

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 31 August 2010
 Planning Application Report of the Planning and Development Manager

Application address:
 Part of Former Calor Gas and Dimplex Site, First Avenue, Southampton

Proposed development:
 Use as a Council Depot and Household Waste Recycling Centre with a new vehicular entrance from First Avenue and exit onto Manor House Avenue. Depot facilities to include storage, parking, fleet workshop and associated facilities. Erection of a 3-storey building for office and staff facilities.

Application number	10/00385/R3CFL	Application type	Full (Q 12)
Case officer	Richard Plume	Public speaking time	15 minutes

Applicant: Southampton City Council	Agent: Capita Symonds
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Recommendation Summary	Delegate to Planning and Development Manager 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 development would provide a depot facility which is a similar employment use to those safeguarded under Policy REI 10 of the Local Plan. The proposed use would not be harmful to existing industrial or warehousing uses on adjoining sites. The impact on traffic levels in the surrounding area and particularly the impact on the Port of Southampton and its national economic importance have been carefully considered and the impact is considered to be acceptable. 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, SDP13, SDP15, SDP16, and TI2 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) Policies CS6, CS9, CS13, CS18, CS19, CS20 and CS25 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS4 (Planning for Sustainable Economic Growth 2009), 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 Planning and Development Manager to grant planning permission subject to the completion of a S.106 undertaking to secure:

- a) Provision of 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) to include:
 - (i) Making of Traffic Regulation Orders to restrict parking on Third Avenue and First Avenue and lane marking on First Avenue;
 - (ii) A financial contribution towards the provision of a cycle route on the opposite side of Millbrook Road to provide cyclists with an alternative route;
 - (iii) To include improvements to Manor House Avenue/Third Avenue junction for improved HGV turning;
 - (iv) To provide directional signage for access to and egress from the site;
 - (v) Changes to traffic light control for traffic using the new spur link from Third Avenue onto the Millbrook roundabout.
- b) Submission and implementation of a Travel Plan
- c) Submission and implementation of a Training and Employment Management Plan
- d) 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.

1. The site and its context

1.1 The application site is approximately 1.6 hectares in area and is situated on the south-east side of First Avenue which is the road leading to Dock Gate 20 off the Millbrook roundabout. This road is two lanes in both directions. The site is vacant and has been cleared of the buildings which were previously on the site. The vehicular access to the site is currently from Manor House Avenue.

1.2 The surrounding area is entirely commercial in character with a variety of business, industrial and warehouse developments which form part of the Millbrook Industrial Estate. The application site was formerly part of the Calor Gas and Dimplex site, the majority of which has been redeveloped for modern industrial/warehousing units which adjoin to the north and east and has its vehicular access from Third Avenue and Manor House Avenue. The application site was intended to be a second phase of this development (see details in the Planning History section of this report). Adjoining the application site to the south is the railway line and beyond that are the operational docks of the Port of Southampton. Dock Gate 20 is the main vehicular access to the Container Port.

2. Proposal

2.1 The existing main depot for the Council is Town Depot, Endle Street. That site is to be disposed of for development and the application site is proposed to be the new City Depot accommodating most of the functions currently provided at Endle Street. The main activities to be accommodated at the site are: a Household Waste Recycling Centre (HWRC) providing domestic refuse recycling and disposal facilities for the public; waste services; fleet service function; port health services; community alarm function and the out of hours emergency planning team. Vehicular access to the site would be via a new left in only access from First Avenue with egress via Manor House Avenue. A total of 391 staff would be employed at the site (175 office based and 216 front line employees), all of whom would transfer from the existing Town Depot.

2.2 The proposed HWRC will be in the south-eastern part of the site and the recycling delivery area is proposed to be built up from the existing site level to allow household

waste to be deposited into the various bins (a total of 14 containers to be provided). There will be separate bins for green waste, metal, general non-recyclable material, cardboard/paper and wood. At the rear of the HWRC containers, and at a lower level not accessible to the general public, is a service area where the HWRC containers will be removed/replaced by the waste contractor and the contents compacted as necessary by the on-site staff. It is proposed that the HWRC will be open to the public 7 days per week except Christmas and New Year, with opening hours of 0800 to 1900 during the summer and 0800 to 1630/1700 in the winter/spring.

2.3 The main buildings on the site are a three-storey office and staff welfare block within the central area of the site and a fleet workshop building with associated office and storage accommodation. The total floorspace of proposed buildings on the site is approximately 3,600 square metres. Other facilities to be provided on the site include: diesel filling facilities with an above ground diesel tank; a vehicle wash down area with one automatic and one manual vehicle washing facility; areas for the storage of bins and skips; materials store and a salt barn. The parking provision is: 64 car spaces (including 2 disabled spaces); 75 other vehicle spaces (37 refuse vehicles, 14 waste vehicles and 24 highways vehicles); 40 secure long-stay cycle spaces and 10 visitor short stay cycle spaces; and 15 motorcycle spaces.

2.4 The hours of use of the main depot functions involve waste service crews arriving for work from 0500 hours, the fleet service workshop will operate between 0600 and 2200 hours during the week and on Saturday mornings, the Port Health and Community Alarm services will require 24 hour use of the offices.

2.5 The development would incorporate the following sustainability measures: provision of photovoltaic cells on the roof of the fleet workshop; use of an insulated metal panel cladding system with greater thermal insulation qualities than Building Regulation requirements; rainwater harvesting to be used to supply the fleet road sweepers and gully emptiers; recycling of water for use in the vehicle wash down area.

2.6 The proposed external materials for the buildings would be blue engineering brickwork to the plinth of the building, silver cladding panels, grey single ply membrane to the roof and grey powder coated aluminium windows. External lighting to the depot will be provided by 8 metre high lamp columns and external lighting on the proposed building.

2.7 The proposed means of enclosure consists of 3 metre high timber fencing to the north and west boundaries, 4 metre high timber fencing to the southern boundary which is needed to prevent glare from the lighting affecting train drivers on the railway and 3 metre high 'weldmesh' fencing within the site.

2.8 The planning application has been amended since it was first submitted. As originally submitted vehicular access to the site was to be from a two-way traffic light controlled junction on to First Avenue with a secondary means of access onto Manor House Avenue. It was intended that this access will be gated and only available for use by operational vehicles and/or members of the public in exceptional circumstances. The application, as amended, involves a one-way route through the site. These amendments have been the subject of full public notification as outlined in this report.

2.9 The planning application documentation includes a Design and Access Statement, Supporting Planning Statement, Statement of Community Involvement, Transport Statement, a Noise and Vibration Assessment, Air Quality Assessment, Ecological Appraisal, Flood Risk Assessment and Workplace Travel Plan

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**.

3.2 The application site is part of the Millbrook Trading Estate, an extensive area safeguarded for light industrial, general industrial and storage and distribution uses within Classes B1(c), B2 and B8, under ‘saved’ Policy REI 10 (ii) of the Local Plan. The policy explicitly allows for other similar employment uses providing they are not harmful to existing industrial or warehousing users on the safeguarded site.

4. Relevant Planning History

4.1 The application site was previously used as a Calor Gas depot and distribution centre and Dimplex depot since the 1950’s comprising a number of buildings, open storage uses and supporting administrative offices. Previous planning decisions relating to these uses are not relevant to the current proposal.

4.2 In 2001 an outline planning application was submitted for a 28,500 square metre IKEA store with 1,300 car parking spaces. The Council resolved to grant permission for this development but the application was ‘called-in’ by the government. The applicants subsequently withdrew the planning application (reference 01/00514/OUT).

4.3 In 2007, planning permission was granted for redevelopment of the site to provide 46 units for business, industrial or storage and distribution use (Classes B1 (c), B2 or B8 – total floorspace of 22,998 square metres) with associated car parking, landscaping and alterations to vehicular access points (reference 06/01460/FUL). This permission has been implemented in that Phase 1 of the development has been completed. The area subject of the current planning application was shown as being Phase 2 of the development and comprised 15 units with vehicular access from Manor House Avenue. This second phase has not been implemented.

4.4 In 2008, planning permission was granted for an amended application for this Phase 2 part of the site. The development still comprised 15 units for Class B1 (c), B2 or B8 uses with associated car parking (59 spaces), landscaping and access (reference 08/00277/VC). This development has also not been implemented.

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice. A further consultation exercise was carried out after the application was amended. At the time of writing the report **4** representations have been received from surrounding businesses, including ABP, raising objections to the amended application. These objections can be summarised as follows:

- There is already serious congestion on the estate. Third Avenue is used as a short cut whenever there is heavy traffic inbound or outbound. Third Avenue is also used as an unofficial lorry park and an increase in traffic will exacerbate these problems.
- Lorries park along one lane of First Avenue into the docks and an increase in traffic will make this worse.
- At peak times Millbrook roundabout comes to a standstill due to the increased amount of traffic and traffic light sequencing, any further increase in traffic will make this worse.

- Additional traffic along Third Avenue may be a safety issue with regard to cyclists who already have difficulties because of parked vehicles.
- It is already difficult to exit the trading estate onto the sliproad at the Millbrook roundabout, additional traffic will exacerbate this problem.
- Manor House Avenue has inadequate safe walkways or pavements and an increase in traffic will increase the risk to pedestrians
- Road surfaces on Manor House Avenue and Third Avenue are already very poor and additional traffic will make it worse
- Vehicles have increasing problems negotiating Third Avenue due to the number of large vehicles that park in the unrestricted sections. It is suggested that double yellow lines should be extended for the full length of the road to avoid what could become a major incident.

Response

These comments are noted and various site specific highways measures are proposed to improve conditions for all highways users in the vicinity of the site. The existing access to the application site is from Manor House Avenue and Phase 2 of the approved industrial/warehousing development would have resulted in significant traffic movements through this part of the industrial estate.

5.2 **Associated British Ports** objected to the application as originally submitted due to the likely impact on the operation of the port. ABP's initial comments on the amended application are as follows. Good and unimpeded access to the port is vital to its successful operation and should not be prejudiced. The national economic importance of the port and its access is identified in national policy statements and supported by Policy CS18 of the Council's Core Strategy. ABP welcomes the attempt to address their concerns by amending the application. However, ABP still has significant concerns about the proposal and its potential impact on current and future access to the port. First Avenue is a key part of the principal access to one of the nation's main trade gateways. Congestion at the port entrance affects every lorry movement in and out of the port. ABP is not yet convinced of the need for depot traffic to use First Avenue: the previous use of the site functioned well without a First Avenue access and the proposed use will apparently not significantly increase traffic levels.

5.3 **Highways Agency** has no objection to the proposal

5.4 **Environment Agency** has no objection in principle to the proposal provided conditions are imposed covering drainage and contamination.

5.5 **British Airports Authority** has no objections as the proposal would not conflict with aerodrome safeguarding criteria.

5.6 **Southern Water** have no objections to the development providing appropriate conditions are imposed on drainage issues and protection of the water supply main and public sewers.

5.7 **Network Rail** has no objections providing informatives are added to any planning consent issued.

5.8 **Natural England comments** The application site lies close to habitats which form part of an SSSI which is part of the Solent Maritime Special Area of Conservation, Solent and Southampton Water Special Protection Area and Ramsar site. Natural England has no objection to the proposed development as the proposal would not be likely to have a significant impact on the adjoining important habitats and permission may be granted under the terms of the Conservation of Habitats and Species Regulations.

5.8 **SCC Environmental Health (Contaminated Land)** – The proposed depot site 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. Records maintained by this department indicate that the subject property is situated adjacent/on the following current/historical land uses: Gas Depot (on site); Former Landfill (80m to South). Land contamination hazards associated with such land 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 in accordance with Policies SDP1 and SDP22 of The City of Southampton Local Plan Review - Adopted Version March 2006 and advice contained within PPS23 Annex 2: Development on Land Affected by Contamination, if planning permission is granted, that conditions be attached.

5.9 **SCC Ecology** - have no objection to the proposed development however some concerns about the lack of detail regarding off site habitat creation.

5.10 **SCC Sustainability** - The sustainability statement provides a good amount of detail including elements such as rainwater harvesting. It is recommended the condition K005 Sustainability statement implementation is put in place to ensure the proposed measures are carried out. It is also recommended that the BREEAM condition K010 and renewables condition (12.5% for workshop and 15% for offices) is used. It is anticipated that the final design of the areas of surfacing to be macadam, or reinforced concrete, will be agreed with the Local Planning Authority via a condition imposed upon any planning consent following further development of the design. It is recommended that the applicants consider the green guide ratings of materials in their decision.

6. 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. Traffic and Transportation issues;
- iii. Environmental issues;
- iv. Design issues;

Principle of Development

6.2 The application site is part of an extensive industrial estate which is safeguarded for light industrial, general industrial and storage and distribution uses (Classes B1 (c), B2 and B8) under Policy REI 10 (ii) of the Local Plan. The proposed depot use does not fit within these use classes due to the mixed nature of the activities. Nevertheless, there are elements of the depot activities that are industrial in nature, such as the fleet workshop and storage uses. Policy REI 10 of the Local Plan explicitly allows redevelopment proposals for other similar employment uses providing they are not harmful to existing industrial or warehousing uses on the safeguarded site. In these circumstances, the proposed use complies with saved Policy REI 10 and is therefore acceptable in principle.

6.3 A depot use of this nature and HWRC are 'industrial' in character and do not make for neighbourly uses in environmentally sensitive locations. This is a good location for such a use given the solely commercial nature of the surroundings and the proximity to the main road network.

Traffic and Transportation

6.5 The proposed vehicular access to the site has been contentious with adjoining owners and occupiers. The application site has not previously been accessed from First Avenue. The approved redevelopment for industrial and warehousing uses subject of the planning permissions in 2007 and 2008 involved 15 industrial/warehousing units on this part of the site with all vehicular access/egress via the existing site access off Manor House Avenue.

6.6 At the pre-application stage consideration was given to alternative means of accessing the site. The Council's Highways Officers were not satisfied that all traffic for this development should use the Manor House Avenue entrance. This was because of concerns about use by the general public wishing to access the HWRC through an industrial estate and the possible conflict between business operations, traffic flow and safety for all.

6.7 The roads are in poor condition, Third Avenue is a cycle route and on-street lorry parking is a common problem for road users. Consequently it was decided that the access to the site should be a traffic signalised junction allowing all vehicular movements to be on to First Avenue. This option resulted in objections due to the impact it would potentially have on traffic flow to the port and therefore the application was amended.

6.8 The vehicular access arrangements now proposed are essentially a compromise solution to meet some of the objections lodged. A one way route through the site is proposed with the entrance only from First Avenue, with no provision of traffic signals, and the exit out onto Manor House Avenue. The proposed depot is vehicle based but the peak time for refuse and other operational vehicles is outside of the normal peak periods.

6.9 Furthermore, the peak times for use of the HWRC are outside the busiest times for the depot which should prevent conflict between the different users. Concern has been expressed that the level of traffic to the HWRC cannot be accurately predicted and there is the possibility that stacking traffic could result in cars queuing on First Avenue which could potentially restrict access to the port.

6.10 The internal layout of the site does minimise the chances of this happening. 20 parking/unloading bays are provided to access the containers and approximately 200 metres of 'stacking' lane would be available within the site. Most 'stacking' will be required when a reduced number of Council vehicles need to access the depot areas of the site. In the event of this stacking lane being full operatives of the HWRC will direct vehicles to exit the site onto Manor House Avenue without using the facility. Conditions could be imposed to prevent queuing of vehicles back onto First Avenue and to preclude egress onto First Avenue.

6.11 The proposed level of vehicle parking is considered to be acceptable for the proposed uses. It is difficult to apply the normal standards to a mixed use of this nature as the provision is to meet essential operational requirements.

Environmental Impact

6.12 The application is accompanied by a series of specialist reports. The noise and vibration survey indicates that the predicted levels attributable to noise created as a result of the proposed facility meet the criteria given in the World Health Organisation guidelines for external noise limits at the façades of all nearby residential properties and there would

be no significant vibration issues. The Air Quality Assessment shows that construction of the development is unlikely to have a significant effect through dust emission. Operation of the development itself should have little effect upon sensitive receptors through dust emissions due to the distance between source and receptor. Increased levels of Nitrogen Dioxide within the adjoining Air Quality Management Area are predicted to be very small. This impact is considered to be of only slight adverse significance since, in the absence of the new City Depot, the site would be developed for alternative traffic generating land uses.

6.13 The site is of low ecological value. The scheme will involve the loss of some dense areas of scrub and potentially some young Hazel trees. There is little opportunity for replacement on-site planting and landscaping. In addition, both ABP and BAA have advised against the use of planting or other features that might attract birds.

6.14 The application site is in Flood Zone 1 which has a low probability of flooding from fluvial or tidal sources. Discussions with the Environment Agency indicate that surface water run-off from the proposed site can be maintained at current brownfield rates. The proposed development is not at risk from flooding and will assist in reducing the risk of surface water flooding by managing the final run-off discharged from the site. The proposal will not increase the risk of flooding to others. There will be a rainwater harvesting system (from the roof areas) and an underground storage tank and petrol interceptor for flows discharging into the foul drainage network.

6.15 Overall, the proposed development is considered to be acceptable in environmental terms for this established industrial area.

Design

6.16 Much of the site is given over to parking and open storage together with a larger area for the HWRC. The major building element, the office accommodation and adjoining fleet workshop, is located centrally within the site. The design of these buildings, including the proposed external materials, is similar to that of the recently completed industrial/warehousing units to the south of the site. Conditions can be imposed reserving for future approval the full details of external materials and the detailed design of certain other elements such as the vehicular wash down areas for which a full specification has not yet been finalised. Overall, the design of the site is appropriate to its industrial context.

7. Summary

7.1 The proposed development allows a full range of the Council's depot services to be relocated on one site. Improved facilities would be provided for employees and energy saving and other sustainability measures can be incorporated in the new buildings. The new HWRC would provide significantly improved refuse disposal and recycling facilities for residents and businesses of the City.

7.2 The uses are quite vehicle intensive but the various activities have their peaks at different times of the day. The amended vehicular access arrangements, with a one-way route through the site, will mitigate the impact on adjoining occupiers: the use of First Avenue as an entrance to the site only will minimise congestion on this important route to the Port of Southampton; the exit on to Manor House Avenue should not result in significantly worse traffic conditions than would have been the case as a result of Phase 2 of the approved industrial development.

8. Conclusion

8.1 This application has been assessed as being acceptable to the local context and is in accordance with policy. The application is recommended for conditional approval,

subject to a S.106 undertaking to cover highways and other matters to mitigate the impact of the development.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(a), 2(b), 2(c), 6(a), 6(c), 6(d), 6(k), 7(a), 7(d), 7(k), 7(v), 9(a), 9(b)

RP for 31.08.10 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition

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 - Samples details of building materials to be used [Pre-Commencement Condition]

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. APPROVAL CONDITION - Wheel Cleaning Facilities

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.

04. APPROVAL CONDITION - Construction method statement (Pre-commencement condition)

The development hereby approved shall not commence until a method statement and appropriate drawings of the means of construction of the development has been submitted to and approved in writing by the Local Planning Authority. The method statement shall specify vehicular access arrangements, details of fencing to the site, the areas to be used for contractors vehicle parking and plant, storage of building materials and any excavated material, temporary buildings and all working areas required for the construction of the development hereby permitted. The building works shall proceed in accordance with the approved method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of neighbours and the wider environment.

05. APPROVAL CONDITION - BREEAM Standards (commercial development) [Pre-Occupation Condition]

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

Reason:

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

06. APPROVAL CONDITION - Renewable Energy - Micro-Renewables (Pre-Commencement Condition)

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 12.5% for the workshop building and at least 15% for the office building 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 12.5% for the workshop building and at least 15% for the office building must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development 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).

07. APPROVAL CONDITION – Drainage Strategy (Pre-Commencement Condition)

Development shall not begin until a finalised detailed drainage strategy for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- A location plan of where any on-site SUDS methods may be used.
- Details of how the scheme shall be maintained and managed after completion.
- Definitive details of any storm water storage tanks to be implemented as well as their discharge rates.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

08. APPROVAL CONDITION - Surface water and foul drainage (pre-commencement condition)

No development shall 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 approved measures shall be in place before first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure satisfactory drainage provision for the area.

09. APPROVAL CONDITION – Water main and Sewer protection measures (Pre-commencement condition)

No development shall take place until details of measures to protect existing public sewers and the public water supply main on the site has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The construction works shall be carried out in accordance with the approved details.

Reason

As requested by Southern Water to safeguard the public sewers in the vicinity of the site.

10. APPROVAL CONDITION – Contamination (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), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To ensure this development proceeds in accordance with the requirements of Planning Policy Statement 23: Planning and Pollution Control (PPS23). The historic uses of the site mean there is potential for land contamination to be present. The applicant

suspects contamination to be present on all or part of the site. The risks to controlled waters from any contamination at the site must be fully investigated and understood.

11. APPROVAL CONDITION – Contamination verification (Performance Condition)

A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure the satisfactory remediation of the site, if deemed necessary, in accordance with PPS23.

12. APPROVAL CONDITION – Contamination (Performance Condition)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect controlled waters from contamination. Due to the historic uses of the site, there may be areas of contamination on site that are not identified and characterised during intrusive site investigations.

13. APPROVAL CONDITION – Surface Water Drainage (Performance Condition)

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To protect controlled waters from contamination.

14. APPROVAL CONDITION – Piling works (Performance Condition)

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters from contamination. Piling can create pathways for contamination to reach groundwater and thereby surface waters.

15. APPROVAL CONDITION - Sustainability statement implementation [Pre-Commencement Condition]

Prior to the first occupation of the development hereby granted consent, the approved sustainability measures shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the development minimises overall demand for resources and is compliant with the City of Southampton Local Plan (March 2006) policies SDP13 and SDP6.

16. APPROVAL CONDITION - Parking facilities (Pre-Occupation condition)

The building hereby approved shall not be first occupied until the vehicle parking (including spaces for disabled users), cycle parking, servicing facilities and cycle storage facilities as shown on the approved drawings, have been completed and made available for use, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, the parking and associated facilities shall be retained solely for the use of occupiers of the building and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority

Reason:

To ensure the provision of adequate on-site parking and servicing facilities and to avoid congestion in the surrounding area.

17. APPROVAL CONDITION – Vehicular access (Performance condition)

There shall be no vehicular egress from the site onto First Avenue except in the event of an emergency

Reason:

In the interests of highway safety and to prevent traffic congestion on this important access to the Port of Southampton.

18. APPROVAL CONDITION – Vehicles queuing (Performance condition)

The use hereby approved shall not result in vehicles waiting to enter the site queuing on the public highway in First Avenue

Reason:

To prevent traffic congestion on this important access to the Port of Southampton

19. APPROVAL CONDITION – Design of vehicular exit (Pre-occupation condition)

The use hereby approved shall not commence until the detailed design of the vehicular exit onto Manor House Avenue, including line marking, has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.

Reason:

In the interests of highway safety.

20. APPROVAL CONDITION – Detailed design of depot facilities

Details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to installation of the relevant building works:

- a) specification of the boundary fencing;
- b) design of the automatic and manual washdown facilities;
- c) design of the highways storage area including any fixed structures.

The works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory form of development.

Notes to Applicant

Southern Water – Public Sewerage and water supply

The exact position of the public water main and surface water sewer crossing the site must be determined on site by the applicant before the layout of the proposed development is finalised. For further advice please contact Atkins Ltd, Angle St James House, 39a Southgate Street, Winchester So23 9EH (tel. 01962 858688) or www.southernwater.co.uk

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.

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.

Liaison with Network Rail

Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. No water or effluent should be discharged from the site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved by the local planning authority; acting in consultation with the railway undertaker and the works shall be carried out in accordance with the approved details. The materials contained within the site subject to the applicants control should be stored and processed in a way which prevents over spilling onto Network Rail land and should not pose excessive risk to fire. If hazardous materials are likely to be sited on the land then Network Rail must be further contacted by the applicant.

POLICY CONTEXT

Core Strategy - (January 2010)

CS6	Economic Growth
CS9	Port of Southampton
CS13	Fundamentals of Design
CS18	Transport
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS25	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
SDP13	Resource Conservation
SDP15	Air Quality
SDP16	Noise
TI2	Vehicular Access

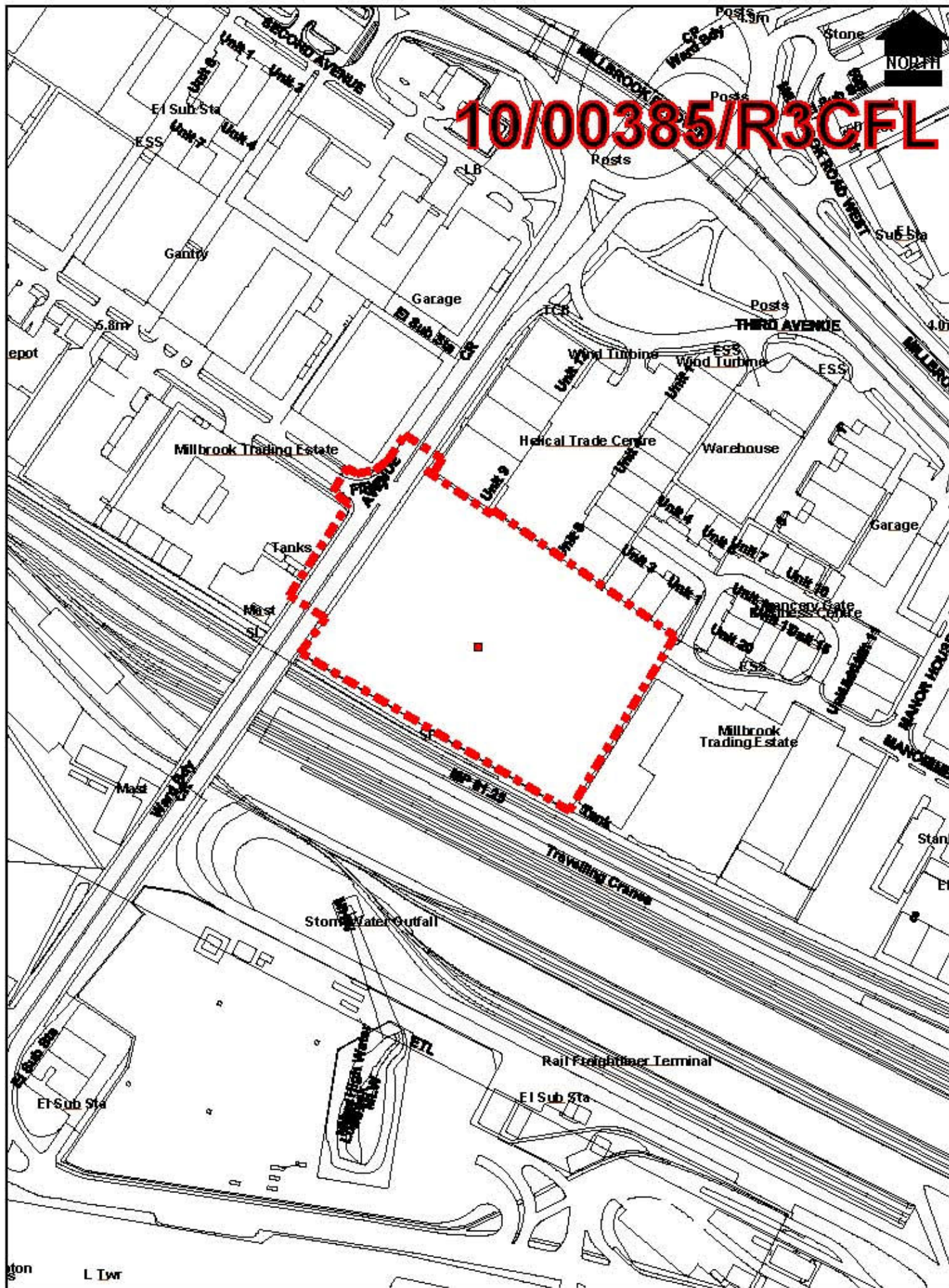
Supplementary Planning Guidance

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

Other Relevant Guidance

PPS1	Delivering Sustainable Development (2004)
PPS4	Planning for Sustainable Economic Growth (2009)
PPG13	Transport (2001)
PPG24	Planning & Noise (2004)

10/00385/R3CFL



Scale : 1:2500

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