.00-17.00	25	77	102
Daily	868	876	1744

The above data has been analysed to provide the likely proportion of HGV trips. This suggests that 8 AM peak trips and 7 PM peak trips will be made up of HGV's. A total of 460 HGV trips are forecast daily. It is however acknowledged that an end user is yet to be identified for the development proposal and the quantum of HGV trips could therefore vary significantly from these assumptions.

### Growth

TEMPRO has been utilised in forecast background growth to 2021 which is the assumed final occupancy. This approach in addition to the distribution methodology is listed as agreed with the City Council during pre-application discussions.

### Previous use

The County Council acknowledge that the site has an established planning history. It is unfortunate that trip generation data for the previous occupants (Ford) has not been collected to enable this to be accurately quantified. TRICS has therefore been utilised to assume the potential trip generation associated with the permitted use.

The Transport Assessment discusses that the current planning application makes up around 60% of former Ford factory site although I note this assumption is yet to be agreed with Southampton City Council.

Whilst the County Council acknowledge that the proposed use is within the total potential trip generation of the previous use, it is considered appropriate for the remaining proportion of the development site to be treated as 'committed development' as these

areas could be brought back into use. This has been reflected in the Transport Assessment.

The subsequent methodology of subtracting the trip generation of the remaining floor area from the total floor area in order to quantify the net impact of the development proposal is not considered to accurately reflect the potential impact of the development proposal. Whilst the County Council acknowledge the site is the subject of an existing planning consent and this should be considered in terms of traffic impact, the data provided to support these assumptions is somewhat generic. It has also been some time since the former use has been fully operational.

Table 5.8 of the Transport Assessment confirms that in the post development scenario it is forecast that vehicular trips on Wide Lane will increase by 8.1% during the AM peak period, 7.6% during the PM peak period and 11% daily. Whilst the Transport Assessment describes this as the worst case scenario due to background growth and the fall-back position of the consented site, the County Council are minded that this provides a realistic assumption in terms of traffic impact, particularly in light of the fact that an end user is yet to be identified. The County Council therefore consider it reasonable for any impacts of the development proposal upon the highway network to be mitigated.

### **Operational Assessments**

The impact of the development proposal upon the junctions within the jurisdiction of Hampshire County Council have been considered.

The following scenarios have been assessed within the transport assessment

- 2016 Base
- 2016 Base + Existing Ford Site (EFS)
- 2021 Base
- 2021 Base + EFS
- 2021 Base + Development
- 2021 Base + EFS + Development

#### A335/Wide Lane roundabout

This junction has been modelled utilising ARCADY 7. The resultant outputs confirm that the junction is approaching theoretical capacity during the 2016 base scenario. The operation of the junction is shown to deteriorate in each subsequent scenario such that in the post development plus EFS assessment (2021) forecasts significant queuing on all arms during both peak periods with an estimated queue of 84 vehicles on Wide Lane westbound during the AM peak period and 96 vehicles on Wide Lane northbound during the PM peak period. Whilst it is acknowledged that once RFC values exceed 1 forecast queue lengths can be unreliable, it is clear that during the future year post development scenario the junction will be operating significantly beyond theoretical capacity.

#### Spitfire Roundabout

This roundabout has also been modelled utilising ARCADY 7. The resultant outputs demonstrate that the roundabout is operating within capacity during the 2016 scenario. The introduction of both the EFS and proposed development trips are demonstrated to result in a similar level of deterioration to the operation of the junction such that by 2021

post development plus EFS scenario both the Mitchell Way and Wide Lane NB are forecast to be operating above acceptable limits during the PM peak period.

Whilst the Transport Assessment considers that no improvements are necessary as a result of the development proposal, this view is not shared by the County Council.

#### Wide Lane/A27 Mansbridge Road Roundabout

This junction falls within the jurisdiction of Southampton City Council and the operation of the junction has therefore not been reviewed by the County Council.

#### Mitigation Requirements

The Transport Assessment acknowledges that the Eastleigh Borough Council Interim Strategic Transport Study (2015) identifies potential improvements to the Wide Lane bridge, however the impact of the development upon this constraint has not been included in the Transport Assessment work despite the adjacent roundabouts being considered. The County Council are minded that the A335/Wide Lane roundabout, Spitfire Roundabout and the Wide Lane bridge should be considered holistically.

As demonstrated in the Transport Assessment, both roundabout junctions are forecast to be the subject of congestion in the future year post development scenario when tested in isolation. The existing bridge structure which is located directly between these junctions, has a right turn bend in the southbound direction resulting in poor alignment, together with the narrow carriageway. HGV's negotiating the bend are currently over running the centre line and are unable to pass each other at the same time. This regularly results in vehicles queuing back in both directions and is considered to have a direct impact on the operation of both the A335/Wide Lane Roundabout and the Spitfire Roundabout. The proposed development is forecast to generate circa 460 HGV movements each day. It is also worthy to note that the height of the existing structure does not meet current design standards and the lifespan of the existing structure is also limited.

The Policy section of the Transport Assessment acknowledges that 'any scheme would provide significant improvements to the local highway network and open up the potential for further development along Wide Lane.'

The County Council have recently progressed study work in order to identify a preferred scheme in order to accommodate forecast growth in this vicinity.

The scheme identified in the feasibility study includes the provision of a new single carriageway structure to the west of the existing Wide Lane bridge. It would have a 7.3m carriageway width with a 3.5m shared use footway in the eastern side and 2m footway on the western side which will significantly enhance access by sustainable modes. Alterations at the A335/Wide Lane roundabout and provision of signal control and alterations at Spitfire Roundabout are also included in the proposal in order to relieve forecast future congestion along this corridor and facilitate future growth. Whilst these proposals remain at an early feasibility stage, the forecast cost associated with delivering the above exceeds £40m.

The County Council acknowledge that the current application is the subject of a former use which historically generated movements across Wide Lane bridge, although as set out above it has been some time since the site was fully operational and survey data to quantify the previous trip generation is not available. Although the transport assessment does not assess the impact of the development upon Wide Lane bridge specifically,

operational assessments of the development proposals on the adjacent roundabout junctions demonstrate that the development is forecast to result in an impact at these junctions such that in the future year post development scenario they are operating beyond theoretical capacity. The existing bridge, which does not allow HGV's to pass one another will impede development related trips accessing the strategic highway network.

The County Council consider it necessary to secure a financial contribution of £400,000 towards the proposed improvement scheme. The County Council are minded that this requirement is directly related to the development proposal and this is evidenced by the Transport Assessment which sets out that the proposed development will make up around 11% of daily trips on Wide Lane with the majority of those distributed across the bridge, including some 460 daily HGV movements.

The required sum of £400,000 is considered reasonable in that represents circa 1% of the total scheme cost, this ensures that the previous use of the site has been accounted for fairly. The remaining cost of the scheme is to be met by future development proposals (subject to pooling) and other external funding sources.

The scheme would significantly improve access to Mountpark providing improved safety and resilience for HGV movements along with longevity and additional capacity over the Wide Lane Bridge, Spitfire Roundabout and A335/Wide Lane roundabout. The requirement is therefore considered necessary in planning terms.

This requirement is also in accordance with both Local and National Policy. Hampshire County Council's Local Transport Plan The National Planning Policy Framework sets out a requirement for developments to 'ensure "improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development."' Hampshire County Council's Local Transport Plan (2011-2031) identifies "Ensuring the timely delivery of transport infrastructure to support housing and employment growth and regeneration opportunities" as a main challenge for South Hampshire. "supporting economic growth by ensuring the safety, soundness and efficiency of the transport network in Hampshire" as a main priority. Policy A identifies that "development brings with it additional demand for travel. It is essential that transport infrastructure in the vicinity of development sites is improved where necessary to support sustainable access to and from new developments."

### **Recommendation**

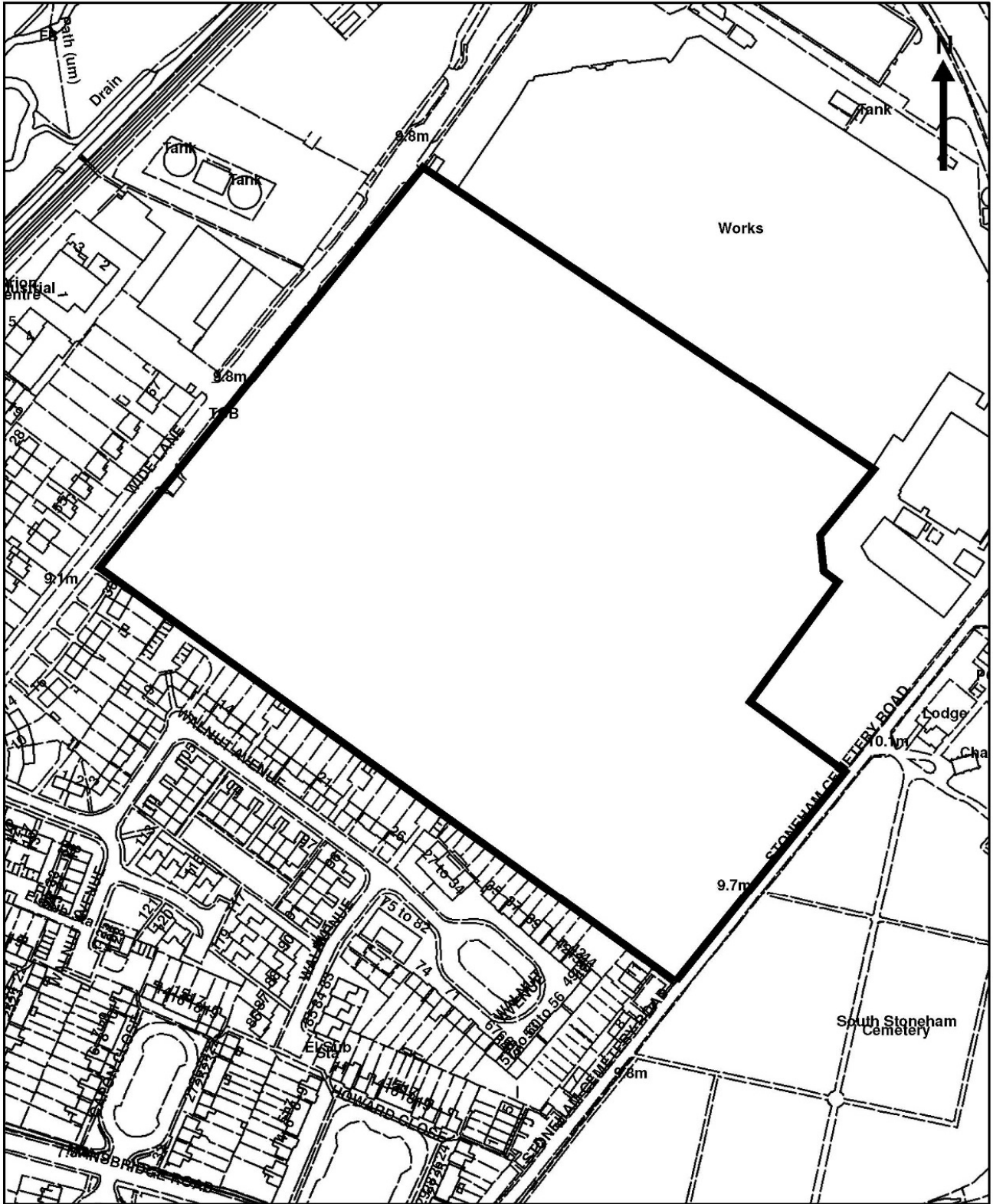
The County Council raise no objection to the above application subject to the following Section 106 requirements;

Entering into a Section 278 Agreement with the County Council to deliver the access works as shown indicatively on drawing 15-263/001 D (currently under review by Southampton City Council).

Financial Contribution of £400,000 towards improvements at Spitfire Roundabout, Wide Lane Bridge and Wide Lane/A335 roundabout.

I trust this is acceptable. Should you wish to discuss this further please do not hesitate to contact Gemma McCart on (01962) 846824.

Yours faithfully  
Ben Clifton  
Team Leader



Scale: 1:2,500

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## **PLANNING AND RIGHTS OF WAY PANEL – 4 OCTOBER 2016**

### **Minute Number 34**

### **PLANNING APPLICATION - 16/00885/FUL- FORMER FORD MOTOR CO, WIDE LANE**

The Panel considered the 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.

Development to provide new industrial and warehouse buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting and new boundary treatment, new car parking and service areas, new vehicular access from Wide Lane and associated works - description amended following receipt of amended plans showing the removal of a proposed footpath through the site to Stoneham Cemetery Road and an increase to the acoustic fence between unit 1 and 4 along the southern boundary from 2.1 to 4 metres.

Steve Harley (agent), Philip O'Callaghan (Applicant) and Councillor Painton (Ward Councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that following the receipt of information relating to the potential numbers of Heavy Goods Vehicle (HGV) movements the planning officer requested that the Section 106 legal agreement be amended as set out below. The Panel discussed Condition 3 of the report and agreed that it be amended as set out below. On being put to the vote the officer recommendation was unanimously approved.

### **RESOLVED**

1. Delegate to the Planning and Development Manager to grant conditional planning permission subject to the conditions set out in the report and the amended condition set out below; completion of a further air quality assessment of the likely HGV increase; and a S.106 Legal Agreement to secure:
  - (i) Either a s.278 Agreement to undertake agreed works within the highway or a financial contribution and other highway obligations, including Traffic Regulation Orders, where necessary, towards site specific transport improvements in the vicinity of the site in line with policies SDP4 and TI2 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013); to include additional signage and replacement/refresh of the over height warning system to the Swaythling railway bridge, replacement bus stops along Wide Lane



- with Real Time Information (RTI), the introduction of a dedicated cycle lane along Wide Lane (space permitting) and to introduce a signalised junction into the site, and the new access arrangement with signage, as shown on plan ref: 15/263/004 Rev A, to discourage HGVs from turning left out of the site;
- (ii) An off-site contribution towards bridge improvement works to secure access from the site to Junction 5 of the M27 as requested by Hampshire County Council and the Hampshire Chamber of Commerce, in line with policies SDP4 and TI2 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013)
  - (iii) Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
  - (iv) Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
  - (v) The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
  - (vi) Provision of public art in accordance with the Council's Public Art Strategy to reflect the site's importance, historically, to UK manufacturing;
  - (vii) Submission and implementation of a Construction Traffic Management Plan;
  - (viii) Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic turning left out of the site;
  - (ix) Submission and implementation of a Staff Travel Plan.
  - (x) Any air quality mitigation that is required following the air quality assessment addendum.
2. In the event that the legal agreement is not completed within two months of the Panel the Planning and Development Manager be authorised to refuse permission following consultation with the Chair of the Planning & Rights of Way Panel on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
3. That the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent





assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

**Amended Planning Condition:**

**3. Construction Phasing (Pre-Commencement Condition)**

No development shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a programme of construction work has been submitted to and approved in writing by the Local Planning Authority. The programme shall define the phasing of the development to include when the buildings, the bund and landscaped buffer, the living walls, and acoustic fences along the southern boundary with the residential neighbours will be implemented. The development shall subsequently be carried out in accordance with the approved construction phase programme.

**The approved tree planting along the site's southern boundary shall be implemented during the first available planting season following the commencement of development.**

No occupation of Units 2 or 3 shall take place until Units and 1 and 4, and their associated acoustic fence between them, have been constructed and are largely complete as shown on the approved plans, or such alternative acoustic measures have been installed as may be approved in writing by the Local Planning Authority.

REASON: To allow the Local Planning Authority to control the construction programme in the interests of the amenities of the area and to ensure that Units 1 and 4 are in place to reduce the noise impact associated with Units 2 and 3.

*Note to Applicant:*

*In accordance with paragraph 3.11 of the submitted Planning Statement it is anticipated that as part of the sign off that there will be a commitment to implement the landscaped buffer along the southern boundary at an early stage of the build programme so as to mitigate against the construction phase itself and allow time for this landscaping to properly establish.*

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## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

#### Town & Country Planning (Development Management Procedure) (England) Order 2015

Oxalis Planning Ltd  
Mr Steven Harley  
Unit 7 Wheatcroft Business Park  
Landmere Lane  
Edwalton  
Nottingham  
NG12 4DG  
United Kingdom

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:

#### MINOR MATERIAL AMENDMENT - CONDITIONAL APPROVAL

**Proposal:** Minor material amendment sought to planning permission 16/00885/FUL for the sites redevelopment to provide new industrial warehouse buildings for business use (class B1 c), industry (class B2) and storage/distribution (class B8). Amendments sought to the layout and number of the buildings along the southern boundary of the site (with no change to Units 2 and 3 along the northern boundary) and planning conditions 3 (construction phasing), 9 (Landscaping and Boundary treatment) and 34 (Approved plans) to accommodate the change. No increase in the approved floor space proposed.

**Site Address:** Ford Motor Co, Wide Lane, Southampton SO18 2NQ

**Application No:** 16/02035/MMA

Subject to the following conditions:

**1.Full Permission Timing Condition (Performance)**

The development hereby permitted shall begin no later than 14th December 2019.

**Reason:**

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to link this MMA to the original lifetime of permission 16/00885/FUL.

**2.Restricted Use & Operational Hours (Performance)**

The maximum floorspace of the development hereby approved shall be 35,371 square metres (gross external), and the buildings shall not be sub-divided into separate units without the first written approval of the Local Planning Authority. Furthermore, this permission does not allow for the installation of additional mezzanine floorspace (other than those shown) within the buildings to serve the development.

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details (namely B1c, B2 and/or B8) and not for any other purpose.

Any office space provided to serve the development shall be ancillary to uses specified and shall not be let, leased or sold separately.

The B2 use hereby approved shall be limited to 45% of the total operational floorspace as assessed through the planning application submission.

Whilst any B8 use may operate on a 24 hour/day basis any non B8 use (excluding the ancillary office space) shall be restricted to the following hours, as submitted and hereby approved, unless otherwise agreed in writing with the Local Planning Authority:

7am - 7pm (7 days/week) as set out in the planning application form

Reason:

In the interest of the amenities of neighbouring occupiers, to ensure that the site is retained for employment generating uses, to ensure that the office space provided is integral to the principal uses due to the out of centre location and in the interests of highway impacts that have been determined.

### 3. Construction Phasing (Pre-Commencement Condition)

No development shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a programme of construction work has been submitted to and approved in writing by the Local Planning Authority. The programme shall define the phasing of the development to include when the buildings, the bund and landscaped buffer, the living walls, and acoustic fences along the southern boundary with the residential neighbours will be implemented. The development shall subsequently be carried out in accordance with the approved construction phase programme. The approved tree planting along the site's southern boundary shall be implemented during the first available planting season following the commencement of development.

No occupation of Units 4 or 5 shall take place until Units 1, 2 and 3, and their associated acoustic fence between them, have been constructed and are largely complete as shown on the approved plans, or such alternative acoustic measures have been installed as may be approved in writing by the Local Planning Authority.

Reason:

To allow the Local Planning Authority to control the construction programme in the interests of the amenities of the area and to ensure that Units 1, 2 and 3 are in place to reduce the noise impact associated with Units 2 and 3.

Note to Applicant:

In accordance with paragraph 3.11 of the 16/00885/FUL Planning Statement it is anticipated that as part of the sign off that there will be a commitment to implement the landscaped buffer along the southern boundary at an early stage of the build programme so as to mitigate against the construction phase itself and allow time for this landscaping to properly establish.

### 4. Noise Mitigation Measures

The development shall be implemented in accordance with the recommendations contained within the submitted Sharps Redmore Noise Impact Report as updated by the Sharps Redmore Technical Note (31st October 2016). Prior to the first and subsequent occupation of each building detailed noise mitigation measures, to include a scheme of management measures to include details of reversing alarms of fork lift trucks and lorries, yard surface material and maintenance, equipment maintenance, acoustic barrier maintenance, site facilities including attenuation of external plant, vehicle management arrangements, staff

management arrangements and a 'Night Time Management Plan' (detailing measures between 2300 and 0700 hours to mitigate noise; including car parking management in connection with shift change) shall have been submitted to and approved in writing by the Local Planning Authority. These measures shall confirm that all refrigeration vehicles serving the site shall use electrical hook up facilities rather than diesel engines and that all refrigeration equipment within the buildings shall utilise electric compressors and not diesel. The approved measures shall be implemented before first occupation of each building and retained thereafter.

Reason:

To limit noise and disturbance and to protect the amenities of neighbours, particularly given the 24 hour nature of the proposed operation.

#### 5.Parking, Servicing & External Storage (Pre-Occupation)

The parking to serve the development hereby approved shall not exceed the following 'maximum' standards unless otherwise agreed in writing with the Local Planning Authority:

- o 1 space per 30sq.m of B1a office
- o 1 space per 45sq.m of B1c light industrial and B2 general industrial
- o 1 space per 90sq.m of B8 storage and distribution

The parking spaces and associated access shall be provided in accordance with the plans hereby approved before the each building first comes into occupation depending upon the occupying use, and shall thereafter be retained as approved for the parking by staff and visitors only. These areas shall not be used for external storage of any kind and any external storage within the service yards shall only be provided once locations and heights have been agreed in writing with the Local Planning Authority

Reason:

To define the permission for flexible end uses and to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

#### 6.Electric Car Charging Points (Pre-Occupation Condition)

No building shall be occupied until a minimum of 2 electric car charging points have been provided to serve it (ie. 8 in total for the development). The approved measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of sustainability and air quality.

#### 7.Cycle parking (Performance Condition)

Before the occupation of each building the cycle storage, changing, washing and shower facilities for members of staff shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

#### 8.Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form (with the exception of site clearance, demolition, enabling and preparation works) no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, 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. 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 interests of amenity by endeavouring to achieve a building of visual quality.

**Note to Applicant:**

As part of its duty in signing off this condition the Local Planning Authority will request that a sample panel of the cladding system to be used along the site's southern boundary is constructed on site so that the reflectivity and glare of the materials can be properly assessed ahead of its use across the development.

**9.Landscaping & Boundary Treatment**

The development shall be implemented in accordance with the amended landscaping plans listed at the end of this Decision Notice prior to the first use of the buildings, or during the first planting season following the full completion of building works, whichever is sooner unless an alternative phasing arrangement is agreed ahead of the first use of the development.

The position and height of acoustic barriers (comprising bunds and fencing) and other means of enclosure as specified along the site boundaries shall be erected in accordance with the approved plans (as updated by plan ref: 30822-PL-111E) before the first use of the development hereby approved, with the existing wire mesh fence along Wide Lane being removed (as shown) prior to the site's first use of the development. The boundary treatment shall thereafter be retained as approved.

Details of (i) irrigation to the landscape bund (including the infrastructure design and operational details) and (ii) ongoing landscape maintenance, shall be submitted to and agreed in writing prior to the commencement of development (with the exception of site clearance, demolition, enabling and preparation works) with the approved irrigation being implemented (as subsequently agreed) in full prior to the first use of the development with its retention in good working order for the lifetime of the development thereafter.

The approved landscaping shall be maintained as follows:

- i. With the exception of the green wall (screening the service yard) and the landscape buffer along the southern boundary the approved landscaping shall be maintained for a minimum period of 5 years in accordance with the agreed maintenance strategy (as required above);
- ii. With the exception of the green wall (screening the service yard) and the landscape buffer along the southern boundary 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 owner in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation; and,
- iii. The green wall (screening the service yard) and the landscape buffer along the southern boundary shall be retained and maintained as agreed for the lifetime of the development. Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased within these areas shall be replaced by the owner in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

**Reason:**

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and to ensure that the valuable mitigation is retained for the lifetime of the development so as to protect existing residential amenity, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

10. Tree Retention and Safeguarding (Pre-Commencement Condition)

All trees to be retained pursuant to the submitted and approved plans 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.

11. No storage under tree canopy (Performance - Construction & Operational)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason:

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

12. Ecological Enhancement Statement (Pre-Commencement)

The ecological mitigation measures shown on plan ref JN00188\_DW01 (Bat and Bird Box Location Plan) shall be installed prior to the first occupation of the development unless an alternative strategy is agreed in advance. The agreed scheme shall be retained for the lifetime of the development.

Reason:

To enhance habitat for protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity as agreed at paragraph 5.12 of the Ecology Statement submitted under 16/00885/FUL.

13. Energy

Written documentary evidence demonstrating that the development will at minimum achieve a reduction in CO2 emissions over part L of the Building Regulations as set out in the email dated 5/8/16 shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of each building hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

Reason:

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

14. BREEAM Standards (Pre-Occupation)

Written documentary evidence demonstrating that the development has achieved at minimum a rating of 'Excellent' against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing within 6 months from first occupation of each building hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA prior to first occupation taking place. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

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

15.Public Sewer/Water Supply protection (Performance)

Prior to the commencement of development, details of the measures to protect the public sewer and water supply from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason:

In order to safeguard the public sewer.

Note to Applicant:

You are advised to take note of Southern Water's full response (dated 15th June 2016) to the planning application which details the restrictions on development and requirements for further approvals.

16.Surface/Foul Water Drainage (Pre-commencement)

No development approved by this permission shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason:

To ensure satisfactory drainage provision for the area.

17.Sustainable Drainage Systems (Pre-Commencement)

Prior to the commencement of development (with the exception of site clearance, demolition, enabling and preparation works) a specification for the proposed sustainable drainage system (including green roofs where feasible) shall be submitted to the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of each building hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

18.Root Barrier (New Condition - previously archaeology which is now satisfied)

Details of the tree root barrier to be erected to the northern boundary of 30 Wide Lane shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the approved landscaping scheme. The approved details shall be erected as part of the landscaping scheme and completed prior to the first occupation of the development. The approved details shall be retained as agreed.

Reason:

In the interests of protecting the integrity of neighbouring land as set out in the email from Steve Harley dated 26th January 2017.

19.Use of uncontaminated soils and fill (Performance)



Only 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.

#### 20. Unsuspected Contamination (Performance)

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

#### 21. Construction Management Plan (Pre-Commencement)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan (CMP) for the development. The CMP shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning;
- (g) details of any cranes required to facilitate construction;
- (h) external lighting;
- (i) height of external storage areas;
- (j) Control and disposal of putrescible waste to prevent attraction of birds; and,
- (k) details of how noise emanating from the site during construction will be mitigated.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

Note to Applicant:

Southampton Airport have requested that the construction company shall give SIAL details of UHF and VHF communication frequencies to ensure no interference with operations at Southampton Airport and that the applicant maintains regular communication with SIAL Safeguarding (contact: Connor Gladwin) to discuss plans and progress throughout the construction phase.

#### 22. Obstacle Lighting during The Construction Period - Airport

Obstacle lights shall be placed on cranes and other construction equipment above 32 metres above ground level to be used in the development of the Former Ford Site. The obstacle

lighting scheme shall be implemented for the duration of the construction period. These obstacle lights must be steady state red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of guidance material 'CAP168 Licensing of Aerodromes.

Reason:

Permanently illuminated obstacle lighting is required for the duration of construction and on construction equipment to avoid endangering the safe movement of aircraft and the operation of Southampton Airport.

Note to Applicant:

For further information please refer to Advice Note 4 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

#### 23. Hours of work for Demolition / Clearance / Construction (Performance)

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 to 18:00 hours

Saturdays                                      09:00 to 13:00 hours

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.

Once the external fabric of Units 1 and 4 are completed these hours may be relaxed in accordance with further details that shall have been submitted to and agreed in writing by the Local Planning Authority prior to any change in working hours.

Reason:

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

#### 24. Piling (Pre-Commencement)

A piling/foundation design and method statement shall be submitted to and approved in writing by the Local Planning Authority prior to any piling taking place in the construction of this development. The development shall be carried out in accordance with the agreed details.

Reason:

In the interest of residential amenity.

#### 25. External Lighting Scheme (Pre-Commencement)

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be thereafter retained as approved.

Reason:

In the interest of residential amenity, to minimise the impact on protected species and to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

Note to Applicant:

The development is close to the aerodrome and/or aircraft taking off from or landing at the aerodrome. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal. For further information please refer to Advice Note 2 'Lighting Near Aerodromes'

Your attention is drawn to the Air Navigation Order 2009, Article 221, which states that, "A person must not exhibit in the United Kingdom any light which: (a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft." The Order also grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft.

#### 26. Permanent Obstacle Lighting Scheme - Airport

Obstacle lights shall be placed on the buildings prior to their first use and shall be retained thereafter. These obstacle lights must be steady state red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of guidance material 'CAP168 Licensing of Aerodromes'.

#### Reason:

It is recommended that permanent illuminated obstacle lights are installed on the highest point of development to avoid endangering the safe movement of aircraft and the operation of Southampton Airport.

#### 27. Refuse & Recycling (Pre-Commencement)

Prior to the occupation of each building further details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before each building is occupied and shall thereafter be retained as approved.

#### Reason:

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

#### 28. No other windows or doors other than approved in specific location

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) in relation to the development hereby permitted, no alternative or additional windows (including roof windows or dormer windows), doors or openings other than those expressly authorised by this permission shall be constructed in the southern elevations of Units 1, 2 and/or 3.

#### Reason:

To protect the amenities of the adjoining properties.

#### 29. Advertisement Restriction (Performance Condition)

Notwithstanding the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, or any subsequent amending regulations, no site marketing advertising shall be displayed on the southern elevation of Units 1, 2 and/or 3 so as to be visible from the residential properties in Walnut Grove.

#### Reason:

In the interests of the amenities of neighbouring residential properties.

#### 30. Redundant Access Points & Stoneham Cemetery Road

The existing 'redundant' access points serving the site that are no longer required to serve the proposed development shall be closed off, re-kerbed at the highway and made good prior to the first occupation of the development.

No access (pedestrian or otherwise) shall be created from the site into Stoneham Cemetery Road with the prior approval of the Local Planning Authority.

Reason:

To ensure that the amendments made to pedestrian access during the lifetime of the development are retained in the interests of residential amenity and highway safety.

31. Removal of PD Rights for Cranes & Construction Equipment - Airport

Notwithstanding the permitted development offered by Schedule 2 Part 4 Class A (Temporary Buildings) of the Town & Country Planning (General Permitted Development) (England) Order 2015 there shall no cranes erected to serve the construction phase of the development hereby approved without the prior written approval of the Local Planning Authority in consultation with Southampton Airport. Development shall be implemented as approved.

Reason:

To ensure that construction operations and equipment on the application site or on any adjoining land do not breach the Obstacle Limitation Surface (OLS) surrounding Southampton Airport and endanger the movement of aircraft and the safe operation of the aerodrome.

32. Submission of a Bird Hazard Management Plan - Airport

The development shall be carried out and operated in accordance with the approved Airfield Wildlife Management Ltd Bird Hazard Risk Assessment and Bird Hazard Management Plan.

The Bird Hazard Management Plan shall 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 SIAL Airside Operations staff. In some instances it may be necessary to contact SIAL Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

Reason:

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

Note to Applicant:

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

33. Security

A 'Security Management Plan' for each building shall be submitted to and agreed prior to its first occupation. The agreed scheme shall be implemented as agreed.

Reason:

In the interests of security for the site as recommended by Hampshire Constabulary

34. 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.

Note to Applicant - Southern Water:

Water Main - The exact position of the public water distribution main on the site must be determined before the layout of the development is finalised. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

A formal application for connection to the water supply is required in order to service this development.

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

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

#### Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the context of the site allocation for industrial and warehousing development as set out in the Development Plan, the permission 16/00885/FUL, and the importance of the additional employment to be created by this development. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise but that this impact can be mitigated by Section 106 obligations, and planning conditions, and has been assessed in the context of the site's former historic use for significant manufacturing. The key changes to the layout of the scheme and its impact, particularly upon 30 Wide Lane, have been considered and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP22, NE4, NE5, TI2, HE6 and REI9(ii) of the City of Southampton Local Plan Review (LPR - as amended 2015) and CS6, CS7, CS13, CS18, CS19, CS20, CS22, CS23, CS24 and CS25 of the Local Development Framework (LDF) Core Strategy Development Plan Document (as amended 2015) and guidance in the NPPF (2012).



**Samuel Fox**  
**Planning & Development Manager**

23 February 2017

If you have any further enquiries please contact:  
**Stephen Harrison**

**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>
30822-PL-100	a	Location Plan	14.12.16	Approved
30822-PL-110	c	Roof Plan	14.12.16	Approved
30822-PL-111	e	Landscaping Plan	14.12.16	Approved
30822-PL-200	a	Site Plan	14.12.16	Approved
30822-PL-201	-	Floor Plan	14.12.16	Approved
30822-PL-202	-	Floor Plan	14.12.16	Approved
30822-PL-203	-	Floor Plan	14.12.16	Approved
30822-PL-204	-	Elevational Plan	14.12.16	Approved
30822-PL-205	-	Elevational Plan	14.12.16	Approved
30822-PL-206	-	Elevational Plan	14.12.16	Approved
30822-PL-207	-	Site Plan	14.12.16	Approved
08	a	Tree Survey	14.12.16	Approved
03	a	Landscaping Plan	14.12.16	Approved
05	e	Landscaping Plan	14.12.16	Approved
01	f	Landscaping Plan	14.12.16	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 Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or do it online at <https://acp.planninginspectorate.gov.uk/>
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 accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at [Waste.management@southampton.gov.uk](mailto:Waste.management@southampton.gov.uk) at least 8 weeks prior to occupation of the development to discuss requirements.

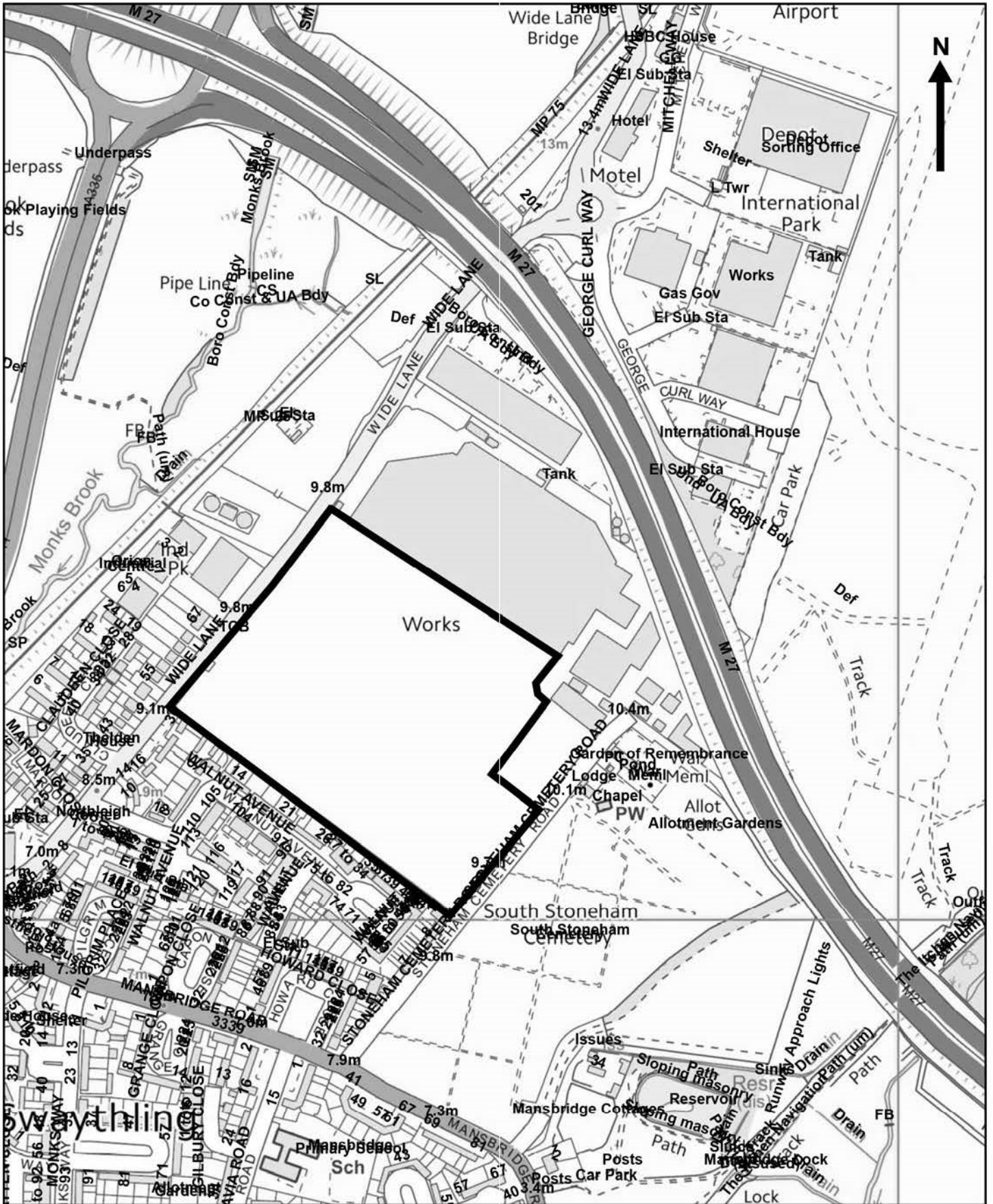
Please address any correspondence in connection with this form quoting the application number to: **Development Management, Southampton City Council, Lower Ground Floor, Civic Centre, Southampton, SO14 7LY.**





# Agenda Item 5 17/01461/FUL

Appendix 4



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# Agenda Item 6

**Planning and Rights of Way Panel 14th November 2017**  
**Planning Application Report of the Service Lead - Infrastructure, Planning & Development**

<b>Application address:</b> 170 Portswood Road, Southampton			
<b>Proposed development:</b> Proposed change of use from shop (Class A1) to restaurant/takeaway (Class A3/A5) (with associated extraction flue)			
<b>Application number</b>	17/01414/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Vincent Haines	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	30/11/2017 ETA	<b>Ward</b>	Portswood
<b>Reason for Panel Referral:</b>	More than 5 letters received from local residents	<b>Ward Councillors</b>	Cllr O'Neill Cllr Claisse Cllr Savage

<b>Applicant:</b> Mr K Awan	<b>Agent:</b> Concept Design & Planning
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<b>Recommendation Summary</b>	Conditional Approval
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<b>Community Infrastructure Levy Liable</b>	No
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations as detailed in the report to the Planning & Rights of Way Panel on 14th November 2017 have been considered. The site is located within Portswood District Centre where change of use to ground floor A3/A5 use is policy compliant. The impacts of the scheme on the character of area and adjacent neighbouring properties 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). Accordingly the proposal complies with policies CS3, CS4 and CS19 of the Core Strategy (2015) saved policies SDP1, SDP4, SDP5, SDP7, SDP9, HE4, CLT15, REI5 and REI7 of the adopted City of Southampton Local Plan Review (Amended 2015), Parking Standards (2011) and the National Planning Policy Framework (2012).

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

## **Recommendation in Full - Conditional Approval**

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

- 1.1 The application site is currently a vacant retail unit within the commercial frontage on the eastern side of Portswood Road, between a Superdrug Store and barbers. To the rear of the property is a small yard leading to a rough track providing a rear access to properties fronting this part of Portswood Road. The first floor of the property (not included in this application) is in use as a self-contained flat, which is accessed by an external staircase from the yard at the rear of the building.
- 1.2 The application site is located within the defined Portswood District Centre, which has a predominantly commercial character at this location with a good mix of retailing, financial services and eateries. Across the road is Piri Piri Chicken, which is licensed to trade between 7:30am and 11:30pm (Mon-Sat) and 7:30am to 11pm (Sun). The Tramstop Bar and Kitchen at 188 Portswood Road is licensed to trade until midnight (7 days/week) as is Sprinkles Gelato at 160 Portswood Road.

### **2. Proposal**

- 2.1 The application relates to the change of use of the ground floor of this building, which had been a Greggs bakery, to a restaurant and takeaway. Also included in the application is the installation of a stainless steel extraction flue on the rear of the building
- 2.2 The submitted plans show the restaurant laid out with 14 covers at the front of the unit with a servery and kitchen to the rear. The application is submitted by the prospective leasee of the ground floor. The use of the first floor is not part of this application. The application form states there will be two full time and three part time staff, adequate parking for two staff vehicles will be available in the rear yard which is accessed from a rear lane.
- 2.3 The application form states that the proposed opening hours will be 8.00am to midnight weekdays and 10.00 am to 11.00pm Sundays. However some confusion was created as the submitted Design and Access Statement provided in support of the application stated that opening hours would be 8.00am to 1.00 am every day. The applicants agent subsequently confirmed that this was an error and the intended opening hours are those stated in the application form. Any necessary signage will require separate advertisement consent.

### **4. Relevant Planning Policy**

- 4.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015)

and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to consideration of this application are set out at **Appendix 1**.

- 4.2 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.
- 4.3 Policy CS3 of the Core Strategy supports the role of District Centre in meeting the week to week needs of the local community. Saved policy REI5 (District Centres) sets out that ground floor A3/A5 uses will be permitted in District Centre locations. Similarly, policy REI7 (Food and Drink Uses) permits A3/A5 uses in District Centre locations providing that suitable conditions are used to control the impact on amenity to local residents from disturbance and nuisance caused by cooking odours and noise. Saved policy CLT15 of the Local Plan accepts the principle of night-time uses within District Centre Locations. **There are no limits imposed through adopted policy on the maximum number of A3-A5 uses allowed within the District Centre.**
- 4.4 Saved policy SDP1(i) seeks to protect the amenity of local residents, whilst policy SDP16 will not permit noise generating development if it would cause an unacceptable level of noise impact to nearby sensitive noise uses.

## **5. Relevant Planning History**

- 5.1 There is no relevant planning history for this site.

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

- 6.1 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 (29.09.17).
- 6.1.1 **Notification Representations:** Objections have been received from 7 local residents, the majority of who live in either Russell Square or Abbots Way to the north west of the Portswood Road District Centre area. Whilst these properties do not lie in the immediate vicinity of the site several objectors' state they are affected by disturbance from the persons returning from late night opening establishments in Portswood Road as well as parking outside their homes. The grounds of objection are summarised below as well as the officer response:

- 6.1.2 **There are already too many "takeaways" and restaurants in the District Centre and there is no need for another.**

### Response

*The site is located within the Portswood District Centre as identified in the City of Southampton Local Plan Review where Policy REI 5 provides A3/A5*

*uses at ground floor will be permitted. The policy is intended to strengthen and enhance such centres and the policy does not place any limit on the level of A3/A5 uses that can be accommodated in the area. See also the Planning Considerations – Section 7 below for further discussion.*

- 6.1.3 The Design & Access Statement proposes opening hours of 8 am to 1 am, later than the other "takeaways" in the area and adding to disturbances to local residents. It will also lead to other similar establishments wanting to extend their hours.**

Response

*As explained above the applicant's agent has confirmed that the Design and Access Statement incorrectly stated the opening hours and they are 8.00am to midnight weekdays and 10.00 am to 11.00pm Sundays. The late night closing is therefore consistent with other similar premises in the District Centre.*

*The surrounding area has a mixed residential and commercial character and a restaurant use is acceptable in principle within Portswood District Centre. The application proposes a closing time of 12:00, which is typically considered to be acceptable within Portswood District Centre. Indeed, there are a number of late night premises in the local area, including food and drink uses, which operate until midnight, including premises that the Council has approved and those which have been approved by the Secretary of State at appeal. Therefore, it is considered that allowing the premises to operate until midnight will not present any further material harm to the amenity of local residents, whilst recognising the relationship between the District Centre and its residential neighbours.*

- 6.1.4 An additional "take away" will add to the noise and disturbance from customers using it as well Increased litter.**

Response

*This is dealt with in the Planning Considerations – section 7 below.*

- 6.1.5 Noise from the extractor flue, for such long hours ,would be unacceptable for nearby residents**

Response

*This is dealt with in the Planning Considerations – section 7 below – and has been reviewed by the Council's Environmental Health Officer. The site is located within the District Centre where food and drink uses are supported in principle. There is existing background noise from neighbouring commercial uses and road traffic within the District Centre. A planning condition is recommended to ensure that any mechanical extraction equipment is acoustically treated to prevent adverse noise disturbance.*

- 6.1.6 There is no parking and the residents already suffer the noise if visitors retrieving their cars late at night from residential streets where parking is not prohibited.**

Response

*Staff parking will be available on site. Overspill parking from the District Centre into neighbouring residential areas will not be exacerbated by one additional restaurant/; takeaway and the previous A1 use did not benefit from*

*its own customer parking.*

## 6.2 Consultation Responses

6.2.1 **Environmental Health Officer:** In their initial comments raised no objection to the proposed change of use subject to conditions. The EHO revisited the application in light of the objections received from local residents and made the following comments;

- 1) The noise levels quoted by the applicant/agent for the flue (38dB at 3 metres) are appropriate for the area and the type of installation, and unlikely to be a statutory nuisance. Any concerns or problems going forward can be addressed and will be dealt with where appropriate under the Environmental Protection Act. The installation and maintenance of the system, as always, is key to its performance and noise levels, and any deficiency will be apparent and the occupier required to make improvements.
- 2) It is unlikely at the noise levels given, and the distance between the objectors and the application site that the former will be affected by activities.
- 3) Noise on the street is a matter for the police to deal with and I am unable to comment further.
- 4) Litter is a problem in the City generally and I understand the objectors concerns, but the provision of litter bins at appropriate intervals should help - the issue is for the customer to act responsibly as the business cannot be held responsible for the cartons etc., once they have left the premises. I do not think that alone this is reason for an objection by Environmental Health.
- 5) The opening hours on the application form are given as midnight weekdays and 23.00 hours on Sunday - NOT 01.00 as in the supplementary design and access statement and hence why no objection on hours was made by EH.

### 6.2.2 **Portswood Central Residents Association:**

Object on the following grounds -

1. Extended opening hours until 01am. This would add to the antisocial behaviour we have to tolerate in this area due to alcohol consumption.
2. Noise of leaving the venue at this time of the morning
3. Setting a precedence against other establishments if having a late licence. The venues should have the same closing time weekdays and 23.00 hours Sunday etc., are the preferred terminal hours by EH. Any deliveries should be between 8am and 9pm

## 7. Planning Consideration Key Issues

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

- Principle of Development;
- Impact on Residential Amenity
- Impact on the character of the area and;

- Impact on highway safety

## 7.2 Principle of Development

- 7.2.1 Paragraph 23 of the NPPF states that planning policies should identify primary shopping areas and set policies that make clear which uses will be permitted in such locations. The site is located within the Portswood District Centre as identified in the City of Southampton Local Plan Review. Policy CS3 of the Core Strategy supports the role of District Centre in meeting the week to week needs of the local community.
- 7.2.2 Policy REI5 of the Local Plan sets out the uses which will be acceptable and explains that A3/A5 uses at ground floor will be permitted. The policy is intended to strengthen and enhance such centres and the policy does not place any limit on the level of A3/A5 uses that can be accommodated in the area. This is also consistent with paragraph 70 of the NPPF which states planning policies and decisions should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community. The proposed development would bring this vacant building back into use and would, therefore, support the vitality and viability of the District Centre. Furthermore, saved policy CLT15 of the Local Plan supports night-time uses in Portswood District Centre. The principle of development is, therefore, acceptable.

## 7.3 Impact on Residential Amenity

- 7.3.1 Policy REI7 (Food and Drink Uses) permits A3/A5 uses in District Centre locations providing that suitable conditions are used to control the impact on amenity to local residents from disturbance and nuisance caused by cooking odours and noise. Saved policy CLT15 of the Local Plan accepts the principle of night-time uses within District Centre Locations. Saved policy SDP1(i) seeks to protect the amenity of local residents, whilst policy SDP16 will not permit noise generating development if it would cause an unacceptable level of noise impact to nearby sensitive noise uses.
- 7.3.2 The overriding concern of third party objectors to this application is the impact of having a concentration of takeaway outlets and other establishments which are open into the late evening in the Portswood District Centre. These impacts are stated as noise and rowdy behaviour from persons returning home in the late evening and early hours through the neighbouring residential streets after visiting establishments in Portswood Road, the associated litter and indiscriminate parking.
- 7.3.3 From the comments received this impact is not specific to the application site itself but to the wider area and it is not considered the change of use the subject of this application will, on its own, exacerbate the situation. Concerns over the hours of opening extending beyond that of other similar establishments in Portswood Road have been clarified above.
- 7.3.4 One comment relates to the potential for noise disturbance to neighbouring residents from the extractor. The Council's Environmental Health Officer



considers the noise levels quoted in the application for the flue (38dB at 3 metres) are appropriate for the area and the type of installation, and unlikely to be a statutory nuisance.

7.3.5 Given the above the proposed restaurant /takeaway use will not lead to any significant change to the impacts on residential amenity referred to by objectors given the nature of permitted late night uses in the District Centre.

7.4 Impact on the character and appearance of the area

7.4.1 Bringing a vacant building back into use is to be encouraged in principle and the provision of the extraction flue to the rear of the building is deemed appropriate.

7.5 Impact on highway safety

7.5.1 No public car parking is available to serve the unit however, the site is located on a main bus route (with a bus stop outside) and there are car parks available within the vicinity of the site. Furthermore, the nature of the District Centre is to meet the needs of the local community and so the provision of no public car parking is considered to be acceptable. Staff parking is available and the servicing arrangements can be retained; whilst acknowledging that an A3/A5 use will create fewer trips than the existing retail use.

**8. Summary**

8.1 The provision of a restaurant/takeway use within the Portswood District Centre is in accordance with the Council's adopted Development Plan policies. No external alterations are proposed other than a rear flue and therefore the change of use is considered to be in keeping with the site and surroundings and with the imposition of the conditions suggested below, the proposal would not have a harmful impact on residential amenity. A similar conclusion was reached when the panel considered applications ref 14/01981/FUL at 253 Portswood Road, 15/01285/FUL at 225 Portswood Road and 16/02101/FUL.at 267-271 Portswood Road.

**9. Conclusion**

9.1 In conclusion, the proposal accords with the Council's policies and guidance and subject to the conditions below is recommended for approval.

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

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

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

**VH for 14/11/17 PROW Panel**

**PLANNING CONDITIONS**

### **01. Full Permission Timing Condition**

The development hereby permitted shall begin no 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. 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. Refuse & Recycling (Pre-Commencement)**

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the use is first occupied and thereafter retained as approved.

Reason:

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

### **04. Hours of Opening (Performance)**

The use hereby permitted shall not be open to customers outside the following hours:

Monday to Saturday 08.00 to 00.00 hours

Sundays and Public Holidays 10.00 to 23.00 hours

Reason:

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

### **05. Extract Ventilation (Performance)**

Prior to the first commencement of use, the cooking extraction system shall be installed and made operational in accordance with the ventilation/extraction statement submitted with the planning application and shall thereafter be retained and maintained as approved.

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

### **06. Litter Management**

A litter bin shall be provided within the premises prior to the first use of the building for a takeaway and shall, thereafter, be managed.

Reason:

In the interests of providing users of the takeaway a convenient location to dispose of their rubbish.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS3 Town, District and Local Centres  
CS19 Car & Cycle Parking

City of Southampton Local Plan Review – (as amended 2015)

SDP1 Quality of Development  
SDP4 Development Access  
SDP5 Parking  
SDP7 Urban Design Context  
SDP9 Scale, Massing & Appearance  
SDP16 Noise  
HE4 Local List  
CLT15 Late night uses in Town, District and Local Centres  
REI5 District Centre  
REI7 Food and Drink Uses

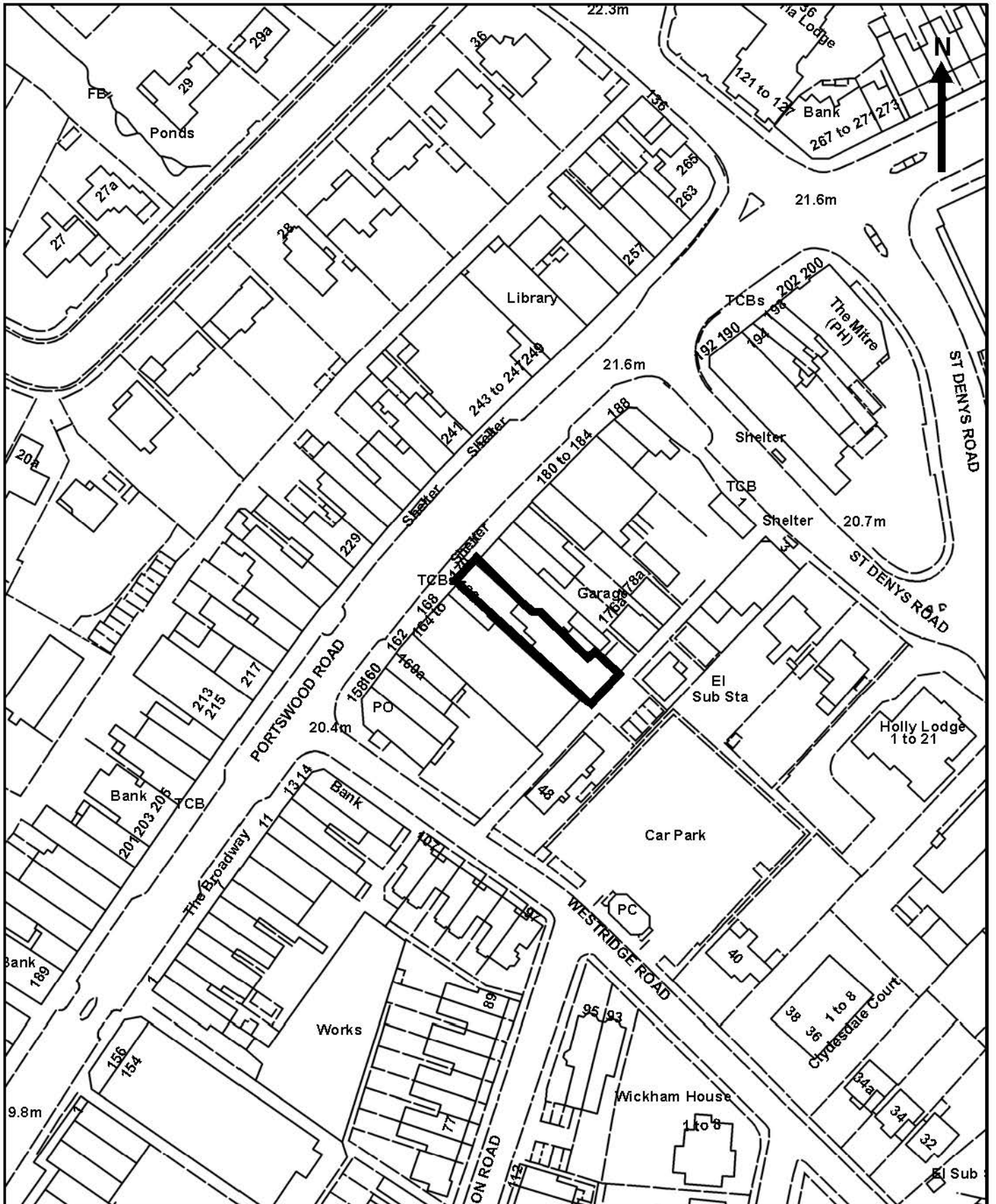
Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

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