

Planning and Rights of Way Panel 1st August 2017
Planning Application Report of the Service Lead – Infrastructure, Planning & Development

Application address: Former Redbridge Sidings, Old Redbridge Road, Southampton			
Proposed development: Change of use of land from open space and landscaping into operational railway use and construction of new railway sidings.			
Application number	15/00306/FUL	Application type	Major
Case officer	Stephen Harrison	Public speaking time	15 minutes
Last date for determination:	29.05.2015	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member and major planning application subject to five or more letters of objection	Ward Councillors	Cllr McEwing Cllr Pope Cllr Whitbread
Referred to Panel by:	Cllr Pope	Reason:	Loss of open space and trees without appropriate mitigation

Applicant: Network Rail Infrastructure Limited	Agent: N/A
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Recommendation Summary	Delegate to Service Lead – Infrastructure, Planning & Development to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	N/A
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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. Other material considerations have been considered by the Council's Planning and Rights of Way panel on 1st August 2017, including the loss of open space, the loss of mature trees and the impacts of the development upon existing residential amenity – particularly as this scheme enables more freight trucks rather than engines - and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. Officers consider that in this instance the loss of the open space, and the subsequent departure to Policy CS21, is acceptable given that:

- The open space will serve a wider benefit in terms of freight movement and its associated economic and environmental benefits in terms of removing HGVs from the highway network. The support of Freightliner and South West Trains has been received on this basis;

- The open space to be lost is currently characterised by mature planting with the more useable parts of the Park to be retained. There will be no change to the waterside access enjoyed by this Park;
- The proposed tree loss, whilst significant, does not affect existing residential outlook across the railway (as this relationship already exists) and is mitigated by their replacement with 236 trees;
- A s.106 contribution towards tree replacement and qualitative improvements to Redbridge Wharf Park; and
- A s.106 contribution towards off-site open space and green infrastructure improvements within the wider Redbridge Ward.

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. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP11, SDP12, SDP13, SDP16, SDP17, SDP22, NE4, NE6, NE7, HE6, CLT3 and TI2 of the City of Southampton Local Plan Review (2015) and CS6, CS9, CS13, CS14, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (2015).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards open space and green infrastructure initiatives within Redbridge Ward (and maintenance where appropriate), including on-site improvements and maintenance to Redbridge Wharf Park with a 2:1 tree loss commitment (minimum 236 trees), improved signage to the Park and the re-provision of the cycle track as required by LDF Core Strategy policies CS21 and CS25; and
2. In the event that the legal agreement is not completed within three months of the decision of the Planning and Rights of Way Panel, the Service Lead - Infrastructure, Planning and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
3. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Background

The planning system gives the applicant, Network Rail, 'permitted development' to undertake development relating to the movement of traffic by rail on their operational land (General Permitted Development Order Part 8 Class A refers). There is a nationwide initiative to remove capacity constraints in the rail freight network and where possible Network Rail are utilises their permitted development allowances. Network Rail's 'Freight Utilisation Strategy' (March 2007) identified the Port of Southampton to various destinations

in the West Midlands and West Coast Main Line as a capacity gap requiring further investment. Freight capacity expansion is a necessity for Southampton according to the applicant and their findings as the City currently is a bottleneck for the movement of freight.

In this instance the proposed development is located upon Council owned open space where planning permission is then required as this is not 'operational land' for the purposes of permitted development. Should the Panel support the officer recommendation to approve the Council would then need to advertise its intention to dispose of the land and, if subject to objection, the Council's Cabinet would then decide whether or not to sell the land subject of this planning application.

1.0 The site and its context

- 1.1 This planning application concerns a linear piece of Council land which runs along the southern boundary of the existing railway line, and associated sidings, at Redbridge Station on the edge of the Council's administrative boundary. The land is currently planted with mature trees and forms part of a wider piece of public open space, with a total area of 16,600sq.m, which is triangular in nature with extensive views across the River Test to the south with pedestrian access taken from the Redbridge Station bridge link. The operational port forms the site's eastern boundary.
- 1.2 The land was formerly owned and used for railway sidings but was sold to the Port of Southampton. In 1992 outline planning permission was granted for industrial and storage development to enable disposal by British Rail to the Port of Southampton for its expansion proposals. As part of this decision the Redbridge Wharf Park was transferred to the Council in 2002 with the extension of the footbridge to provide full pedestrian access.
- 1.3 There are a number of designated sites near the proposed development site. European designated sites include the Solent Maritime Special Area of Conservation (SAC) and the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site. UK designated sites include the Eling and Bury Marshes Site of Special Scientific Interest (SSSI), the Lower Test SSSI and the River Test SSSI.

2.0 Proposal

- 2.1 Full planning permission is sought to change the use of land from public open space to operation land for network rail to enable them to increase network capacity by two additional sidings for freight, particularly serving the Port of Southampton. At present the average length of freight trains running from Southampton to the West Midlands and WCML is around 520 metres. The aim of the project is to provide additional sidings to accommodate 775 metre-long trains, and provide for additional manoeuvres to and from the Port of Southampton. This project is just one of 10 such initiatives to improve freight movement across the UK. It is estimated that each additional freight train on the network removes between 43 and 76 HGVs from the highway network, with each tonne transferred reducing carbon emissions by 76%. Currently freight operates across the network on a 24 hour/day operation and the existing sidings form part of that network. This application seeks to extend the existing capacity and improve the logistics of moving freight along the same network as passengers and, if approved, would operate on the same 24 hour/day basis as existing. Network Rail advise that

longer sidings allow for longer trains rather than more diesel engines on the network

- 2.2 Some existing vegetation on the site will be cleared, including significant tree loss, and track formation works will be undertaken to provide for drainage, relocated and new fencing to make ready for the development of operational sidings (formed of ballast, sleepers and rails). Small technical equipment boxes and some signalling equipment will also be installed. In total some 2,008sq.m of designated (1,268sq.m) and undesignated (740sq.m) open space is required with the removal of 118 trees in total followed by appropriate mitigation and replanting. The existing trees range in height from 6 to 12 metres. A comprehensive tree survey has been carried out on all the trees alongside the railway boundary east of the footbridge and in the balance of Redbridge Wharf Park (west of the footbridge). The survey found that the trees along the railway boundary are generally 'spindly', and have co-dependent crowns which are suppressing each other. In total the report identifies that no 'A' category trees will be felled, 5 individual and 9 groups of Category 'B' trees will be lost, and 1 individual and 3 groups of Category 'C' trees will also be removed to facilitate the development. A variety of species including Field Maple, Silver Birch, Oak, Hornbeam, Alder, Holly, Aspen, Rowan, Hawthorn, Hazel and Blackthorn are earmarked for removal. A 2:1 tree planting scheme is proposed as discussed later in this report and secured through a s.106 legal agreement.

3.0 Relevant Planning Policy

- 3.1 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.2 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.3 Policy CS21 (Protecting and Enhancing Open Space) explains that *'the Council will retain the quantity and improve the quality and accessibility of the city's diverse and multi – functional open spaces and help deliver new open space both within and beyond the city to meet the needs of all age groups through*
- 1. Protecting and enhancing key open spaces including Southampton Common, central, district and local parks;*
 - 2. Replacing or reconfiguring other open spaces in order to achieve wider community benefits such as improving the quality of open space, or providing a more even distribution across the city;*
 - 3. Safeguarding and, when opportunities arise, extending the green grid (see Policy 22);*
 - 4. Seeking developer contributions to provide high quality, accessible open spaces.'*
- 3.4 The application has been formerly advertised as a departure to Policy CS21 as, if supported, will not retain the quantity of open space in the City.

3.5 Furthermore, Policy CS6 (Economic Growth) and Policy CS9 (Port of Southampton) specifically promote rail freight, and Policy CS18 (Transport Policy) supports freight movements to and from the Port. Providing for a growing and sustainable freight transport network is also supported by the NPPF. In particular paragraph 30 which informs '*encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion*' and paragraph 31 requires Local Authorities to work with transport providers to provide large scale facilities and the framework lists 'rail freight interchanges' as an example.

4.0 Relevant Planning History

4.1 The land was previously used for railway purposes and is affected by a previous s106 legal agreement (associated with LPA reference no: 931276/24941/W), which enabled the land to be used for port related activities and public open space. It was then sold to the Port of Southampton who in turn transferred the retained open space to the Council in 2002 in order to provide public open space with waterside access.

5.0 Consultation Responses and Notification Representations

5.1 In January 2015 (ahead of the application being formally submitted) letters were sent by the applicant, Network Rail, to key stakeholders who might have an interest in the proposal. These included the City of Southampton Society, the Southampton Commons and Parks Protection Society (SCAPPS) and the Redbridge Residents Association. It is understood that meetings were held with these parties on Monday 9th March 2015.

5.2 The planning application was accompanied by 2 letters of support; with comments made by Freightliner and South West Trains each supporting the investment in local infrastructure capacity.

5.3 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners (258 letters sent – mainly to residents living between Old Redbridge Road and the railway), placing a press advertisement 13th and 27th March 2015 and erecting a site notice 13th and 27th March 2015, and then 16th May 2017 following the conclusion of negotiations on a suitable s.106 mitigation package. At the time of writing the report **16 representations** have been received from surrounding residents, including representations from local amenity groups and Ward Cllr Pope.

5.4 The following is a summary of the points raised by neighbours:

5.5

- Objectors suggest that whilst the project seeks to reduce HGV trips all that will happen is, with the current expected growth of the Port, there will be an increase in both HGV and rail freight leading to further air pollution and noise problems in the locality. This impact will be exacerbated by the removal of 100+ mature trees. The submission cannot commit to a reduction in HGV traffic – as this is not with the gift of Network Rail - and does not explain the impacts of additional freight on air quality or noise

Response

Network Rail have responded to this point by stating that *'the project does not seek to reduce HGVs it is just a benefit and positive output of our project. Due to the increase in the Port Network Rail are assisting in providing more wagons which enables more goods to be carried by the trains and to support the growth in demand of UK trade. There is no additional freight we are just running longer trains. The scheme's aim is to enable freight train lengthening / extra wagons – not to increase the number of trains. We don't hold any specific studies on the impact of the additional freight / additional wagons - from this scheme - on air quality and noise. However there have been some reports which address air quality in general including the Rail Delivery Group's 'Freight Britain' Report (2015) which suggests that in comparison to road, which dominates the market, rail offers significant environmental benefits including:*

- *Reducing CO2 emissions: rail freight reduces CO2 emissions by up to 76 per cent compared to road; and,*
- *Reducing air pollution: rail freight produces up to 10 times less small particulate matter than road haulage and as much as 15 times less nitrogen oxide for the equivalent mass hauled.'*

In response to the possible noise impacts it should be noted that the existing railway network operates a significant freight operation from Southampton Docks and this project will facilitate longer trains rather than more of them. Colleagues in Environmental Health have not raised an objection to the possible intensification of use created by permitting this change of use.

- 5.6
- The operational need for Network Rail to form 2 tracks, with the second requiring substantial tree loss, remains unanswered

Response

It is considered that the provision of two tracks improves the logistics of the network and allows two-way freight traffic. Network Rail have been asked to respond to this point and any information will form an update to the Panel meeting.

- 5.7
- The replacement of trees from the site elsewhere in the City is not supported

Response

Agreed. The s.106, as set out above, will secure 2 trees for every 1 felled and will, where practicable to maintaining the openness of the Wharf Park, look to re-provide on-site as a first principle. The shortfall will be planted elsewhere in the Redbridge Ward where the impacts are felt the most.

- 5.8
- The development will bring additional light and noise pollution

Response

The nearest affected residents live on the opposite side of the railway line (at 11 Railway Cottages) some 21 metres from the existing boundary fence to Redbridge Wharf Park. The revised Construction and Environmental Management Plan (CEMP) confirms that directional or shielded lighting would be used during construction and once the site is operational. Clearly some additional lighting will be required although the site already abuts, in part, the Redbridge Station and some lighting is already in place. A planning condition is proposed to secure details of the lighting with scatter diagrams to ensure that any additional light spill is carefully considered and the impacts mitigated.

Network Rail comment that *'there may be noise and light pollution in a localised area during the construction phase. This will be minimised through the Construction Environmental Management Plan. Following the project being*

completed there won't be noticeable increases in noise and light pollution. The number of trains running from Redbridge will not increase in the short term, but the train length will increase. Any effect will be localised to the houses adjacent to the operational railway at Redbridge. As a result of the project there will be an overall positive benefit on the noise and light pollution for the city of Southampton. More freight can be transported by rail rather than road subsequently leading to the reduction of congestion as a result of road movements'.

Again, without an objection from the Council's Environmental Health Officer it is considered that the proposals can be supported given the existing relationship between the residential property and the existing railway line. Longer trains will not result in more diesel engines and on that basis the noise and air quality concerns, whilst noted, should not significantly change.

- 5.9
- Residents seek a permanent barrier between the railway line and the application site both during construction and following the works.

Response

The northern boundary of the railway does not form part of the application site and no change is proposed. Network Rail have been asked to comment on this request and any information will form an update to the Panel meeting.

- 5.10
- The application does not explain when the construction works will be undertaken and whether 24 hour operations will be permitted.

Response

Network Rail have confirmed that some flexibility with a permission allowing some 24 hour/day construction (for no more than 2 weekends) will be required so as not to unnecessarily disrupt the existing rail network. The standard working hours of 8am to 6pm (Mon-Fri) and 9am to 1pm (Sat) and no Sunday working is recommended by condition, whilst enabling for the extraordinary works at the end of the project. Network Rail have been asked to confirm how long the construction phase will last and a verbal update can be given at the Panel meeting.

- 5.11
- The existing footbridge is poorly maintained with solid panelling and should be redesigned to provide better access to the Park.

Response

Network Rail comment that *'the panelling cannot be removed as it prevents damage to ABPs property. There have been previous instances of members of the public throwing items into ABPs land, causing damage to the cars. Network Rail has agreed that they will provide a deep clean to the footbridge and the funding for ongoing maintenance. This will improve the bridge environment'.*

Network Rail suggest that it would cost £80,000 to give the existing bridge a deep clean. In response to this last point officers would suggest that requiring Network Rail to clean the bridge through the planning process does not meet the tests of the relevant s.106 regulations that govern how and when mitigation and financial contributions should be secured. The maintenance of the bridge is an ongoing requirement of Network Rail and the train operators, and whilst they have suggested that the Council could use some of the total s.106 package offered this would not, in the opinion of officers, mitigate the loss of open space and trees sufficiently. The Panel may, of course, disagree with this assessment and suggest that the access to the Park requires improvements that warrant additional financial contributions to those listed in this report.

- Objection to the narrowed approach into the park from the bottom of the footbridge.

5.12 **Response**

Network Rail comment that there are limits to widening the pathway '*as one side is operational railway and the other owned by ABP. Network Rail agreed to look into the feasibility of re-arranging the existing ramp into one continuous ramp. This modification can be achievable however it would be unjustifiable to spend this amount of public money on infrastructure that would provide a limited benefit*'.

- The applicant's should replace the open space lost

Response

5.13

Network Rail comment that '*they are unable to provide alternative land in the Redbridge area. They own a small area of land to the north of Redbridge Station but need to retain this land for future enhancements to the strategic network. Stakeholders suggested that Network Rail could contribute to Hampshire City Council's (HCC) Test Historic Bridges project which aims to improve access to the Grade II listed bridge. It was proposed by stakeholders that Network Rail build a bridge from Test Lane over the railway onto the Test Historic Bridges. The project team have been advised that a bridge can be built however this would be a non-standard footbridge and based on similar projects would cost in the region of £1.5 to £2 million. It would be unjustifiable to spend this amount of public money on infrastructure that would not improve the railway. In addition to this Network Rail have approached the Association of British Ports to discuss the possibility of acquisition of 1268sq.m of their land to convey to SCC as substituted open land. However, the Port is not in a position to sell us their land due to commercial contracts they currently have with their current tenants.*'

Following submission the mitigation package required to justify this departure from the Development Plan has been discussed further. As it currently stands the offer made proposes a payment of £79,058 towards the Redbridge Wharf Park itself, which includes replacement tree planting on a 2:1 basis. In addition, Network Rail have offered a further £161,400 to the Council for use on open space and green infrastructure projects elsewhere within the Redbridge Ward. This offer has the support of officers, including the Landscape and Development Manager who is responsible for open space within the City. The open space to be lost is not the most useable part of the park, and whilst the loss of mature trees to facilitate development is always to be given careful consideration there are benefits from securing a replanting strategy of 2 trees for every one lost, particularly for the long term future of the City.

- Local residents are unaware of this application

Response

5.14

This application was first submitted in 2015 following pre-application engagement with local interest groups by Network Rail. Following the formal submission of the application the Planning Department erected site notices, issued a press notice and wrote to the nearest residents. It became clear that further work was needed before this favourable recommendation could be formed, and Network Rail then organised a site meeting with local interest groups in 2016 ahead of revising the mitigation offered for the loss of open space and mature trees. The Planning Department re-advertised the revised scheme giving further opportunity to comment and sent letters to 258 addresses including property at Old Redbridge Road, Tate Road, Brunel Road, Pat Bear Close and Lebanon Road. With the additional site and press notices the Planning Department has exceeded its

statutory requirement for public consultation and 16 objections have been received to the proposals.

Ward Cllr Pope – Panel Referral & Objection

1st Comment:

- 5.15 I have discussed the proposal with Network Rail, and in general I am in favour of expanding rail freight. Our roads nearby in Redbridge ward need to be improved, but the load on them needs to be reduced as well, if we are to avoid having to do works on them too regularly - if we can get the funding that has hitherto proved elusive. However, there are three main concerns I have with expanding rail freight:
1. Noise for local residents. I would expect planning conditions to control noise, particularly at night. This is already a noisy area. What conditions would be provided?
 2. Although I am pleased that Network Rail are looking for suggestions, I have tried to find some in the documentation. I am concerned that it seems that there are no definite plans for enhancements to the remainder of the site, or compensatory plans elsewhere - could improvements to parks/open spaces elsewhere in Old Redbridge be provided? So I cannot make a call on what has been proposed until this item goes to the planning panel and/or a report has been written that includes a firm proposal. I need advice from planners please.
 3. I am concerned about impacts on the ecology of the local area, especially as it is so close to environmentally sensitive sites. I note the concerns about otters and birds in the reports...

2nd Comment:

- 5.16 Since the site meeting (28/09/16) we have been speaking more with local residents. Overall, they are not happy with the plans and have concerns about any 24-hour operations, noise and light pollution, as well as the ecological issues. Many of them were completely unaware of the plans, although one resident of Tate Road did say he received a letter. I am minded towards an objection given the above and the continuing delay in a suitable scheme for local residents.

City of Southampton Society – Objection.

1st Comment:

- 5.17 Support the concept of moving freight by rail rather than by road and understand economic and environmental benefits of the proposals. However, object to the loss of public open space and the mitigation package offered in lieu. The scheme fails to improve access to the Park for all users.

2nd Comment:

- 5.18 The response to the further consultation, sent on the instructions of the City of Southampton Society Planning Committee:
- Land belonging to Network Rail is situated at the north side of the station, and could be offered.
 - Network Rail should provide a sturdy green boundary fence, on their land.
 - The green wire fence suggested by Network Rail is inadequate.
 - Entry to the Park would be narrow and dark and deterring. Good protected lighting essential.
 - The ramp should be realigned for ease of access.
 - The loss of trees in this Park disturbing and would not be fully restored.
 - More shrubs would be welcome.

- No toilet facilities offered for the Park.
- Signage to the Park is needed.
- Cleaning the bridge is already an obligation of Network Rail anyway.
- As the Park is remote, safety measures need improving, e.g. lifebelts, telephone, alarm system.
- The section 106 money should be more than normal in view of the loss of land.
- There should be enough money to ensure the maintenance of the Park indefinitely.
- The money offered is not much in view of the loss and damage to be inflicted.

3rd Comment:

5.19 The replacement screening in thickness and sound-proofing is totally inadequate. The new boundary should be substantial, consisting of semi-mature trees which will block out the sight and sounds of the new marshalling yard proposed by Network Rail. The quality of the entrance to the park must be enhanced and signage also needs to publicise the park's existence. CoSS considers Network Rail should meet the costs of these improvements. Equally, the City's Green Team should provide detailed plans of the revised park's layout, showing the planting programme (trees and shrubs).

Southampton Common and Parks Protection Society (SCAPPS) - Objection

Final comments:

5.20 The proposed development would seriously damage the Park not just by taking land from it but also by removing the semi-mature tree-planting which at present screens the Park (visually and noise) from the railway. The land take would result in the approach to the Park from the footbridge being so narrowed & squeezed between tall security fences that it would give rise to users of the Park having justifiable fears about personal safety & security. The Society's previous submissions have detailed these objections.

5.21 SCAPPS has set out proposals to overcome each of these major reasons for objection. Those proposals have been summarily & unreasonably rejected by the applicant in the applicant's latest submission.

5.22 1 National planning policy guidance & the statutorily prepared & adopted development plan require provision of replacement public open space equal in area & quality to that taken by the proposed development. Neither Network Rail nor City Council has identified a suitable replacement & the applicant has made the derisory offer of £10,000 in lieu. Objectors asked Network Rail to investigate contributing to a scheme to improve the setting of the historic Test bridges & improving access from Redbridge to adjacent green space west of the river. Network Rail investigated only provision of a footbridge over the Salisbury line. There are other ways Network Rail could contribute & help give the Redbridge community better access to an improved green space west of the river.

5.23 2 A chain-link fence with creepers is totally inadequate replacement for the present tree-belt. Any permission should be made conditional on submission & agreement of an off-site landscaping scheme (ie within the Park) for planting of the same number of trees (including some semi-mature trees to give immediate visual screening) as would be removed by the track widening. The applicant's

proposition of providing funding for planting trees elsewhere in the City is inadequate & inappropriate compensation for loss of the present screen planting. SCAPPS objects to tacit removal of an obligation of the planning permission for the ABP vehicle storage site & Park.

- 5.24 3 The further narrowing of the already confined approach from the footbridge into the Park would be a major deterrent to Park use. SCAPPS put forward the suggestion of realigning the ramps leading down from the footbridge so instead of 'doubling-back' the ramps were repositioned to extend across the narrowed section. Network Rail dismiss this as providing 'limited benefit'. SCAPPS submits that this change in the approach is the only way to overcome what is otherwise sufficient grounds for refusal of the application.

- 5.25 At early meetings with the applicant, SCAPPS and others requested explanation of the operational need for an additional two tracks --- it is the second track that results in the need to take land from the Park. SCAPPS requests that the report to P&RoW Panel includes the operational justification for two rather than just one additional track.

- 5.26 SCAPPS objects to elements included in the 'mitigation package' the applicant has offered to the City Council. The test for requirements of section 106 contribution is that the measures should be directly related to the proposed development & necessary for the proposed development to be acceptable in planning terms. The inclusion of a 'green screen' distant from the application site & unrelated to it in any way is inappropriate. Keeping the existing footbridge clean & maintained is a normal obligation on Network Rail &/or the train operating company; it is entirely inappropriate for failure to meet that obligation to now be passed-off as made necessary by the proposed development. What should be in the section 106 'mitigation package' is realigning the footbridge ramp to overcome the otherwise fundamental objection to granting of permission, the unacceptable impact on entrance to the Park.

Response

- 5.27 Whilst Network Rail have not specifically responded to the question regarding the need for 2 new sidings rather than one, they have explained the need for additional rail freight capacity around the Port of Southampton, and the Council has a duty to determine their application for the development that they have proposed. In terms of a mitigation package the applicants have met the request of the Landscape and Development Manager for £79,058 for on-site improvements and have offered a further £161,400 (in addition to the cost of the land, which is a separate discussion with the Council's Property Services) towards off-site open space and green infrastructure improvements within the Redbridge Ward. Officers accept that this provides the necessary mitigation to satisfy Policy CS21.

Consultation Responses

- 5.28 **SCC Highways** - The proposal is acceptable.
- 5.29 **SCC Tree Team** – The tree survey, species selection and tree protection plan are accepted. Required are locations and total number of trees to be replanted to mitigate the loss is required as a condition and must be produced once the final layout is agreed. Areas for new planting to be similarly protected or mitigated. Please condition the production of a final Arboricultural Method Statement

including the required information noted above.

Response

The applicants will make a contribution towards replacement tree planting and it will be for the Council to then resolve location and species. The team will be responsible for spending the contribution on receipt of payment. As such only a condition regarding the method statement is deemed necessary.

5.30 SCC Environmental Health (Pollution & Safety) – No objection

I have no objection to this application, but would ask for a construction management plan, which includes the hours of work to be submitted and agreed with the LPA prior to the commencement of this application.

5.31 SCC Environmental Health (Contaminated Land) – No objection

This proposal for a change of use of land from open space and landscaping into operational railway use and construction of new railway sidings 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.

5.32 The history of Southampton City presents many potential contamination hazards to much of the land in its area. 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, I would recommend that; in accordance with policies SDP1 and SDP22 of The City of Southampton Local Plan Review - Adopted Version March 2006 and Para 121 of the National Planning Policy Framework - March 2012, if planning permission is granted conditions are attached.

5.33 SCC Ecology – Holding objection removed

The application site comprises a small area of public open space supporting amenity grassland, two blocks of trees, a linear belt of scrub and planted trees and areas of hard standing.

5.34 The site lies approximately 100m to the north east of a section of the Solent Maritime Special Area of Conservation, Solent and Southampton Water Special Protection Area (SPA) and Ramsar site which are classed as European designated sites. The Eling & Bury Marshes Site of Special Scientific Interest (SSSI) and Lower Test Valley SSSI lie approximately 100m to the south-west and 185 m to the north-west respectively.

5.35 Adjacent to the site is an area of inter-tidal mudflats which forms part of the Redbridge Wharf Site of Importance for Nature Conservation (SINC). Further mudflats within the channel of the River Test are designated as the Redbridge Mud Flats SINC.

5.36 The application site is physically separated from the statutorily designated sites by the River Test and as such there is a negligible risk of direct impacts arising from the proposed development.

5.37 A section of the Redbridge Wharf SINC lies adjacent to the application site however, this is below the level of the development and again will not be directly

impacted. The other SINC, the Redbridge Mud Flats is located within the river channel and as such is too distant to be affected.

5.38 The habitats on the site are not of high intrinsic ecological value they do, however, provide habitat for a range of breeding birds and are a stopping off point for passage migrants. The key areas of habitat in this respect are the block of woodland along the eastern boundary and the trees and scrub alongside the railway line. Much of the habitat along the railway line will be lost which will result in adverse impacts on breeding and migrating birds. Suitable mitigation will be required to minimise these impacts.

5.39 There is also suitable habitat for slow worms and foraging bats. The removal of some of this habitat will result in a general reduction in foraging capacity and poses a risk of injury or death to reptiles which is an offence under the Wildlife and Countryside Act 1981 (as amended). Appropriate mitigation to avoid physical injury to reptiles and replace lost foraging habitat will be therefore required.

5.40 The trees on the site appear to be unsuitable for supporting bat roosts there is therefore a negligible risk of direct impact upon bat roosts.

Indirect impacts

5.41 Although there is a negligible risk of direct impacts upon European sites there is some potential for indirect impacts. These include disturbance from sudden loud noises, visual disturbance by people wearing high visibility clothing, illumination of the water and contamination of the water from spillages of chemicals.

5.42 A number of appropriate mitigation measures designed to avoid adverse impacts are mentioned in the ecology survey report however, this is insufficient. In order for the Local Planning Authority (LPA) to conclude that there will be no likely significant effects these measures will need to be included in a Construction Environmental Management Plan which must be submitted prior to determination of the planning application.

5.43 An additional issue, recreational disturbance, has not been considered. The application site includes part of a small public open space which is clearly used for dog walking. Research undertaken as part of the Solent Disturbance and Mitigation Project established that dog walking is a key source of disturbance to overwintering wildfowl and that existing levels of recreational activity are leading to significant adverse impacts on a number of species. The loss of land within the open space, and the apparent use of a significant proportion of the remainder as a works compound, creates a risk of recreational activity being displaced into the Lower Test Marshes Nature Reserve which contains sections of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site and is located 1.2km to the north west of the application site.

5.44 Measures will therefore be required to ensure that the park remains available to dog walkers during the construction phase and that it is of sufficient size post development to provide an adequate dog walking route. Without confirmation that this will be the case it will not be possible to conclude no likely significant effect and consent should not be granted.

Conclusion

5.45 The proposed development has the potential to result in indirect impacts upon European designated sites. The most significant of these is recreational disturbance as a consequence of displacement of dog walking activity. The applicant will need to demonstrate that the recreational value of the open space can be maintained during the construction and operational phases. Suitable mitigation measures for the other potential impacts can be put in place however, formal details of these will need to be provided to the LPA before consent can be granted. The development will result in a loss of habitat for breeding and migrant birds which will need to be mitigated.

Response:

5.46 Following the receipt of the amended Ecological Mitigation Plan no objection is raised by SCC Ecology (see also Natural England's response (below)). Amongst other measures the revised CEMP confirms that the following measures would be implemented to ensure that the area is protected from the noise and visual disturbance that would be created by the works:

- *The works area would be fenced and shielded by wooden hoarding or Heras type fencing covered by a dense weave material.*
- *Directional or shielded lighting would be used during construction and once the site is operational to prevent light spill into retained habitats including Redbridge Wharf SINC and the River Test.*

5.47 *Furthermore, a pre site clearance ecological walkover survey would be undertaken to confirm the continued absence of these species from the areas within or adjacent to the works footprint. No excavations should be left open overnight. In the event that it is necessary to leave an excavation open overnight a safe means of egress such as a shallow soil slope or a planks of wood should be provided to prevent any animals from being trapped. The area of open space adjacent to the works area would continue to be owned and managed by the local council. It is anticipated that this open space would continue to be managed for recreation'.*

SCC Heritage – No objection

5.48 The site lies within Local Area of Archaeological Potential 1 (Redbridge). A brief analysis of the historic maps shows that the whole area was given over to rail tracks, sidings and wharfage, prior to the formation of the open space. While archaeological deposits may survive in the area, the extent of 19th century industrial activity is likely to have compromised any surviving remains, to the extent that archaeological evaluation would not be suitable. I would therefore recommend that an archaeological Watching Brief is commissioned for the duration of any groundworks, and that if the application is granted conditions should be placed on any decision notice.

5.49 **Environment Agency – No objection**

5.50 **Southern Water – No objection**

There is a public water distribution main crossing the site that should be fully understood before the layout of the proposed development is finalised. An informative is recommended.

5.51 **Natural England – No objection subject to appropriate mitigation being secured.** Without mitigation Natural England consider that the application would have an adverse impact upon the integrity of the Solent and Southampton Water SPA and

Ramsar site, the Solent Maritime SAC and damage or destroy the interest features for which Eling and Bury Marshes and Lower Test Valley SSSIs have been notified. Conditions are required regarding piling and a Construction Environment Management Plan

Response

Following the receipt of the amended Ecological Mitigation Plan the Council's Ecologist has removed their similar objection and a planning condition is recommended to secure the recommendations from the document.

6.0 Planning Consideration Key Issues

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

1. Principle of Development & Loss of Open Space
2. Impact on Residential Amenity
3. Tree Loss
4. Highways Impact
5. Mitigation Strategy & Ecological Impacts

6.2 Principle of Development

6.2.1 This planning application seeks to expand capacity on the rail network for freight but requires Council owned land in order to do so. The land is currently protected by the Development Plan and totals some 2,008sq.m of designated (1,268sq.m) and undesignated (740sq.m) open space.

6.2.2 LDF Policy CS21 stipulates that *'the Council will retain the quantity and improve the quality and accessibility of the city's diverse and multi – functional open spaces and help deliver new open space both within and beyond the city to meet the needs of all age groups through*

5. *Protecting and enhancing key open spaces including Southampton Common, central, district and local parks;*
6. *Replacing or reconfiguring other open spaces in order to achieve wider community benefits such as improving the quality of open space, or providing a more even distribution across the city;*
7. *Safeguarding and, when opportunities arise, extending the green grid (see Policy 22);*
8. *Seeking developer contributions to provide high quality, accessible open spaces.'*

6.2.3 The loss of 2,008sq.m of open space represents a departure from this policy, and local amenity groups including SCAPPS and the City of Southampton Society are opposed to any further loss of this open space. In order to support a departure the Panel need to decide whether or not other material considerations outweigh the loss of this open space. In making a similar assessment officers have also had regard to LDF Policy CS6 which explains how the Council will contribute to the objectives of increased economic/employment growth by *'providing appropriate support to the Port of Southampton'*. LDF Policy CS9 adds that *'the Council will facilitate growth by... supporting an increase in transhipments (ship to ship), rail freight to/from the port and appropriate road improvements...'*. LDF Policy CS18 confirms that *'in relation to strategic transport the Council will work with adjoining authorities and through Transport for South Hampshire to support Southampton's role as an international gateway and regional transport hub by*

supporting freight movements to and from the Port of Southampton, with a presumption in favour of rail freight and 'transhipment' (ship to ship)'. Weight should also be afforded to these policy aims.

6.2.4 As such a balance needs to be considered between the protectionist open space policy and those policies that support economic growth, port related activity and the modal shift of freight from road to rail. Officers consider that in this instance the loss of the open space, and the subsequent departure to Policy CS21, is acceptable given that:

- The open space will serve a wider benefit in terms of freight movement and its associated economic and environmental benefits in terms of removing HGVs from the highway network. The report of Freightliner and South West Trains has been received on this basis;
- The open space to be lost is currently characterised by mature planting with the more useable parts of the Park to be retained. There will be no change to the waterside access enjoyed by this Park;
- The proposed tree loss, whilst significant, does not affect existing residential outlook across the railway (as this relationship already exists) and is mitigated by their replacement with 236 trees;
- A s.106 contribution of £79,058 towards tree replacement and qualitative improvements to Redbridge Wharf Park with the Council's Landscape and Development Manager responsible for using these funds; and
- A s.106 contribution of £161,400 towards off-site open space and green infrastructure improvements within the wider Redbridge Ward with the Council's Landscape and Development Manager responsible for using these funds.

6.2.5 It is considered that this mitigation is sufficient to warrant the loss of open space in this instance, despite the significant objection received to doing so.

6.2.6 Whilst it is considered that the principle of development can be supported the direct impacts of the proposals still require further assessment before the grant of planning permission could be entertained:

6.3 Impact on Residential Amenity

6.3.1 Adopted Local Plan Review Policy SDP1(i) states that *'planning permission will only be granted for development which does not unacceptably affect the health, safety and amenity of the city and its citizens'*. Policy SDP15 adds that *'planning permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards'*. Policy SDP16 states that *'proposals for noise generating development will not be permitted if it would cause an unacceptable level of noise impact'*. This is the policy framework against which this planning application's impacts upon existing residential amenity should be primarily assessed.

6.3.2 The land was originally used as railway sidings before it was set out as public open space. Whilst the site is removed from its residential neighbours by the railway itself, the closest residents are located approximately 21 metres from the networks existing boundary fencing. The railway predated the purchase of these properties by these neighbours. The application does not seek to facilitate more trains on the network, although this may be possible, but allows for longer trains and improved logistics to operate on the wider network thereby removing Southampton

as a bottleneck. As such there will not be a significant expansion of diesel engines using the sidings. The existing sidings operate on a 24 hour basis, along with the wider network, and the additional sidings are proposed to operate on the same basis so some growth may be possible. Residents have objected to increased lighting, noise and air quality issues and these concerns are material to the Panel's deliberations. Given the existing network and sidings at Redbridge Station, its significant existing operations on a 24 hour basis, and the intention simply to improve wider network capacity and increase train length (rather than increasing the number of freight trains and diesel engines sitting idle) the localised impacts on residential amenity are, on balance, considered to be off-set, providing a condition is imposed to control light spill, due to the potentially wider benefits of removing HGVs from the highway network. It is estimated that each additional freight train on the network removes between 43 and 76 HGVs from the highway network, with each tonne transferred reducing carbon emissions by 76%. Rail freight produces up to 10 times less small particulate matter than road haulage and as much as 15 times less nitrogen oxide for the equivalent mass hauled. These benefits are relevant to the Panel's deliberations.

6.3.3 Network Rail accept the need for a condition limiting the hours of construction although the Panel may consider that some flexibility (as necessary to Network Rail) can be supported. Refer to the relevant condition below.

6.3.4 Finally, the Panel will note that the Council's Environmental Health Team have not objected to this application, but should complaints be received following the works they would be duty bound to investigate any statutory nuisance arising.

6.4 Tree Loss

6.4.1 The planning application proposes the removal of 118 existing trees, principally along the Park's existing northern boundary. These trees provide a screen from the park to the railway, but offer no screening of the railway from the existing residents on the opposite (northern) side of the tracks. The loss of these trees will not affect this existing outlook across the railway from these neighbours, but will clearly change the wider setting of the Station and the Park itself. These trees offer a significant green screen along the Parks' boundary and are an attractive component of the area. It is also acknowledged that these trees are providing certain air quality mitigation and improvements to the locality.

6.4.2 Without the loss of 118 trees the change of use cannot occur. The Council's Tree Officer agrees with the findings of the applicant's arboricultural report that none of the trees identified for removal are of the highest category (A) with only Category B trees (ie. of moderate quality or value capable of making a significant contribution to the area for 20 or more years) and Category C trees (ie. of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development) affected. The Tree Officer has confirmed that providing this tree loss is properly mitigated and that every tree felled is replaced by 2 trees then the loss can be supported. Whilst 236 new trees may not be accommodated on the site without eroding the openness of the Park the s.106 can ensure that any off-site planting is undertaken within the Redbridge Ward so as to ensure that the mitigation is working in the area where the loss is felt the most. The Council maintains the control necessary to ensure that the s.106 contribution is used

effectively, and the Landscape and Development Manager has suggested that part of the £79,058 on-site mitigation works will include a new green fence fixed to the existing security fencing to improve its appearance.

6.5 Highways Impact

6.5.1 The proposed development has only a limited impact upon the highway network. The works themselves affect existing open space and Network Rail anticipate that the construction phase can be managed using the existing rail network. A condition is recommended to secure further details of how the sidings will be constructed and a Construction Management Plan will secure details of where site operatives will park during the build to avoid overspill into local roads. On this basis the Council's Highways Officer has raised no objection to the application.

6.6 Mitigation Strategy & Ecological Impacts

6.6.1 The relevant regulations - The Community Infrastructure Levy Regulations 2010 - stipulate that *a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—*

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

6.6.2 Network Rail have agreed an 'in principle' scheme for the enhancement of Redbridge Wharf Park, which includes replacement tree planting both on and off-site on a 2:1 basis, to the total value of £79,058, which the Council's Landscape and Development Manager has accepted following a detailed schedule of works prepared by the Council.

6.6.3 In addition to this Network Rail have also offered a further £161,400 for maintenance of the existing pedestrian bridge, the Millbrook Green Screen scheme (promoted by others within the Council) and additional open space.

6.6.4 The maintenance works to the existing bridge and the mitigation proposed for Millbrook are not deemed to meet the above tests. Instead, officers have negotiated that the additional £161,400 should be used wholly on the purchase of open space and other green infrastructure initiatives within the Redbridge Ward where the impacts of this proposal will be most felt. The Panel may, however, seek alternative ways of mitigating the impacts of this development and, subject to satisfying the above tests, are free to put forward alternative proposals that they feel correctly mitigate the loss of trees and open space within the locality. Network Rail are unlikely to accept any increase to the contribution made and would be free to appeal should they consider the Council's demands to be too onerous.

6.6.5 Finally, the Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds,

and the Solent Maritime SAC, designated principally for habitats. A Phase 1 Habitat survey has been completed and has found that construction and operational impacts will not affect habitat values, but recommends appropriate management measures through the Construction Environment Management Plan (secured with the recommended condition).

7.0 Summary

7.1 The Panel are being asked to consider the benefits of improving the Redbridge sidings to enable longer freight trains to service the Port of Southampton and remove a capacity bottleneck, against the negative impacts of using existing public open space, felling 118 mature trees and the associated impacts of the works upon existing residential amenity in terms of noise, air quality and light spill.

7.2 Officers consider that in this instance the loss of the open space, and the subsequent departure to Policy CS21, is acceptable given that:

- The open space will serve a wider benefit in terms of freight movement and its associated economic and environmental benefits in terms of removing HGVs from the highway network. The report of Freightliner and South West Trains has been received on this basis;
- The open space to be lost is currently characterised by mature planting with the more useable parts of the Park to be retained. There will be no change to the waterside access enjoyed by this Park;
- The proposed tree loss, whilst significant, does not affect existing residential outlook across the railway (as this relationship already exists) and is mitigated by their replacement with 236 trees;
- A s.106 contribution of £79,058 towards tree replacement and qualitative improvements to Redbridge Wharf Park with the Council's Landscape and Development Manager responsible for using these funds; and
- A s.106 contribution of £161,400 towards off-site open space and green infrastructure improvements within the wider Redbridge Ward with the Council's Landscape and Development Manager responsible for using these funds.

8.0 Conclusion

It is recommended that the Panel delegate this application to the Service Lead – Infrastructure, Planning and Development to grant conditional planning permission following the completion of the s.106 legal agreement as set out above.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 a/b/c/d, 2 b/d/f, 4 f/g/k and 6 a/b

SH2 for 01/08/2017 PROW Panel

PLANNING CONDITIONS to include:

1.Full Permission Timing Condition (Performance)

The development hereby permitted shall begin no 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).

2.Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

3.Open Space – Continuous Public Use

The Redbridge Wharf Park shall be kept open for public use, with full access, throughout the construction phase.

Reason:

To ensure that the existing users of the Park are not affected during the construction phase.

4.Boundary Treatment

Before the commencement of the development hereby approved further details of boundary treatments to the Park's northern boundary with railway land shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected before the sidings are first used for their intended purpose and shall thereafter be retained as approved.

Reason:

In the interests of the visual amenities of the area.

5.Arboricultural Method Statement (Pre-Commencement Condition)

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason:

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

6.Vegetation retention and protection (Pre-Commencement)

No development, including site works of any description, shall take place on the site unless and until all the existing trees, bushes, shrubs, and hedgerows to be retained on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems at a distance calculated in line with BS5837:2012 Trees in relation to design, demolition & construction

or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised nor lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. No excavations or other operations including vehicle or pedestrian movements will take place within the fenced off area until and unless explicit written permission is agreed in advance.

Reason:

To ensure the retention and maintenance of vegetation which is an important feature of the area.

7. Protection of nesting birds (Performance)

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

8. Natural England – Piling

No percussive piling or works with heavy machinery (ie. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) is to be undertaken during the bird overwintering period (ie. October to March inclusive)

Reason:

To protect the Special Protection Area and its supporting habitat

9. Ecological Mitigation Plan

The development shall be carried out in accordance with the recommendations of the Geoffrey Osborne Ltd. Ecological Mitigation Plan (January 2016).

Reason:

To protect the Special Protection Area and its supporting habitat and to ensure that the construction phase adequately mitigates its direct impacts upon local ecology

10. Lighting

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the external lighting scheme. The scheme must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties and to ensure that impacts upon local biodiversity is acceptable.

11. Construction Management Plan (Pre-Commencement)

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 Plan for the development. The Construction Management Plan 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;
- (g) details of how noise emanating from the site during construction will be mitigated; and
- (h) a method statement for how the sidings will be delivered and laid including a scheme of measures to reduce impacts upon existing residential neighbours, particularly during night time working.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

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

12.Archaeological watching brief 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.

13.Archaeological watching brief 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

14.Unsuspected Contamination (Performance)

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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

15.Hours of work for Demolition / Clearance / Construction (Performance)

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 to 18:00 hours
Saturdays	09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to 2 weekends (ie.Sat/Sun) only where 24 hour/day works are permitted following notification by the applicant to the Council's

Planning Department, Redbridge Ward Cllrs and residents living within 100 metres of the application site.

Reason: To protect the amenities of the occupiers of existing nearby residential properties and to enable works to take place outside of peak passenger times.

Note to Applicant: Southern Water informative

You are advised to review the response from Southern Water dated 12th March 2015 to this application. Further advice can be obtained from Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW – T.0330 303 0119.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS9	Port of Southampton
CS13	Fundamentals of Design
CS14	Historic Environment
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE4	Protected Species
NE6	Protection / Improvement of Character
NE7	Rail Corridor
HE6	Archaeological Remains
CLT3	Protection of Open Spaces
TI2	Vehicular Access

Supplementary Planning Guidance

Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)