Planning, Transport & Sustainability Division Planning and Rights of Way Panel 11 December 2012 Planning Application Report of the Planning and Development Manager

Application address:

NXP Semiconductors, Second Avenue

Proposed development:

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

Application number	12/00975/OUT	Application type	OUT
Case officer	Stephen Harrison	Public speaking time	15 minutes
Last date for determination:	28/09/2012 (13 week date)	Ward	Redbridge
Reason for Panel Referral:	Major planning application subject to objection	Ward Councillors	Cllr McEwing Cllr Pope Cllr Whitbread

Applicant: Diageo Pension Trust/Cordea	Agent: Michael Sparks Associates
Savills	Fao Mr Ashley Chambers

Recommendation	Delegate to Planning and Development Manager to grant	
Summary	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 as set out below. The proposed development is considered to comply with the policy designation as an employment site and further details will be provided through the reserved matters applications. Following a public consultation exercise the substantive objections have been addressed through the use of planning conditions and a S.106 legal agreement as detailed in the report to Panel on 11th December 2012. Other material considerations do not have sufficient weight to justify a refusal of the application. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

'Saved' policies SDP1 (Quality of Development), SDP4 (Development Access), SDP5 (Parking), SDP7 (Context), SDP9 (Scale, Massing and Appearance), SDP10 (Safety & Security), SDP22 (Contaminated Land) and REI9(iii) (Industry & Warehousing) of the City of Southampton Local Plan Review (Adopted 2006), and policies CS6 (Economic Growth), CS7 (Safeguarding Employment Sites), CS13 (Fundamentals of Design), CS18 (Transport), CS19 (Car & Cycle Parking), CS20 (Tackling & Adapting to Climate Change), CS24 (Access to Jobs) and CS25 (Delivery of Infrastructure) of the City of Southampton Local Development Framework Core Strategy (Adopted 2010) as supported by the Council's current adopted Supplementary Planning Guidance.

Ap	Appendix attached				
1	Development Plan Policies	2	Relevant 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 or S.278 agreements (if necessary) towards site specific transport contributions for highway improvements in the vicinity of the site;
 - ii. CCTV & Community Safety Scheme of Works;
 - iii. Public Art Scheme:
 - iv. Employment and Skills Plan;
 - v. Construction Traffic Management Plan;
 - vi. Green Travel Plan
 - vii. 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.

In the event that the S.106 Legal Agreement is not completed within 2 months from the date of this Panel meeting delegated authority be given to the Planning and Development Manager to refuse the application for failing to secure the S.106 legal agreement mitigation measures listed above.

2) That the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement (including following ongoing discussion and/or the receipt of an independently verified viability assessment) and to remove, vary or add conditions as necessary.

1.0 The site and its context

The 4.21 hectare application site boundary is marked by a 2 metre high pallusade fence. The site itself is currently vacant but was last used by NXP semiconductors and before them Philips. The existing buildings have a combined floorarea of 23,375sq.m and are of simple two-storey design. The site itself is dominated by the central surface car parking, which is partly screened by existing planting and the boundary fencing.

2.0 Proposal

- 2.1 Outline planning permission is sought to establish the principle of replacing the existing employment buildings with a revised layout. More flexibility in terms of the replacement employment uses is also sought and will depend on the expressions of interest received. The application seek permission for a maximum of 20,360 square metres of employment floorspace (Classes B1(a) / B1(c) / B2 / B8). This represents a reduction in floorspace of approximately 3,000sq.m.
- 2.2 All matters are reserved for later consideration and a parameter plan has been submitted with indicative proposals to demonstrate a number of different working solutions.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at *Appendix 1*. The site is allocated for employment uses under Policy REI9(iii).
- 3.2 New development is expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13. In this instance the application will be conditioned to ensure it meets BREEAM 'Excellent'.
- 3.3 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. Having regard to paragraph 214 of the NPPF the local policies and saved policies listed in this report retain their full material weight for decision making purposes.

4.0 Relevant Planning History

The relevant planning history for this site is attached at *Appendix 2*.

5.0 Consultation Responses and Notification Representations

- The applicants undertook a public consultation event of their own on 18th June 2012. 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 (12.07.2012) and erecting a site notice (09.07.2012).
- 5.2 As part of the application process it became apparent that the applicants (long term leaseholders) had not given the necessary notice to the landowner (freeholder) and a further 21 day period for comment was given to ensure that the freeholder had time to consider the application. At the time of writing the report 1 objection has been received from the freeholder. The following planning related concerns are raised:
 - The transport assessment is flawed. The TRICS data shows a potential increase in HGV movements of about 10 per hour. However, there is no baseline detail, distribution of these movements or quantification of the impact of additional HGVs on the network. Until this examination is corrected it is difficult to conclude that the scheme will not be harmful to highway safety and the Council's decision should be delayed. Furthermore, the road width is currently insufficient to allow two HGVs to pass, or indeed, a car and HGV to pass safely.

5.3 Response

Discussions are ongoing in respect of how best to access the site by HGV and can be resolved by the S.106 process and the applicants have provided additional information. The applicants have also confirmed that as the scheme will result in a reduction in traffic volume (despite an increase in HGV movements) no capacity assessments are required. The comments of the Highways Officer are reported

below and a further update can be given at the Panel meeting.

Consultation responses

- 5.4 **SCC Sustainability** Objection removed following offer of BREEAM Excellent
- 5.5 **SCC Archaeology** No objection subject to attached planning conditions.
- 5.6 **SCC Ecologist** No objection
- 5.7 **SCC Contaminated Land** The proposal is for the construction of a commercial development. This is not regarded as a sensitive land use, however, the mobilisation of contaminants that may be present on the site could present a risk to human health and/or the wider environment during the construction phase. The history of Southampton City presents many potential contamination hazards to much of the land in its area. Land contamination hazards associated with the previous uses includes inorganic chemicals, metals and metalloid compounds and hydrocarbons. Consequently there exists the potential for such hazards to significantly impact upon the development. Therefore, it is recommended that; in accordance with policies SDP1 and SDP22 of The City of Southampton Local Plan Review Adopted Version March 2006 and Para 121 of the National Planning Policy Framework March 2012, if planning permission is granted, that conditions are attached.
- 5.8 Note: A relevant objection has been raised to application 12/01109/FUL from the freeholder. The key issue with regards to the freeholders' comments relates to the potential for contaminants to be disturbed through the construction phase. A planning condition is currently recommended to mitigate against the effects of the construction phase and is currently deemed to be sufficient by officers despite the objection. This issue is, however, being reviewed by Environmental Health and an update will be given at the Panel meeting.
- 5.9 **SCC Skills & Economy** S.106 to include a 'Training & Employment Plan'
- 5.10 SCC Highways There are some serious issues surrounding the proposed way in which HGVs are expected to access the site. The indications are that the HGVs will approach via Redbridge Road after doing a loop around the Millbrook Roundabout. The slip lane here is of inadequate dimensions to act as a deceleration lane, but S106 requirements could rectify this. I would therefore like the applicant to review the access arrangements and consider the route from the exit slip road off of Millbrook roundabout. This will result in the need for changing the one way system which currently operates, and cycle routes must be removed from the carriageway to the footpath/verge area, but this would in my opinion be a safer way of dealing with access and egress for all.
- 5.11 Note: These discussions are ongoing and can be resolved through the S.106 site specific highway works
- 5.12 **Hampshire Chamber of Commerce** Support
- 5.13 **BAA** no objection subject to Bird Hazard Management Plan
- 5.14 **Southern Water** No objection subject to planning conditions

- 5.15 **HSE (PADHI+)** Don't advise against development
- 5.16 **EA** No objection

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
 - i) Principle of Development
 - ii) Design and Landscaping
 - iii) Impact on Residential Amenity
 - iv) Highways
 - v) S.106 Mitigation

Principle of Development

6.2 Policy REI9(iii) of the saved Local Plan Review safeguards the application site for employment uses, and is permissive of light industrial (B1c), research & development (B1b), general industrial (B2) and storage/distribution (B8). The current application proposes compatible uses but includes some 3,000sq.m of office (B1a). This is acceptable in principle as the existing Nicholson House (2,680sq.m) office block is to be demolished as part of these wider proposals. The likely job creation and the beneficial use of a vacant site is also welcomed.

Design & Landscaping

- 6.3 At this stage of the process the detailed design and landscaping proposals are reserved for future consideration. The Parameters Plan (30348/FE/120) confirms that any subsequent reserved matters proposal will be restricted by the following: Building Height between 7.5 and 15.5m

 Building Width between 10 and 150m
- 6.3.1 A building area and landscape buffer is identified so as to limit the impact of development on the site's existing frontages. The indicative layouts demonstrate that a solution using these parameters can be found that will be acceptable in principle.

6.4 Impact on Residential Amenity

The defined building area has retained the existing line of development along the Allington Road frontage. Given the existing built form in this location and the restrictions imposed upon the replacement building it is considered that there will be no significant harm caused by the proposals (even with the maximum tolerances being constructed along the western boundary). Detailed mitigation can be designed in at the reserved matters stage. The hours of use are unrestricted (as existing) and any nuisance will be dealt with through the statutory processes. No objections have been received from neighbours. As such the application is considered to address the requirements of adopted Local Plan 'saved' policies SDP1(i), SDP7(v) and SDP9(v) as supported by the relevant sections of the Council's approved Residential Design Guide SPD (2006).

6.5 Highways

The level of car parking proposed (1/30sq.m B1a - 1/45sq.m B1c/B2 - 1/90sq.m B8 as set out in the SPD) will be controlled by a planning condition and is

consistent with policy maximums.

6.5.1 Means of access are reserved for a detailed design stage, although access points have been shown on the parameters plan. The applicants propose to improve access for HGVs and these works can be resolved through the S.106 process. That said, as the site is designated for employment uses (including B8) the LPA should be able to support the intended use and means of servicing that use as it is wholly policy compliant.

6.6 S.106 Mitigation

A scheme of this size is expected to mitigate against its direct impacts. The main contribution required concerns the site specific highway works to facilitate improved HGV movements. A training and employment plan will also form part of the S.106.

6.6.1 As the scheme proposes a replacement of employment uses there is unlikely to be any net increase in trips generated from the site and, as such, the S.106 will not seek a strategic highways contribution.

7.0 Summary

This outline planning application for a range of employment uses is consistent with the site's designation within the Local Plan Review. The re-configuration of the site to provide modern, useable floorspace is welcomed and brings a vacant employment site back into use. The key issue with regards to the freeholders' comments relate to the transport assessment and the increase in HGV movements on the network. These issues are still in discussion between the Council's Highways team and the applicant and are expected to be resolved amicably through the S.106 process.

8.0 Conclusion

The planning application complies with the planning policy designation and the principle of redevelopment has been assessed as acceptable. It is recommended that planning permission can be issued following the completion of a S.106 legal agreement to secure appropriate mitigation.

<u>Local Government (Access to Information) Act 1985</u> Documents used in the preparation of this report Background Papers

1a-d, 2b & d, 4vv, 6a, c, e & I, 7a and 9a-b

SH2 for 11/12/12 PROW Panel

PLANNING CONDITIONS (12/00975/OUT) to include:

01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission is hereby granted for the principle of up to 20,360sq.m of floorspace within use classes: non ancillary Office (B1a) – limited to a combined total of 3,000sq.m across the site - Light Industrial (B1c), General Industrial (B2) and/or Storage/Distribution (B8) subject to the following:

- (i) Written approval for the details of the following awaited reserved matters shall be obtained from the Local Planning Authority for each new building prior to any works associated with that building taking place on the site:
 - the LAYOUT of the buildings on site and detailed siting of associated areas (including landscaping and parking),
 - the means of ACCESS (vehicular and pedestrian) to the site and the buildings with restrictions in place for associated HGV movements and access within Allington Road.
 - the APPEARANCE and architectural design specifying the external materials to be used.
 - the SCALE of the buildings indicating massing and building bulk,
 - and the LANDSCAPING of the site specifying both the hard, soft treatments, means
 of enclosures, lighting and their associated maintenance;
- (ii) An application for the approval of the outstanding reserved matters as they relate to all the new buildings shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission;
- (iii) The development hereby permitted shall be begun [either before the expiration of five years from the date of this Outline permission, or] before the expiration of two years from the date of approval of the last application of the reserved matters to be approved [whichever is the latter].

REASON:

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

Note to Applicant

As part of the reserved matters submission for individual buildings a site layout plan showing how the remainder of the site could be developed in a comprehensive manner within the limits of this permission will be expected.

02. APPROVAL CONDITION - Established Parameters

The development hereby approved shall be carried out only in accordance with the quantum of development and use, scale, access and siting details as set out on the Michael Sparks Associates 'Parameter's Plan' 30348/FE/120 dated May 2012.

REASON:

To define the extent of the planning permission and for the avoidance of doubt.

03. APPROVAL CONDITION - Parking

The parking to serve the development hereby approved shall not exceed the following 'maximum' standards unless otherwise agreed in writing with the Local Planning Authority through the submission of the reserved matters applications for each building:

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

REASON:

To define the extent of the planning permission and for the avoidance of doubt, whilst seeking to ensure an adequate amount of on-site parking is available whilst promoting alternative modes to the private car for travel.

04. APPROVAL CONDITION - BREEAM Standards (Commercial)

Unless otherwise agreed in writing by the Local Planning Authority (LPA), before the development of each building hereby approved commences written documentary evidence demonstrating that the development will achieve a minimum rating of 'Excellent' against the BREEAM (2011) standard shall be submitted to the LPA for its approval. The submission shall take the form of a design stage assessment.

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). In the event that an occupier is found that cannot meet BREEAM (2011) 'Excellent', as it requires significant refrigeration, mechanical processes or other high energy requirements that are not anticipated at this outline stage, this shall be taken into consideration by the LPA as part of the condition's sign off process following the receipt of adequate justification for doing so.

05. APPROVAL CONDITION – BREEAM Certification

Within 6 months of each building first becoming occupied written documentary evidence proving that the development has achieved the required rating against the BREEAM standard (as set out in the above planning condition) in the form of a post construction 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).

06. APPROVAL CONDITION - Sustainable Drainage Systems (SUDS)

Prior to the commencement of development works for each building hereby approved a feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and submitted to the Local Planning Authority. Any measures shown to be feasible shall be verified in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

REASON:

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

07. APPROVAL CONDITION - Surface Water Drainage

Construction of each building hereby approved shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and

approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall proceed in accordance with the agreed details,

REASON:

In the interests of proper planning and securing adequate means of drainage to serve the development as requested by Southern Water in their consultation response dated 24th July 2012.

08. APPROVAL CONDITION - Bird Hazard Management Plan

Development of each building hereby approved shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of the management of any flat/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'. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON:

It is necessary to manage the development 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 BAA Airside Operations staff. In some instances it may be necessary to contact BAA 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.

09. APPROVAL CONDITION – Archaeological investigation

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

REASON:

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

10. APPROVAL CONDITION - Archaeological work programme

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

REASON:

To ensure that the archaeological investigation is completed.

11. APPROVAL CONDITION- Land Contamination Investigation

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:

- 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.

12. APPROVAL CONDITION - Use of uncontaminated soils and fill

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

REASON:

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

13. APPROVAL CONDITION- Unsuspected Contamination

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

REASON:

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

14. APPROVAL CONDITION - Hours for Construction

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)
Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)
And at no time on Sundays and recognised public holidays. Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the LPA.

REASON:

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

15. APPROVAL CONDITION - Construction Method Statement

Prior to the commencement of any works associated with each building 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 routing; (g) details of how noise emanating from the site during construction will be mitigated; and, (h) details of the Site Manager's telephone number that residents can use in the event that they wish to raise concerns. 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.

16. APPROVAL CONDITION - Refuse & Cycle Storage

Details of refuse and cycle storage to serve each building shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each building to which the storage will relate. The affected building shall be implemented in accordance with these agreed details prior to its first occupation with retention thereafter.

REASON:

To ensure adequate refuse and cycle storage in the interests of good site planning and the encouragement of sustainable development.

17. APPROVAL CONDITION - Piling [Pre-Commencement Condition]

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

REASON:

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

Condition Informative 1

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

Condition Informative 2

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

Notes to Applicant

Southern Water - Public Sewerage - Informative

A formal application for connection to the public sewerage is required in order to service this development. Please contact Atkins Ltd, Angle St James House, 39a Southgate Street, Winchester So23 9EH (tel. 01962 858600) or www.southernwater.co.uk

Environment Agency Commentary

The Environment Agency recommend (in their formal response by email dated 23rd July 2012) that developers should:

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by land contamination;
- Refer to the Environment Agency guiding principles for land contamination for the type
 of information that they require in order to assess risks to controlled waters from the
 site;
- Refer to the EA website www.environment-agency.gov.uk for more information.

Indicative Plans

Whilst the indicative plans submitted have been used to demonstrate that the quantum of development can be accommodated on the site the Local Planning Authority has treated them as indicative for the purposes of the planning application and reserves the right to make further detailed comment on receipt of a reserved matters layout.

Note to Applicant - Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

Note to Applicant - Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

POLICY CONTEXT

Core Strategy - (January 2010)

CS6 (Economic Growth)

CS7 (Safeguarding Employment Sites)

CS13 (Fundamentals of Design)

CS18 (Transport)

CS19 (Car & Cycle Parking)

CS20 (Tackling & Adapting to Climate Change)

CS24 (Access to Jobs)

CS25 (Delivery of Infrastructure)

City of Southampton Local Plan Review – (March 2006)

SDP1 (Quality of Development)

SDP4 (Development Access)

SDP5 (Parking)

SDP7 (Context)

SDP9 (Scale, Massing and Appearance)

SDP10 (Safety & Security)

SDP22 (Land Contamination)

REI9(iii) (Industry & Warehousing)

Supplementary Planning Guidance

Planning Obligations (Adopted - August 2005 and amended November 2006) Car Parking Standards (2011)

Other Relevant Guidance

National Planning Policy Framework (2012)

APPENDIX 2

Relevant Planning History

Various permissions for ancillary works following the approval of a factory in the mid 1950s. Key permissions relevant to the current application would include:

12/01109/FUL - Pending Consideration

Demolition of existing office building. Erection of a new 3-storey office building including roof plant, car parking and landscaping together with reconfiguring existing car parking to manufacturing unit.

12/01235/NMA - No Objection 24.08.2012

Application for a non-material amendment to planning permission ref 12/00307/FUL to enable part retention of existing store previously identified for demolition.

12/00795/SCR - No Objection 14.06.2012

Request for a screening opinion under Regulation 5 of the Town and Country Planning Environmental Impact Assessment (England and Wales) Regulations 2011 prior to a planning application for proposed redevelopment of land within the former NXP - Selex site for office uses (B1)

12/00599/DPA - No Objection 11.05.2012

Prior notification for the proposed demolition of buildings at former NXP site.

12/00307/FUL - CAP 26.04.2012

Partial demolition of existing warehouse and ancillary buildings and make good The demolition works have been EIA screened (12/00025/SCR)

12/00025/SCR - No Objection 26.01.2012

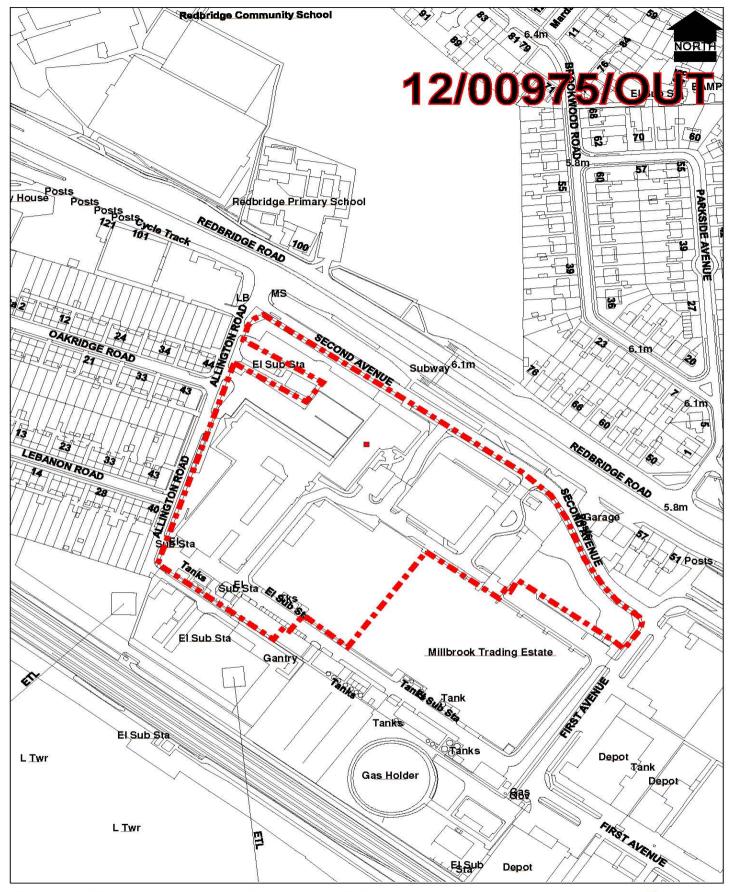
Request for a screening opinion under Regulation 5 of the Town and Country Planning Environmental Impact Assessment (England and Wales) Regulations 2011 prior to a planning application for the partial demolition of existing buildings and redevelopment of the site.

1102/49 - CAP 16.02.1957

factory and admin block (alt. ref. 5057) (previously called Mullards, Western Manufactoring Co)

1070/58R1 - CAP 06.12.1955

Erection of factory and offices



Scale: 1:2500 Date 28 November 2012

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