

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 28 September 2010
 Planning Application Report of the Planning and Development Manager

Application address:			
Civic Centre Civic Centre Road SO14 7LY			
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	R3CFL
Case officer	Steve Lawrence	Public speaking time	15 minutes
Last date for determination:	18.3.2010	Ward	Bargate
Reason for Panel Referral	Major planning application with Undertaking required by Head of Leisure	Ward Councillors	Cllr Bogle Cllr Damani Cllr Willacy

Applicant: Mrs Tina Dyer-Slade	Agent: Mr Neil Taylor
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning approval subject to criteria listed in report
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Reason for granting Deemed 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 deemed 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	2	Development Plan Policies
3	Plan of Havelock Spur layout		

Recommendation in Full

Delegate to 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 to include:
 - (i) Pedestrian crossing facilities in the vicinity of the junction of Havelock Road and West Park Road;
 - (ii) Construction of an island extending out from the radius of the north side of the junction of the Havelock spur road with Havelock Road to beyond the existing centre line of the carriageway which will then provide: safe visitor cycle parking; a clear definition of the carriageway edge when travelling along Havelock Road; a clear route out of the spur which only allows left turning traffic by design; a clear deterrent for any traffic attempting to turn into the spur; suitable signage to advise traffic of new circulation routes in accordance with Policies CS18, CS19 and 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);
 - (iii) The implementation of the Temporary Traffic Management Plan as shown on drawing number TM-013
 - 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).
 - c) 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
 - d) Energy conservation measures in accordance with Policies CS20 & 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).
 - e) The submission, approval and implementation of a scheme of improvements to the public realm in the vicinity of the site within a timescale to be agreed by the Local Planning Authority.

1.0 Background

1.1 This application was delegated to officers to approve (subject to criteria) at the 16th March 2010 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 been amended and this report seeks the Panel'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 as originally submitted sought the closure of Havelock Spur to general traffic and with access for coaches and taxis only for dropping off purposes.

2.2 The application now proposes a one-way route through Havelock Spur for taxis, coaches and buses. During the construction process however, the spur will be closed for a temporary period of 70 weeks. The temporary closure of Havelock Spur will serve as a trial period in which to assess the impact of permanent closure on the wider circulation of traffic in the area. This does not require a Stopping Up Order at this stage. If no problems are encountered during this time, it is intended a subsequent planning application will be submitted to secure the permanent closure of the Havelock Spur.

2.3 The applicant wishes it to be made clear that the paved piazza shown within **Appendix 3** to this report is the Council's long term aspiration, but that what can be delivered within the available budget is likely to be limited to that resolved at the March Panel meeting (**Appendix 1**), which was essentially to reserve these matters of detail by planning condition.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the adopted City of Southampton Local Plan Review (March 2006) and the adopted City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 2**.

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.

3.3 The Council has already agreed the principle of development against this policy framework.

4.0 Further Consultation Responses

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

4.1 SCC Highways - No objections. The temporary closure of Havelock spur is acceptable providing the necessary associated works to the highway network are implemented beforehand. 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 and maintain the importance of materials in the success of the scheme and the delivery of a high quality public realm. 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 the setting of the development.

5.2 A key consideration is whether traffic within Havelock Spur would present a highway safety issue particularly for the additional pedestrian and cycle movements that would use this space following the opening of the museum. In terms of highway safety, the Council's Highway officer is satisfied that the Havelock Spur can be designed to give priority to pedestrians and cyclists over vehicles, which would ameliorate highway safety issues. As such, a further planning condition is recommended to secure the detailed design of the road (please refer to condition 13 as amended).

5.3 The applicant has provided additional indicative information relating to the circulation of vehicles within this area during the period of temporary closure which is included in **Appendix 3**. Plan 1 within the **Appendix 3** illustrates the removal of the existing parking bays within Havelock Spur and the removal of the bus plug at the west end of Commercial Road, which would enable the temporary closure of Havelock Road. Plan 2 demonstrates how buses will circulate within the area following the temporary road closure; Plan 3 shows the circulation of service vehicles; Plan 4 illustrates the circulation of private vehicles following the closure of Havelock spur. The submitted illustrative information demonstrates that there is a temporary solution for the circulation of all traffic within the area during the construction period, and that the spur can be closed to general traffic subsequent to the removal of the parking bays within the spur without causing adverse circulation issues.

5.4 The ambition of the project is for Havelock Spur to be closed to all traffic in the long-term which would provide the opportunity to create an open setting to the new museum. If the temporary closure is acceptable, a permanent closure could be achieved, subject to planning approval. However, if this option does prove to be problematic for the circulation of traffic within the area, the impact of allowing the highway to remain open does not diminish the key positive attributes of the development as outlined in the report attached at **Appendix 1**.

5.5 As with the existing resolution to grant, it is not considered necessary to seek a strategic highways contribution as the proposed development amalgamates existing city centre uses.

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 28.09.10 PROW Panel

PLANNING CONDITIONS

Please see conditions 02, 03, 04, 07, 08, 09, 13, 15 and 18 which have been amended since the 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 until **a programme for the submission** of 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 - Soft 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, 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, including any street lighting, to be carried out shall be submitted to and approved by 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 BREEAM 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 of building scheme [**pre-occupation** condition]

Prior to the development first coming into occupation, details of an external lighting scheme shall be submitted to and agreed by the Local Planning Authority 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 works relating to alteration of the existing entrance**, detailed plans at a scale of no less than 1:20 of the new glazing to the entrance scheme shall be submitted to and approved by the Local Planning Authority 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-occupation** condition]

Notwithstanding the submitted information, **prior to the development hereby approved first coming into use**, full details of external signage shall be submitted to and approved by the Local Planning Authority 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 timetable for the submission and implementation of a detailed design for the layout of Havelock Spur including the

materials to be used shall be submitted to and approved by the Local Planning Authority in writing.

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-occupation condition**]

Before the development first comes into use, full details of the visitor cycle storage to be provided shall be submitted to and approved by the Local Planning Authority 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-occupation condition**]

Prior to the development first coming into use, a sustainable travel plan shall be submitted to and approved by the Local Planning Authority 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.