

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 20th July 2010
 Planning Application Report of the Head of Division

Application address: 50-52 Bevois Valley Road, Southampton			
Proposed development: Demolition of part of the two storey building and the rear warehouse building. Erection of a new two storey building and conversion of existing first floor to provide a total of 13 studio flats for students with change of use of the ground floor to a shop, restaurant or hot food take-away (Class A1, A3 or A5) with replacement roller shutter. Outline application seeking approval for Access, Layout, Appearance and Scale only			
Application number	10/00426/OUT	Application type	Outline (LDD 3.8.10)
Case officer	Stephen Harrison	Public speaking time	15 minutes

Applicant: Mr. D. Price	Agent: Concept Design & Planning
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Recommendation Summary	Delegate to Head of Planning and Sustainability to grant planning permission subject to criteria listed in report
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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 proposed mixed-use development maximises the use of this previously developed land with an attractively designed building that requires the demolition of the existing warehouse building. In visual terms the proposals will bring improvements to the streetscene, and the additional residential accommodation will provide vitality to the Local Centre. As the application is for student accommodation exceptions in the Council's planning standards and guidance relating to affordable housing, family housing, residential mix and on-site external amenity space are considered appropriate to secure the delivery of the proposal and meet an identified need. The S.106 Legal Agreement will include an occupancy restriction which is necessary to make the scheme compliant with the current development plan. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

"Saved" Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP15, SDP16, H1, H2, H7, H13 and REI6 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS15, CS16, CS19, CS20 and CS25 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010), PPG13 (Transport) and PPG24 (Planning & Noise) are also relevant to the determination of this planning application.

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Delegate to the Head of Planning & Sustainability to grant planning permission subject to 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 (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 projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
 - Amenity Open Space (“open space”)
 - Playing Field;
- iv. In lieu of an affordable housing contribution an undertaking by the developer that only students in full time education be permitted to occupy the studio flats;
- v. 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 legal agreement is not completed by *3rd August 2010* the Head of Planning & Sustainability be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

1.1 This application relates to an existing two storey retail unit (0.04 ha site area) forming a terrace of similar buildings as part of the Bevois Valley Local Centre, which includes the “Shooting Star” public house to the south. The existing building is occupied by “Commercial Kitchen Equipment”. To the side of the retail unit is an existing area of hard-standing that provides vehicular access to an ancillary warehouse to the rear and pedestrian access, via an external fire escape, to a first floor flat. There is one on-site parking space.

1.2 Bevois Valley Road, including the application site, is partly designated as an Air Quality Management Area (AQMA). Furthermore, the applicant’s ‘Noise Assessment’ has confirmed that the site rear of the site falls within a noise exposure Category B. The Bevois Valley Road frontage falls within a night time noise exposure Category C.

2. Proposal

2.1 Outline planning permission is sought for the part-redevelopment of the site following the demolition of the existing warehouse building, and its replacement with 11 studio flats and 92% site coverage, without any car parking, but secure cycle storage for 13 bicycles. A further 2 studio flats are provided within the first floor of the retained Bevois Valley Road frontage block of 62m², following the removal of the existing external

staircase. This gives an overall density of 325 d/ha. The 13 flats are identified as specialist housing for students. All flats are single aspect and range between 15-20m². With the exception of the external courtyard there are no communal facilities provided to serve the occupiers.

2.2 A commercial operator is retained on the ground floor and a flexible change of use is sought for this unit.

2.3 A modern design approach and palette of materials is proposed. The two storey replacement building is finished with a flat roof and a maximum height of 5.8 metres. No accommodation is proposed in the roofspace.

2.4 Details of Access, Appearance, Layout and Scale are provided for consideration at this stage and Landscaping is to be reserved pending the outcome of this application. The applicant has submitted a 'Sustainable Development Checklist' to support their application. The application is supported by a 'Statement of Community Involvement', which details how the applicants engaged with the local community prior to the formal planning submission.

2.5 Access to the units is from the side of the retained commercial unit via a lockable gate. A communal garden is provided in the form of an inner courtyard (33sq.m, excluding the footpath) and 10 of the flats have access to a private balcony (1.5sq.m). All residents have access to a secure covered refuse and cycle store.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the South-East Plan: Regional Spatial Strategy (May 2009), the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 Major developments are expected to meet high sustainable construction standards in accordance with the City Council's adopted and emerging policies. In accordance with adopted Core Strategy Policy CS20 and Local Plan "saved" Policy SDP13.

3.3 Policy H13 seeks to ensure that the growth of the city's Universities is co-ordinated with the provision of student accommodation.

4.0 Relevant Planning History

00/01500/FUL Proposed development of two bedroom flat above existing shop with construction of warehouse unit to the rear. (Approved 27.03.2001)

Note:

This permission limited the use of the site and deliveries to 8am and 6pm (Mon to Sat)

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 also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (20.05.10) and erecting a site notice (20.05.10). At the time of writing the report **0** representations have been received from surrounding residents.

5.2 **SCC Highways** - No objections, subject to securing off-site highway improvement works. The site is in an area defined as having "medium" accessibility to public transport

links and local facilities. A car free scheme to serve the student accommodation is acceptable, and the relatively low key nature of the proposals will not result in any highway safety concerns. Secure refuse and cycle storage is detailed on the plans and can be secured with the attached planning conditions.

5.3 SCC Housing – As student accommodation is proposed, no affordable housing is required. However, a restriction, via the S.106, to restrict occupation to students only is imposed to ensure units remain available for students at all times and that a management company is put in place by the developer.

5.4 SCC Sustainability Team - The Team has removed its initial objection to the proposal following a commitment by the developer to achieve a minimum of Code Level 3 (or its BREEAM equivalent) and a 20% reduction in CO2 emissions through the use of micro-renewables, possibly in the form of solar panels on the proposed flat roof. This can be secured with the attached planning condition.

5.5 SCC Architect's Panel - The Panel recognises the single aspect nature of the development with no communal facilities. It was generally felt to be a strong design brief for student accommodation. The development proposals need not prejudice the redevelopment of neighbouring sites. The proposed timber cladding could be replaced with a more robust solution whilst maintaining the horizontality of the project. Generally supportive of the scheme.

5.6 SCC Environmental Health (Pollution & Safety) - No objection. The site is within an Air Quality Management Area and passive ventilation of the frontage units would not protect the future occupiers of the flats from fumes and odours and other emissions present in the location. A planning condition is required to secure details of the mechanical ventilation system to be installed to serve the flats which front onto Bevois Valley Road. Conditions are also requested in relation to the prohibition of bonfires during construction, acoustic glazing specification and hours of construction.

5.7 SCC Environmental Health (Food Safety) - No objection.

5.8 SCC Environmental Health (Contaminated Land) - As the site is adjacent to a depot and builder's yard there is potential for land contamination issues. A desk-top study should be secured with a planning condition.

5.9 SCC Ecology – No objection. The rear building appears to be unsuitable for bat roosts whilst the roof of the shop is in good condition. This, combined with a lack of suitable habitat in the surrounding area, means that the buildings have a low potential for bat roosts. The built up nature of the remainder of the site means that there is little likelihood of any other biodiversity being lost.

5.10 BAA - No objection.

5.11 Hampshire Constabulary - No objection. It is noted that the applicant would be willing to take on board the 'Secure by Design' principles. Student accommodation is one of the most targeted property types as, generally, security is poor. For this reason it is justified to request a condition that Secured by Design is achieved on the building. The recess between the shop and flat 5 should be designed out, and the front gate should be accessed controlled with audio-visual access control from the gate to the flats. The gate should also be self closing and self locking.

Response

The proposed recess identified in these comments works in design terms to break the existing frontage building from the proposed extension, and provides a good location for

any extraction equipment that may be provided to serve an A3 or A5 operator. The requirements for a Secured by Design accreditation and enhanced point of entrance can be conditioned and are considered to be sufficient without seeking further design changes.

5.12 **Southern Water** – A public sewer crosses the site. The exact location needs to be determined. It might be possible to divert it (at the applicant's expense). No objections, subject to the attached planning condition.

6.0 Planning Consideration Key Issues

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

- i. The principle of development;
- ii. Design, Density & Impact on Established Character;
- iii. Residential Amenity;
- iv. Highways and Parking;
- v. Whether or not the scheme mitigates sufficiently against its direct local impacts.

6.2 Principle of Development

6.2.1 The application seeks to provide accommodation to serve the City's growing student population and should be assessed, principally, against "saved" Local Plan Review Policy H13.

6.2.2 The re-use of this previously developed land with a mixed-use proposal is consistent with the requirements of Local Plan Review "saved" Policy H2, Core Strategy Policy CS5 and the recent Government guidance contained in PPS3 (2010).

6.2.3 Core Strategy Policy CS16 requires that schemes of 10 or more dwellings provides at least 30% of the units as "family homes" with at least 3 bedrooms and access to private amenity space. An exception is made for "specialist" housing schemes including purpose built student accommodation. The S.106 legal agreement can control the ongoing use of the building to ensure compliance with this policy. Furthermore, the provision of purpose built student accommodation reduces the pressure, in part, on the City's existing family housing stock to be converted to Class C4 Houses in Multiple Occupation.

6.2.4 The Local Plan Review seeks to retain a commercial and active street frontage within the Bevois Valley Road Local Centre and the current proposals are consistent with these aspirations (Policy REI6 refers). The policy recognises that these areas require investment. A flexible mix of potential uses is proposed to improve the chances of the applicant securing a tenant and this can be secured with a planning condition.

6.2.5 The principle of redevelopment is, therefore, accepted by the current development plan policies listed above.

6.3 Design & Density

6.3.1 The application site forms part of the Bevois Valley Local Centre and looks to maintain the commercial activity at street level, whilst maximising the use of the ancillary land to the rear to provide student residential accommodation. In streetscene terms there will be little impact as the existing building is to be retained and refurbished. The existing solid roller shutter is to be replaced with a more sympathetic shutter. To the rear of this frontage a modern mews style development is proposed that fronts a small courtyard.

6.3.2 A modern palette of materials is proposed, including a mixture of timber cladding and through coloured render. Further details can be secured with the attached planning condition. In design terms the removal of the existing warehouse building, and its functional architecture, with a purpose built residential block is a good solution for this site and will bring added vitality to the Local Centre.

6.3.3 The proposed level of development, at 325 dwellings per hectare, is well in excess of the Council's current guidance (of between 50 and 100 dph for areas of medium accessibility) and the requirements of LDF Core Strategy Policy CS5. However, it should be noted that the proposal is for small bedsits serving a specific demand and not for more traditional private market housing. In good planning terms the consideration of density should not be the prime determination factor for an otherwise acceptable proposal.

6.3.4 Density should only be taken as a final test as to the appropriateness of a scheme; and where a scheme's layout and design is considered to be appropriate for its context (as is the case here) it is these assessments rather than an arbitrary density figure that should prevail. In this case, it is accepted that to provide a viable proposal that delivers additional student housing a higher density scheme will need to be employed.

6.3.5 This scheme responds well to its context. It is considered that the proposed footprint and quantum of development is acceptable and would help to regenerate the area.

6.3.6 The current scheme assists the Council in meeting its housing requirements and it is considered that the application accords in broad terms with Local Plan design policies SDP1, SDP7, H7 and H13 as supported by Core Strategy Policy CS13. The Council's Architect's Panel are supportive of the application.

6.4 Residential Amenity

6.4.1 Given the siting of the proposed buildings within a commercial context it is not considered that the proposed development will lead to any adverse impact on the surrounding properties in terms of overshadowing, loss of outlook or a significant loss of privacy or amenity.

6.4.2 The accommodation on offer is basic in its layout with 13 bedsits offering a living space with cooking facilities and an en-suite washing facilities. These units are all single aspect, and the 10 units served by a private balcony have a northerly outlook towards the neighbour with a separation distance of 6 metres from this boundary wall. A small communal courtyard is provided to soften this outlook, however, the scheme does not comply with the external space standards of the Council's approved Residential Design Guide SPD (2006); namely paragraph 2.3.14 and section 4.4.

6.4.3 That said, these units are not for private market accommodation and will serve a student need. As such, an exception to these requirements can be afforded, especially as students often have good access to social and sporting groups (and the University's formal sports pitches). The provision of a private balcony to 10 of the flats will provide added amenity for these residents.

6.4.4 PPG24 offers the caveat that Noise Exposure Category C sites, as is the case here along the road frontage, should not normally be developed if alternative quieter sites are available. The number of sites conveniently located to serve the nearby University campus is limited. Environmental Health Officers are content that a satisfactory noise environment could be created in all of the flats, including the 2 fronting Bevois Valley Road that are affected by existing traffic noise, and the scheme is considered to be compliant with the Local Plan Review Policy SDP16 subject to the attached planning conditions.

6.4.5 Given the specialist form of housing proposed a relaxation in the Council's amenity standards (as set out in adopted Local Plan policies SDP1(i), SDP7(v) and SDP9(v) and supported by the relevant sections of the Council's approved Residential Design Guide SPD) is recommended.

6.5 Highways and Parking

6.5.1 Car parking is a key determinant in the choice of mode of travel. The Local Plan aims to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling.

6.5.2 Applying the Council's adopted maximum standards (of 0.5 spaces per one bedroom units and 0.75 spaces per 20sq.m of retail space), as set out in Local Plan Policy SDP5 and LDF Core Strategy Policy CS19, the Plan suggests that the proposed development should be supported by no more than 9 car parking spaces.

6.5.3 A car free scheme is, however, proposed. This is deemed to be acceptable given the existing and proposed site constraints, and the site's proximity to the University and the Local Centre (and its associated public transport links). Furthermore, cycle storage is to be provided in a lockable store in the courtyard on a 1:1 basis.

6.5.4 The Council's Highways Officer has raised no objection to the proposal subject to the attached planning conditions. No additional restrictions relating to car ownership or to the phasing of arrivals/departures are deemed necessary in this instance given the site location and the limited quantum of development proposed.

6.6 S.106 Legal Agreement

6.6.1 A development of this scale triggers the need for a S.106 Legal Agreement to secure appropriate off-site contributions towards open space and 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.

6.6.2 A development of this scale would also the trigger the need for 20% affordable housing in accordance with Core Strategy Policy CS15. However, as the proposal is for student accommodation no affordable housing requirement is required. The S.106 legal agreement will include a restriction that occupiers of the flats will be in full time education in accordance with Local Plan Review Policy H13(v).

7.0 Summary

7.1 The proposed mixed-use development maximises the use of this previously developed land with an attractively designed building that promotes the demolition of the existing warehouse building.

7.2 In visual terms the proposals will bring improvements to the streetscene, and the additional residential accommodation will provide vitality to the Local Centre.

7.3 As the application is for student accommodation exceptions in the Council's planning standards and guidance relating to affordable housing, family housing, residential mix and on-site external amenity space are considered appropriate to secure the delivery of the proposal and meet an identified need. The S.106 Legal Agreement will include an occupancy restriction which is necessary to make the scheme compliant with the current development plan.

8.0 Conclusion

8.1 This application has been assessed as being acceptable to residential amenity and its local context. The application is recommended for conditional approval, subject to the completion of the aforementioned S.106 Legal Agreement at the land transfer stage.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 2(c), 2(d), 2(e), 4(s), 6(a), 6(c), 6(d), 6(h), 6(g), 6(k), 7(a), 7(m), 7(v), 8(a), 9(a), 9(b) and PPS3 (2010)

SH for 20.07.10 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the Layout of buildings and other external ancillary areas, the Means of Access (vehicular and pedestrian) into the site and the buildings, the Appearance and Design of the structure and the Scale, Massing and Bulk of the structure is approved subject to:

- (i) Written approval of the Local Planning Authority being obtained for the Landscaping of the site specifying both the hard and soft treatments, external lighting and means of enclosures prior to any works taking place on the site (RESERVED MATTER);
- (ii) An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission; and,
- (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 reserved matter 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).

2. APPROVAL CONDITION - Landscaping

The detailed landscaping scheme required by Condition 1 above shall clearly indicate the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, treatment of hard surfaced areas and include an implementation timetable.

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

The approved scheme shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

REASON:

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

3. APPROVAL CONDITION - Details of building materials to be used

Notwithstanding the details shown on the approved drawings no development works (excluding the demolition phase) shall be carried out unless and until a schedule of materials and finishes (including full details of the manufacturers, types and colours of the external materials) to be used for external walls, windows and the roof of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority.

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.

4. APPROVAL CONDITION - Bollards

The bollards shown on the approved amended plan ref: C10/27/06 Rev B shall be installed at 1.5m c/c (as shown) and to a minimum height of 800mm prior to the first occupation of the development. These bollards shall be retained during the lifetime of the development.

REASON:

In order to restrict parking to this part of the site whilst maintaining free and unfettered access to the refuse store and the development itself.

5. APPROVAL CONDITION - Refuse and Cycle Storage

Bin and cycle storage shall be laid out with a level approach (not in excess of 1:10) prior to the first occupation of the development hereby approved in accordance with the approved plans. The refuse facilities shall include accommodation for the separation of waste to enable recycling with doors hinged to open outwards. The approved storage shall be retained whilst the development is used for residential purposes, with bins kept in their allotted stores on non collection days.

REASON:

In the interests of highway safety and visual amenity and to encourage recycling.

6. APPROVAL CONDITION – Refuse Management Plan

A refuse management plan for the ground floor commercial unit shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of this unit by a new tenant (following the existing occupation of the unit by “Commercial Kitchen Equipment”). A litter bin shall be provided on the site within the customer area of the floor space and made available for use of patrons of any A5 hot food takeaway hereby approved during trading hours.

REASON:

As no details are provided to explain how the commercial refuse will be managed and to ensure that the residential refuse capacity is retained for the flats.

7. APPROVAL CONDITION – Secured By Design

Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development (excluding the demolition phase) the development shall attain a “Secured By Design” accreditation from Hampshire Constabulary with the necessary measures, including an audio-visual access control to the main gate and a self-closing and self-locking gate, being properly installed prior to the first occupation of any of the residential units hereby approved.

REASON

In the interests of reducing crime to an otherwise vulnerable development as requested by Hampshire Constabulary in their response to the planning application.

8. APPROVAL CONDITION – Management of Student Accommodation

Notwithstanding the details already submitted a “Site Management Plan” for the day-to-day running of the residential units shall have been agreed in writing by the Local Planning Authority (in consultation with Hampshire Constabulary and SCC Housing Solutions) prior to the first occupation of the residential part of the development hereby approved. The agreed details shall apply during the lifetime of the development.

REASON:

In the interests of reducing crime to an otherwise vulnerable development and to ensure that the student accommodation approved does not cause undue problems for existing residential neighbours.

9. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available prior to the first occupation of residential flats hereby approved and shall be retained with access to it at all times for the use of the residents to this scheme.

REASON:

To ensure the provision of adequate amenity space in association with the approved flats.

10. APPROVAL CONDITION – Hours of work for Demolition / 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 living along Bevois Valley Road and Earl's Road.

11. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

REASON:

In the interests of highway safety.

12. APPROVAL CONDITION - Bonfires [Performance Condition]

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

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

13. APPROVAL CONDITION – Mechanical Ventilation to frontage Residential

Prior to the commencement of development (excluding the demolition phase) full details of the mechanical ventilation system to be installed to serve the flats which front onto Bevois Valley Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed in full working order prior to first occupation of any of these units and thereafter maintained in that condition. The intake to the ventilation system shall be to the rear of the building and not from the Bevois Valley Road frontage.

REASON:

The site is located within an Air Quality Management Area and passive ventilation of the frontage units would not protect the future occupiers of the flats from fumes and odours and other emissions present in the location.

14. APPROVAL CONDITION – Glazing - soundproofing from external traffic noise

Notwithstanding the submitted Noise Report Works pursuant to this permission shall not be commenced (excluding the demolition phase) until a scheme for protecting the proposed flats and houses from traffic noise from Bevois Valley Road has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall, for these affected units, specify 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

There must be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that 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.

15. APPROVAL CONDITION – Sustainable Drainage Systems

A feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and verified in writing by the Local Planning Authority 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 and maintained 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 policy SDP13 (vii) of the City of Southampton Local (2006) and to protect the quality of surface run-off and prevent pollution of water resources and comply with SDP21 (ii) of the City of Southampton Local Plan (2006). To prevent an increase in surface run-off and reduce flood risk in compliance with SDP21 (i) of the City of Southampton Local Plan (2006) and Code for Sustainable Homes: Category 4 - Surface Water Run-off.

16. APPROVAL CONDITION - Code for Sustainable Homes

Written documentary evidence demonstrating that the development will achieve a minimum level 3 standard in the Code for Sustainable Homes (or equivalent ratings using an alternative recognised assessment method), shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted consent unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and verified in writing for each unit prior to its first occupation.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy SDP13 of the City of Southampton Local Plan (2006) as supported by Core Strategy Policy CS20.

17. APPROVAL CONDITION – Renewable Energy - Micro-Renewables

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO₂ emissions [of at least 20%] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO₂ emissions of the development [by at least 20%] must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding the demolition phase) hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core

Strategy Development Plan Document Adopted Version (January 2010). Also to comply with policy NRM11 of the Regional Spatial Strategy for the South East of England adopted version (May 2009).

18. APPROVAL CONDITION - Land Contamination investigation and remediation

Prior to the commencement of development (excluding the demolition phase) 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.

19. 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.

20. 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

21. APPROVAL CONDITION – A1/A3/A5 Floorspace

The "dual A1 (retail) and/or A3 (restaurant) and/or A5 (takeaway) use" hereby permitted for the development shall, under Class E, Part 3, Schedule 2 of the Town and County Planning (General Permitted Development) Order 1995 (as may be subsequently amended), be for a limited period of 10 years only from the date of this Decision Notice. The unit shall remain as the prevailing use at that time as hereby agreed in writing by the Local Planning Authority.

Reason:

In order to provide greater flexibility to the development and to clarify the lawful use hereby permitted and the specific criteria relating to this use.

22. APPROVAL CONDITION - Hours of Use - food/drink establishments

The food and drink uses/drinking establishments hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday 08:00 hours (8:00am) to 23:00 (11pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

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

23. APPROVAL CONDITION – Roller Shutter

The replacement external roller shutter hereby approved as shown on amended plan ref: C10/27.11 Rev B shall be fitted prior to the first occupation of the development hereby approved and retained in good working order thereafter. Unless otherwise agreed in writing by the Local Planning Authority the roller shutter hereby approved on the Bevois Valley Road frontage shall be kept fully open, at least, between the hours of 09:00 (9am) and 17:30 (5:30pm) from Monday to Sunday (regardless of the trading hours).

REASON:

In order to ensure that the existing solid shutter is replaced in the interests of visual amenity.

24. APPROVAL CONDITION – Extract Ventilation – control of noise, fumes and odour

Full details of any external extraction or ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. In addition to the proposed design any submission shall include a written scheme for the control of noise, fumes and odours from extractor fans and other equipment. 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

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 858688) or www.southernwater.co.uk

S.106 Legal Agreement Informative

A Section 106 agreement relates to this site which includes a requirement for contributions towards: highways (site specific and strategic) and play/open space. A full copy of the S106 legal agreement is available on the Public Register held at Southampton City Council.

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. It is important that you note that if development commences in without the condition having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms, invalidating 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 Control 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.

Note to Applicant – Cranes Informative

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is therefore drawn to the requirement within British Standard Code of Practice for the safe use of cranes, and for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and other construction issues' available at www.caa.co.uk/srg/aerodrome

Note to Applicant – Lighting Informative

The development is close to the aerodrome and the approach to the runway. The applicant's attention is drawn to the need to carefully design lighting proposals. This is further explained in Advice Note 2 'Lighting near Aerodromes' available at www.caa.co.uk/srg/aerodrome

POLICY CONTEXT

Core Strategy - (January 2010)

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS15	Affordable Housing
CS16	Housing Mix and Type
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

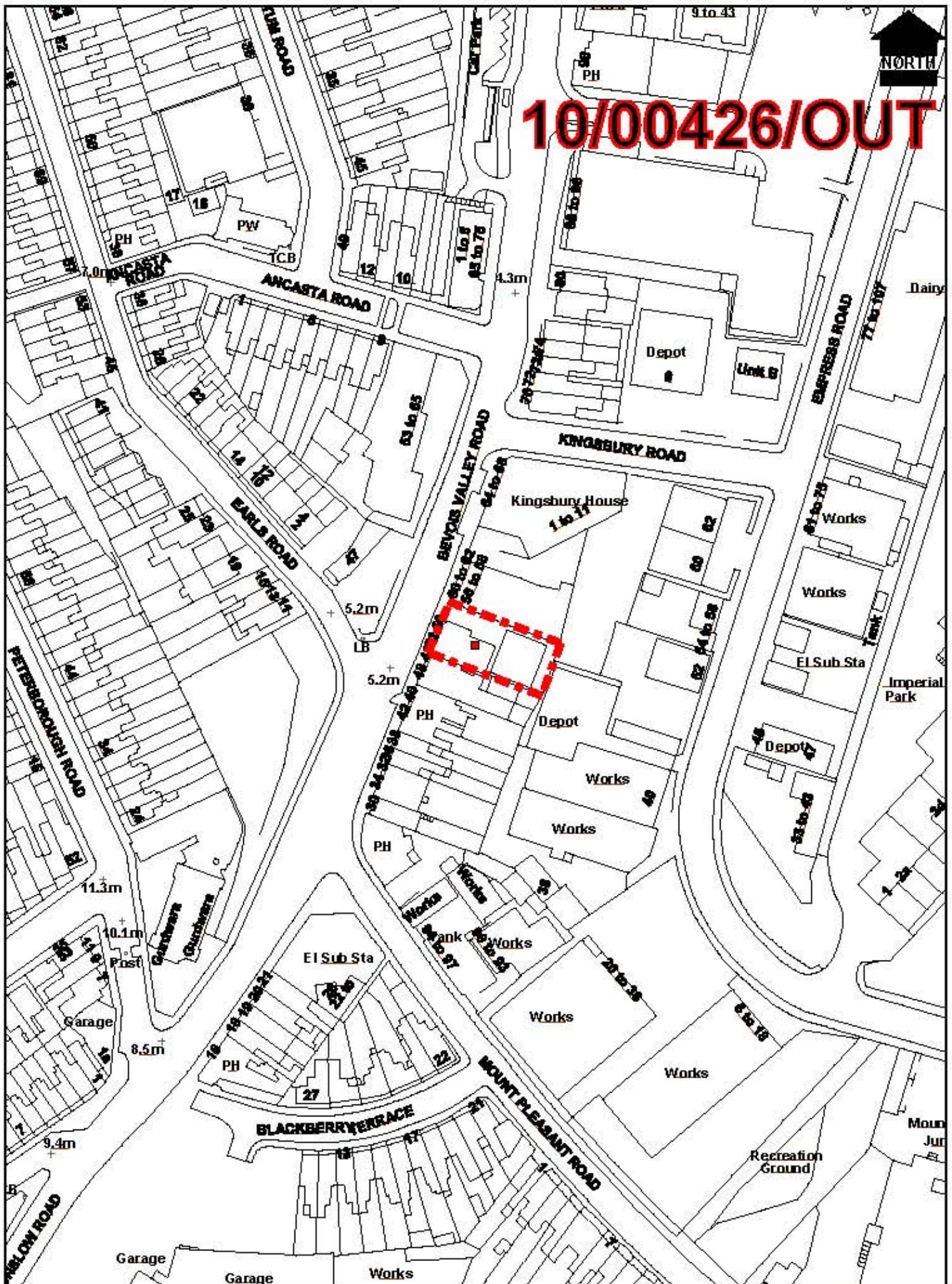
SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment
H13	New Student Accommodation
REI6	Local Centres

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - August 2005 and amended November 2006)

Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPS3	Housing (2010)
PPG13	Transport (2001)
PPG17	Planning for Open Space, Sport & Recreation
PPS23	Planning & Pollution Control
PPG24	Planning & Noise (2004)



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Scale : 1:1250

Date : 07 July 2010

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