

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

Application address:
 Former Magistrates Courts, Civic Centre, Bargate, Southampton

Proposed development:
 Change of use of the courts and police block of the Civic Centre into a Sea City Museum with associated alterations and extensions at roof level and to the north side of the building.

Application number	10/00020/R3CFL	Application type	Regulation 3
Case officer	Jenna Turner	Public speaking time	15 minutes

Applicant: Southampton City Council Leisure Services	Agent: Wilkinson Eyre Architects
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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

Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The development is an acceptable use for the Civic Centre and the proposed additions are considered to safeguard the special architectural or historic interest of the listed building and its setting. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies CS1, CS13, CS14, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, HE3, HE5, HE6, CLT1, MSA1, and MSA5 of the City of Southampton Local Plan Review (March 2006).

Appendix attached			
1	Previous Report to Planning and Rights of Way Panel and minutes of meeting	3	Development Plan Policies
2	Plan of Havelock Spur layout		

Recommendation in Full

Delegate the Planning and Development Manager to grant planning approval subject to

1. the Head of Leisure giving a written undertaking for the provision of the following:
 - a) Site specific highway improvements in the vicinity of the site in accordance with policies CS18, CS19 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
 - b) Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).

1.0 Background

1.1 This application was delegated to officers to approve subject to criteria at the 16th March Planning and Rights of Way Panel. The officer report to panel and the minutes from the meeting are included as **Appendix 1** to this report. Since this time, the scheme has amended and this report seeks member's approval of the changes to the scheme.

1.2 The recommended planning conditions have also been altered and the changes are highlighted in the attached list.

2.0 Outline of changes to the proposal

2.1 The application no longer proposes the closure of the Havelock Road spur to general traffic and will also retain metered parking bays within this area. A coach drop-off area would be still provided to serve the museum as originally proposed.

2.2 Retaining the traffic within Havelock Spur would necessitate the reconfiguration of this area. Currently, the application proposes the removal of the footway to the north-west side of the Havelock Spur and the re-provision of the parking bays along the north-west side of the road. The coach drop-off point would continue to be located to the eastern side of the spur. An indicative plan of the Havelock spur arrangement is included in **Appendix 2** to the report.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 3**.

3.2 Policy CS1 of the Core Strategy supports further leisure development within city centre locations and promotes the creation of a cultural quarter in the Northern Above Bar Area. This is supported by saved policy MSA5 of the Local Plan Review which encourages the development of the Civic Centre and Guildhall Square as a mixed-use cultural quarter.

4.0 Further Consultation Responses

Following further consultation of the proposed change to the scheme the following comments have been received:

4.1 SCC Highways - No objections. Suggest a condition to secure the detailed design of the spur including the details of hard-surface treatment.

4.2 City Design - No objection in principle. Recommend a condition to secure adequate hard-surface treatment within the spur.

4.3 Historic Environment – No objection

4.4 English Heritage – At the time of writing no further comments have been received from English Heritage but a verbal update will be provided at the meeting.

5.0 Planning Consideration Key Issues

5.1 The main considerations are whether the amended proposal would have any adverse impact on either highway safety or setting of the development. In terms of highway safety, the Council's Highway officer is satisfied that the Havelock spur can be designed to accommodate the general traffic movements and the additional pedestrian and vehicular traffic which would be associated with the museum. As such a further planning condition is recommended to secure the detailed design of the road.

5.2 The closure of the Havelock spur to general traffic would have provided the opportunity to create an open setting to the new museum extension. However, the impact of allowing the spur to remain open does not diminish the key positive attributes of the development as outlined in the report attached at **Appendix 1**.

6.0 Summary

6.1 The proposed alterations to the approved scheme are considered to be acceptable.

7.0 Conclusion

7.1 This application has been assessed as being acceptable to the appearance of the Listed Building and its context. The application is recommended for conditional approval, subject to the completion of the aforementioned items of delegation.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a) (b) (c) (d) 2 (a) (c) (e) 6 (i) (l) 7 (a) (f) (o)

JT for 31.08.10 PROW Panel

PLANNING CONDITIONS

Please see conditions 03, 04 and 13 which have been amended since previous consideration at panel

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

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

Reason:

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

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

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a 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, doors and the roof of the proposed

buildings has 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 interests of amenity by endeavouring to achieve a building of visual quality.

03. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]

A detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, means of enclosure, lighting and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority **in accordance with a timetable to be agreed prior to the commencement of development.**

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

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.

04. APPROVAL CONDITION – Details of Hard Landscaping [pre-commencement condition]

Prior to the commencement of the development hereby approved, **a timetable for the submission of full details of the hard landscaping works to be carried out shall be submitted to the Local Planning Authority for approval in writing.** The details shall include samples of materials to be used, the existing and finished land levels and the design of paving to be laid. The development shall proceed in accordance with the agreed details.

REASON

To ensure a satisfactory setting to the building is provided.

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

Prior to the commencement of the development hereby approved, a feasibility study shall be submitted to the Local Planning Authority for approval in writing regarding the

attainment of a Very Good rating against the BRREAM standard (or equivalent ratings using an alternative recognised assessment method). This shall be verified in writing and implemented prior to the development first coming into use.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS22 of the Core Strategy and SDP13 of the City of Southampton Local Plan (2006).

06. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, [as set out in the Ecological Appraisal Report October 2009, submitted with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

07. APPROVAL CONDITION – Lighting Scheme [pre-commencement condition]

Prior to the commencement of the development hereby approved, details of lighting scheme shall be submitted to the Local Planning Authority for approval in writing. The lighting shall be implemented as approved prior to the development first coming into occupation.

REASON

In the interests of reducing crime and anti-social behaviour and in the interest of the visual amenity of the area

08. APPROVAL CONDITION – Entrance screen detailing [pre-commencement condition]

Prior to the commencement of the development hereby approved detailed plans at a scale of no less than 1:20 of the new glazing to the entrance scheme shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.

REASON

In the interest of the special historic and architectural character of the Civic Centre.

09. APPROVAL CONDITION – Details of signage [pre-commencement condition]

Notwithstanding the submitted information, prior to the commencement of development, full details of external signage shall be submitted to the Local Planning Authority for approval in writing. The signage shall be implemented in accordance with the agreed details prior to the development first coming into use.

REASON

In the interest of the special historic and architectural character of the Civic Centre.

10. APPROVAL CONDITION - Archaeological investigation [Pre-Commencement Condition]

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

Reason:

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

11. APPROVAL CONDITION - Archaeological work programme [Performance Condition]

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

Reason:

To ensure that the archaeological investigation is completed.

12. APPROVAL CONDITION - Archaeological structure-recording [Pre-Commencement Condition]

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

Reason:

To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.

13. APPROVAL CONDITION – Highway Works [pre-commencement condition]

Prior to the commencement of development, a detailed design for the layout of Havelock Spur including the materials to be used shall be submitted to the Local Planning Authority for approval in writing. The works shall be implemented in accordance with a timetable to be agreed by the Local Planning Authority.

REASON

In the interests of highway safety and the setting of the Grade II* Listed Building.

14. APPROVAL CONDITION – Coach and Taxi Bays [pre-occupation condition]

Prior to the development first coming into use, the coach drop off bays and taxi bays shall be provided and made available for use within the Havelock Road spur in accordance with the submitted plans and information. The bays shall be thereafter retained whilst the building is used for the development hereby approved.

REASON

In the interest of the safety and convenience of the users of the adjoining highway

15. APPROVAL CONDITION – Visitor Cycle Storage [pre-commencement condition]

Prior to the commencement of the development hereby approved, full details of the visitor cycle storage to be provided shall be submitted to the Local Planning Authority for approval in writing. The details shall include the number, type, appearance and location of visitor cycle hoops. The cycle storage shall be implemented as approved before the development first comes into use.

REASON

To promote cycling as a sustainable form of transport

16. APPROVAL CONDITION – Refuse and Recycling Bin Storage [performance condition]

The storage for refuse and recycling bins shall be provided in accordance with the plans hereby approved prior to the development first coming into use and thereafter retained as approved whilst the development is occupied for the approved use.

REASON

To ensure a satisfactory form of development

17. APPROVAL CONDITION – Staff Cycle Storage [performance condition]

The storage for staff bicycles shall be provided in accordance with the details hereby approved prior to the development first coming into use and thereafter retained as approved whilst the development is occupied for the approved use.

REASON

To promote cycling as a sustainable form of transport

18. APPROVAL CONDITION – Travel Plan [pre-commencement condition]

Prior to the commencement of development a sustainable travel plan shall be submitted to the Local Planning Authority for approval in writing, detailing how sustainable travel to and from the development hereby approved will be promoted. The development shall proceed in accordance with the agreed travel plan.

REASON

To promote sustainable forms of transport

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

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

REASON:

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

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

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement (CMS) for the development. The CMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust

and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during construction will be mitigated. The approved CMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

REASON:

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

21. APPROVAL CONDITION – Hours of Deliveries [performance condition]

No deliveries (including construction traffic) during the hours of 08:30 to 09:30 and 16:00 and 17:30.

REASON

To ensure that deliveries to the site do not coincide with rush hour traffic

22. APPROVAL CONDITION – Servicing arrangements (Pre-Commencement Condition)

No development shall commence until details of a scheme to ensure that the use, maintenance and management of the service areas and the circulation of refuse and delivery vehicles for both the civic centre and the museum is unhindered has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of necessary signage for the directing of those vehicles both within the site and in the surrounding roads. The development shall be carried out in accordance with the approved details.

Reason

To ensure satisfactory servicing arrangements are retained

Note to Applicant

1. The developer's attention is drawn to the requirements within the British Standard Code of Practice for the safe use of cranes. Crane operators should consult the aerodrome before erecting a crane on site.