

**, Transport & Sustainability Division
 Planning and Rights of Way Panel 20 November 2012
 Planning Application Report of the Planning and Development Manager**

Application address: Gracechurch House, 25-35 Castle Way			
Proposed development: Alterations and extensions involving raising the height of the building and change of use from offices into a 95 room hotel (resubmission of application 11/01844/FUL).			
Application number	12/01171/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	15 minutes
Last date for determination:	26.10.12	Ward	Bargate
Reason for Panel Referral:	Major application with objections	Ward Councillors	Cllr Bogle Cllr Noon Cllr Tucker

Applicant: Chg Holdings	Agent: HFP Architects
--------------------------------	------------------------------

Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
-------------------------------	---

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set out on the attached sheet. Other material considerations such as those listed in the report to the Planning and Rights of Way Panel on the 20.11.12 do not have sufficient weight to justify a refusal of the application. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted taking account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, HE1, CLT1 and MSA7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS1, CS6, CS7, CS13, CS14, CS18, CS19, CS20 and CS25 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies	2	Planning History

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Financial contributions towards site specific highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March

2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

- ii. A financial contribution towards strategic transport improvements in the wider area as set out in the Local Transport Plan and appropriate SPG;
- iii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
- iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended); and,
- v. Provision of CCTV coverage, with linkages to the City Council's CCTV Control Room, in accordance with Policies CS13 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).

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

2. That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to vary, delete, or add conditions as necessary.

1. The site and its context

- 1.1 Gracechurch House is a 3-storey, vacant office building which is located within the Old Town North Conservation Area and within the defined City Centre. The site fronts Castle Way and backs onto the High Street, with an intervening service road. There is a change in levels between the front and the rear of the site and the building itself has a basement car park, accessed from the rear of the site. The building has a rectangular form with tile-hung elevations and a mansard style roof.
- 1.2 Although the site lies on the outside edge of the Conservation Area, the surrounding properties are mixed in character. The context of the site is mainly commercial, although opposite the site, the Bugle Street area is more residential in nature. The site is generally neighboured by three-storey development, although opposite the site is the tall residential building of Castle House and to the north of the site there is four and five storey development.

2. Proposal

- 2.1 The application seeks to alter, convert and extend the existing building to provide a 95 bedroom hotel. The application is a resubmission of application 11/01844/FUL for alterations and extensions to the building to provide an 84 bedroom hotel. This application benefitted from a resolution to grant planning permission from the Planning and Rights of Way Panel on the 14th February

2012 but was eventually withdrawn. The key differences between the two schemes can be summarised as follows:

- The internal layout of the building has been altered to provide 11 more bedrooms
- The proposed extension would add one additional floor to the building instead of two
- The building would now have a flat roof appearance as opposed to a curved, over-hanging roof.

2.2 The application proposes to remove the existing cladding to the elevations of the building and the mansard top floor. The elevations of the building would be finished using render, and elements of cladding.

2.3 The main entrance to the building would be from Castle Way. The ground floor of the building includes a reception area, bar, restaurant facility and some bedrooms.

2.4 A total of 25 car parking spaces would be provided; 23 within the basement car park area and a further 2 spaces to the southern end of the building.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**. The site is identified by saved policy MSA7 of the Local Plan Review for mixed used development as part of 144-164 High Street. The site lies within an area of High Accessibility to public transport (Public Transport Accessibility Level 6).

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

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

4. Relevant Planning History

4.1 As stated above, the application is a resubmission of an application which was withdrawn earlier in the year (reference 11/01844/FUL). The last use of the site was for offices (Use Class B1) and planning permission was originally given for this use in 1975.

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying

adjoining and nearby landowners, placing a press advertisement (16.08.12) and erecting a site notice (09.08.12). At the time of writing the report 2 representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 ***There is insufficient car parking proposed and therefore overspill parking from the proposed use will exacerbate on-site parking issues in the vicinity of the site.***

5.3 **Response**

The site is located within the City Centre and therefore highly accessible by modes of transport other than the private car. As such the provision of 25 on-site car parking spaces is considered to be acceptable and accords with the maximum standards set out in saved Local Plan policy SDP5, which in this case would be 28, and also in accordance with the emerging City Centre Action Plan which approves a maximum 31 spaces.

5.4 ***The proposal will increase traffic and lead to disturbance to the neighbouring residential properties.***

5.5 **Response**

Having regard to the City Centre location of the site, it is not considered that the proposal would result in a notable increase in traffic generation. Moreover, since the proposed use would make use of existing car parking provision on the site, it is not therefore considered that there would be any increase in traffic when compared with the authorised use of the site as offices. Furthermore, it is more likely that at peak times, traffic levels will decrease.

5.6 ***The proposal would result in disruption during the construction process***

5.7 **Response**

A condition is suggested to secure a Construction Management Plan which would minimise the disruption during the construction process in terms of noise, dust, vibration and construction related traffic.

5.8 **Consultation Responses**

5.9 **SCC Highways** - No objection.

5.10 **SCC Sustainability Team** – No objection. Suggest a condition to secure the proposed sustainability measures.

5.11 **SCC Environmental Health (Pollution & Safety)** - No objection. Suggests conditions to secure details of refuse storage and plant and machinery, including any extraction equipment.

5.12 **SCC Environmental Health (Contaminated Land)** - No objection. Suggests a condition to ensure that any imported material is accompanied by clean soil certification and to deal with any unsuspected contamination.

5.13 **SCC Ecology** – No objection or conditions suggested.

5.14 **Southern Water** – No objection. Suggests an informative regarding

connection to the public sewer.

5.15 **Hampshire Constabulary** - No objection. Suggests a condition to secure details of security to the car park.

5.16 **BAA** - No objection or conditions suggested

6. Planning Consideration Key Issues

6.1 The application needs to be assessed in terms of the following key issues for consideration and the planning history of the site:

- i. The principle of development;
- ii. The design of the proposal together with the impact on the character of the Conservation Area;
- iii. The impact on the amenities of neighbours of the site;
- iv. Parking and highways
- v. Sustainability and;
- vi. Mitigation of Direct Local Impacts.

It is important to note that the previous resolution to grant an 84 bedroom hotel is a material consideration in the current considerations.

6.2 Principle of Development

6.2.1 Policy CS1 of the Core Strategy supports hotel development within city centre locations such as this. The site is identified by saved policy MSA7 of the Local Plan as a major development area, which supports the development of the land fronted by 144-164 High Street for mixed use development. A planning condition is suggested to ensure privacy screening solution to the rear facing bedroom windows to ensure that the application proposal would not prejudice the development of the neighbouring sites in the future. Furthermore, bringing a vacant City Centre site back into use and the sustainability benefits of making good use of an existing building is welcome. The principle of development is therefore considered to be acceptable and was accepted at the 14th February 2012 Planning and Rights of Way Panel.

6.3. Design of Proposal and Impact on the Conservation Area

6.3.1 Having regard to the variation in building heights within the surrounding area and the City Centre location of the site, the proposed additional floors of accommodation would not appear out of keeping with the character of the area. Furthermore, the hotel would now be 1-storey less in height than previously accepted by the Planning Panel. The proposed roof extension would help to balance the horizontality of the elevation to Castle Way and represent a visual improvement on the existing situation. Whereas indicative building heights within the Old Town Development Strategy (2004) indicate this 'block' to be 3 storeys as a preference, other buildings of four-storey can be found within the vicinity of the site and the proposal would not therefore appear out of context.

6.3.2 The mansard roof of the existing building also gives it a top-heavy appearance and the existing cladding of the building is not in good condition and has a bland appearance. It is considered that the proposed elevational treatment to the building would represent a marked improvement to the

appearance of the building and would be sympathetic to the commercial nature of the area. Whilst different to the previous design solution and with a less convincing external finish, the scheme is nevertheless acceptable. The proposed material treatment would articulate and provide further relief and interest to the long Castle Way elevation.

6.3.3 The proposed building would provide activity to Castle Way, with the main entrance fronting the street. In addition to this, the location of the restaurant and bar area to the ground floor is designed to introduce natural surveillance of the street. As such, it is considered that the proposal would have a positive impact on the setting of the Conservation Area.

6.4 Impact on Residential Amenity

6.4.1 There are no existing residential properties to the rear of the site, above the units fronting the High Street, however, a condition is suggested to secure details of privacy screening to the rear facing windows to ensure that the development does not prejudice the upper floors of these properties from coming forward for residential development. The neighbouring property at 21 Castle Way has no habitable room windows facing onto the application site and would therefore be unaffected by the additional height of the building. Having regard to the separation of the site from the residential properties on the opposite side of the road, it is also considered that the proposal would not create any additional impacts to the amenities of these occupiers.

6.4.2 The nature of the use is not considered to be unduly disruptive to neighbouring residential properties in terms of noise and disturbance. Furthermore, the submitted Design and Access indicates that the standard guest check in time is 15:00 and check out time is 12:00. A planning condition is suggested to restrict the hours of deliveries to the premises to minimise late night or early morning disturbance to nearby residential occupiers.

6.5 Parking and Highways

6.5.1 The site benefits from 23 car parking spaces within an existing basement and 2 spaces to the side of the building. This complies with the Council's adopted parking standards, which permits a maximum of 25 spaces for this level of hotel development. The site is very accessible by public transport and also within walking distance of public car parks. The level of car parking is therefore considered to be acceptable. In addition to this, Highways have raised no objection to the continuing use the existing vehicular access into the site.

6.5.2 The proposal would make use of the existing service road for deliveries and purpose built refuse storage would also be provided to the south of the building. This would ensure that the proposal would not affect the safety and convenience of users of Castle Way. The layout also incorporates space for the secure storage of ten cycles within the basement, which is considered acceptable to serve a hotel use.

6.6 Sustainability

6.6.1 Since the proposal does not result in the creation of 500sq.m or more, there is no requirement to meet BREEAM Excellent. The application proposes to

make the savings in carbon dioxide emissions required by policy CS16 by incorporating a mini CHP unit and Air Source Heat Pumps and a condition is suggested to secure these and the proposal is therefore considered to be acceptable in this respect.

6.7 Mitigation of Direct Local Impacts

6.7.1 The development triggers the need for a S.106 Legal Agreement to secure appropriate off-site contributions towards highway infrastructure improvements in accordance with Core Strategy Policy CS25. The applicants have confirmed their willingness to enter into the necessary obligations to mitigate against the scheme's direct local impacts.

7. Summary

The proposed use is appropriate for a city centre location. Bringing a vacant site back into office use whilst making visual improvements to the building is welcomed.

8. Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a), (b), (c), (d), 2 (b), (c), (d), 4 (f), 6 (a), (c), (f), (i), 7 (a), (b), (e), (k), (m), (t)

JT for 20/11/12 PROW Panel

PLANNING CONDITIONS

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

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

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

02. APPROVAL CONDITION – Implementation of Alterations to the Building [pre-occupation condition]

Unless otherwise agreed in writing by the Local Planning Authority, the physical alterations to the building hereby approved which include the removal of the mansard roof and cladding of the existing building, the re-cladding and roof alterations, shall be completed before the use first comes into occupation in accordance with the details hereby approved.

Reason:

To ensure the visual improvements to the site are secured.

03. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes, to include full details of the application to the elevations, has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

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

04. APPROVAL CONDITION - Refuse & Recycling Bin Storage – Details to be submitted [pre-commencement condition]

Notwithstanding the information already submitted, details of the elevations of the structure to be provided for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be thereafter retained.

Reason:

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

05. APPROVAL CONDITION - Cycle Storage [performance condition]

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

Reason:

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

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

In connection with the implementation of this permission any demolition, conversion and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

07. APPROVAL CONDITION - Sustainability statement implementation [Pre-Occupation Condition]

Prior to the first occupation of the development hereby granted consent, the approved sustainability measures (CHP unit) shall be implemented unless otherwise agreed in writing by the Local Planning Authority and thereafter retained as approved.

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).

08. APPROVAL CONDITION - Noise - plant and machinery [Pre-Commencement Condition]

The use hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:

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

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

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

Reason:

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

10. APPROVAL CONDITION – Foul and Surface Water Disposal [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the means of foul and surface water disposal shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.

Reason:

To secure a satisfactory form of development.

11. APPROVAL CONDITION - Parking and Access [performance condition]

The access and on-site car parking spaces shall be provided in accordance with the plans hereby approved before the development first comes into occupation and thereafter retained as approved.

Reason:

To ensure a satisfactory form of development.

12. APPROVAL CONDITION – Hours of deliveries [performance condition]

No deliveries to the use hereby approved shall take place outside of the hours specified below:

Monday to Sunday: 07:00 to 19:30

Reason:

In the interests of the amenities of the neighbouring residential occupiers

13. APPROVAL CONDITION - Privacy screening to rear facing windows [pre-commencement condition]

Prior to the commencement of the development hereby approved, a scheme to introduce privacy screening to the windows above first floor level in the east-facing elevation of the building, shall be submitted to and approved by the Local Planning Authority in writing. The scheme shall be implemented as approved, prior to the development first coming into use and thereafter retained.

Reason:

To ensure the neighbouring sites are not prejudiced from future development.

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

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

Reason:

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

15. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

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

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

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

Reason:

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

16. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

17. APPROVAL CONDITION - Car Park Security Measures [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the security measures to the car parking area shall be submitted to the Local Planning Authority for approval in writing. The measures shall be implemented in accordance with the approved details before the car parking first comes into use and thereafter retained as approved.

Reason:

To reduce the risks of crime and anti-social behaviour.

18. APPROVAL CONDITION - Approved Plans

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

Reason:

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

POLICY CONTEXT

Core Strategy - (January 2010)

CS1	City Centre Approach
CS3	Promoting Successful Places
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS14	Historic Environment
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP19	Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
HE1	New Development in Conservation Areas
CLT1	Location of Development
TI2	Vehicular Access
MSA1	City Centre Design
MSA7	144-164 High Street

Supplementary Planning Guidance

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

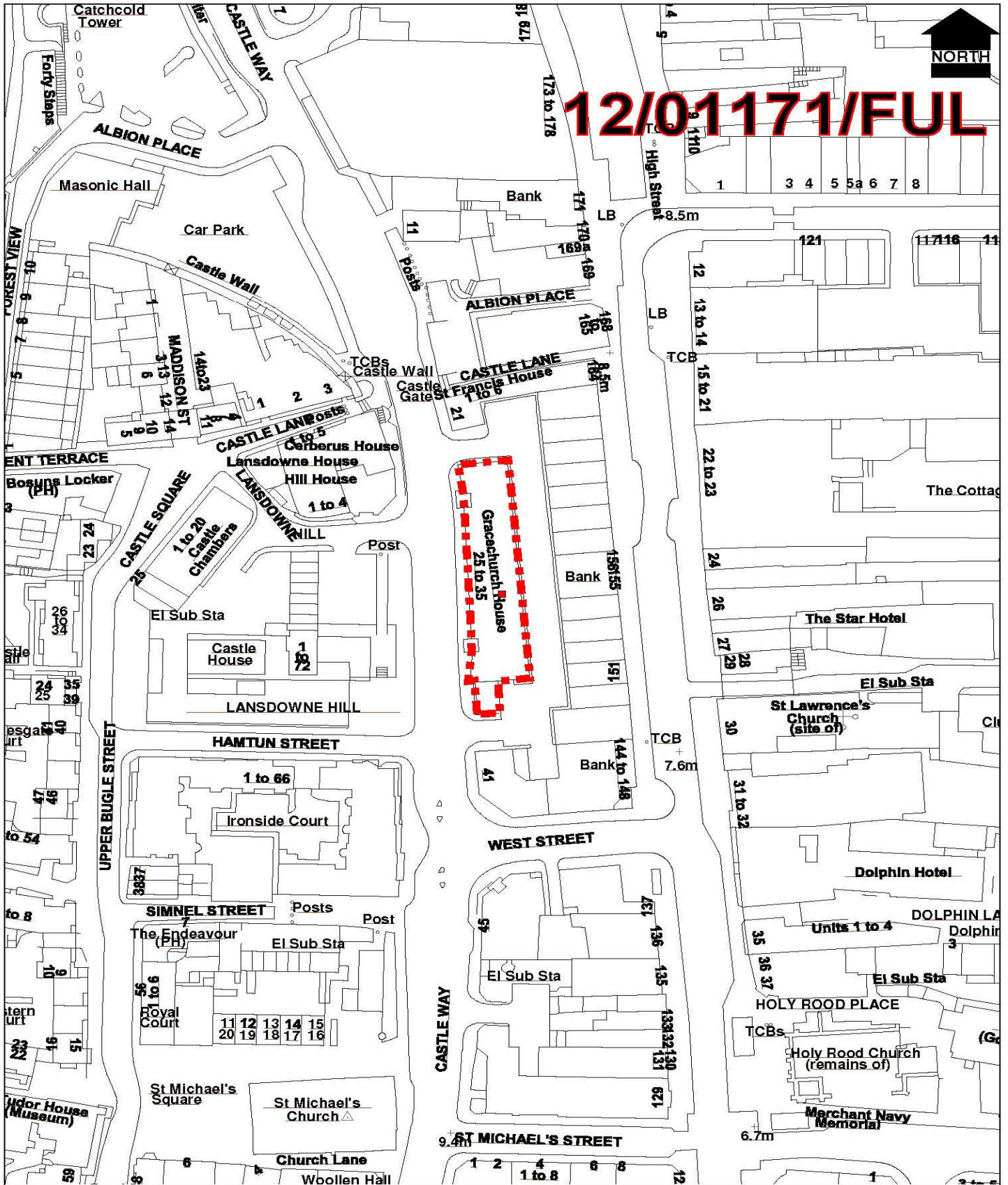
Old Town Development Strategy (adopted 2004)

Other Relevant Guidance

The National Planning Policy Framework

Relevant Planning History

1481/M19 Use of existing building as offices with ancillary parking in basement	Conditionally Approved 20.02.75
1632/M18 Alterations to front and side elevations plus new office on existing roof.	Conditionally Approved 26.07.83
11/01844/FUL Alterations and extensions involving raising the height of the building and change of use from offices into an 84 room hotel.	Withdrawn 27.06.12



Scale : 1:1250

Date 07 November 2012

© Crown copyright. All rights reserved. Southampton City Council 100019679 2004.

