

Planning and Rights of Way Panel

Tuesday, 9th January, 2018
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

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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

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

2018	
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 5 December 2017 and to deal with any matters arising.

CONSIDERATION OF PLANNING APPLICATIONS

5 PLANNING APPLICATION - 17/01570/FUL - CENTENARY QUAY, VICTORIA ROAD (Pages 9 - 88)

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 - 17/00750/FUL - 128-130 WEST END ROAD (Pages 89 - 120)

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.

Friday, 29 December 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 5 DECEMBER 2017

Present: Councillors Denness (Chair), Savage (except item 43) (Vice-Chair), Barnes-Andrews (except item 43), Claisse (except item 43), Hecks, Murphy and Wilkinson

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

RESOLVED: that the minutes for the Panel meeting on 24 November 2017 be approved and signed as a correct record.

43. **PLANNING APPLICATION - 17/00983/FUL - 133 PORTSWOOD 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.

Erection of a 5-storey building containing 2 retail units on the ground floor and 64x self-contained student flats on upper floors with associated cycle/refuse storage, following demolition of existing building.

Mr Buckle, Jane Jamesan, Sue Giles, Susan Swallow, Hilary Jackson, Verena Coleman (local residents/ objecting), Richard Buntan (applicant), Mandana Ghayar (architect), and Councillors Barnes-Andrews, Claisse, O'Neill and Savage (ward councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the Panel would be required to confirm a Habitats Regulation Assessment (HRA) for the development. The Panel also noted that additional technical conditions would be required to be added to the application in regard to ecological mitigations and the use of the roof terrace, if the item was approved.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment. 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 refuse planning approval for the reasons set out below, was then proposed by Councillor Hecks and seconded by Councillor Murphy.

RECORDED VOTE to refuse planning permission
FOR: Councillors Hecks, Murphy and Wilkinson
ABSTAINED: Councillors Denness

RESOLVED that the Panel

- (i) Confirmed the Habitats Regulation Assessment, circulated as additional information; and
- (ii) refused planning permission for the reasons set out below.

Reasons for Refusal

Overdevelopment, scale, bulk and massing

The proposed development due to its excessive density, height, bulk and resultant massing in comparison with neighbouring buildings, and overall site coverage results in an overdevelopment of the site which, along with the chosen external appearance, has been assessed as being out of character and context with the local area. As such, the proposal is contrary to 'saved' policies SDP1, SDP7, SDP9 and H7, H13 of the amended Local Plan Review (Adopted 2015) and policy CS5 and CS13 of the amended LDF Core Strategy (Adopted 2015) as supported by the relevant sections of the Council's approved Residential Design Guide (2006), namely 3.2, 3.6.8, 3.7.11, 3.9.5-3.9.6 and 3.10.

Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement, the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

- (i) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured in accordance with Policies CS18, CS19, and CS25 of the Southampton Core Strategy (2015) and the adopted Developer Contributions SPD (2013);
- (ii) In lieu of an affordable housing contribution from the student residential block an undertaking by the developer that only students in full time higher education be permitted to occupy the identified blocks and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v) this has not been secured;
- (iii) In the absence of 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);
- (iv) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway, caused during the construction phase, to the detriment of the visual appearance and usability of the local highway network;
- (v) In the absence of securing restrictions to prevent future occupiers benefitting from parking permits in surrounding streets overspill parking could occur;

- (vi) In the absence of a mechanism for securing the submission, approval and implementation of a 'Student Intake Management Plan' to regulate arrangements at the beginning and end of the academic year;
- (vii) In the absence of a mechanism for securing the submission and implementation of a Servicing Management Plan;
- (viii) In the absence of a mechanism for securing the submission and implementation of a Travel Plan.
- (ix) In the absence of a mechanism for securing the submission and implementation of a Waste Management Plan.
- (x) In the absence of either a scheme of works or a contribution to support the development, the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations; and
- (xi) In the absence of a mechanism for securing the submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners, with contributions towards community safety associated with the needs of the late night commercial uses;
- (xii) In the absence of a mechanism for securing the submission, approval and implementation of a Carbon Management Plan setting out how the 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).

NOTE: Councillors Barnes- Andrews, Claisse and Savage withdrew from the Panel for this Item to make a presentation as a Ward Councillor.

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INDEX OF PLANNING APPLICATIONS FOR DECISION

DATE: 9th January 2018 - 6pm Conference Rooms 3 and 4, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
5	SH	DEL	15	17/01570/FUL Centenary Quay, Victoria Road
6	AG	DEL	15	17/00750/FUL 128-130 West End 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

AG – Andy Gregory

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 9th January 2018
Planning Application Report of the Service Lead - Infrastructure, Planning & Development

Application address: Part of Former Vosper Thornycroft, Site and Waterfront, Southampton			
Proposed development: Re-development of the site to provide an industrial building for the manufacture and testing of prototype wind turbine composite blades (Class B1(b) and B2 - 24 hour operation) with ancillary office accommodation, storage, access and parking, landscaping and fencing; including replacement means of enclosure along Wharf Road (total floor space of 11,633 square metres) (Major Environmental Impact Assessment Development follows permissions 08/00629/FUL and 16/01108/FUL).			
Application number	17/01570/FUL	Application type	FUL
Case officer	Stephen Harrison	Public speaking time	15 minutes
Last date for determination:	08.01.2018 ETA Expected	Ward	Woolston
Reason for Panel Referral:	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.	Ward Councillors	Cllr Blatchford Cllr Hammond Cllr Payne
Referred to Panel by:	N/A	Reason:	N/A

Applicant: Oceanic Estates (Woolston) Ltd	Agent: Quayside Architects - FAO Mr Neil Holmes
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Recommendation Summary	<ol style="list-style-type: none"> 1. That the Panel confirm the Habitats Regulations Assessment; and, 2. Delegate to Service Lead - Infrastructure, Planning & Development to grant planning permission subject to criteria listed in this report
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the context of the site allocation for industrial development as set out in the Development Plan, the importance of the additional employment to be created by this development, and the need to see the redevelopment of this vacant site. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise/disturbance

(particularly in relation to 24 hour activity and the movement of turbine blades outside of the building) but it is considered that this impact can be mitigated by Section 106 obligations, and planning conditions, and it has been assessed in the context of the site's former historic use for significant manufacturing. The Council has also taken into account:

- the findings of the Environmental Statement and other background documents submitted with the application, in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017;
- The Woolston Riverside Planning Brief and Illustrative Master Plan 2004;
- The extant planning permission for this site (08/00389/OUT refers) which would allow manufacturing to take place on the site following the submission of Reserved Matters; and,
- Planning permission 16/01108/FUL for a blade manufacturer on part of this site working 24 hours/day

The proposed development makes efficient use of this previously developed site and would result in the regeneration of urban land, improving security in the area through an increase in occupation and passive surveillance. The assessments of the impact of the development have been wide ranging and carried out to a comprehensive level of detail. The statutory regulations covering Environmental Impact Assessment and the protection of important natural habitats have been satisfied. Other material considerations have been considered, as set out in the report to the Planning and Rights of Way Panel (09.01.18) including a considerable objection to the proposals from local residents, although the points made are not judged to have sufficient weight to justify a refusal of the application; particularly given the proposed reduction in operational hours permitted and the scheme of mitigation that can be secured. 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). Planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP20, SDP22, NE4, NE5, TI2, HE6 and MSA18 of the City of Southampton Local Plan Review (LPR - as amended 2015) and CS6, CS7, CS12, CS13, CS18, CS19, CS20, CS22, CS23, CS24 and CS25 of the Local Development Framework (LDF) Core Strategy Development Plan Document (as amended 2015) as supported by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and the guidance contained in the National Planning Policy Framework (2012).

Appendix attached			
1	Habitats Regulations Assessment	2	16/01108/FUL Permission
3	16/01108/FUL Panel Minutes	4	Development Plan Polices

Recommendation in Full

1. That the Panel confirm the Habitats Regulations Assessment (HRA), at **Appendix 1**, to enable the planning application to be determined; and,

2. Delegate to the Service Lead - Infrastructure, Planning & Development to grant conditional planning permission subject to:
- No objections being received from the Council's Highways Officer, following consultation with Hampshire County Council, to the amended Transport Assessment (December 2017) with particular regard to the off-site abnormal loads and associated routing to the motorway;
 - Agreement of an alternative enforceable trigger for the delivery of pontoons and berths for historic ships and a possible water taxi (currently linked to buildings P3 and L, which would no longer form part of the scheme if this proposed layout is acceptable) secured through the s.106 associated with extant permission 08/00389/OUT;
 - The submission of a telecoms, wind and microclimate assessment and scheme of mitigation for dealing with any undue risks caused by this tall building; and.
 - 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) linked to those works agreed under 08/00629/FUL with additional works to Wharf Road to accommodate larger vehicles;
 - ii. 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;
 - iii. 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);
 - iv. 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);
 - v. Submission and implementation of a Construction Traffic Management Plan;
 - vi. Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic within residential streets;
 - vii. Submission and implementation of a Staff Travel Plan; and
 - viii. A public art scheme to comply with s.6.4 of the Council's adopted Developer Contributions SPD (April 2013)

3. In the event that the additional information and/or legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Planning, Infrastructure and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.
4. That the Service Lead – Planning, Infrastructure and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Background

In April 2017 the Planning & Rights of Way Panel resolved to grant the following development on part of the Marine Employment Quarter (MEQ) in Woolston:

Redevelopment of the site to provide industrial building (Class B2 - 24 hour operation) with ancillary office/research and development accommodation, storage, access and parking (total floor space of 3,147 square metres) (Environmental Impact Assessment Development follows permission 08/00629/FUL)

Planning permission (LPA ref: 16/01108/FUL) was issued following the completion of a s.106 legal agreement in July 2017. A copy of the permission and the Planning Panel Minutes are attached to this report at **Appendix 2 and 3** respectively.

The current application seeks approval to significantly expand the extent of the operation and requires a larger site area, and a significantly taller building, to enable the whole of the MEQ to be redeveloped for the design, manufacture and testing of wind turbines. The applicants advise that there will, therefore, be a shift from wholly manufacturing to blade design, research, development and testing (alongside manufacturing) meaning that external activity can be reduced from that previously considered and approved.

Since validation, and the receipt of significant local objection, the applicant has revisited their scheme and provided further information. The building has been stepped further away from Keswick Road and reduced in height by up to 5 metres. The external elevations now include the necessary cooling louvres. The application is now supported by a series of before and after visuals showing the building in its wider context. A full shadow analysis of the buildings impact has been submitted to support the conclusions within the submitted Environmental Statement. The Transport Assessment has been updated to confirm that some limited access onto Wharf Road may be required in exceptional circumstances, and the noise report has been reviewed following further input from the Council's Environmental Health Officer. The key change in respect of the proposed noise environment relates to the use of electrically powered vehicles (rather than diesel) to move the blades around the site, with further concessions given by the applicants in respect of external working. These changes do not in themselves merit fresh notification as they do not address the fundamental concerns of residents regarding a 24 hour operation within a tall building following the closure of a second access onto Keswick Road. The information has, however, been made available on the Council's website following receipt.

1.0 The site and its context

- 1.1 This planning application relates to the redevelopment of the northern third of the former Vosper Thornycroft shipbuilding site; known as the Marine Employment

Quarter (MEQ). The application site consists of a 3.18 hectares of land bounded by Victoria Road to the east, the River Itchen to the west and Keswick Road and Wharf Road to the north. The surrounding area is characterised by the Woolston District Centre, the neighbouring Lidl foodstore, the river and an extensive residential area; including the completed phases of Centenary Quay. The site is open to public view from across the River Itchen; from Ocean Village and the Itchen Bridge. The site is currently cleared and vacant and there is a change in level from Victoria Road (11.7m Above Ordnance Datum (AOD) down to 5.2m AOD on the site).

- 1.2 The site is designated in the Local Plan Review (LPR) for employment uses B1 (office) and B2 (general industrial; including manufacturing), to include maritime-based research and development and light industrial uses which require access to the waterfront adjacent to and in the vicinity of the existing deep water quay ('saved' LPR Policy MSA18 refers). Despite the allocation, and 4 permissions for the MEQ, the site has struggled to find a suitable occupier and has been extensively marketed for nearly a decade. The current applicant is the preferred bidder of the landowner (the Homes and Communities Agency - HCA) and they recently secured planning permission for a smaller building to facilitate the manufacture of wind turbines on a 24 hour/day basis (LPA ref: 16/01108/FUL).

2.0 Proposal

- 2.1 As stated, this site has a long history of shipbuilding, and recent planning permissions for redevelopment to include a new Marine Employment Quarter to make use of the deep berth adjacent the site. An extant planning permission exists for a 24 hour blade manufacturing business within a building of approximately 3,150sq.m of floorspace with restricted external yard activity. A comparison of the recent schemes is provided below, and in the Planning History section of this report.
- 2.2 This current planning application seeks full planning permission for the whole of this currently open site - including north and south quay - with a significant employment building within an open yard with waterside access. The building is needed for the design, manufacturing (with research and development) and testing of wind turbines that are upto 120 metres in length. The proposed building sits in the same location as previously approved, albeit with a significantly larger footprint. Access arrangements remain largely the same with pedestrian access from Victoria Road and the principle point of vehicular access taken from the new Keel Road, which also serves Phase 3 of Centenary Quay.
- 2.3 The proposed building sits along the boundary with Keswick Road and would provide 11,633sq.m of floorspace. An amended plan has been received that moves the proposed building further south than originally submitted and which reduces its height by 5 metres. It now has a length of 128m metres, a width of 75m and a height 39m (44.5m Above Ordnance Datum). This building has a larger footprint and exhibits a significant scale from all directions when compared to previous proposals. By way of comparison the former Vospers site included buildings of similar scale including the covered berth (39 metres AOD) and FOTC building (31m AOD).
- 2.4 The development seeks approval for a 24 hour operation, as was the case with the earlier scheme (and when Vospers were operational as one of the largest steel

ship builders in the country). Following the initial submission further clarity has been provided and the current proposals seek approval for a significantly reduced external operation with the majority of such works focused on weekdays, as follows:

- 24 hour manufacturing – internal to the building;
- 24 hour storage – external to the building;
- 8am-6pm (Mon-Sat) – deliveries;
- 8am-6pm (Mon-Fri) – external working within the yard, wharf and cranes;
- 6pm-11pm (Mon-Fri) - 12 days/year where the wharf and cranes can be operated;
- 24 hour mooring (as necessary).

2.5 The applicant's preferred operation would involve the design, manufacture and testing of wind turbine blades within the building, before moving them out from the building across the yard onto a ship for transport. There is a greater emphasis on the testing of blades, rather than their manufacture, although the building has been designed to enable both. The yard will also be used for the storage of blades awaiting testing and/or shipment. The yard activity will involve forklifts and trolleys to move materials, and the finished blades, across the yard. Mobile cranes will then load the blades onto a ship for export. Windows and doors to the building will remain closed during any noisy operations, with some form of mechanically assisted ventilation and cooling system required.

2.6 The submission suggests that 50 jobs would be created, with 100 jobs five years later. The applicants estimate a further 150 jobs would be created in the local supply chain. By way of comparison the applicants estimate that Vosper's employed nearly 900 staff when it closed in 2004. A variety of shift patterns may be implemented depending upon the number of teams provisioned. The following potential shift times are preferred, but shifts may start/finish by +/- 1 hour on these times, and employees will arrive earlier to change into necessary workwear.

2 Shifts/day :

- 06:00-18:00 (Days); 18:00-06:00 (Nights)

3 Shifts/day

- 06:00-14:00 ("Earlies"); 14:00-22:00 ("Lates"); 22:00-06:00 ("Nights")

2.7 The Test Hall is the key addition to the approved proposal 16/01108/FUL. This building will accommodate 2 blades under test at any one time with the testing hub and monitoring equipment located at the eastern (Victoria Road) end of the building closest to and visible from the ancillary (office) accommodation. Testing of blades will consist of 2 tests; 'Static' and 'Dynamic'. The Static test will involve loading the blades before forcing the blade to deflect to a given limit and holding it in that position for analysis. The Dynamic test will involve oscillating the blades for a given period, this will be repeated on each axis depending on the shape of the blade. All the blade performance under dynamic testing is subject to continual analysis. On completion of the Dynamic tests a second Static test will then be undertaken as a comparison to the first test. The duration of a blade test will vary from 3-9 months (continuously) depending on the size of the blade and complexity of the design.

2.8 It is anticipated that products would be loaded/unloaded up to once a week (as a worse case in terms of impact) using large mobile cranes and, as such, a ship

could be berthed over a 24-hour period or more. Crane activity will be limited to a maximum of 52 days per year with no more than 10 hours of activity over any 2 consecutive days (and no more than 2 consecutive days in any one week). Due to the difficulty in working in bad light ship loading activity would predominantly take place during the daytime but it is recognised that work may overrun into the evening and that night time loading may be necessary on occasions (a limit of 12 occasions per year is proposed where crane activity could continue until 11pm). Loading of the ship is considered likely to require up to 8 hours of activity over one or two days. The application confirms that, wherever feasible and where operations allow, this will occur during the day (between 8am and 6pm). As stated, flexibility is required and on 12 occasions the applicant is seeking the ability to load and unload between 6pm and 11pm.

- 2.9 For the typical hour, it is assumed that cranes will operate 50% of the time and will sit idle for the remainder. When the ship is to remain berthed overnight all commercial activity within the vessel will stop, the main engines will be turned off and no bilge pumps are to be run. The ship will only be used for domestic accommodation purposes during the night time period ensuring the minimum level of shore power (from ship generators) is required.
- 2.10 Car parking for 89 vehicles is shown close to the building, and the applicants expect up to 15 deliveries by van per day, up to 10 articulated lorries per day and the occasional over-sized vehicle. With the exception of the latter, vehicular access would be from a new access created from Keel Road (taken from John Thornycroft Road). Cycle storage for 33 spaces is proposed.
- 2.11 The proposed external materials will be a mixture of red multi-face bricks with a cladding system with translucent polycarbonate panels beneath a profiled grey sheet roof and limited areas of glazing serving the office uses. A 3m high acoustic fence will run along the Wharf Road boundary and a condition is recommended to secure samples ahead of the works being implemented.
- 2.12 The following table summarises the differences between the approved and proposed schemes (for this applicant) and shows a betterment following the change in emphasis towards the testing (rather than manufacturing) of turbine blades:

	16/01108/FUL Approved	17/01570/FUL Proposed
Use & Purpose	Blade Manufacture	Blade Design, Manufacture & Testing
Site Area	2.18 hectares	3.18 hectares
Floorarea	3,147sq.m	11,633sq.m
Building Measurements	Height – 13m Length – 118m Width – 26m	Height – 38.96m Length – 128m Width – 75m
Internal Hours of Use	24 hours	24 hours
External Hours of Use	7am-11pm Defined Yard (7 days) 7am-11pm 1 day/week	8am-6pm (weekdays only) 6pm-11pm 12 occasions/year
Job Creation	50-60	50-100
Parking	28	89

2.13 The planning application is accompanied by an Environmental Statement (Addendum), which has informed the submission and this report.

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 (LPR - 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 4**. The application site is designated for employment development under Policy MSA18 which reads as follows:

3.2 *LPR Policy MSA18 Woolston Riverside, Victoria Road*

The former Vosper Thornycroft site in Woolston is identified for a mixed-use development to include:

- i. employment uses B1 and B2, to include maritime-based research and development and light industrial uses which require access to the waterfront adjacent to and in the vicinity of the existing deep water quay;*
- ii. residential to include a range of housing types;*
- iii. local leisure and community uses;*
- iv. a high quality, publicly accessible waterfront including areas of green open space.*

3.3 LDF Policy CS7 adds that:

In order to meet the South East Plan’s economic aims, as set out in Policy CS6, there is a strong need to safeguard employment sites. All existing employment sites and allocations will be safeguarded for employment use...

3.4 The proposed employment floorspace will help towards delivering 97,000sq.ms 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 LDF 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 and the proposal would also help towards meeting this target which is based on latest evidence.

3.5 In order to maximise the benefits of the proposal, it will be necessary to take account of LDF Core Strategy Policy CS24 ‘Access to Jobs’ whereby measures will be sought from major employment generating development to promote access to the jobs it creates amongst those residents of the city who can have difficulty returning to the labour market.

3.6 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. As with the approved scheme the applicant’s pre-assessment for this scheme predicts that the buildings will achieve the Building Research Establishment’s Environmental Assessment Method (BREEAM) ‘Very Good’ rating below the ‘Excellent’ level set by the Development Plan. This shortfall is discussed in detail below by the relevant consultee but is consistent with previous approvals.

3.7 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in

compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

- 3.8 The NPPF states that planning policies and decisions should aim to:
- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
 - Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions, while recognising that many developments will create some noise;
 - Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put upon them because of changes in nearby land uses since they were established;
 - Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. (Paragraph 123 refers).

3.9 LPR Policy SDP16 (Noise) states that:

Proposals for:

- noise-generating development will not be permitted if it would cause an unacceptable level of noise impact;*
- 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 or existing noise source(s) upon the existing or proposed noise-sensitive development prior to the determination of a planning application.

3.10 The applicant's revised Noise Impact Assessment (15th December 2017) has been assessed against this policy and guidance by the Council's Environmental Health Officer and their commentary has informed this recommendation.

4.0 Relevant Planning History

4.1 The site's physical development has evolved since the First 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 In terms of relevant recent planning history following the closure of the Vosper Thornycroft shipyard this can be summarised as follows:

05/00816/OUT – Approved 10.03.2008 (Lapsed)

Redevelopment of the 12.63 ha site for a mix of uses comprising: 1510 residential units, including 378 units for affordable housing (Class C3); marine employment comprising offices and industrial uses of 39,246 sq.m. (Class B1/B2); retail use of 1,617 sq.m. (Class A1); financial and professional services offices of 100 sq.m. (Class A2); food and drink use of 1,895 sq.m. (Class A3) drinking establishments of 450 sq.m. (Class A4); Leisure/health and fitness use of 1,770 sq.m. (Class D2); community/health centre and library (Class D1); 1,637 vehicle parking spaces; new

means of access; servicing and highway works including new road layout, junction improvements, estate roads and landscaping; public open space including a river walk; odour treatment works; combined heat and power (CHP) facilities; creation of new pontoons/quays (Outline application seeking approval for siting of buildings, means of access and consideration of maximum height of buildings), and the re-profiling of the river wall with associated flood defences and site remediation works (Full Application) - description amended to reflect 25% affordable housing.

4.4 **08/00389/OUT – Approved 31.12.2009 (Extant)**

Redevelopment of the site to provide a mixed use development comprising: 1,620 dwellings (including 405 affordable homes); retail (Class A1 - 5,525 square metres, including a food store); restaurants and cafes (Class A3 - 1,543 square metres); offices (Class B1 - 4,527 square metres); yacht manufacture (Class B2 - 21,237 square metres); Business, industrial, storage and distribution uses (Class B1/B2/B8 - 2,617 square metres); 100 bedroom hotel (Class C1- 4,633 square metres); 28 live/work units (2,408 square metres); community uses (Class D1- 2,230 square metres); two energy centres (1,080 square metres); with associated parking (including the laying out of temporary car parking); new public spaces; river edge and quays; new means of access and associated highway/ environmental improvements. (Environmental Impact Assessment Development- 'Hybrid' planning application: outline in part, full details of phase 1 and river edge submitted). Description amended following submission following the removal of 33 residential units from the scheme and the introduction of a temporary car park.

4.5 **08/00629/FUL – Approved 29.11.2012 (Lapsed)**

Redevelopment of the site to provide industrial buildings (Class B2) with ancillary office accommodation, storage, access and parking (total floor space of 16,326 square metres) and associated works including new marine structures (Environmental Impact Assessment Development) - Description amended following revised submission for less floor space.

4.6 The most relevant application, particularly in terms of a 24 hour manufacturing use, is **16/01108/FUL – Approved 21.07.2017** for:

Redevelopment of the site to provide industrial building (Class B2 - 24 hour operation) with ancillary office/research and development accommodation, storage, access and parking (total floor space of 3,147 square metres) (Environmental Impact Assessment Development follows permission 08/00629/FUL).

4.7 A copy of this planning permission is attached to this report at **Appendix 2**.

4.8 The following table summarises the approved position, alongside the recent approvals, and compares it to the current proposals:

	08/00389/OUT (Extant)	08/00629/FUL (Lapsed)	16/01108/FUL (Approved)	17/01570/FUL (Proposed)
Floorspace	21,237sq.m 3 Buildings	16,326sq.m 2 Buildings	3,147sq.m 1 st Phase	11,633sq.m 1 building
Delivery Hours	As below Conditions 48 & 49	8am-6pm (Mon-Fri) 9am-1pm (Sat) N/A (Sun) Condition 26	7am-11pm (Mon-Sat) 8am-8pm (Sun)	8am-6pm (Mon-Sat)
Internal Hours	7-8 (Mon-Sat) 8-1 (Sun)	6am-10:30pm (Mon-Fri) 6am-6pm (Sat-Sun) 24 hour operation with noise mitigation measures Condition 15	24 hours (all days)	24 hours (all days)
External Yard	8am-6pm (Mon- Fri) 8am-1pm (Sat) N/A (Sun)	To be agreed Condition 20	7am-11pm With defined Yard	8am-6pm Mon-Sat Storage – 24 hours/day
Wharf/Cranes	As above Conditions 48 & 49	Not specified	7am-11pm outside of defined yard 1 day/week	8am-6pm Mon-Fri (weekdays) + 6pm-11pm 12 times/year (weekdays) Crane activity 52 days/year for no more than 10 hours

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 (some 1082 letters sent), placing a press advertisement (06.10.17) and erecting a site notice (05.10.17). Whilst an amended noise report has been submitted the proposed scheme, and hours of operation sought, have not changed in a manner that warrants a fresh round of public consultation.
- 5.2 At the time of writing the report **126 objections and 4 letters of support** have been received from surrounding residents. Application 16/01108/FUL attracted 34 representations by comparison. The following is a summary of the relevant planning related points raised, and whilst all responses have objected to the application a handful support the principle of securing additional employment:
- 5.3
- The proposed scale of the building (equivalent to a 14 storey residential building) is inappropriate for Woolston and the chosen design is an eyesore. At least 3 objectors have suggested a residential scheme would be more in keeping with recent developments along the Itchen. Low rise boat building or high tech industry is more in keeping now that Woolston has changed. Without boatbuilding the site's connection with its past will be completely lost.

Officer Response

The planning system is concerned with land use and should be development plan led. In this instance the site is allocated for *employment uses B1 and B2, to include maritime-based research and development and light industrial uses which require access to the waterfront adjacent to and in the vicinity of the existing deep water quay*. The use of the site for the manufacturing and testing of wind turbine blades, with reliance upon the deep water, is wholly compliant in principle with the site's allocation. A residential scheme would be contrary to this policy. A boat building use would be compliant but the site has remained vacant for many years without any serious interest from that sector. There is an extant permission for blade manufacturing and this application builds on that principle with a greater focus upon research and development with the testing of larger blades. Again, this remains policy compliant.

5.4 In terms of design this building marks a significant change in direction for the MEQ. Whilst the site has historically been developed in an ad hoc manner with boat building sheds, and the recent permissions continued that theme with replacement buildings of a similar scale, this application seeks permission for a bespoke building with a maximum height of 44.46 metres (AOD). The buildings unique design, with its curved roof, has been designed to accommodate a wind turbine of up to 120 metres in length, which is at the very limits of current technology. The testing of a blade involves it being stress-tested and the building's shape reflects that part of the process. The Planning Panel are being asked to consider whether the design, height and resultant bulk is acceptable on its own merits and within the wider context of Woolston. To assist, the applicants have produced a series of contextual photomontages. It is considered that within the context of Centenary Quay it is possible for the MEQ to be redeveloped with a building of the scale proposed, subject to the wider assessment that the planning system would expect of any tall building proposal in terms of a contextual analysis and microclimate and shadow analysis. The merits of the scheme's design are set out in the Planning Considerations, with commentary from the Council's independent Design Advisory Panel also provided.

- 5.5
- The use of the MEQ on a 24 hour/day basis would significantly harm the residential amenity of existing residents, including those living in Centenary Quay (including the users of its new library) and Ocean Village, in terms of noise and disturbance caused by manufacturing, yard/crane activity and late night deliveries. Had new residents to Centenary Quay known that a tall building for 24 hour working would have been proposed they would never have moved into the development. The existing noise data is now out of date and should be revisited.

Officer Response

Agreed in part. Ongoing negotiations have followed the original submission and the recommendation limits the extent that the proposed B2 use can operate. Following concerns raised by the Council's Environmental Health Officer to the applicant's proposed hours of operation and the use of diesel powered trolleys officers have confirmed that the following hours of use (listed below) would be acceptable. The recommended hours suggest that whilst a 24 hour B2 use within the building would not be significantly harmful (if the building is acoustically treated to the standards proposed – as was the case when the Panel consented 16/01108/FUL) the external works should be restricted to between 8am and 6pm (Monday to Saturday only), which is less intensive than the extant permission which allows for external working up to 11pm (including weekends).

	16/01108/FUL Approved	07/01570/FUL Proposed
<i>Delivery Hours</i>	<i>7am-7pm (Mon-Sat) and 9am-4pm (Sun)</i>	<i>8am-6pm Mon-Sat</i>
<i>Internal Hours</i>	<i>24 hours/day</i>	<i>24 hours/day</i>
<i>External Yard</i>	<i>7am-11pm (all days - within defined 'Yard Work Zone')</i>	<i>8am-6pm Mon-Sat Storage – 24 hours/day</i>
<i>Wharf/Cranes</i>	<i>7am-7pm (all days) + 1 day per calendar week (ie.52 occasions) until 11pm for Blade operator</i>	<i>8am-6pm Mon-Fri (weekdays) + 6pm-11pm – 12 occasions/year Crane activity – 52 days/year for no more than 10 hours</i>

5.6 *The Council's Environmental Health Officer is content with the existing data and the limitations imposed by the attached conditions, and the operation of a manufacturing (B2 use) operating on a 24 hour basis. This issue is explored more fully in the 'Planning Considerations' section of this report.*

- 5.7
- The proposed building is harmful to neighbouring amenity and will be particularly overbearing, whilst resulting in the loss of sunlight and creating additional overshadowing.

Officer Response

The siting of this building within close proximity of existing residential neighbours will result in amenity impacts in terms of outlook and shadow. The extant permissions also proposed large buildings on the site's northern boundary with the shadow analysis suggesting that the impacts would not be significant. The same conclusion is again reached. The consultants assessment concludes that:

- 5.8
- 'The calculations have shown that the proposed development is likely to result in a "minor adverse" impact to levels of daylight at 1, 3, 5 and 7 Keswick Road and a "moderate adverse" impact to levels of daylight at 1-9 Condor Close. At all other sensitive receptors, the impact to daylight, sunlight and the overshadowing of gardens and outdoor amenity space is considered to be "negligible".'*

- 5.9
- It should be noted that there is an extant consented scheme (Planning Ref 08/00389/FUL) for a large building on the proposed development site, which has never been constructed. Whilst not as large overall as the scheme currently proposed, the consented scheme is up to 3.95m higher along Keswick Road than the scheme currently proposed, as well as being approximately 1m closer than the properties on Keswick Road. Given that the consented scheme which must have been deemed to have an acceptable impact on dwellings on Keswick Road and Condor Close, the impact of the proposed development is unlikely to be a worse than the impact of the consented scheme.*

- 5.10
- It is important to note that the BRE Guidance represents "Best Practice Guidance"; the failure to meet the numerical guidelines within the report does not necessarily mean that the development's impact will be unacceptable. The BRE report states that "The advice given (in the report) is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer.'*

- 5.11
- On this basis the scheme has been assessed by officers as acceptable in terms of residential amenity.*

- 5.12
- The southern wharf is to be used for the storage of blades, meaning that the approved blocks (P3 and L) will no longer be built. This means that residents living in Block K1 (currently under construction) will be directly affected by noise with reduced outlook. Furthermore, with the change to the quay this means cranes will be working closer to residential neighbours.

Officer Response

The external yard will be restricted in terms of where storage can take place and the hours when blades can be moved. These restrictions have been assessed by the Council's Environmental Health team as acceptable. Clearly buildings P3 and L would have affected outlook from Block K1 and protected these units from noise. The frequency of blade movements will be low and there are betterments proposed in terms of hours, despite the site's larger yard area, so that neighbours amenity will not significantly be compromised. Block K1 is nearing completion and prospective occupiers looking to purchase will note the relationship between this residential building and this proposal before committing to a purchase.

- The development will result in traffic problems with overspill car parking.

- 5.13 Keel Road is not appropriate for the type of vehicles that will use it if this scheme is approved.

Officer Response

The level of car parking provided on site has increased following the earlier approval, and the yard is such that it can accommodate the likely parking requirements of the development without causing any overspill. Keel Road is the approved access for the MEQ and always has been. The secondary access onto Keswick Road was intended for emergency egress and wide loads. The Council's Highways Officer has not raised objection to the revised layout or the proposed use of Keel Road. Discussion is, however, ongoing regarding the possible need for off-site changes to existing highways infrastructure to accommodate wide and abnormal loads leaving the site. The above recommendation accommodates this ongoing discussion.

- 5.14
- The closure of the Keswick Road access will result in further traffic build up into Keel Road, which will affect the air quality in the area.

Officer Response

See response above. The site is not within a designated Air Quality Management Area and there is no evidence that traffic will back up onto the roundabout as a consequence of this development. Electric car charging points are proposed, and secured, as part of this recommendation. The applicants are also proposing electrically powered vehicles (rather than diesel as originally submitted), which will also assist with noise and air pollution improvements.

- 5.15
- The additional hours will require additional lighting resulting in light spill and glare.

Officer Response

Acceptable external lighting can be secured with the attached planning condition following input from the Council's Environmental Health Officer. Whilst lighting will change the character of this site (especially now that it lies vacant) it is possible to mitigate the harmful impacts and secure lighting that is reduced/switched off during the night.

- 5.16
- Local wildlife will suffer from a 24 hour operation.

Officer Response

*The Council's Ecologist has requested additional information as part of a planning condition but does not object on this basis. The Habitats Regulations Assessment attached at **Appendix 1** provides further analysis.*

- 5.17
- Loss of property value if this is permitted

Officer 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.

- 5.18
- The letters of support comment that the creation of highly skilled jobs should be welcomed as this will attract further investment into the City. The use of the waterways removes traffic from the roads. The chosen design is considered to be good by the supporters.

5.19 Consultation Responses

5.20 SCC Highways – No objection (following clarification)

I can confirm that in principle, the proposed development is considered acceptable. The difference in trip generation as well as parking when compared to the 2012 consented scheme as well as the 2016 consented scheme is not considered to be significant; the vehicular access is off an existing road which is not a through road and mainly leads to this site and therefore should have minimal impact on the main public routes. The main concern still relates to the abnormal loads which will require further details and agreements to be made. In summary, highways can support this scheme but will be subject to details regarding the abnormal loads and how they will be managed.

5.21 Design Advisory Panel (DAP)

The panel's main concern was over the proximity of the development to the properties at the southern end of Keswick Road which are more heavily affected by this proposal which has extended the length of the originally approved building. Given the space to the south, could the building be eased away from Keswick Road to improve this situation? Daylight studies will be critical. Furthermore:

- A clearer distinction between the two main buildings architecturally in terms of shape and materials would represent a better solution. Could the main building be more boldly coloured, or abstractly patterned rather than simply dull grey?
- The panel felt the arrangement of the roof/waterside elevation felt odd. Would've preferred the roof to end in a frame making a stronger frontage to the water rather than the strange area of pitched roof before the start of the 'box' frame.
- The proportion of the materials within the frame also seemed odd. Why not half and half?
- As no detail of what was happening on the quayside was provided it was difficult for the panel to understand the logistics of the space. Recommend that the CGI's should be populated to give an impression of how this will look when up and running with blades and cranes and storage. Will blades be stacked on top of one another for storage before shipping out? If so this could have a big impact on properties along Wharf Road

5.22 Note:

In response to the DAP the applicants have commented as follows:

5.23 1. Proximity to properties in Keswick Road

The proposed prototype hall is circa 500 mm lower and 1m further from the Keswick Road properties than the extant consent 08/00389 eaves. In addition, the 08/00389 consent has a gable end - some 3.5-4m higher than the application eaves. The gable end is directly opposite the Keswick Road/Condor Close dwellings.

5.24 2. Clear Distinction between Buildings (prototype and test hall)

A change of colour or a change of cladding panels would provide some contrast if thought desirable. If a change of cladding is required horizontal micro rib panels on the lower building would be our preference. The principle design feature of the test hall is the curved parapet. This could be emphasised with a deeper-contrasting parapet flashing – but in our view the shape is sufficient. Also the translucent panels on the north elevation of the test hall break up the cladding – this may not have been apparent to the design panel.

5.25 3. Waterside Elevation

It is our view that the form of the building with a pitched end to the west elevation provides a more interesting profile to the north and south elevation. Also we have allowed for louvres at high level as test hall is naturally ventilated. The proportion of materials within the frame could be equalised but the emphasis of translucent panels on the south side is to allow more light into the south side of the test hall and would remain in shade to reduce solar gain which affects the testing process. Please clarify whether this is a significant concern or simply an alternative design approach.

5.26 **4.Detail of Quayside Operations**

The principle storage area for blades will be the North Quay area. The South Quay area will be a parking and manoeuvring area for blades being taken into the building. With regard to potential stacking of blades on the North Quay, there is no plan to do so at present. With regard to impact on Wharf Road properties, even with stacked blades, their outlook and amenity would be better than the 08/00389/OUT consented buildings (unless you consider the sight of turbine blades to be unattractive). This is a matter which could be controlled by an appropriate Condition if necessary.

5.27 **SCC Environmental Health – No Objection subject to conditions**

Following receipt of the update 24Acoustic 'Noise Impact Assessment' (15th December 2017) the Environmental Health Officer raises no objection to a 24 hour manufacturing operation on this site and welcomes the change of hours now proposed – particularly with regard to external working. Table 7 of the report identifies likely noise impacts at nearby sensitive receptors and is showing a maximum of +9 Decibels (Db) above background noise for internal and yard activities throughout a typical day, which is within accepted tolerances. Following the change to the electric SPMTs the table also suggests that the associated crane activities will be the dominant noise source. These have been identified as +10 Db at CQ block M and +11 Db at Keswick Road during the day. These levels are on the margins of acceptability within Planning Practice Guidance and will be noticeable. The noise environment is at its worst between 6pm and 11pm when the predicted levels will be +14 DB at CQ block K1 and +13 Db at block M and this is significant. This is explained by the drop in background levels at this time rather than an increase in noise associated with the site activity. The applicants propose that the cranes will only operate for 12 occasions per year between 6 and 11pm and have also offered to limit such activity to weekdays only. Given the general inactivity after 6pm and the infrequency of noisy activity the proposed B2 operation is acceptable this close to an established/new residential environment.

5.28 Further details are required about external lighting and vibration and this can be resolved with the suggested planning conditions. As such, Environmental Health would raise no objection to this application subject to the following conditions:

- Hours as set out in the updated noise report;
- Noise Management Plan for each occupant;
- Noise Management as set out in the amended Noise Impact Assessment;
- Lighting plan and scatter diagrams;
- Odour Management Plan – if applicable;
- External extraction/equipment;
- 3 metre high acoustic fence to Wharf Road (as shown); and
- Vibration control.

- 5.29 **SCC Ecology – No objection**
The application site comprises hard-standing which has negligible biodiversity value. It is, however, located close to sites of national and international nature conservation importance. The Solent and Dorset Coast Potential Special Protection Area (pSPA) lies adjacent to the site whilst a section of the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI) and the Solent and Southampton SPA/Ramsar site are located approximately 185m to the south. Atlantic salmon, an interest feature of the River Itchen Special Area of Conservation (SAC), also pass close to the site.
- 5.30 The Solent and Dorset SPA is being proposed to safeguard the foraging areas of several species of breeding terns which are protected under the various Solent European Marine Sites. The SSSI is designated for a range of habitats and species including extensive areas of intertidal mudflat, vegetated shingle and saltmarsh and birds such as brent geese, black-tailed godwit and dunlin. The SPA and Ramsar site are designated for wetland habitats, significant numbers of wetland bird species including black-tailed godwit, ringed plover and teal, and significant populations of over-wintering wetland birds.
- 5.31 An Appropriate Assessment (AA) undertaken in connection with the initial planning application, 08/00389/OUT, identified a number of potential impacts, arising from development of the wider site which could adversely affect features of interest of the designated sites. The following impacts are anticipated to occur as a consequence of implementing the proposed development:
- Pollution ' silt and other contaminants impacting water quality;
 - Noise and vibration, particularly from piling.
 - Light pollution
- 5.32 Potential measures to mitigate the impacts listed above include:
- Turning off all plant when not in use
 - Use of mufflers and other noise reducing equipment
 - Timing of works to avoid sensitive periods for salmon and waterfowl
 - Screening of construction works.
 - Piling methodologies and a mitigation plan to prevent disturbance to salmon if percussive piling is to be employed with 75m m of the river edge.
 - Pollution control measures, including proposals for monitoring during and post construction, and details of emergency remediation measures if acceptable biological limits are breached.
 - Design the building to minimise collision risk
 - Careful positioning of lighting
 - Design of lighting to minimise light spill
- 5.33 The proposed mitigation measures have been detailed in a mitigation plan. These measures will need to be transposed into a draft Construction Environmental Management Plan which should be provided before the application is determined. The Local Planning Authority will need to undertake a Habitats Regulations Assessment. I have no objection to the proposed development however, the applicant will need to demonstrate that potential impacts arising from both the construction and operational phases can be adequately mitigated before consent can be granted.

- 5.34 **SCC Employment & Skills** – No objection
An Employment and Skills Plan Obligation and activities will be sought for both Construction and End use phases.
- 5.35 **SCC Heritage (Archaeology)** - The site is in a Local Area of Archaeological Potential, as defined in the Southampton Local Plan and Core Strategy -- LAAP 16 (The Rest of Southampton). The new building (prototype hall and test hall) is in an area that was quarried in the early 19th century. An archaeological watching brief on a test pit dug in this area in 2003/2004 (SOU 1275, TP31) found probably geological deposits identified as Earnley Sand only 400mm below the ground surface, the river terrace gravels having been removed by quarrying. The area was considered to have no archaeological potential. The only parts of the site with archaeological potential are the reclaimed former intertidal areas, particularly the northern end of the site to the west of Wharf Road, where waterfront structures and buried hulks may survive below reclamation deposits. Part of the area west of Wharf Road was reclaimed from the River Itchen estuary between 1846 and 1867/1883 (it is shown as intertidal mudflats on the 1846 Royal Engineers map, with a large pool and water channel). The 1846 map also shows a wharf at the southern end of this latter area, named as a ballast wharf on other maps; this wharf is also of interest. However former intertidal areas appear to be unaffected by the current proposals, and the northern part of the site is to be raised in level somewhat. Therefore, on current evidence, no archaeological conditions are required for the current application.
- 5.36 **SCC Contaminated Land** – No objection subject to condition
I have recommended condition L001, this may appear onerous given the amount of work already undertaken onsite. However I am of the opinion that a review of existing information is required to ensure that the site is effectively remediated and that the developer is aware of existing on site risks. It is unlikely that the review will recommend further investigations however I would like to keep that element of the condition active just in case.
- 5.37 **SCC Tree Officer** – No response received
Previously commented that they had been to look at the tree trees that are on Keswick Road adjacent to the former Vosper site. All three trees are of a fair to good condition and are the only trees along that boundary of the site, so visually they are important. The Root Protection Area's slightly encroach into the site, by around 2m or so, so shouldn't really cause an issue with the development. I know that they had permission for a scheme in the past but if this was pre 2012, the best practice guidance for construction around trees was different and the RPA could be encroached by 10%, but this is no longer the case. Essentially, I feel that the trees need protection throughout any construction, but I don't think that this will be too onerous. If the applicant determines that sustainable drainage is inappropriate on this site suitable evidence must be presented to demonstrate why it is deemed to be inappropriate. If the case officer is minded to approve the application it is recommended that a drainage condition is applied.
- 5.38 *Note: These comments hold good despite the change to the application and the building has now been moved further away from the existing root protection area.*
- 5.39 **SCC Sustainability** – No response received
Previously commented that the development has been designed to achieve a minimum BREEAM 'Very Good' and where possible and achievable 'Excellent' as

it is now a policy. Given the original 2008 outline application requirements and the above justification, I am satisfied that the proposed sustainability measures are acceptable and if the case officer is minded to approve the application conditions are recommended.

5.40 *Note: These comments hold good despite the change to the application.*

5.41 **Natural England** – No objection subject to Appropriate Assessment

This application is in close proximity to Lee-on-the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI) and the River Itchen SSSI. Given the scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that these SSSI do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England. We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Solent & Southampton Water Special Protection Area (SPA). In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Limitation of timing of works
- Monitoring and avoidance of obtrusive noise levels
- Construction Environment Management Plan
- Secure mitigation identified in the Environmental Statement

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

5.42 **Southern Water** – No objection subject to conditions

Southern Water records showing the approximate position of a public foul, surface water sewer and water distribution mains crossing the site. The exact position of the public sewers and water distribution mains must be determined on site by the applicant before the layout of the proposed development is finalised. Building over or within the clearance distance of public apparatus will not be permitted. It might be possible to divert the public foul sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions. Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

5.43 The application proposes development that may produce a trade effluent. Trade effluent is any liquid waste (effluent) discharged into our sewers from a business or industrial process. This includes any waste water derived from a production process or from washing down or cooling activities including wastes from public funded activities such as municipal landfills. No trade effluent can be discharged either directly or indirectly to any public sewer without the formal consent of Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors

5.44 The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical

staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

5.45 **Environment Agency** – No objection subject to conditions

The proposed buildings are located within an area of tidal flood zone 1, and is considered to have a low probability (< 1 in 1000, 0.1%) of tidal flooding in any year. The buildings will have a finished floor level set at 5.50mAOD and this will ensure that they remain safe from flooding over their lifetime. The current 1 in 200 year tide level (flood zone 3) for this area is 3.1mAOD rising to 3.6mAOD by the year 2070. It should be noted that the northern area of the site is currently at risk of flooding and the proposal is to use this area for storage. The plans show that the area is to be raised to 3.75mAOD and this would ensure that it remains safe over the lifetime of the development.

5.46 Care should be taken to ensure any piling methods used do not cause pollution or harm as established by the existing Environmental Impact Assessment and Addendums to it.

5.47 **Historic England** - On the basis of the information available to date, we do not wish to offer any comments.

5.48 **Southampton Airport** – No response received

Previously commented that the proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to a planning condition requiring the submission of a bird hazard management plan.

5.49 *Note: These comments hold good despite the change to the application; and there are other buildings in the Centenary Quay development of similar (or more) height to suggest that the proposed building's additional height will not prejudice the Airport's viability or safety.*

5.50 **Highways England** – No objection

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 disturbance;
5. Design; and,
6. Environmental Impact and Mitigation.

6.2 **Principle of Development**

6.2.1 The Council accepted the principle of redeveloping this site with a building that could be used for the manufacturing of wind turbine blades when it recently approved application 16/01108/FUL. 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 MSA18 (as set out in full above), which has been part of adopted planning policy since 2006. The principle of re-providing an up to date 'marine related' employment use (in the sense that the potential blade manufacturer requires river access and the deep berth in order to operate) to replace the manufacturing use associated with Vospers is acceptable in principle and complies with the previous planning permissions on this site and the site's current allocation as a Marine Employment Quarter (MEQ).

6.3 Economic Development Considerations

6.3.1 Policy CS6 of the Core Strategy, which identifies the need for 97,000sq.m of industry/warehousing over the plan period, is relevant as a material planning consideration.

6.3.2 The proximity of the site to the River Itchen makes this an attractive location for a wind turbine blade manufacturer, and Policy MSA18 recognises this by allocated the site for marine employment. The site has been marketed for a decade with no, or little, positive interest as confirmed by the Homes and Communities Agency (the landowner) in their response to the previous application. It is clear that the restrictions imposed on operational hours at the outline stage (LPA ref: 08/00389/OUT) have, in part, led to the site being left vacant for a considerable time. During that time the residential phase of Centenary Quay has been constructed and occupied meaning that circumstances have changed.

6.3.3 In terms of the need for local employment opportunities, the 2011 Census for the Woolston Ward suggests 25.6% of residents have no qualifications (compared to 21% for the City as a whole), with 33.7% of households having no adults in employment (compared with 32.8% for the City). It confirms that 72% of residents in the ward are economically active (compared with 68.4% for Southampton) with 5.8% registered as unemployed. The economic development benefits associated with this development are potentially, therefore, considerable and a large number of new technical jobs would be created with the promise of more to follow. 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 Vospers 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 B2 use. 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
- Industrial Use B2 - 1 job per 36 sq.m

6.3.5 Based on this guidance, and the floorspace of this building proposed, a building of this size could deliver in the region of 315 jobs; however, the proposed use is very

bespoke with much of the space needed for the testing of a single blade meaning that job creation is likely to be significantly less than the HCA guidance. In reality it is difficult to accurately determine the number of jobs which might result, but if a wind turbine blade manufacturer can be secured this will bring with it highly technical, well-skilled jobs. The HCA's generic calculation does not take account of the specifics of a blade manufacturer and the applicants suggests that, instead, job creation is more likely to be between 50-60 jobs in the first instance, which is still significant given the context of the application.

6.3.6 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 will 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 2003, it is not simply a case of comparing the proposal against the existing vacant condition of the site. The net impacts are also assessed.

6.4.2 The applicants expect up to 15 deliveries by van per day, up to 10 articulated lorries per day and the occasional over-sized vehicle. The intention of this development is that all large vehicles will enter and exit the site from the new Keel Road entrance (as was the case with permission 16/01108/FUL), thereby limiting the impact on the residential area to the south. Since the previous permission was issued, and the change in emphasis in terms of blade testing, it is unlikely that blades will leave the site by road. A contingency plan, via Wharf Road, is however proposed and is currently being reviewed by the Council's Highways Officer to ensure that all junctions from the site to the motorway are suitably designed for abnormal loads. The s.106 can be used to resolve this point.

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 has not raised an objection to either the principle, detailed layouts or likely impacts upon the highway network. They do, however, have reservations about the extra heavy vehicles needed in exceptional circumstances to transport blades by road using the emergency vehicular access onto Keswick Road, but consider that the scheme could, in principle, be mitigated against through the s.106 with changes to Wharf Road. Whilst deliveries will be frequent they are not excessive and the use of the deep berth (possibly once a week) for the export of the finished blade is welcomed and reduces impacts upon the highway network. The Panel will note that planning permission for significant more floorspace, and subsequent highway impacts, already exists.

- 6.4.4 In terms of car parking numbers, the development exceeds the Council's maximum car parking standards (at 1 space per 300sq.m in highly accessible areas such as Woolston District Centre). Applying this higher standard the development should be served by a maximum of 39 parking spaces. The applicants 24 hour operation, and the likely shift pattern, justifies higher provision in this case and the recommendation includes a requirement for improvements as part of a wider set of green travel initiatives. Some 30 cycle parking spaces, with employee showering facilities, are proposed. The building is served by a private, secure yard with allocated parking spaces and it seems unlikely that employees would wish to park off site in neighbouring streets.
- 6.4.5 There are no highway objections to this application for a B2 operator and permission for a larger, more intensive, set of proposals remains extant and deliverable (LPA: 08/00389 refers).
- 6.5 Impact on the amenities of neighbours
- 6.5.1 This is the perhaps the key issue for this scheme, and is the issue that has attracted the most objection, particularly from neighbours with the Centenary Quay development and across the water in Ocean Village.
- 6.5.2 LPR Policy SDP1(i) states that *'planning permission will only be granted for development which does not unacceptably affect the health, safety and amenity of the city and its citizens...'*. Policy SDP16 adds that *'proposals for noise generating development will not be permitted if it would cause an unacceptable level of noise impact...'*. Residents object to the proposed 24 hour manufacturing, the argument used by the applicant that because Vospers previously operated on this basis their scheme is also acceptable, and that the extant permission with strict controls on operational hours as set out above (on which new residents may have made the decision to move to Woolston) is now being ignored. In this context the concerns raised by third party objectors in relation to noise, lighting and disturbance are clearly material to the consideration of this application. Officers accept that there will be an impact on these residents of any B2 use on what is, effectively, a cleared site awaiting development. The significance of this impact then requires further assessment.
- 6.5.3 Whilst the site has historically been used for ship building on a 24 hour/day basis this use ceased in 2003 and the buildings have since been removed. The previous use is effectively abandoned meaning that only limited weight in planning terms, if any, should be afforded to the fact that in 2003 residents would have been living next to a noisy working shipyard. In this respect the residents that have objected to the applicant's assertion that the previous use should be included in the Panel's deliberations are correct. That said, the site is allocated in an up to date Development Plan for B2 uses, and Policy MSA18 carries significant weight in the consideration of the application. It seeks a marine related B2 use and will, by its very nature, bring with it a noisy working environment. Also of relevance to the determination is the fact that previous marketing of the site has, for almost a decade, not resulted in any firm offers for marine based employment. The applicant suggests that a marine employment use requires hours that extend beyond those previously approved to make use of deep berth and the high tides of the Itchen, and officers agree that further flexibility is needed, following careful consideration, if this site is to be developed as intended by the Development Plan. The Panel accepted this conclusion when it approved application 16/01108/FUL with a 24 hour

internal operation (within a building that is acoustically treated) with external yard working permitted between 7am and 11pm (albeit restricted to a defined zone and to 1 day per week outside of that zone). The current proposals have shifted the emphasis away from the manufacture of blades towards design and testing meaning that the yard will be used differently and less frequently. The proposed hours for working within the yard and quayside are generally 8am to 6pm (Monday to Saturday), with flexibility offered for 12 times per year for working until 11pm. This marks a significant change and improvement on the potential noise environment associated with this use.

6.5.4 i) **Visual Impact**

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. The previous Vospers factory was formed by a mix of domestic scaled buildings and manufacturing sheds, but with surface car parking along the Keswick Road boundary behind fencing.

6.5.5 The proposed building's northern elevation is the most sensitive to existing residents (whilst recognising that noise potentially impacts on all neighbours), but utilises the 6 metre change in level behind the existing hoarding and will read as a two storey blank façade running along Keswick Road with the building becoming more exposed as the land falls away towards the water. This part of the scheme is marginally taller but further away from Keswick Road than the previous approval 16/01108/FUL. The extant building approved under 08/00389/OUT is larger and closer at this point and was assessed as acceptable ahead of permission being granted.

6.5.6 At its highest point the eaves of the building will be 13.2 m (to eaves) (previously 12m) and 17m (to ridge where it abuts the larger testing hall). A typical dwelling is about 6m to eaves and 8 to ridge for comparison. There will be no significant loss of privacy or overshadowing of the affected neighbours given the design and location of the buildings, and the movement away from Keswick Road assists in this regard. The conclusions of the submitted daylight assessment are set out above in response to third party objection.

6.5.7 The key change in terms of visual impact concerns the new testing hall. In order to accommodate a blade of up to 120m in length the building needs to have an expansive opening to the river's edge, and the profiled roof up to a height in the region of 39 metres (44.46m AOD). This results in a significant building with scale, bulk and massing that exceeds previous permissions and which is more akin to the Centenary Quay blocks than the scale of development that prevails in the older parts of Woolston, including the District Centre. Whilst the building has been marginally reduced in height it will, nevertheless, present itself as the dominant building (from all directions) on this part of the Itchen. This has resulted in significant objection locally. That said, the type of architecture proposed is driven largely by the end use. Taller buildings have become a feature of Woolston, and the waterside, and the former Vospers site was also defined, in part by larger utilitarian buildings. By way of comparison the former Vospers site included buildings of similar scale including the covered berth (39 metres AOD) and FOTC building (31m AOD). The proposed development is an improvement on the previous buildings on site and a landscape visual impact submission suggests that

views from the Itchen Bridge, out from the Old Woolston Conservation Areas along Obelisk Road and from Victoria Road – where the main test hall is screened by existing retailing frontage with the proposed office finishing the street – are, on balance, acceptable. The opinion of the independent Design Advisory Panel are relevant in this regard and is reviewed above and after in this report.

6.5.8 **ii) Noise Impact**

The local area is already characterised by relatively high levels of background noise as a consequence of the local highway network, river traffic and operational Port beyond. The area is changing though with some 1600 residential units permitted on the remainder of the Vospers site (LPA ref: 08/00389/OUT) sitting alongside the District Centre and the existing residents along Keswick Road. To a certain degree the residents of the latest phase of Centenary Quay – currently under construction - move into the development in the full knowledge of the B2 use next door, but this is not the case for those residents that already live close to the site (including within the earlier phases of CQ and across the water in Ocean Village). The applicants have assessed the noise impact of the extended use on all residents before reaching their conclusions (set out in full below).

6.5.9 Officers accept that there is likely to be a noise impact resulting from the proposed operation, its 24 hour working, HGV and crane movements on site, including manoeuvring and reversing. The amended Noise Impact Assessment identifies, however, that the cranes – required to move blades from the yard onto a ship – will cause the most impact and that the other impacts can be largely mitigated through best practice, a robust building construction and the other measures identified with Assessment. The applicant's amended Noise Impact Assessment explains that the building will, effectively, be a sealed box with minimal noise impact despite the 24 hour operation. The Council's Environmental Health officer agrees and no objection to internal operations taking place all day is, therefore, raised. It is, however, recognised that tight controls are needed to avoid impacts from associated deliveries and servicing and that the external working has the potential to become a regular nuisance if not properly controlled at this stage.

6.5.10 The applicant's amended Noise Impact Assessment (15/12/17) states that the development *'includes the provision for a three metre high imperforate acoustic fence along the Wharf Road site boundary to the north quay (including the gated exit to be used for oversized loads)*. It adds that *'Shipping in particular is subject to unavoidable delays and time constraints, however, GE Renewables will commit to restricted loading/ offloading times of between 08:00 and 18:00 hours (with evening operations between 18:00 and 23:00 for a maximum of 12 days per year) which are a substantial reduction in those already agreed as part of the earlier planning consent.*

6.5.11 *The assessment has given credence to closed windows as a means of mitigation. The Woolston Phase 4a development was consented with the knowledge of the outline B2 consent at the MEQ and alternative means of ventilation are to be installed in some properties. It is therefore expected that these residents will occupy their properties with windows closed.*

6.5.12 *In light of the above discussion, the following mitigation measures are recommended, to be incorporated in future tenants' noise management plans:*

- *Identification of an electrically powered SPMT (Scheuerle E-light) which has a substantially lower noise emission than the previously considered diesel-*

hydraulic units. GE's engineers have reviewed the specifications for this plant and have confirmed that they are fit for their purpose.

- *Restriction of all yard activities to between 08:00 and 18:00 hours Monday to Saturday. This applies to crane activities, use of SPMTs and general yard activities (for example deliveries and forklift truck movements). It is not proposed to restrict the frequency of the use of the SPMTs (given that their noise output is now much reduced), however, it is clear that the units will be used infrequently given the proposed use of the site. GE have also now conceded on the majority of evening crane activity/ SPMT activity (requiring consent for operations between the hours of 18:00 and 23:00 for 12 days per annum rather than the 52 previously consented).*
- *During the evenings SPMTs and cranes will not operate simultaneously.*
- *Daytime crane activity will be limited to a maximum of 52 days per year with no more than 10 hours of activity over any 2 consecutive days.*
- *All doors and shutters to the buildings shall remain closed at all times except during deliveries and the loading of wind turbine blades (into/ out of the building).*
- *Noise- generating activities within the buildings will cease when the large doors on the western elevation are open.*
- *All standard incoming and outgoing LGV and HGV deliveries should enter the site via Keel Road and be limited to the following hours:*
 - *08:00 to 18:00 hours Monday to Saturday;*
 - *Commercial vessels relating to GE Renewables' operations may berth alongside the wharf between 07:00 and 23:00 hours (subject to an approved noise management plan). Outside these hours, the vessel can remain berthed on the basis that all commercial activity will stop and for clarity this means no deck gear including winches, cranes, capstans etc. shall be run, the main engines will be turned off, and no bilge pumps are to be run. The ship will only be able to be used for domestic accommodation purposes during this period;*
 - *GE Renewables will take considerable care in the procurement of plant for use externally within the yard. This will include an electrically powered forklift truck for day-to-day (lightweight) yard movements. SPMTs/ bogeys for the movement of wind turbine blades will be chosen with the lowest noise output available which will be no greater than 85 dB LAeq at 1 m (sound power level of 96 dBA) that has been used in this assessment.*

6.5.13 The applicant's amended Noise Impact Assessment concludes that 'Given the site's proposed use for the prototyping and testing of wind turbine blades, it is considered that the predicted noise impact from activities within the proposed building is not as significant as could be experienced from the site's historical 24-hour use for steel ship construction by Vosper Thorneycroft. An assessment undertaken in with reference to BS 4142 has determined that noise impact from proposed general use of the buildings has been mitigated to a minimum and is considered to generate a low impact. There is potential for short-term significant adverse noise impact upon the twelve unprotected properties in Block M and 50 unprotected properties in Block K1 of the Centenary Quay development during ship loading/ unloading activities and blade movement activities in the south quay. This level of noise impact is, however, no greater than that consented under the previous B2 full consent for the site which was considered acceptable by Southampton City Council'.

6.5.14 Although the applicant is seeking unrestricted hours of (internal) 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 amended Noise Impact Assessment and, as stated, is satisfied that a 24 hour employment use, particularly for wind turbine blade manufacturing, is appropriate for this site despite the proximity of existing residential neighbours. Of all the different types of manufacturing that the site could attract this has the potential to be the least harmful in terms of ongoing noise and disturbance and is, for the main part, a relatively neighbourly process. The proposed hours for external working are reduced from initially proposed, and consented for the earlier scheme (as set out above) and this officer recommendation to the Planning Panel proposes the following:

	16/01108/FUL Approved	07/01570/FUL Proposed
<i>Delivery Hours</i>	<i>7am-7pm (Mon-Sat) and 9am-4pm (Sun)</i>	<i>8am-6pm Mon-Sat</i>
<i>Internal Hours</i>	<i>24 hours/day</i>	<i>24 hours/day</i>
<i>External Yard</i>	<i>7am-11pm (all days - within defined 'Yard Work Zone')</i>	<i>8am-6pm Mon-Sat Storage – 24 hours/day</i>
<i>Wharf/Cranes</i>	<i>7am-7pm (all days) + 1 day per calendar week (ie. 52 occasions) until 11pm for Blade operator</i>	<i>8am-6pm weekdays only + 6pm-11pm for 12 occasions/year Crane activity – 52 days/year for no more than 10 hours</i>

6.5.15 The above hours of operation are less than those previously granted and seek to strike a balance between enabling the site to come forward for manufacturing, which hasn't been the case to date, whilst protecting existing residential amenity where neighbours have become used to a quiet site over the years despite the ongoing construction works associated with the Crest Nicholson residential development. The Council's Environmental Health Officer is supportive and, if agreed by Panel, these hours would allow for any marine related business (operating under a B2 land use) to operate internally on a 24 hour basis whilst placing restrictions upon deliveries and external working. The submitted reports suggest that such an operator would be loading a ship once a week for a period of some 8 hours and this recommendation gives the manufacturer the ability to operate on this basis, whilst protecting residential amenity as far as practicable.

6.5.16 As such the development, as altered, is considered to address LPR policies SDP1(i) and SDP16 as detailed above, and the recommendation is considered to strike the correct balance required of the planning system.

6.5.17 **iii) External Lighting**

The use of the external yard will require additional lighting. The applicant's amended Lighting Impact Assessment confirms that it will be possible to introduce a lighting scheme that enables safe working whilst protecting residential amenity, especially given the orientation of buildings and (for the most part) the significant distances between the site and its neighbours) and a planning condition is recommended to secure the detail. The report concludes that '*mitigation measures shall control the luminaire tilt, peak beam, glare class, colour temperature and luminous flux of the specified luminaires*'. The Council's Environmental Health Officer is satisfied with this approach.

6.6 Design

6.6.1 This building will be a substantial modern industrial building within a changing context. Where the building meets Victoria Road the design scale and architectural treatment deliberately changes so as to soften this interface with the street, and office accommodation provides activity at this point. The main building is of significant height, however, albeit simple in design and follows its functional requirements with few openings and the ability to move large turbine blades from the building to the water's edge following robust testing. The layout has been designed to follow earlier approvals.

6.6.2 The proposal will result in a modern industrial building at the water's edge that responds to the site's previous built form and the vision from the earlier masterplan; as such, the design of the building is appropriate for this location despite being significantly different to that previously approved. The landscape impact assessment demonstrates how the building will sit in relation to Centenary Quay from 4 strategic views, although the recently approved tower (27 towers) has not been modelled as part of this exercise. One of these images demonstrates that views out of the Woolston Conservation Areas along Obelisk Road with, arguably, the development forming part of their setting, will be largely mitigated by the TPO'd trees sitting on the northern boundary of the recently completed Lidl development.

6.6.3 The choice of external materials is acceptable and further details can be sought through a condition.

6.6.4 The acoustic fence and retaining wall along Wharf Road and Keswick Road, respectively, would be a substantial structure, up to 3 metres in height, but this is considered to be necessary to mitigate noise impact and sits adjacent the building itself.

6.6.5 Although the building and screening would be dominant 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. On balance, therefore, the scheme complies with LDF Policy CS13.

6.7 Environmental Impact & Mitigation

6.7.1 The Environmental Statement (ES) accompanying the application has been the subject of full public consultation with the relevant national organisations, and other third parties, and is taken into account in assessing the application and preparing this report. Overall, the development would not have an adverse environmental effect subject to the imposition of appropriate conditions. The ES includes sections on air quality and noise. The air quality assessment identified that the application site lies outside an Air Quality Management Area. The assessment concluded that although the effect of the proposed development during the construction could be minor/moderate adverse, this will be offset through agreed construction traffic routes with SCC. There will be no significant effect in compliance with Local Plan Policy SDP15. The noise assessment concludes that any potential noise effects from the development can be suitably controlled and, following an amended acoustic report and a commitment to using electric (rather than diesel) vehicles to move the blades around the yard, this is considered to be accurate.

- 6.7.2 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The application site is located to the north of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC) and the application has raised no objection from the Council's Ecologist or Natural England, subject to the attached planning conditions.
- 6.7.3 The Panel's attention is drawn to the need for a Habitats Regulation Assessment (HRA), which is necessary as part of this determination process before the Council, as the 'competent authority' under the Habitats Regulations, can give approval to the project. The HRA is attached to this report at **Appendix 1**. Providing the planning conditions are secured (as discussed above) this application will have complied with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 6.7.4 The application also needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted 'Developer Contributions' Supplementary Planning Document. Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations is proposed as part of the application as summarised within the above recommendation. 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, have 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, that now include public art (which is triggered by development of more than 10,000sq.m) then the scheme will have complied with the requirements of Policy CS25.
- 6.7.5 Finally, the Panel will note that when it considered the original outline scheme for Centenary Quay it sought a berth for an historic ship and water taxi. The delivery of these berths was tied to the delivery and occupation of 2 buildings (known as P3 and L). If the proposed layout is supported buildings P3 and L could no longer be delivered, meaning that the historic berths would never be implemented. Officers feel that further work is needed on this point, in consultation with the Homes and Communities Agency (as landowner and scheme promoter). The above recommendation requires alternative triggers for the delivery of the berths as originally intended ahead of the release of planning permission.

7. **Summary**

- 7.1 Planning permission is sought for a substantial new building on a previously developed site, which will change the character and appearance of this part of Woolston. 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 so that any impacts are not significant enough to warrant a recommendation for refusal.

7.2 The key issue in this case concerns the impacts of additional noise from extended hours of B2 manufacturing and industrial uses. Whilst historically this would have been the case with Vospers operating on a 24 hour basis the most recent permission restricted the hours for the approved use. The site has remained vacant despite extensive marketing and the current applicant is keen to secure greater flexibility from the Council in the hope of delivering a viable business to Woolston. As set out above officers are content that a 24 hour operation could be accommodated within a carefully designed and acoustically sound building, but further restrictions are needed on external working. This recommendation proposes the following hours - which differ from those applied for by the applicant, but are less intensive than previously approved - in anticipation of striking a balance between finding a viable marine-related business and protecting existing and future residential amenity:

	16/01108/FUL Approved	07/01570/FUL Proposed
<i>Delivery Hours</i>	<i>7am-7pm (Mon-Sat) and 9am-4pm (Sun)</i>	<i>8am-6pm Mon-Sat</i>
<i>Internal Hours</i>	<i>24 hours/day</i>	<i>24 hours/day</i>
<i>External Yard</i>	<i>7am-11pm (all days - within defined 'Yard Work Zone')</i>	<i>8am-6pm Mon-Sat Storage – 24 hours/day</i>
<i>Wharf/Cranes</i>	<i>7am-7pm (all days) + 1 day per calendar week (ie.52 occasions) until 11pm for Blade operator</i>	<i>8am-6pm Mon-Fri (weekdays) + 6pm-11pm – 12 occasions/year Crane activity – 52 days/year for no more than 10 hours</i>

7.3 This report sets out the issues that should form the basis to the consideration of this planning application. It is the opinion of officers that the current scheme is acceptable and will deliver far reaching regeneration benefits and tangible job creation.

7.4 This current planning application has been assessed in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. It is considered that the application accords with the concepts established in the approved Woolston Riverside Planning Brief and Illustrative Master-plan (2004), despite the significant change in scale and massing now proposed. The statutory regulations covering environmental impact assessment and the protection of important natural habitats have been satisfied. Safeguards are built into the recommendations to ensure that planning conditions and obligations, in a S.106 legal agreement, address those aspects of the development that may otherwise cause harm. Taking all of these matters into account the development proposals are acceptable and planning permission should be granted subject to the matters set out in the recommendations.

8. Conclusion

- 8.1 It is recommended that planning permission be granted, subject to the approval of a Habitats Regulations Assessment and a Section 106 agreement with planning conditions.

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

1 a-d, 2 b, d, f, 3 f, g, k, u, vv, 6 a, b, 7 a

SH2 for 09.01.2017 PROW Panel

PLANNING CONDITIONS to include:

1.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).

2.Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in the schedule attached below, unless otherwise superseded by these conditions.

Reason:

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

3.Restricted Use

The maximum floorspace of the development hereby approved shall be 11,633 square metres (gross external), and the building 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.

The approved development shall be used for boat building, fitting out and fabrication, the manufacturing of wind turbine blades and/or another marine related B2 employment activity; all of which shall require ongoing access to the deep river berth in this location, and the River Itchen itself, and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written approval of the Local Planning Authority.

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 edge of centre location and in the interests of highway impacts that have been determined as established by the approved Environmental Impact Assessment.

4.Operational Hours

The B2 use hereby approved shall not operate outside of the following hours:

- **Internal Working within the Building:**

Permitted 24 hours per day (7 days)

- **External Working – North Quay/South Yard/South Quay (as defined by plan ref: 992/CQ-D&A-02 Rev A):**

Monday–Saturday 8am to 6pm

(excluding public holidays where no works will be permitted)

- **External Working – Wharf Area and Cranes (as defined by plan ref: 992/CQ-D&A-02 Rev A)**

Monday–Friday 8am to 6pm

(excluding public holidays where no works will be permitted)

On no more than 12 non-consecutive days/year – which shall be recorded and made available in writing upon request to the Local Planning Authority - the Crane Operational Area, as defined in the amended 24Acoustics Noise Impact Assessment (15th December 2017), may be used to support the development between the following hours:

Monday–Friday

6pm to 11pm (excluding public holidays where no works will be permitted)

In accordance with the terms as set out in the Quayside Architects letter dated 15th December 2017, which confirms that the Crane Operational Area as defined in the amended 24Acoustics Noise Impact Assessment (15th December 2017) will be operated in accordance with the following:

- Cranes and Self Propelled Modular Transporters (SPMT) shall not be operated at the same time between 6pm and 11pm;
- Crane activity will be limited to a maximum of 52 days per year with no more than 10 hours of activity over any 2 consecutive days (and no more than 2 consecutive days in any one week); and,
- Blades will be stored horizontally at single height (not stacked) to a maximum height of 10.5 metres.

Reason:

In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Statement and the amended 24Acoustics Noise Impact Assessment (15th December 2017), with bespoke details provided for a wind turbine blades manufacturer, following input from the Council's Environmental Health Officer.

5.Operational Deliveries & Servicing

Prior to the first use of the building hereby approved, and then by any subsequent operator, the applicant shall submit a "Deliveries & Servicing Management Plan" to the Local Planning Authority for approval in writing. The operation of the site shall proceed in accordance with the agreed details.

Deliveries and servicing of the site shall not take place outside of the following hours:

Monday to Saturday – 8am and 6pm

(excluding public holidays where no works will be permitted)

Reason:

In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Impact Assessment following input from the Council's Environmental Health Officer.

6.Operational Environmental Protection Plan

The development shall be implemented in accordance with the recommendations contained within the amended 24Acoustics Noise Impact Assessment (15th December 2017) except where superseded by conditions attached to this permission particularly in respect of hours of operation, deliveries and servicing as set out above. In particular:

- Cranes shall be as described in paragraph 6.13 and 6.14;
- The design of the building shall achieve the predicted noise levels set out in Table 4; and
- All vehicles used for the movement of blades within the external yard (including fork lifts and Self Propelled Modular Transporters (SPMTs) shall be electrically (rather than diesel) powered

Prior to the occupation of the building by the first, and then by any subsequent operator, a detailed 'Operational Environmental Protection Plan' - to include a bespoke scheme of management measures to protect residential amenity; including details of reversing alarms of fork lift trucks and lorries, yard surface material, management and maintenance, equipment maintenance, acoustic barrier maintenance, site facilities including attenuation of external plant, vehicle management arrangements, staff management arrangements including on-site parking, 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), details of how the operational development will prevent or minimise the impacts from noise (from plant, machinery and staff), vibration and dust for all operations, as well as provide details of how these measures will be monitored at the site boundary to ensure that emissions are minimised beyond the site - shall have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the first and any subsequent occupation by a new user of the building and shall be maintained as agreed thereafter.

Prior to the use of the site for manufacturing 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:

To limit noise and disturbance and to protect the amenities of neighbours, particularly given the 24 hour nature of the proposed operation as established by the approved Environmental Impact Assessment.

7.External Ventilation & Extraction Details

Details of suitable ventilation, extraction and filtration equipment for both buildings, if required, shall be submitted to and approved in writing by the Local Planning Authority prior to the first, and then by any subsequent, occupation of the building to which the details relate. The equipment shall be installed and maintained in accordance with the agreed information and made ready for use prior to the first, and any subsequent use, of the building to which the details relate.

Reason:

To ensure that adequate provision is made for the ventilation of the commercial use which does not impinge on the residential amenity of neighbouring residents or the external design of the building hereby approved.

8.Access

The approved access from Keel Road, as shown on the detailed plans are hereby approved, shall be the principal access point for staff, visitors and deliveries/servicing vehicles and shall be implemented and made ready for its intended use prior to the first use of the development unless otherwise agreed in writing with the Local Planning Authority. Access onto Wharf Road/Keswick Road shall be for exceptional and unusual long/wide loads, on an infrequent basis, and emergencies only as set out in the planning submission and this entrance shall not be used for regular access associated with the approved use.

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

Reason:

To ensure that the development, and users of it, is served by an appropriate access in the interests of highway safety.

9.Parking, Servicing & External Storage

The parking spaces shown on the approved drawings, and associated access, shall be marked out on site and provided in accordance with the plans hereby approved before the building first comes into use, and shall thereafter be retained as approved for the parking by staff and visitors only. Vehicles shall only be parked within designated bays except when blades are being manoeuvred.

These parking areas shall not be used for external storage of any kind, with the exception of the blades themselves, and any external storage within the service yard hereby approved shall only be provided once locations and heights have been agreed in writing with the Local Planning Authority.

Reason:

To define the permission and to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety as established by the approved Environmental Impact Assessment.

10.Electric Car Charging Points

No building shall be occupied until a minimum of 1 electric car charging point has been provided to serve it. 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.

11.Cycle parking

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.

12.Details of building materials to be used

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out on above ground works (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand) 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 approved building. 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 is constructed on site so that the reflectivity and glare of the materials can be properly assessed ahead of its use across the development. In response to the Design Advisory Panel's critique you are advised to review the possibility of using different materials between the Prototype Hall and the Testing Hall.

13.Landscaping, lighting & means of enclosure detailed plan

Notwithstanding the submitted details, before the commencement of any site works (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick Road, which can be undertaken beforehand) a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

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

The position and height of acoustic barriers (comprising bunds and fencing) and other means of enclosure along the site's Wharf Road, Keswick Road and Victoria Road boundaries, and the railings shown on the pedestrian entrance link bridge, shall be erected prior to the first use of the development in accordance with further details that shall have been agreed in writing with the Local Planning Authority before their erection. The boundary treatment shall thereafter be retained as approved.

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

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

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.

14.External Lighting Scheme

Prior to the development hereby approved first coming into occupation or the erection of any external lighting to serve the use (whichever is sooner), external lighting shall be implemented in accordance with a scheme – notwithstanding the information already provided in the DfL Lighting Impact Assessment Addendum (November 2017) - to be submitted to and approved in writing by the Local Planning Authority. The details shall include light scatter diagrams with relevant contours. The scheme shall include details of lighting design and hours of operation and must demonstrate compliance with table 1 “Obtrusive Light Limitations for Exterior Lighting Installations”, by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The 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, and as required by the applicant’s DfL Lighting Impact Assessment (August 2016) and as established by the approved Environmental Impact Assessment.

15.Tree Retention and Safeguarding

All trees along the site’s boundary with Keswick Road 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

16.No storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained along the site's boundary with Keswick Road. 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 unless agreed in writing with the Local Planning Authority in advance of such works

Reason:

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

17. Ecological Enhancement Statement

Prior to the commencement of any above ground development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand) 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 first use of the building hereby approved takes place. The agreed scheme shall be retained as approved.

Reason:

To enhance habitat for protected species under the Wildlife and Countryside Act 1981 (as amended) and in the interests of preserving and enhancing biodiversity as established by the approved Environmental Impact Assessment.

18. BREEAM Standards

Prior to the commencement of any above ground development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand) written documentary evidence demonstrating that the development will achieve at minimum 'Very Good' overall, including Excellent level against the mandatory credits, against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

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

19. BREEAM Standards

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

Reason:

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

20.Zero or Low Carbon Energy Sources

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO2 emissions of at least 15% shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of any above ground development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand). 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 ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

21.Finished Floor Levels

The development hereby permitted shall ensure that the building's finished floor levels are set no lower than 5.50m Above Ordnance Datum (AOD).

Reason:

To reduce the risk of flooding to the proposed development and future occupants. This condition is in line with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and has been requested by the Environment Agency.

Note to Applicant – Environment Agency:

The proposed development is located within an area of flood zone 1 and is considered to have a low probability (< 1 in 1000, 0.1%) of tidal flooding in any year. The proposed finished floor level of 5.50mAOD will ensure that the development remains safe and free of inundation over its full lifetime. The main access to the building from Victoria Road is set at a higher level and will provide safe access and exit if flooding of the lower lying areas of the site does occur.

22.Surface/Foul Water Drainage

Prior to the commencement of any above ground development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand) 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.

Note to Applicant – Southern Water:

You are advised to take note of Southern Water's full response (dated 26th October 2017) to the planning application which details the restrictions on development and requirements for further approvals. The applicant is also 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

23.Sustainable Drainage

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the LPA prior to the commencement of development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick Road, which can be undertaken beforehand).

Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015) and as established by the approved Environmental Impact Assessment.

24.Land Contamination investigation and remediation

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

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation

or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

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

25. Use of uncontaminated soils and fill

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.

26. Unsuspected Contamination

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.

27. Construction Environmental Management Plan (CEMP)

Notwithstanding the information already submitted the applicant shall submit a Construction Environmental Management Plan (CEMP) to the Local Planning Authority for approval in writing prior to the commencement of any development taking place in connection with this planning permission (including any site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick). The CEMP shall ensure and demonstrate that there are no adverse effects on the integrity of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC). The plan should include:

- a. details of mitigation including measures to avoid disturbance to waterfowl and migratory salmon, including timetabling works to avoid sensitive periods for such species. Potential measures to mitigate the impacts should include:
 - Turning off all plant when not in use
 - Use of mufflers and other noise reducing equipment
 - Timing of works to avoid sensitive periods for salmon and waterfowl
 - Screening of construction works.
 - Piling methodologies and a mitigation plan to prevent disturbance to salmon if percussive piling is to be employed with 75m m of the river edge.

- Pollution control measures, including proposals for monitoring during and post construction, and details of emergency remediation measures if acceptable biological limits are breached.
 - Design the building to minimise collision risk
 - Careful positioning of lighting
 - Design of lighting to minimise light spill
- b. parking of vehicles of site personnel, operatives and visitors;
 - c. loading and unloading of plant and materials;
 - d. storage of plant and materials, including cement mixing and washings, used in constructing the development;
 - e. treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
 - f. measures to be used for the suppression of dust and dirt throughout the course of construction;
 - g. details of construction vehicles wheel cleaning;
 - h. details of any cranes required to facilitate construction;
 - i. external lighting;
 - j. height of external storage areas;
 - k. Control and disposal of putrescible waste to prevent attraction of birds; and,
 - l. details of how noise emanating from the site during construction will be mitigated with contact details of the site manager for residents wishing to raise issues during the construction phase

Works shall be implemented in accordance with the agreed details.

Reason:

To ensure that the natural conservation interests of the site and surrounds are adequately safeguarded, and 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 and as established by the approved Environmental Impact Assessment.

28.Hours of work for Demolition / Clearance / Construction

All works relating to the demolition, clearance and construction of the development (including deliveries) 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.

Notwithstanding the above restrictions the date/time of delivery to site and erection of any tower cranes required to construct the development outside of these permitted hours shall be agreed in writing with the Local Planning Authority, in consultation with the Highways Department, prior to their delivery.

Reason:

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

29.Piling & Vibration

A piling/foundation design and method statement shall be submitted to and approved in writing by the Local Planning Authority prior to any piling (including works to the retaining

walls along Victoria Road and Keswick Road) taking place in the construction of this development. The method statement can be submitted and cleared on a phased basis and shall include details of mitigation for the likely vibration that will be created by the approved development (once operational). The development shall be carried out in accordance with the agreed details.

No percussive piling or works with heavy machinery (ie. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (ie. October to March inclusive).

Reason:

To satisfy the requirements of the Council's Environmental Health Department, Natural England and the Environment Agency, and to ensure that an appropriate form of piling is undertaken for each phase in the interests of protecting residential amenity and the habitat of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC), whilst ensuring that any piling methods used do not cause pollution, harm or nuisance and as established by the approved Environmental Impact Assessment.

30.Refuse & Recycling

Prior to the first use of the building, and then by any subsequent operator, further details of storage for refuse and recycling, together with the access to it and the ongoing management, 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 first, and any subsequent, occupation of the building 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.

31.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 rooflights), doors or openings other than those expressly authorised by this permission shall be constructed in the northern elevation of the building.

Reason:

To protect the amenities of the adjoining properties.

32.Telecommunications PD Restriction

Notwithstanding the provisions of Schedule 2 Part 16 the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no telecommunication equipment shall be erected or carried out to any building hereby permitted without the prior written approval of the Local Planning Authority.

Reason:

In the interests of visual amenity.

33.Submission of a Bird Hazard Management Plan - Airport

Prior to the commencement of any above ground development (with the exception of site clearance, demolition, enabling and preparation works including works to the retaining walls along Victoria Road and Keswick, which can be undertaken beforehand) a Bird Hazard Management Plan (BHMP) shall have 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 Vospers 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.

34.Security

A ‘Security Management Plan’, including the location and design of any external CCTV, for the development shall be submitted to and agreed in writing with the Local Planning Authority prior to the development’s first occupation. The agreed scheme shall be implemented as agreed.

Reason:

In the interests of security for the site.

35. Pontoon Jetties

Details of all and any pontoons jetties or pier structures associated with this proposal shall be submitted to and approved in writing by the Local Planning Authority prior to any works relating to them being enacted. Such pontoons, jetties, and or pier structures shall project no further into the River Itchen than is needed in order to comply with the requirement that no berthing (either permanent or temporary) shall be permitted to the west of the outer berthing limit without the berth operator or berth user requesting and receiving the prior written permission of the Local Planning Authority (after consultation with the Harbour Master).

The outer berthing limit is taken as the line formed by the following co-ordinated points:

Point 1 shall be taken as East (OSGB) 443341 North (OSGB) 110840
Point 2 shall be taken as East (OSGB) 443380 North (OSGB) 110912
Point 3 shall be taken as East (OSGB) 443395 North (OSGB) 110965
Point 4 shall be taken as East (OSGB) 443409 North (OSGB) 111011
Point 5 shall be taken as East (OSGB) 443417 North (OSGB) 111040
Point 6 shall be taken as East (OSGB) 443441 North (OSGB) 111122

Reason:

In the interests of safe navigation of the River Itchen and to ensure compliance with previous advice taken in respect of LPA ref: 08/00629/FUL.

36. Protection of Water Infrastructure

The developer shall advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert/protect the public sewers and water distribution mains prior to the commencement of the development. The development shall proceed as agreed.

Reason:

In the interests of protecting Southern Water infrastructure

37. Trade Effluent

Occupation of the development will not be permitted until the Local Planning Authority is satisfied that, in consultation with Southern Water, adequate capacity in network to convey trade effluent flows and wastewater treatment facilities exist to effectively drain the development. Full details shall be submitted and approved in writing by the LPA prior to the first occupation of the development with the development constructed in accordance with the agreed details.

Reason:

In the interests of local water environment as requested by Southern Water

Informative - EA

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures within 16 metres of a sea defence. This was formerly called a Flood Defence Consent.

Informative – Southern Water

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or [www .southernwater.co.uk](http://www.southernwater.co.uk)".

Informative – Southern Water

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or [www .southernwater.co .uk](http://www.southernwater.co.uk)

Habitats Regulations Assessment (HRA)

Application reference:	17/01570/FUL
Application address:	Centenary Quay Victoria Road Southampton
Application description:	Re-development of the site to provide an industrial building for the manufacture and testing of prototype wind turbine composite blades (Class B1(b) and B2 - 24 hour operation) with ancillary office accommodation, storage, access and parking, landscaping and fencing; including replacement means of enclosure along Wharf Road (total floor space of 11,616 square metres) (Major Environmental Impact Assessment Development follows permissions 08/00629/FUL and 16/01108/FUL).
HRA completion date:	31/10/2017

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk

Summary
<p>The site is currently cleared ground have formerly been part of a shipyard. The project being assessed would lead to the provision of industrial buildings located immediately adjacent to the Solent and Dorset Coast potential Special Protection Area (pSPA) and 180m to the north of a section of the Solent and Southampton Water SPA/Ramsar site. Atlantic salmon, a feature of interest of the River Itchen Special Area of Conservation (SAC) which is located 4.4km to the north of the development, pass the site on route to and from breeding grounds in the upper reaches of the river.</p> <p>Construction and operational stage impacts are possible for the Solent and Southampton Water SPA/Ramsar site and the River Itchen SAC. Mitigation measures were identified in an appropriate assessment of the outline planning application in 2008. These measures were secured through planning conditions and have been successfully implemented on earlier stages of the development.</p> <p>The findings of the initial assessment concluded that a significant effect was possible. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects which are likely in association with the proposed development can be overcome.</p>

Section 1 - details of the plan or project

<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at</p>	<ul style="list-style-type: none"> ▪ River Itchen SAC; ▪ Solent and Dorset Coast pSPA. ▪ Solent and Southampton Water SPA; ▪ Solent and Southampton Water Ramsar site;
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development consists of new commercial premises which are neither connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m² of office development and 550,000m² of manufacturing or distribution floorspace across the South Hampshire area between 2011 and 2026.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of the Centenary Quay site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1) (a) of the Habitats Regulations.

The proposed development is located immediately adjacent to the Solent and Dorset Coast pSPA and 180m to the north of a section of the Solent and Southampton Water SPA/Ramsar site. Atlantic salmon, a feature of interest of the River Itchen Special Area of Conservation (SAC) which is located 4.4km to the north of the development, pass the site on route to and from breeding grounds in the upper reaches of the river.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be temporary arising from the construction phase and permanent arising from the operational phase of the development.

The Solent and Dorset Coast pSPA has been proposed since the outline consent was granted in 2008. Consequently the features of interest were not specifically considered in the original habitats regulations assessment. The pSPA is being designated due to its qualification under Article 4 of the Birds Directive by supporting more than 1% of the national breeding populations of sandwich tern, *Sterna sandvicensis*, common tern, *Sterna hirundo* and little tern *Sternula albifrons*. However, the importance of the area being protected is as foraging habitat for terns rather than protecting breeding and resting places. The nearest principal breeding sites are located at Lymington and around Chichester and Langstone Harbours which are a considerable distance from the development site. Therefore, activities affecting foraging waterfowl are also likely to affect terns.

The appropriate assessment of the outline planning application, 08/00389/OUT, identified the following impacts:

- Indirect loss of habitat available to features for which the site is designated, due to disturbance associated with construction phase and consequent displacement of interest;
- Disturbance to habitats resulting from post construction human activity and building effects such as lighting;
- Impacts on quality of designated habitat primarily through the potential for pollution resulting from remediation and construction works; and
- Effects on migratory salmon caused by construction noise and vibration, particularly piling.

In their response to the consultation on this planning application, dated 26th October, 2017 Natural England indicated that they were of the view that without appropriate

mitigation the application would have an adverse effect on the integrity of Solent & Southampton Water Special Protection Area (SPA).

The following mitigation measures have been proposed as part of the development:

Construction Phase:

- Production of a Construction Environmental Management Plan (CEMP) to include the following:
 - Pollution prevention measures to protect the foreshore/river to avoid worsening water quality/sediment build-up to be included in a CEMP in accordance with Environment Agency, Natural England and Southampton City Council requirements;
 - Restriction of working hours (8.00-18.00), use of the quietest suitable plant and sensitive location of equipment to avoid excessive noise and movement in accordance with BS5228;
 - The nature and timing of piling operations which are to be in accordance with section 10.6.17 of the Environmental Statement unless agreed otherwise in writing by the local planning authority to take account for salmon movements and wintering birds.;

Operational Phase:

- A lighting design plan based upon the strategy to reduce collision hazard from lighting of the development set out in section 10.6.18 to 10.6.22 of the Environmental Statement.

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.

The project being assessed would lead to the provision 11,616 square metres of industrial building with offices, storage, access and parking located immediately adjacent to the Solent and Dorset Coast pSPA, approximately 180m from the Solent and Southampton SPA/Ramsar site and 4.4 km from the River Itchen SAC.

The site is currently cleared ground having formerly been part of a shipyard. It is located within close proximity to a section of the Solent and Southampton Water SPA/Ramsar site. There is, therefore, the possibility of impacts during both the construction and operational phases.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives

The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the

relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152>. The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive." Whilst the conservation objective for the Special Areas of Conservation is to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION PHASE EFFECTS

River Itchen SAC and Solent and Southampton Water Special Protection Area (SPA)/Ramsar site

Potential impacts, arising from construction activity including noise, vibration, visual disturbance and lighting, upon the features of interest of the River Itchen SAC and the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site were considered in an appropriate assessment of the outline planning application in 2008. That assessment concluded that, with mitigation, no likely significant effects would arise.

The proposed development also has the potential to lead to pollution of the river channel as a result of the mobilisation of historic contaminants, pollution events during construction work or the release of contaminated surface water runoff. Construction activities could also lead to an increase in silt levels which could affect water quality.

Mitigation measures for such impacts have been used on earlier phases of the development and a good level of confidence can be attributed to their effectiveness. This conclusion is supported by monitoring data which identified no discernible change in the usage of adjacent intertidal mudflats by waterfowl. Appropriate mitigation measures relating to activities associated with the construction of the Marine Employment Area are set out in Appendix E of the Environmental Statement. These measures need to be incorporated into a CEMP.

Solent and Dorset Coast pSPA

The pSPA is designated for its importance as foraging habitat for terns, rather than for breeding or roosting. Notably, it is understood that the principal breeding areas in the Solent for terns are in the vicinity of Lymington (Keyhaven to Pylewell) (in Solent

and Southampton Water SPA) and around Chichester and Langstone Harbours, including islands in the harbours (e.g. Stakes Island and Pilsey Island). Given the distance between the development site and these locations, it is considered unlikely that disturbance would occur to breeding or roosting sites.

When feeding, terns are likely to be less susceptible to disturbance whilst the small area affected by increased noise and vibration levels is unlikely to be of significance given the overall large area of the pSPA. As such, it is considered that disturbance is unlikely to result in adverse effects on associated tern populations. Nevertheless, controls proposed to avoid disturbance to Atlantic salmon will coincide with the tern breeding season, such that potential effects would be minimised in any event.

Foraging terns could also be affected by a reduction in water quality as a consequence of pollution entering the river. However, the measures identified in respect of the River Itchen SAC and Solent and Southampton Water Special Protection Area (SPA)/Ramsar site will be sufficient to mitigate impacts upon the Solent and Dorset Coast pSPA.

PERMANENT, OPERATIONAL EFFECTS.

River Itchen SAC, Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and Solent and Dorset Coast pSPA

Lighting

Increased lighting levels on the site were considered to have potential for adverse impacts, however, the Marine Employment Area is not located immediately adjacent to any inter-tidal habitat and it was concluded that careful design of exterior lighting would be sufficient to reduce the risk to a negligible level. A lighting design plan will therefore be secured through a condition.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

Conclusions

The following conclusions can be drawn from the evidence provided:

- There is potential for impacts on quality of designated habitat through pollution resulting from construction works;
- Construction activities could lead to adverse impacts including noise and visual disturbance to over-wintering waterfowl and Atlantic salmon;
- Increased illumination of the inter-tidal area could affect feeding waterfowl;

The following mitigation measures have been proposed as part of the development:

- Production of a Construction Environmental Management Plan;
- A lighting design plan;

Implementation of these measures will be secured through planning conditions.

The proposed mitigation measures will prevent adverse impacts from arising and consequently, **significant effects will not occur.**

References

Appendix E - Environmental Statement, Centenary Quay, Woolston, Southampton, SEEDA 2008

Southampton City Council (2008) Record of Appropriate Assessment: Centenary Quay – Application by Crest Nicholson for redevelopment of the former Vosper Thorneycroft Shipyard for a mix of uses

European Site Qualifying Features

River Itchen SAC

The River Itchen SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitat:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

River Itchen SAC also qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly *Coenagrion mercurial* (primary reason for selection)
- European Bullhead *Cottus gobio* (primary reason for selection)
- White-clawed Crayfish *Austropotamobius pallipes*
- European Brook Lamprey *Lampetra planeri*
- European River Lamprey *Lampetra fluviatilis*
- Atlantic Salmon *Salmo salar*
- European Otter *Lutra lutra*

Solent and Dorset Coast pSPA

The Solent and Dorset Coast is proposed as a pSPA due to its qualification under Article 4 of the Birds Directive by supporting more than 1% of the national breeding populations of the following species listed under Annex I of the Birds Directive:

- · Sandwich Tern *Sterna sandvicensis*
- · Common Tern *Sterna hirundo*
- · Little Tern *Sterna albifrons*

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*

- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

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DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

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

Quayside Architects - FAO Mr Neil Holmes
141 Burgess Road
Southampton
SO16 7AA

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:

FULL APPLICATION - **CONDITIONAL APPROVAL**

Proposal: **Redevelopment of the site to provide industrial building (Class B2 - 24 hour operation) with ancillary office/research and development accommodation, storage, access and parking (total floor space of 3,147 square metres) (Environmental Impact Assessment Development follows permission 08/00629/FUL)**

Site Address: **Part of Former Vosper Thornycroft, Site and Waterfront, Southampton**

Application No: **16/01108/FUL**

Subject to the following conditions.

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.Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in the schedule attached below, unless otherwise superseded by these conditions.

Reason:

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

3.Restricted Use (Performance)

The maximum floorspace of the development hereby approved shall be 3,147 square metres (gross external), and the building 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.

The approved development shall be used for boat building, fitting out and fabrication, the manufacturing of wind turbine blades and/or another marine related B2 employment activity; all of which shall require ongoing access to the deep river berth in this location, and the River Itchen itself, and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written approval of the Local Planning Authority.

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

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 edge of centre location and in the interests of highway impacts that have been determined as established by the approved Environmental Impact Assessment.

4.Operational Hours (Performance)

The restricted B2 use hereby approved (and defined above) shall not operate outside of the following hours:

- o Internal Working within the Building:
Permitted 24 hours per day (7 days)
- o External Working - 'Yard Work Zone' (as defined in the submission):
Monday - Sunday (7 days) - 7am to 7pm
- o External Working - Wharf and Cranes outside of the 'Yard Work Zone'
Monday - Sunday (7 days) - 7am to 7pm

In the event that the development is occupied by a business involved principally in the manufacture of wind turbine blades, for which a case has been made within the submitted documents, the following extension to operational hours shall apply to the following areas only:

- o External Working - 'Yard Work Zone' (as defined in the submission):
Monday - Sunday (7 days) - 7pm to 11pm
- o External Working - Wharf and Cranes outside of the 'Yard Work Zone'
Monday - Sunday (7 days) - 7pm to 11pm for 1 day per calendar week - non consecutive

The Yard Work Zone as shown in the 24Acoustics Noise Impact Assessment (7th March 2017) shall be clearly marked out on site prior to the first use of the building and shall thereafter be retained for the lifetime of the development. For these extended hours the Yard Work Zone shall only be used for those activities and processes that shall have been agreed in writing with the Local Planning Authority prior to first use of the site for the approved use. At no time shall the external yard be used for manufacturing activities and processes other than those agreed.

Reason:

In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Impact Assessment and the amended 24Acoustics Noise Impact Assessment (7th March 2017), with bespoke details provided for a wind turbine blades manufacturer, following input from the Council's Environmental Health Officer.

5.Operational Deliveries & Servicing (Performance)

Prior to the first use of the building hereby approved, and then by any subsequent operator, the applicant shall submit a "Deliveries & Servicing Management Plan" to the Local Planning

Authority for approval in writing. The operation of the site shall proceed in accordance with the agreed details.

Deliveries and servicing of the site shall not take place outside of the following hours:

Monday to Saturday - 7am to 7pm

Sundays and recognised Public Holidays - 9am to 4pm

Reason:

In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Impact Assessment following input from the Council's Environmental Health Officer.

6.Operational Environmental Protection Plan

The development shall be implemented in accordance with the recommendations contained within the amended 24Acoustics Noise Impact Assessment (7th March 2017) except where superseded by conditions attached to this permission particularly in respect of hours of operation, deliveries and servicing as set out above.

Prior to the occupation of the building by the first, and then by any subsequent operator, a detailed 'Operational Environmental Protection Plan' - to include a bespoke scheme of management measures to protect residential amenity; including 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), details of how the operational development will prevent or minimise the impacts from noise (from plant, machinery and staff), vibration and dust for all operations, as well as provide details of how these measures will be monitored at the site boundary to ensure that emissions are minimised beyond the site - shall have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the first and any subsequent occupation by a new user of the building and shall be maintained as agreed thereafter.

Prior to the use of the site for manufacturing 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:

To limit noise and disturbance and to protect the amenities of neighbours, particularly given the 24 hour nature of the proposed operation as established by the approved Environmental Impact Assessment.

7.External Ventilation & Extraction Details

Details of suitable ventilation, extraction and filtration equipment for both buildings, if required, shall be submitted to and approved in writing by the Local Planning Authority prior to the first, and then by any subsequent, occupation of the building to which the details relate. The equipment shall be installed and maintained in accordance with the agreed information and made ready for use prior to the first, and any subsequent use, of the building to which the details relate.

Reason:

To ensure that adequate provision is made for the ventilation of the commercial use which does not impinge on the residential amenity of neighbouring residents or the external design of the building hereby approved.

8. Access

The approved access from Keel Road, as shown on the detailed plans are hereby approved, shall be the principal access point for staff, visitors and deliveries/servicing vehicles and shall be implemented and made ready for its intended use prior to the first use of the development unless otherwise agreed in writing with the Local Planning Authority. Access onto Keswick Road shall be for exceptional and unusual long/wide loads, on an infrequent basis, and emergencies only as set out in the planning submission and this entrance shall not be used for regular access associated with the approved use.

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

Reason:

To ensure that the development, and users of it, is served by an appropriate access in the interests of highway safety.

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

The parking spaces shown on the approved drawings, and associated access, shall be marked out on site and provided in accordance with the plans hereby approved before the building first comes into use, and shall thereafter be retained as approved for the parking by staff and visitors only. Vehicles shall only be parked within designated bays.

These parking areas shall not be used for external storage of any kind, and any external storage within the service yard hereby approved shall only be provided once locations and heights have been agreed in writing with the Local Planning Authority.

Reason:

To define the permission and to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety as established by the approved Environmental Impact Assessment.

10. Electric Car Charging Points (Pre-Occupation Condition)

No building shall be occupied until a minimum of 1 electric car charging point has been provided to serve it. 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.

11. 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 revised details that shall have been agreed in writing with the Local Planning Authority prior to the first occupation of the development hereby approved. The storage shall thereafter be retained as approved.

Reason:

To encourage cycling as an alternative form of transport.

12. 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 approved building. 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 is constructed on site so that the reflectivity and glare of the materials can be properly assessed ahead of its use across the development.

13.Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)

Notwithstanding the submitted details, before the commencement of any site works (with the exception of site clearance, demolition, enabling and preparation works) a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

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

The position and height of acoustic barriers (comprising bunds and fencing) and other means of enclosure along the site's Keswick Road and Victoria Road boundaries, and the railings shown on the pedestrian entrance link bridge, shall be erected prior to the first use of the development in accordance with further details that shall have been agreed in writing with the Local Planning Authority before their erection. The boundary treatment shall thereafter be retained as approved.

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

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

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.

14.External Lighting Scheme (Pre-Occupation)

Prior to the development hereby approved first coming into occupation or the erection of any external lighting to serve the use (whichever is sooner), external lighting shall be

implemented in accordance with a scheme - notwithstanding the information already provided in the DfL Lighting Impact Assessment (August 2016) - to be submitted to and approved in writing by the Local Planning Authority. The details shall include light scatter diagrams with relevant contours. The scheme shall include details of lighting design and hours of operation and must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The 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, and as required by the applicant's DfL Lighting Impact Assessment (August 2016) and as established by the approved Environmental Impact Assessment.

15. Tree Retention and Safeguarding

All trees along the site's boundary with Keswick Road 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

16. 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 along the site's boundary with Keswick Road. 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 unless agreed in writing with the Local Planning Authority in advance of such works

Reason:

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

17. 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 first use of the building hereby approved takes place. The agreed scheme shall be retained as approved.

Reason:

To enhance habitat for protected species under the Wildlife and Countryside Act 1981 (as amended) and in the interests of preserving and enhancing biodiversity as established by the approved Environmental Impact Assessment.

18. BREEAM Standards [Pre-Commencement Condition]

Before the development commences (with the exception of site clearance, demolition, enabling and preparation works) written documentary evidence demonstrating that the development will achieve at minimum 'Very Good' overall, including Excellent level against

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

Reason:

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

19.BREEAM Standards [performance condition]

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

Reason:

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

20.Zero or Low Carbon Energy Sources (Pre-Commencement Condition)

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO2 emissions of at least 15% shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent (with the exception of site clearance, demolition, enabling and preparation works). 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 ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

21.Finished Floor Levels

The development hereby permitted shall ensure that the building's finished floor levels are set no lower than 5.50m Above Ordnance Datum (AOD).

Reason:

To reduce the risk of flooding to the proposed development and future occupants. This condition is in line with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and has been requested by the Environment Agency.

Note to Applicant - Environment Agency:

The proposed development is located within an area of flood zone 1 and is considered to have a low probability (< 1 in 1000, 0.1%) of tidal flooding in any year. The proposed finished floor level of 5.50mAOD will ensure that the development remains safe and free of inundation over its full lifetime. The main access to the building from Victoria Road is set at a higher level and will provide safe access and exit if flooding of the lower lying areas of the site does occur.

22.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.

Note to Applicant - Southern Water:

You are advised to take note of Southern Water's full response (dated 27th October 2016) to the planning application which details the restrictions on development and requirements for further approvals. The applicant is also 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

23.Sustainable Drainage (Pre-Commencement Condition)

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the LPA prior to the commencement of development (with the exception of site clearance, demolition, enabling and preparation works).

Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015) and as established by the approved Environmental Impact Assessment.

24. Land Contamination remediation - Added Post Planning Panel

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a scheme of remediation detailing the remedial actions to be taken and how they will be implemented shall be submitted to and approved by the Local Planning Authority. On completion of the remedial works set out above a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason

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

25. 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.

26. 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.

27. Construction Environmental Management Plan (CEMP)

Notwithstanding the information already submitted the applicant shall submit a Construction Environmental Management Plan to the Local Planning Authority for approval in writing prior to the commencement of development. The CEMP shall ensure and demonstrate that there are no adverse effects on the integrity of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC). The plan should include:

- a. details of mitigation including measures to avoid disturbance to waterfowl and migratory salmon, including timetabling works to avoid sensitive periods for such species. Potential measures to mitigate the impacts should include:
 - o Turning off all plant when not in use
 - o Use of mufflers and other noise reducing equipment
 - o Timing of works to avoid sensitive periods for salmon and waterfowl
 - o Screening of construction works.
 - o Piling methodologies and a mitigation plan to prevent disturbance to salmon if percussive piling is to be employed with 75m m of the river edge.
 - o Pollution control measures, including proposals for monitoring during and post construction, and details of emergency remediation measures if acceptable biological limits are breached.
 - o Design the building to minimise collision risk
 - o Careful positioning of lighting
 - o Design of lighting to minimise light spill
- b. parking of vehicles of site personnel, operatives and visitors;
- c. loading and unloading of plant and materials;
- d. storage of plant and materials, including cement mixing and washings, used in constructing the development;
- e. treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- f. measures to be used for the suppression of dust and dirt throughout the course of construction;
- g. details of construction vehicles wheel cleaning;
- h. details of any cranes required to facilitate construction;
- i. external lighting;
- j. height of external storage areas;

- k. Control and disposal of putrescible waste to prevent attraction of birds; and,
- l. details of how noise emanating from the site during construction will be mitigated with contact details of the site manager for residents wishing to raise issues during the construction phase

Works shall be implemented in accordance with the agreed details.

Reason:

To ensure that the natural conservation interests of the site and surrounds are adequately safeguarded, and 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 and as established by the approved Environmental Impact Assessment.

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

All works relating to the demolition, clearance and construction of the development (including deliveries) 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.

Notwithstanding the above restrictions the date/time of delivery to site and erection of any tower cranes required to construct the development outside of these permitted hours shall be agreed in writing with the Local Planning Authority, in consultation with the Highways Department, prior to their delivery.

Reason:

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

29. Piling

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.

No percussive piling or works with heavy machinery (ie. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) shall be undertaken during the bird overwintering period (ie. October to March inclusive).

Reason:

To satisfy the requirements of the Council's Environmental Health Department, Natural England and the Environment Agency, and to ensure that an appropriate form of piling is undertaken for each phase in the interests of protecting residential amenity and the habitat of the Lee on the Solent to Itchen Estuary Site of Special Scientific Interest (SSSI), the Solent and Southampton Water Ramsar Site, the Solent and Southampton Water Special Protection Area (SPA) and the River Itchen Special Area of Conservation (SAC), whilst ensuring that any piling methods used do not cause pollution, harm or nuisance and as established by the approved Environmental Impact Assessment.

30. Refuse & Recycling (Pre-Commencement)

Prior to the first use of the building, and then by any subsequent operator, further details of storage for refuse and recycling, together with the access to it and the ongoing management, 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 first, and any subsequent, occupation of the building 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.

31.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 rooflights), doors or openings other than those expressly authorised by this permission shall be constructed in the northern elevation of the building.

Reason:

To protect the amenities of the adjoining properties.

32.Telecommunications PD Restriction

Notwithstanding the provisions of Schedule 2 Part 16 the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no telecommunication equipment shall be erected or carried out to any building hereby permitted without the prior written approval of the Local Planning Authority.

Reason:

In the interests of visual amenity.

33.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:

- o monitoring of any standing water within the site temporary or permanent
- o 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 *
- o reinstatement of grass areas
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- o monitoring of waste imports (although this may be covered by the site licence)
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- o 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 Vospers 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.

34. Security

A 'Security Management Plan', including the location and design of any external CCTV, for the development shall be submitted to and agreed in writing with the Local Planning Authority prior to its first occupation. The agreed scheme shall be implemented as agreed.

Reason:

In the interests of security for the site.

35. Pontoon Jetties

Details of all and any pontoons jetties or pier structures associated with this proposal shall be submitted to and approved in writing by the Local Planning Authority prior to any works relating to them being enacted. Such pontoons, jetties, and or pier structures shall project no further into the River Itchen than is needed in order to comply with the requirement that no berthing (either permanent or temporary) shall be permitted to the west of the outer berthing limit without the berth operator or berth user requesting and receiving the prior written permission of the Local Planning Authority (after consultation with the Harbour Master).

The outer berthing limit is taken as the line formed by the following co-ordinated points:

Point 1 shall be taken as East (OSGB) 443341 North (OSGB) 110840
 Point 2 shall be taken as East (OSGB) 443380 North (OSGB) 110912
 Point 3 shall be taken as East (OSGB) 443395 North (OSGB) 110965
 Point 4 shall be taken as East (OSGB) 443409 North (OSGB) 111011
 Point 5 shall be taken as East (OSGB) 443417 North (OSGB) 111040
 Point 6 shall be taken as East (OSGB) 443441 North (OSGB) 111122

Reason:

In the interests of safe navigation of the River Itchen and to ensure compliance with previous advice taken in respect of LPA ref: 08/00629/FUL.

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 development as set out in the Development Plan, the importance of the additional employment to be created by this development, and the need to see the redevelopment of this vacant site. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise/disturbance (particularly in relation to 24 hour activity) but it is considered that this impact can be mitigated by Section 106 obligations, and planning conditions, and it has been assessed in the context of the site's former historic use for significant manufacturing. The Council has also taken into account:

- o the findings of the Environmental Statement and other background documents submitted with the application, in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011;
- o The Woolston Riverside Planning Brief and Illustrative Master Plan 2004; and,

- o The extant planning permission for this site (08/00389/OUT refers) which would allow manufacturing to take place on the site following the submission of Reserved Matters.

The proposed development makes efficient use of this previously developed site and would result in the regeneration of urban land, improving security in the area through an increase in occupation and passive surveillance. The assessments of the impact of the development have been wide ranging and carried out to a comprehensive level of detail. The statutory regulations covering Environmental Impact Assessment and the protection of important natural habitats have been satisfied. Other material considerations have been considered, as set out in the report to the Planning and Rights of Way Panel (04.04.17) including a considerable objection to the proposals from local residents, although the points made are not judged to have sufficient weight to justify a refusal of the application; particularly given the proposed reduction in operational hours permitted and the scheme of mitigation that can be secured. 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). Planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP20, SDP22, NE4, NE5, TI2, HE6 and MSA18 of the City of Southampton Local Plan Review (LPR - as amended 2015) and CS6, CS7, CS12, CS13, CS18, CS19, CS20, CS22, CS23, CS24 and CS25 of the Local Development Framework (LDF) Core Strategy Development Plan Document (as amended 2015) as supported by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 and the guidance contained in the National Planning Policy Framework (2012).



Samuel Fox
Planning & Development Manager

21 July 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:

Drawing No:	Version:	Description:	Status:
992 CQ-BD06	c	Floor Plan	Approved
992 CQ-BD05	b	Floor Plan	Approved
992 CQ-BD01	a	Location Plan	Approved
992 CQ-BD07	c	General Plan	Approved
992 CQ-BD02	c	Site Plan	Approved

992 CQ-BD08	b	Elevational Plan	Approved
992 CQ-BD04	d	Elevational Plan	Approved
992 CQ-BD03	b	Floor Plan	Approved
		Environmental statement	Approved
		Design and Access Statement	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 at least 8 weeks prior to occupation of the development to discuss requirements.
11. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012)

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

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Agenda item - MINUTES

Planning Application - 16/01108/FUL - Part of Former Vosper Thornycroft Site and Waterfront Southampton

•Meeting of Planning and Rights of Way Panel, Tuesday, 4th April, 2017 6.00 pm (Item 87.)

•View the background to item 87.

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.

Minutes:

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.

Redevelopment of the site to provide industrial building (Class B2 - 24 hour operation) with ancillary office/research and development accommodation, storage, access and parking (total floor space of 3,147 square metres) (Environmental Impact Assessment Development follows permission 08/00629/FUL).

Dr Ian White, Simon Reynier and Rosie Johnson (local residents objecting), Councillors Bogle and Fitzhenry (City Councillors objecting) Harry Hutchinson, Robert Sanders and Paul Hayden (applicant), Simon Read (architect), and Councillor Payne (Ward Councillor objecting) were present and with the consent of the Chair, addressed the meeting.

Officers agreed to adjust the delegation set out as recommendation (iv) below to ensure that any adjustment to the operating times would return to Panel for consideration. The Panel were concerned around the range of activities that could be undertaken within the area known as the "Yard Work Zone" and requested that this and the hours that work could be undertaken be conditioned as set below. The Panel also requested that the permitted hours of external working for the wharf and cranes area outside of the 'Yard Work Zone' be amended to prevent the 1 day a week set out within the conditions becoming 2 consecutive days over 2 weeks. In addition the Panel requested an amendment to the condition relating to cycle parking.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment. 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.

RECORDED VOTE to grant planning permission

FOR: Councillors Denness, Coombs, Claisse, L Harris and Hecks

AGAINST: Councillor Barnes-Andrews

ABSTAINED: Councillor Mintoff

RESOLVED that the Panel:

(i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.

(ii) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to any amendments set out below and the completion of a S.106 Legal Agreement to secure:

a. 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) linked to those works agreed under 08/00629/FUL with additional works to Wharf Road to accommodate larger vehicles;

b. 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. 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);

d. 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);

e. Submission and implementation of a Construction Traffic Management Plan;

f. Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic within residential streets; and

g. Submission and implementation of a Staff Travel Plan

(iii) In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Planning, Infrastructure and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.

(iv) 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. This delegation does not extend to amending the hours of

operation agreed by the Planning and Rights of Way Panel as listed in the report considered and approved.

AMENDED CONDITIONS

4. OPERATIONAL HOURS (Performance)

The restricted B2 use hereby approved (and defined above) shall not operate outside of the following hours:

- Internal Working within the Building:

Permitted 24 hours per day (7 days)

- External Working – ‘Yard Work Zone’ (as defined in the submission):

Monday – Sunday (7 days) – 7am to 7pm

- External Working – Wharf and Cranes outside of the ‘Yard Work Zone’

Monday – Sunday (7 days) – 7am to 7pm

In the event that the development is occupied by a business involved principally in the manufacture of wind turbine blades, for which a case has been made within the submitted documents, the following extension to operational hours shall apply to the following areas only:

- External Working – ‘Yard Work Zone’ (as defined in the submission):

Monday – Sunday (7 days) – 7pm to 11pm

- External Working – Wharf and Cranes outside of the ‘Yard Work Zone’

Monday – Sunday (7 days) – 7pm to 11pm for 1 day per calendar week – non consecutive

The Yard Work Zone as shown in the 24Acoustics Noise Impact Assessment (7th March 2017) shall be clearly marked out on site prior to the first use of the building and shall thereafter be retained for the lifetime of the development. For these extended hours the Yard Work Zone shall only be used for those activities and processes that shall have been agreed in writing with the Local Planning Authority prior to first use of the site for the approved use. At no time shall the external yard be used for manufacturing activities and processes other than those agreed.

REASON: In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Impact Assessment and the amended 24Acoustics Noise Impact Assessment (7th March 2017), with bespoke details provided for a wind turbine blades manufacturer, following input from the Council’s Environmental Health Officer.

11.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 revised details that shall have been agreed in writing with the Local Planning Authority prior to the first occupation of the development hereby approved. The storage shall thereafter be retained as approved.

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

Application 17/01570/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS12	Accessible and Attractive Waterfront
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
SDP20	Water Quality & Drainage
SDP22	Contaminated Land
NE4	Protected Species
HE6	Archaeological Remains
CLT10	Public Waterfront & Hards
TI2	Vehicular Access
MSA18	Woolston Riverside

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

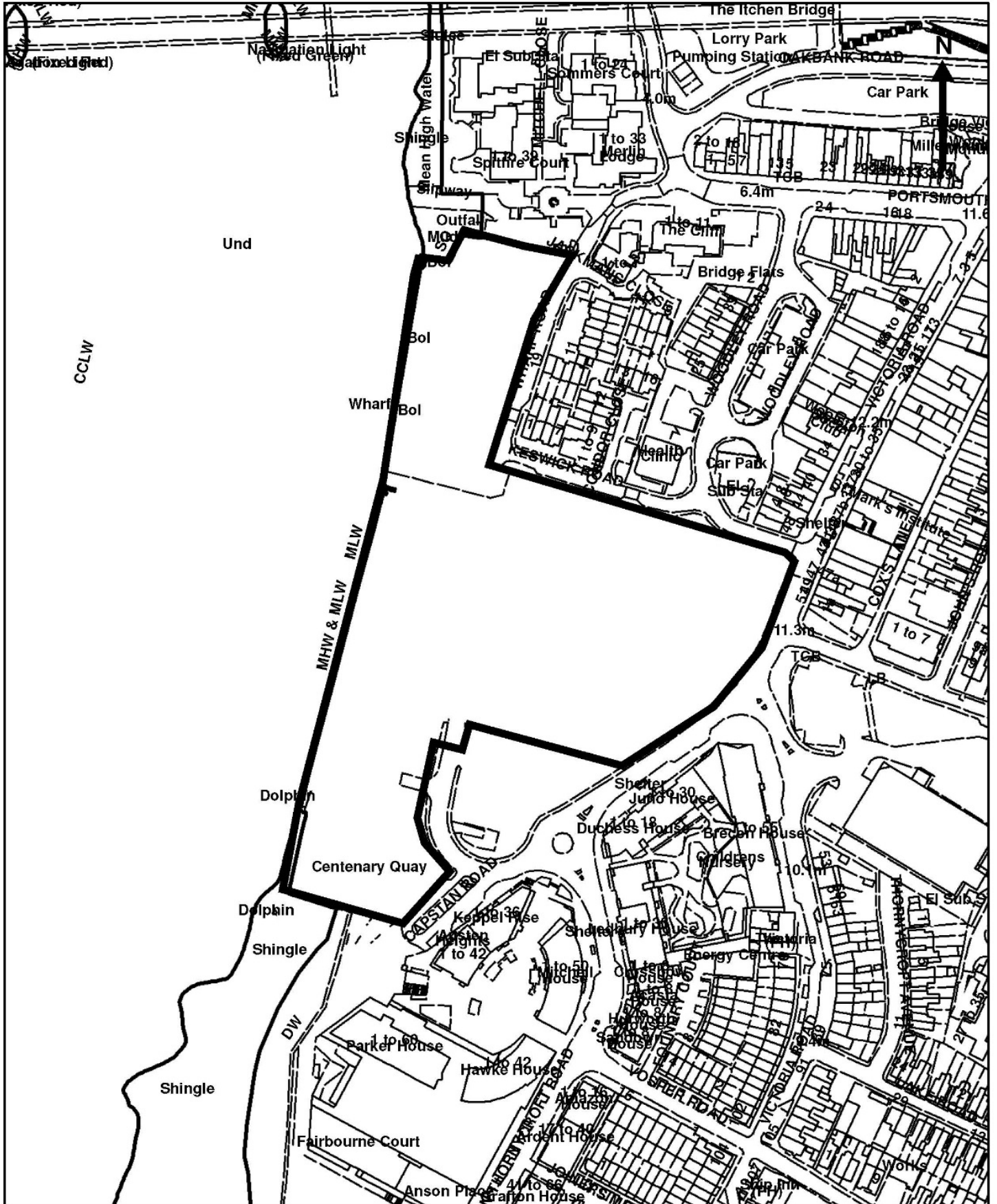
The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

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Agenda Item 5

17/01570/FUL

Appendix 5



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**Planning and Rights of Way Panel 09th January 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and
Development.**

Application address: 128-130 West End Road, Southampton			
Proposed development: Redevelopment of the site. Erection of 10 x 3-bed, 2-storey dwellings with accommodation in roof space, in a terrace block of 5, a terrace block of 3 and 2 x semi-detached, with associated car port, parking and cycle/refuse storage, following demolition of existing public house (amended description).			
Application number	17/00750/FUL	Application type	Major Dwellings
Case officer	Andrew Gregory	Public speaking time	15 minutes
Last date for determination:	Over	Ward	Harefield
Reason for Panel Referral:	Five or more letters of objections have been received and a Panel referral request from Cllr Letts.	Ward Councillors	Cllr Daniel Fitzhenry Cllr Valerie Laurent Cllr Peter Baillie

Applicant: MHH Poole Ltd	Agent: Aspire Architects Ltd
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Recommendation Summary	Delegate conditional approval to the Service Lead – Infrastructure, Planning and Development.
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Community Infrastructure Levy Liable	Yes
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Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The pub was marketed for freehold sale for 6 months without any interest from existing pub operators and no bid was made by the community interest group during the asset of community value moratorium period. Furthermore there are alternative pubs and community buildings within the surrounding area to meet the day to day needs of the community. Other material considerations including housing need, impact on neighbouring amenity, tree impact and on street car parking pressure have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and

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

Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP12, SDP13, SDP14, NE4, H2 and H7 of the City of Southampton Local Plan Review (Amended 2015) and CS3, CS4, CS5, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	3	ACV Notice of Intended Disposal
2	ACV Decision Notice	4	Map to show location of nearby pubs

Recommendation in Full

1. Delegate to the Service Lead to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:

i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (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);

ii. 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.

iii. Either a scheme of measures or a financial contribution towards Solent Disturbance Mitigation Project to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.

iv. Employment and Skills Plan to secure training and employment initiatives.

2. In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the service lead – Infrastructure, Planning and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.

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.

Background

Savills were instructed to dispose of the Big Cheese Public House on behalf of Green King PLC in July 2016. Green King took the decision to dispose of the asset because of declining return and because a re-branding exercise (Hungry Horse) had failed to improve turnover and profitability. The premises was marketed between July 2016 and December 2016 for freehold sale and as having potential for retail conversion and residential redevelopment opportunity. During this period, three acceptable offers were received, all

from residential developers. The pub was closed in February 2017 and sold for £651,000 to a residential developer, £51,000 over the guide price.

Asset of Community Value

The Localism Act was introduced in November 2011 and gave communities a chance to save assets that are important to them. The Department of Communities and Local Government indicate that 'assets of community value' can include pubs. The Community Right to Bid came into effect on 21 September 2012. Local Authorities are required to keep a list of all these 'assets of community value' (ACV). If an owner of a listed asset wants to sell it they have to notify the local authority. The local authority then has to notify any interested parties. If community groups are interested in buying an asset they can use the Community Right to Bid to 'pause' the sale, giving them 6 months to prepare a bid to buy it before the asset can be sold

The Council received an ACV nomination from a community interest group on 14 February 2017 (supported by a petition with circa 150 signatories) and decided to list the Big Cheese Public House as an ACV on 27 April 2017 for the following reasons:

"From the evidence submitted in recent times ie prior to its closure earlier this year, the premises were of significant and wide-ranging benefit to the community and community groups over and above simply being a well-used pub."

On 18 May 2017, the owner notified the Council of their intention to sell the property and the community interest group responsible for the listing were given until 29 June 2017 to make a request to be treated as a bidder and until 18 November 2017 to complete a bid. It should be noted that the provisions of the community right to bid do not restrict in any way who the owner of a listed asset can sell their property to, or at what price. As such the owner is under no obligation to dispose of the property to the community interest group and after the 18 November 2017 is free to sell on the open market. The community group made a request to be treated as a bidder however no bid was made by 18 November 2017 and therefore the owner is now free to sell on the open market.

Although ACV listing and planning use fall are separate regimes they are very much intertwined in seeking to retain valued and viable community facilities. The grant of planning permission for residential redevelopment in advance of the close of the ACV moratorium period would give the site a higher residential land value and may have prejudiced the community interest group bid. Therefore, the Local Planning Authority suspended the consideration of this planning application until the close of the ACV moratorium period on 18 November 2017. The Principle of Development (including loss of pub) should be assessed against Local Development Framework Policy CS3.

1 The site and its context

- 1.1 The application site has an area of 0.2 hectares and comprises a vacant public house. A large car parking area is located to the side and garden area to the rear. Access is taken from West End Road, in close proximity to the West End Road / Mousehole Lane / Dean Road / Townhill Park roundabout. The pub building is now boarded up and temporary herring fencing has been installed to secure the site. Mature trees, protected by the Southampton (Bitterne Village) Tree Preservation Order 1974, enclose the side and rear boundaries to Dean Road and Tenby Close.

- 1.2 The area surrounding the site is predominantly residential, comprising a mix of two storey housing and 3-4 storey flatted blocks. A convenience retail unit occupies the adjoining site to the north-east. The nearest alternative pubs are the Fox and Hound, Humble Plum and the Red Lion, all less than 1 mile from The Big Cheese Public House. Alternative community meeting places within the vicinity include Gordon Hall, Moorlands Community Centre and Harefield Community Centre, all within 1 mile of the Big Cheese Public House. Bitterne District Centre is 0.6miles from the site.

2 Proposal

- 2.1 The proposal seeks permission for redevelopment of the site with 10 x 3-bed houses following demolition of the existing public house. The layout retains the existing trees along the boundaries with Dean Road and Tenby Close with the residential plots framing a parking court. A terrace of 3 houses has been orientated to face towards the parking court. A semi-detached pair and terrace of 5 houses have been orientated to face West End Road.
- 2.2 The proposed houses are two-storey in scale with additional accommodation in the roof. The houses are traditional in design with pitched roof form incorporating front and rear dormers. The dwellings have a materials palette of render and face brickwork. The proposed front boundary would comprise dwarf wall and railings.
- 2.3 The parking court provides 14 resident car parking spaces and 2 visitor car parking spaces (16 in total to serve 10 dwellings) with access taken from West End Road. An open sided car port with pitched is proposed to provide coverage to the spaces along the south-eastern boundary. Bin and cycle storage is provided to the rear of each plot.

3 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**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.3 A key thread to the NPPF is the promotion of healthy communities (section 8 refers). Paragraph 69 indicates that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Paragraph 70 goes on to indicate the need to plan positively for the provision for community facilities and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.

3.4 Policy CS3 of the Core Strategy (January 2010) is the Council's most up to date planning policy relating to community facilities and indicates that:

“proposals that result in the loss of a community facility throughout the city will not be supported if it is viable for the commercial, public or community sector to operate it and if there are no similar or replacement facility in the same neighbourhood. Community facilities include: community buildings; drop-in centres / day centres; Meeting Rooms / Day Centres; Places of Worship; Sports Club and recreation; Youth Clubs / Scout huts / Guide huts / Clubs for Senior Citizens.”

3.5 Public houses and cafes are not included within the list of community facilities as set out within policy CS3. However it should be noted that the Council did seek to have public houses included within the defined list of community facilities within the draft Local Development Framework. During the examination into the Core Strategy the Inspector decided not to include pubs and cafes for the following reasons:

“Whilst desirable in principle, experience elsewhere suggests that such a policy can be difficult and complex to operate reasonably and realistically in practice, especially in relation to commercially run facilities and privately owned businesses, such as public houses and cafes, as distinct from public sector organisations.....

Moreover, in a densely built up area such as Southampton, unlike a small rural settlement, equivalent or similar businesses are usually available nearby and within a reasonable walking distance. In such circumstances it is not necessary or realistic for the Council to seek to control the operations of the free market in this way in relation to public houses and cafes, which can be distinguished from the other types of community facilities listed by virtue of their normally operating in the fully commercial sector.”

3.6 The National Planning Policy Framework post-dates this analysis and specifically references pubs as community use and as such becomes directly relevant.

4. Relevant Planning History

4.1 There is no relevant planning history.

5 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (26.05.2017) and erecting a site notice (26/05/2017). At the time of writing the report **44 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2 Loss of the public house as a community meeting place

Officer Response – The pub has been closed since February 2017. The site was marketed as a freehold pub for sales for 6 months and during that period no acceptable offers were received from pub operators. Furthermore no bid was

made by the community group during the ACV moratorium period. There are alternative public house and community buildings with the area to meet the day to day needs of the community. The Council does not have a public house protection policy (see planning policy section).

5.3 Increased traffic congestion

Officer Response – No objection has been raised by SCC Highways development Management. The proposed residential use is likely to result in a net reduction in vehicular trips in comparison to the historic pub use.

5.4 Overdevelopment

Officer Response – The proposed scheme comprises 10 x 3-bed houses and has a density of 50 dwellings per hectare which is considered in keeping with the character of the area and compliant with policy CS5. The introduction of private residential gardens for each plot will result in a net reduction of hard surfacing across the site.

5.5

The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity.

Officer Response - The provision of two-storey housing with rooms in the roof is not considered out of keeping with the character of the area which comprises detached, semi-detached and terraced two-storey housing and larger flatted block which are 3 to 4-storey. Furthermore the proposed housing will not have an overbearing impact on existing properties within Dean Road and West End Road having regard to the building separation, layout and retained tree screen along the side and rear boundaries.

5.6

Request that the existing trees are safeguarded in the interests of the visual amenities of the area and privacy of neighbouring occupiers.

Officer Response - None of the existing trees are proposed to be removed. Additional tree planting can be secured as part of the approval of landscaping details.

5.7

Insufficient on-site car parking provision will lead to increased on-street parking pressures within surrounding streets.

Officer Response – The provision of 14 resident car parking plus 2 visitor spaces accords with the Council's maximum car parking standards and no objection has been raised by Highways Development Management. The maximum number of spaces permissible is 20 resident parking spaces (2 spaces per 3-bed dwelling).

Consultation Responses

5.8 SCC Highways – No objection subject to conditions.

In terms of impact on the highway, the existing use as a public house would have a greater impact due to the higher level of trips and servicing requirements. Therefore in principle, the proposed development is considered acceptable in highway terms.

Private refuse collection is required to service this site because a standard refuse truck cannot enter and leave the site in a forward gear and collection from West End Road is not supported this close to the roundabout. The private refuse

collection arrangement will be secured and retained by condition. A condition is also recommended to secure adequate driver sightlines.

5.9 **SCC Trees** – No objection subject to agreement of tree works to accommodate the car port.

5.10 **SCC Ecology** – No objection

The application site consists of a building, hard-standing, amenity grassland and a number of trees.

The ecological value of the site is limited to the trees, which have potential to support nesting birds, the other habitats have negligible intrinsic biodiversity value. In addition, the building is in good condition with no obvious access points for bats. The proposed development will lead to an increase in amenity grassland which will be an improvement on the current situation. I would like the landscaping scheme to include native species, or ornamental species with recognised value for wildlife.

5.11 **SCC Land Contamination** - No objection. Suggest a condition to secure a full land contamination assessment and any necessary remediation measures.

5.12 **SCC Archaeology** – No objection. The proposed development involves demolition of the existing public house and the construction of 10 new houses, with associated parking etc. The site has some archaeological potential, and development here threatens to damage archaeological deposits. To mitigate this, and archaeological watching brief on all groundworks will be required.

The current public house is much altered, with replacement UPVC windows, although it is still of some local interest and its demolition is to be regretted. To mitigate its loss, an archaeological building record (to Historic England Level II) will need to be made of the building before demolition.

5.13 **SCC Sustainability Team - No objection**

Subject to the imposition of conditions securing energy and water restriction.

5.14 **SCC Drainage** – No objection subject to condition to secure sustainable drainage.

5.15 **Southern Water** – No objection

Request a condition to secure details of means of surface and foul water disposal.

6. Planning Consideration Key Issues

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

- the principle of the development;
- the impact of the design of the building on the character of the area;
- the quality of the residential environment
- the impact on the amenities of neighbouring and surrounding residents;
- highways safety, car parking, access and mitigation.
- Habitat Regulations.

Principle of Development

- 6.2 The Big Cheese Public House has been closed since February 2017. Green King took the decision to dispose of the asset because of declining return and because a re-branding exercise (Hungry Horse) had failed to improve turnover and profitability. A marketing exercise for freehold sale was carried out by Savills between July 2016 and December 2016 however no acceptable offers were received from pub operators or other groups or individuals seeking retained public house use. All offers were from residential developers.
- 6.3 DCLG (non-statutory) guidance in the 'Community Right to Bid: Non-statutory advice note for local authorities (October 2012) indicates that:
"...the fact that the site is (a) listed (Aocv) may affect planning decisions - it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case."
(Para 2.20 refers)
- 6.4 In this case, it is considered the Asset of Community Value can now only be given limited weight because the community group did not make a bid for the premises during the 6 month moratorium period. The ACV listing process is designed to give community groups the opportunity to purchase and operate valued community buildings. The ACV process does not protect community buildings from redevelopment if no community bid is made. The current owner is now free to sell the site on the open market for a protected period of 12 months following the close of the moratorium period on 18 November 2017. A copy of the Council's Decision to list the Big Cheese as an Asset of Community Value is attached as **Appendix 2** and a copy of the Notice of Intended Disposal is attached as **Appendix 3**.
- 6.5 Public houses are not protected within the development plan and they not defined as community facilities under the requirements of policy CS3 of the Core Strategy. Paragraph 70 of the National Planning Policy Framework, which post-dates policy CS3, does indicate that public houses can be considered as community facilities and that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Whilst the loss of the Big Cheese Public House will clearly reduce the number and availability of public houses within this area, it is not considered to reduce the community's ability to meet its day to day needs having regard to the availability of alternative pubs and community facilities within the vicinity of the site, namely:

Alternative A4 pub uses

- The Fox and Hounds Public House (0.3 miles / 5 minute walk from the site)
- Humble Plumb (0.4 miles / 7 minute walk from the site)
- The Red Lion (0.6 miles / 13 minute walk from the site)

Alternative community facilities

- The Gordon Hall (0.1 miles / 2 minute walk from the site)
- Moorlands Community Centre (0.4 miles / 7 minute walk from the site)

- Harefield Community Centre (0.6 miles / 11 minute walk from the site)

- 6.6 A plan showing the location of alternative public houses within this area is attached as **Appendix 4**.
- 6.7 The site is not allocated for housing and the scheme would represent windfall housing delivery on previously developed land, thereby assisting the Council in meeting its housing requirements of 16,300 homes to 2026. The proposal incorporates 10 x 3 bedroom family homes and thus will help to increase the number of family houses within the local community as required by policy CS16. The provision of family housing is welcomed and policy CS16 requires a minimum of 30% family homes on sites of 10 or more dwellings. Affordable Housing is not required on developments of 10 dwellings or less, as confirmed by a ministerial statement on 28 November 2014.
- 6.8 Policy H2 of the Local Plan encourages the maximum use of derelict, vacant and underused land for residential development. Furthermore Policy CS5 of the Council's Core Strategy (2015) indicates that development will only be permitted which is of an appropriate density for its context. The site is located within an area of lower accessibility where net density levels of 35-50 dwellings per hectare will be sought, providing the character and appearance of the area is not compromised. The development achieves 50 dwellings per hectare which accords with policy CS5.
- 6.9 Therefore the principle of residential redevelopment is supported.

The impact of the design of the building on the character of the area

- 6.10 The surrounding area is not homogenous in design terms and includes a variety of house types, and building scale. The provision of two-storey housing (albeit with rooms in the roof) with pitched roof form and traditional appearance is considered in keeping with the character and appearance of the area. The proposed materials palette of face brick and render is considered acceptable and will not be harmful to the visual amenities of the area.
- 6.11 The site layout has been informed by the need to retain the existing protected tree group along the side and rear boundaries. This has meant that units 8-10 have been orientated to face towards the parking court with the trees to Dean Road forming the rear garden boundaries. Therefore the proposal will have no adverse impact on the Dean road street scene.
- 6.12 The proposed housing fronting West End Road has circa 4m depth front gardens which can accommodate tree planting and landscaping behind a dwarf wall and railings. Rear gardens are provided with gated rear access into the rear parking court. The means of enclosure of rear garden boundaries will require careful consideration to ensure appropriate visual impact when viewed from the rear parking court and approach to units 8-10. Brick rear boundary walls will be sought to enclose the parking court and appropriate hard and soft landscaping will be required to ensure the parking court is appropriately treated.

The quality of the residential environment produced for prospective residents.

- 6.13 The proposed living environment is considered acceptable with all habitable rooms receiving genuine outlook and day lighting. The orientation and separation of plots will ensure that no harmful overlooking will occur. It is recommended that the first-floor bathroom window in the side elevation of unit 8 be obscured with top light opening to prevent overlooking of adjacent gardens. A 12m separation distance is provided between the rear windows of unit 6 and the side gable of unit 8 which is broadly compliant with Residential Design Guide standards.
- 6.14 The majority of the plots are provided with 10m length rear gardens in accordance with Residential Design Guidance. Plots 1-3 are provided with slightly smaller rear gardens in order to accommodate sufficient on-plot car parking. The rear gardens of plots 1-3 have a rear garden area of circa 30sqm, which is below the minimum garden area size of 50sqm for terraced housing as set out within policy CS16 and Residential Design Guidance. Whilst the rear garden sizes of units 1-3 are limited in size, these garden spaces are nevertheless usable and fit for purpose and a balance is needed to ensure delivery of lower density family housing whilst ensuring an appropriate level of car parking is provided. The proposal satisfies the requirements of policy CS16 which requires a minimum of 30% of total dwellings to be provided as family homes (defined as 3 bedrooms or more with private amenity space which is fit for purpose and minimum garden areas of 50sqm for terraced homes and 70sqm for semi-detached properties).

The impact on the amenities of neighbouring and surrounding residents:

- 6.15 The proposed development will have no adverse impact on the residential amenities of neighbouring occupiers. The proposed layout, building orientation, separation distances and retention of existing trees will ensure that no harmful shadowing, loss of light, sense of enclosure or loss of light will occur.

Highways safety, car parking, access and mitigation.

- 6.16 The provision of 14 resident car parking spaces plus 2 visitor spaces accords with the Council's maximum car parking standards and no objection has been raised by Highways Development Management. The maximum number of spaces permissible is 20 resident parking spaces (2 spaces per 3-bed dwelling). The level of parking proposed and nature of the use, would result in a net reduction in vehicular trips when compared with the historic pub use and therefore the proposal will not lead to increased congestion. The site is located in close proximity to shops and amenities within Bitterne District Centre and frequent bus services run from nearby bus stops on West End Road.
- 6.17 Bin and bike storage facilities are provided within the rear of each plot. The development will be served by private refuse collection because a standard refuse truck cannot enter and turn on site and collection from West End Road would obstruct the flow of traffic in close proximity to the roundabout. A planning

condition is recommended to secure the private collection arrangement.

6.18 A legal agreement will be used to secure off site works and measures needed to mitigate the impact of the development, in particular site specific transport contributions for highway improvements, to include:

- Conversion of the existing Pelican crossing, adjacent to the site on West End Road, to a Toucan crossing, to facilitate pedestrian and cycle use;
- Dedication of land to the highway frontage of the site along West End Road into Dean Road to a point just beyond the tactile paving at the narrowing of Dean Road to provide a minimum width of 3.5m for a shared cycleway/footpath route; and
- To provide a cycle dropped crossing adjacent to the pedestrian facility in Dean Road, to enhance the link between the cycle only plug at the end of Dean Road towards the crossing facility on West End Road.

6.19 Additionally a highway condition survey will be required to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer and financial contribution towards SDMP to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.

Habitat Regulations

6.20 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £181 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This will be secured through a S111 form or S106 agreement.

- 7.1 The pub freehold was marketed for 6 months without any interest from existing pub operators and no bid was made by the community interest group during the asset of community value moratorium period. Furthermore there are alternative pubs and community buildings within the surrounding area to meet the day to day needs of the community. As such the principle of redevelopment for housing is supported by the development plan. The proposed replacement scheme is acceptable. Other material considerations including, are not considered to outweigh the merits of family housing delivery on this site.

8 Conclusion

- 8.1 The positive aspects of the scheme are not judged to be outweighed by the negative and as such the scheme is recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

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

AG for 09/01/2018 PROW Panel

PLANNING CONDITIONS

01. 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).

02. 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 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.

03. Residential - Permitted Development Restriction (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

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

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Class F (hard surface area)

Class G (chimneys, flues etc)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development and visual amenities of the area.

04. Obscure Glazing (Performance Condition)

The first floor bathroom window in the side elevation of Unit 8 of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The window shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

05. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

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

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

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

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

06. 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.

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

07. 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 for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved 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 and highway safety.

08. Glazing- Soundproofing from external noise (Performance Condition)

Unless otherwise agreed in writing by the Local Planning Authority, the glazing for the residential accommodation shall be either:

Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

Any trickle vents must be acoustically rated. The above specified glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from traffic noise.

09. Demolition Statement (Pre-Commencement)

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

Reason: In the interests of the amenity of adjacent residential properties.

10. Demolition - Dust Suppression (Pre-Commencement)

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason: To protect the amenities of users of the surrounding area.

11. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

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

12. Use of uncontaminated soils and fill (Performance)

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.

13. Unsuspected Contamination (Performance)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. 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.

14. Energy & Water (Pre-Commencement)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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

15. Energy & Water (performance condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

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

16. APPROVAL CONDITION - Sustainable Drainage (Pre-Commencement Condition).

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

17. APPROVAL CONDITION Archaeological watching brief investigation [Pre-Commencement Condition]
No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.
18. APPROVAL CONDITION Archaeological watching brief work programme [Performance Condition]
The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.
Reason: To ensure that the archaeological investigation is completed.
19. APPROVAL CONDITION Archaeological structure-recording [Pre-Commencement Condition]
No development shall take place within the site until the implementation of a programme of recording has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.
Reason: To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.
20. APPROVAL CONDITION Archaeological work programme [Performance Condition]
The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.
Reason: To ensure that the archaeological investigation is completed.
21. Surface / foul water drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.
22. Sightlines specification (Pre-Commencement)

Sight lines of 2m by 2m measured at the back of footway shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays.

Reason: To provide safe access to the development and to prevent congestion on the highway.
23. Parking (Pre-Occupation)

The parking and access shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved. The car parking shall be allocated to each residential unit on at least a 1:1 basis. The 2 no. visitor spaces shall be made available at all times as visitor parking only.

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

24. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles 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.

25. Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation, the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved. Unless otherwise agreed in writing by the Local Planning Authority, the houses hereby approved shall be served by private collection with a minimum of fortnightly collections. The bins shall be stored in the location as shown on the plans hereby approved and collected from within the site. At no time shall bins shall be stored on the public highway.

Reason: In the interest of visual and residential amenity and highway safety.

26. Arboricultural Impact Assessment (Pre-commencement Condition)

Prior to commencement of the car port details of any crown lift works shall be submitted and agreed in writing by the Local Planning Authority. In all other respects the development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment and Protection Scheme by Hearne Arboricultural Ref JH/AIA/TPP/17/011/Rev1.

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

27. 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.

17/00750/FUL

APPENDIX 1

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3	Promoting Successful Places
CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS14	Historic Environment
CS15	Affordable Housing
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats
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
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
NE9	Protection / Improvement of Character
H2	Previously Developed Land
H7	The Residential Environment

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)

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17/00750/FUL

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3	Promoting Successful Places
CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
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SDP5	Parking
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SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
NE9	Protection / Improvement of Character
H2	Previously Developed Land
H7	The Residential Environment

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Other Relevant Guidance

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SERVICE DIRECTOR: LEGAL & GOVERNANCE
RICHARD IVORY, Solicitor
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FAREHAM
BOROUGH COUNCIL



Southampton and Fareham Legal Services Partnership

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Suffolk
IP33 1QT

Direct dial: 023 8083 2794
Please ask for: Richard Ivory
Our Ref: RJI/CL09-14-016891
Your ref:
Date: 10 May, 2017

Dear Sirs

LOCALISM ACT 2011
NOTIFICATION OF DETERMINATION: ASSET OF COMMUNITY VALUE:
THE BIG CHEESE, 128-130 WEST END ROAD, SOUTHAMPTON

Further to the original application dated 11th February 2017 to register the Big Cheese Public House, 128-130 West End Road, Southampton as an Asset of Community Value (ACV), I am writing to notify you of the Council's decision on whether to list the property or not and the reasons for that decision.

Under powers delegated to me by the Council I have considered the application and have decided to list the property. The reasons for this decision is that whilst the public house is currently closed it is capable of reopening. From the evidence submitted in recent times ie prior to its closure earlier this year, the premises were of significant and wide-ranging benefit to the community and community groups over and above simply being a well-used pub.

Accordingly, the premises will be listed on the Council's Register as an ACV.

If you wish to appeal against this listing you must do so within 8 weeks of the date of this letter in writing to me. A senior officer who was not involved in the original decision will review the matter.

Yours faithfully,

Richard J Ivory
Service Director: Legal & Governance

**If you would like this letter sent to you in another format or language,
please contact the number at the top of this letter.**

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LOCALISM ACT 2011

ASSETS OF COMMUNITY VALUE – NOTICE OF INTENDED DISPOSAL

OF LISTED LAND

THE BIG CHEESE PUBLIC HOUSE, 128-130 WEST END ROAD, BITTERNE, SOUTHAMPTON, S018 6PH

NOTICE is hereby given that on 18th May 2017 the owner of The Big Cheese Public House ('the property') notified the Council pursuant to section 95(2) of the Localism Act 2011 ('the Act') that it intends to dispose of (i.e. sell) the property. The property has been listed as an asset of community value since 27th April 2017.

Any community interest group (as defined in the Act and the Asset of Community Value (England) Regulations 2012) may now make a written request to be treated as a bidder for the property. Such requests must be made before the end of the interim moratorium period, which expires on 29th June 2017.

If any community interest group makes a written request then a full moratorium period will apply, expiring on 18th November 2017.

During the moratorium periods the owner may not dispose of the property other than to a community interest group (or where the disposal falls within an exemption identified in the Act or Regulations).

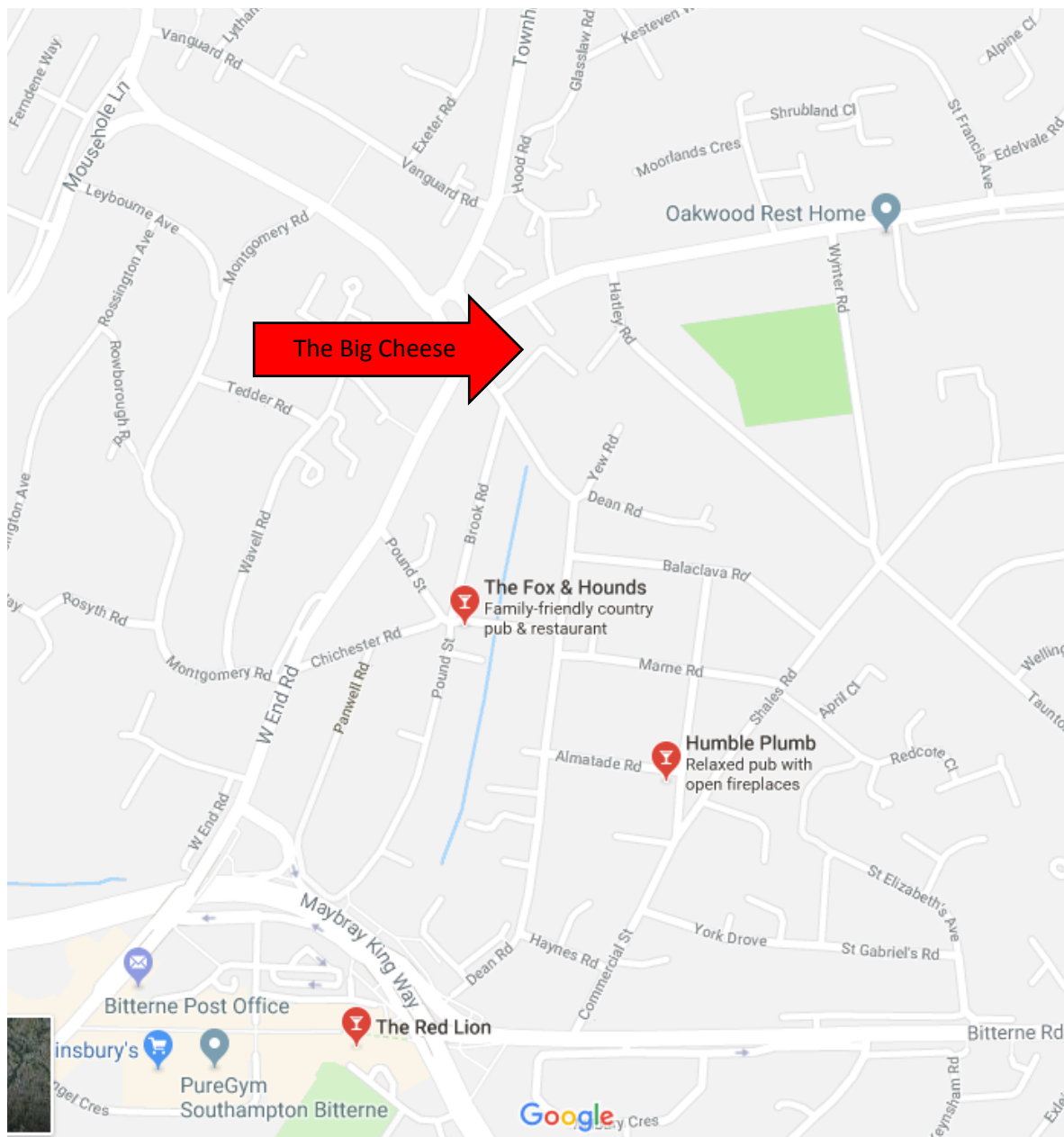
If no sale to a community interest group is agreed during the applicable moratorium period, then the owner will be free to sell the property on the open market during a protected period expiring on 18th November 2018.

Any community interest group wishing to be treated as a bidder should contact Richard Ivory, Service Director: Legal and Governance, Southampton City Council, Civic Centre, Southampton, SO14 7LY, Tel: 02380 832794 Email: richard.ivory@southampton.gov.uk.

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

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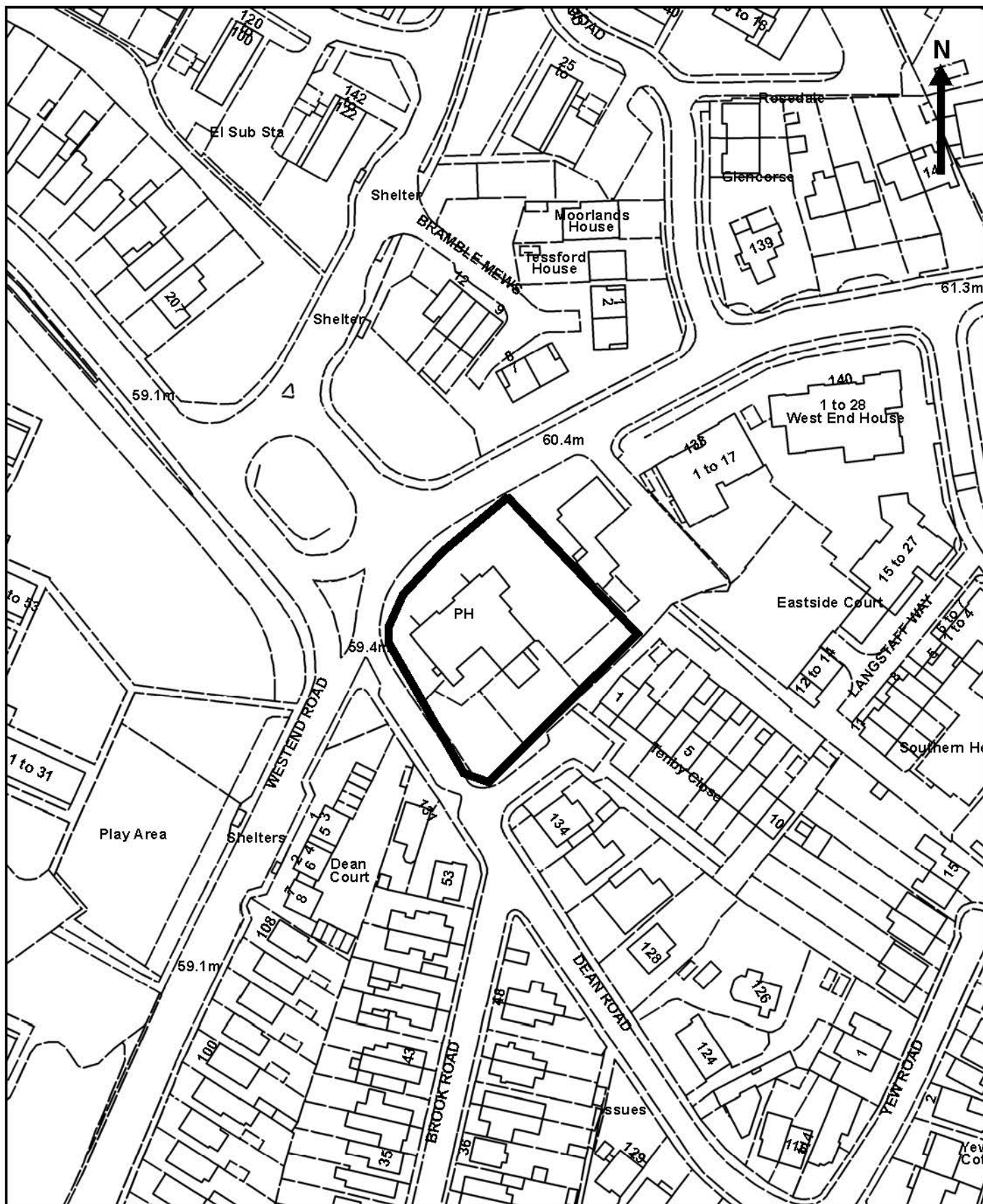
Map to show location of nearby public houses



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Appendix 5



Scale: 1:1,250

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