

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 23 November 2010
 Planning Application Report of the Planning and Development Manager

Application address: Horseshoe Park, Horseshoe Bridge, Southampton SO17 2NP			
Proposed development: Erection of a five-storey office building (1,800 sq.m) with associated parking and vehicular access from Drummond Drive (Extension of Time)			
Application number	10/00946/TIME	Application type	FUL
Case officer	Andrew Gregory	Public speaking time	15 minutes
Last date for determination:	OVER	Ward	Portswood
Reason for Panel referral	The proposal is a departure from the development plan	Ward Councillors	Cllr Sollitt Cllr Adrian Vinson Cllr Capozzoli

Applicant: Clanfield Properties Ltd	Agent: Owen Davies Architects
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Recommendation Summary	Grant planning permission subject to conditions
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Reason for Granting Permission

The site is safeguarded for light industry and research and development uses under Saved Policy REI11 (xvi) of the Local Plan Review. Whilst office development does not strictly accord with the site specific designation, this use is suitable for the site having regard to the existing permission for office development on the site and having regard to the applicant's unsuccessful attempts to bring industrial use to the site prior to granting application 08/00083/FUL. The development is acceptable taking into account all other relevant policies and proposals of the Development Plan as set out below. Overall the principal scheme is acceptable, particularly as it would bring the site back into employment use. The level of development is appropriate for the site and the form of development is compatible with neighbouring commercial and industrial activities.

Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies SDP1, SDP5, SDP7, SDP9, REI11 and REI15 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS7, CS8 and CS13 of the Local Development Framework Core Strategy (January 2010).

Appendix attached			
1	Development Plan Policies	3	08/00083/FUL Panel Minutes
2	08/00083/FUL Panel Report	4	08/00083/FUL Decision Notice

Recommendation in Full

Grant planning permission

1.0 Background

1.1 Planning permission for the erection of a five-storey office building with associated parking and vehicular access from Drummond Drive was granted on 22 April 2008; Planning Reference 08/00083/FUL. The application was a departure from the Local Plan because the site is safeguarded for light industry and research and development uses under policy RE111 (xvi). The application was supported by the Planning Panel on 01 April 2008 and subsequently referred to Secretary of State who raised no objection and supported the decision to approve.

1.2 The existing planning permission expires on 22 April 2011 and this application seeks to extend the time limit for implementation. The approved scheme has not yet been implemented due to adverse market conditions.

2.0 The site and its context

2.1 Please refer to the description of the site and surroundings as set out within the panel report attached as **Appendix 2**.

3.0 Proposal

3.1 A 5 storey, 1,800sq.m office block served by 17 parking spaces. A full description is contained within the panel report attached as **Appendix 2**.

4.0 Relevant Planning Policy

4.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at Appendix 1.

4.2 The most relevant policy consideration to the amended application is that covering Office Location – Policy CS 8 in the Core Strategy and government guidance in PPS 4 (Planning for Sustainable Economic Growth).

5.0 Relevant Planning History

02/01347/FUL - Conditionally Approved 13.10.03
Erection of 3 industrial buildings with ancillary office accommodation and associated parking.

03/00701/FUL - Conditionally Approved 16.12.04
Additional first floor offices to unit 1 of consented scheme.

06/00547/FUL - Refused 11.07.06 (Appeal dismissed on 13.4.07)
Erection of a detached six-storey building to provide 21 x two-bedroom flats.

08/00083/FUL - Conditionally Approved 22.04.2008
Erection of a five-storey office building with associated parking and vehicular access from Drummond Drive (resubmission).

09/00682/DIS - Pending determination

Application for approval of details reserved by conditions 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20 and 21 of planning permission 08/00083/FUL for the erection of a 5 - storey office building

6.0 Consultation Responses and Notification Representations

6.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report **no** representations have been received from surrounding residents.

6.2 **SCC Highways** – No additional comments to those previously made.

6.3 **SCC Sustainability Team** – No additional comments to those previously made.

6.4 **BAA Safeguarding** – No objection.

6.5 **SCC Environmental Health (Contaminated Land)** – No additional comments to those previously made.

6.6 **Hampshire Constabulary** – No additional comments to those previously made.

6.7 **Southern Water** – No objection.

6.8 **Network Rail** – No comments to make.

7.0 Planning Consideration Key Issues

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

7.2 Principle of Development

7.2.1 The development needs to be assessed against current policy requirements. The emphasis of encouraging medium scale office developments towards sequentially preferable sites within city, town or district centres is retained within PPS4 (Planning for Sustainable Growth) and policy CS8 of the Local Development Framework Core Strategy.

7.2.2 It is acknowledged that the proposed office building is a main town centre use to be located within an out of town location. A sequential test was submitted in support of application 08/00083/FUL, which has been reviewed for this extension of time application.

7.2.3 There remains some uncertainty about the completeness of the sequential test applied and the true demand and need for new office space. However, the development is not of a nature or scale that would have a diminishing impact on the vitality and viability of the nearby centres (City Centre and Portswood District Centre).

7.2.4 PPS4 advises that Local Planning Authorities should be realistic in considering whether sites are suitable, viable and available. The development provides a high level of accessibility and an employment use that would sit comfortably alongside adjacent light industrial, research and office uses. Importantly, the proposal is considered to be a

balanced solution to help bring forward an employment use on an allocated employment site.

8.0 Conclusion

8.1 The scheme remains acceptable, particularly as it would bring the site back into employment use. The level of development is appropriate for the site and the form of development is compatible with neighbouring commercial and industrial activities.

8.2 A S106 Deed of Variation to secure the necessary obligations (index linked) has been completed and therefore it is recommended that planning permission be granted subject to conditions.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 3(a), 4(s), 6(a), 6(c), 6(f), 6(h), 7(c), 8(a), 9(a), 9(b), 2(c), LDF Core Strategy and saved policies from Local Plan (Review)

AG for 23/11/10 PROW Panel

PLANNING CONDITIONS

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

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

Reason:

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

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

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include 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. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

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 - Bin Storage

Notwithstanding the information already submitted details of satisfactory facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins shall be submitted to and approved in writing by the Local Planning Authority before the building is first occupied. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. Once provided, those facilities shall be maintained at all times thereafter.

REASON

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

04. APPROVAL CONDITION - On-site Parking/Access

Before any dwelling unit hereby approved is occupied, both the on-site car parking and a proper vehicular access relating to it shall be provided. The car parking shall thereafter be retained at all times.

REASON

To ensure provision of vehicular access and car parking, to avoid congestion in the adjoining area.

05. APPROVAL CONDITION - Wheel Cleaning

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

REASON

In the interests of highway safety.

06. APPROVAL CONDITION - Bicycle Storage

The development to which this consent relates shall not be brought into use in full or in part until secure, covered space has been laid out within the site for 18 bicycles to be stored for the benefit of the staff in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON

To encourage cycling as a sustainable form of transport.

07. APPROVAL CONDITION - Access - Stopped Up

Any existing access to the site shall be stopped up and abandoned and footway and verge crossings shall be reinstated immediately after completion of the new access.

REASON

In the interests of highway safety.

08. APPROVAL CONDITION - Control of Lighting on the Proposed Development

The development is close to the aerodrome and/or aircraft taking off from or landing at the aerodrome. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal.

Reason:

To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at www.caa.co.uk/srg/aerodromes).

09. APPROVAL CONDITION - Contamination - Desk Study

No development shall take place until the developer has carried out adequate assessments to determine the likely presence of contamination on the site (desk study) and assessed the potential risks to human health and the wider environment. If any significant hazards are identified a scheme of further investigation will be required in order to assess the risk/risks. If significant risk/risks are identified a detailed remediation scheme must be devised and implemented to ensure the long-term safety of the site.

Documented evidence of the above procedures shall be submitted to the Local Planning Authority for their written approval at each stage. Any remediation scheme required and approved shall be fully implemented and adhered to. Any amendments to the remediation scheme relevant to the risk associated with the contamination shall be submitted to the Local Planning Authority for prior approval in writing. On completion of the remediation works and, prior to occupation of any properties on the development, the developer and/or his approved agent shall submit written confirmation that the works have been completed in full and in accordance with the approved scheme.

The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and an investigation and management scheme implemented as agreed with the Local Planning Authority.

REASON

To identify unacceptable risks to human health and the environment and ensure investigation, assessment and remediation of the site is to an appropriate standard (i.e. in accordance with the guidance given in Model Procedures for the Management of Land Contamination, Contaminated Land Report 11 , Environment Agency, 2001.)

10. APPROVAL CONDITION - Contamination - infilling materials

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to occupancy of the site.

REASON

To ensure no ground contamination risks to human health and the environment are introduced onto the development.

11. APPROVAL CONDITION - Sustainable design measures

No development shall take place until the applicant has provided to the Local Planning Authority for approval in writing a report assessing the feasibility of incorporating the following sustainable design measures into the development:

- Energy minimisation and renewable energy or low carbon technologies
- Water efficiency measures
- Urban Drainage Systems
- Waste management and recycling
- Sustainable construction materials

The report shall include an action plan detailing how these measures will be integrated into the development prior to 1st occupation. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development hereby granted consent.

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

12. APPROVAL CONDITION - Sustainability - a rating of Very Good against the BREEAM standard

Written documentary evidence demonstrating that the development will achieve at minimum a rating of Very Good against the BREEAM standard (or equivalent ratings using an alternative recognised assessment method), shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted consent.

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

13. APPROVAL CONDITION - Renewable Energy (Pre-Commencement Condition)

Prior to development of this proposal commencing full details of the renewable energy systems to be incorporated within the development shall be submitted to and agreed in writing with the Local Planning Authority. The details should include the full specification of the solar water heating panels which shall achieve the agreed target of 15% reduced CO₂ emissions as detailed within the agreed submitted energy assessment.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

14. APPROVAL CONDITION - External lighting

Security lighting to the access drive and undercroft should be at least to BS5489, comprising facade and column mounted, anti-vandal, low wattage, downlighter luminaires operated by a time switch or photo electric ambient light sensor shall be installed prior to first occupation of the premises. The details showing the siting, design and appearance of the lighting shall be submitted to and approved by the Local Planning Authority before development commences.

REASON:

In the interests of aiding surveillance in order to reduce crime.

15. APPROVAL CONDITION - Hours of Construction

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 Bank 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.

16. APPROVAL CONDITION - Means of securing the undercroft

No development shall be commenced until details of means of securing the undercroft car parking have been submitted to and approved by the Local Planning Authority. The scheme should comprise a roller security grille or similar, with automated access control. Such detailed scheme shall be implemented before the development is brought into use and subsequently retained in full working order.

REASON

To secure the car parking area in the interests of crime prevention.

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

Before the commencement of any site works 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, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority.

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

18. Noise Mitigation

A scheme of noise mitigation measures to ensure that occupiers are not adversely affected from noise disturbance from the adjacent railway transformer compound shall be submitted and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to first occupation and subsequently retained.

REASON

To ensure a satisfactory form of development.

19. APPROVAL CONDITION - Sewer diversion

The surface water sewer shall be diverted in accordance with the drawing from engineers White Royall numbered WRL/10508/50E.

Reason: To secure a satisfactory form of development.

20. Development in accordance with submitted plans (PERFORMANCE CONDITION)

The development hereby approved shall be implemented solely in accordance with the drawings received by the Local Planning Authority on 23 January 2008 set out in the schedule forming part of this decision notice and any details required pursuant to a condition of this consent or as may be amended and accepted in writing by the Local Planning Authority.

Reason:

For the avoidance of doubt, so as to secure a satisfactory form of development.

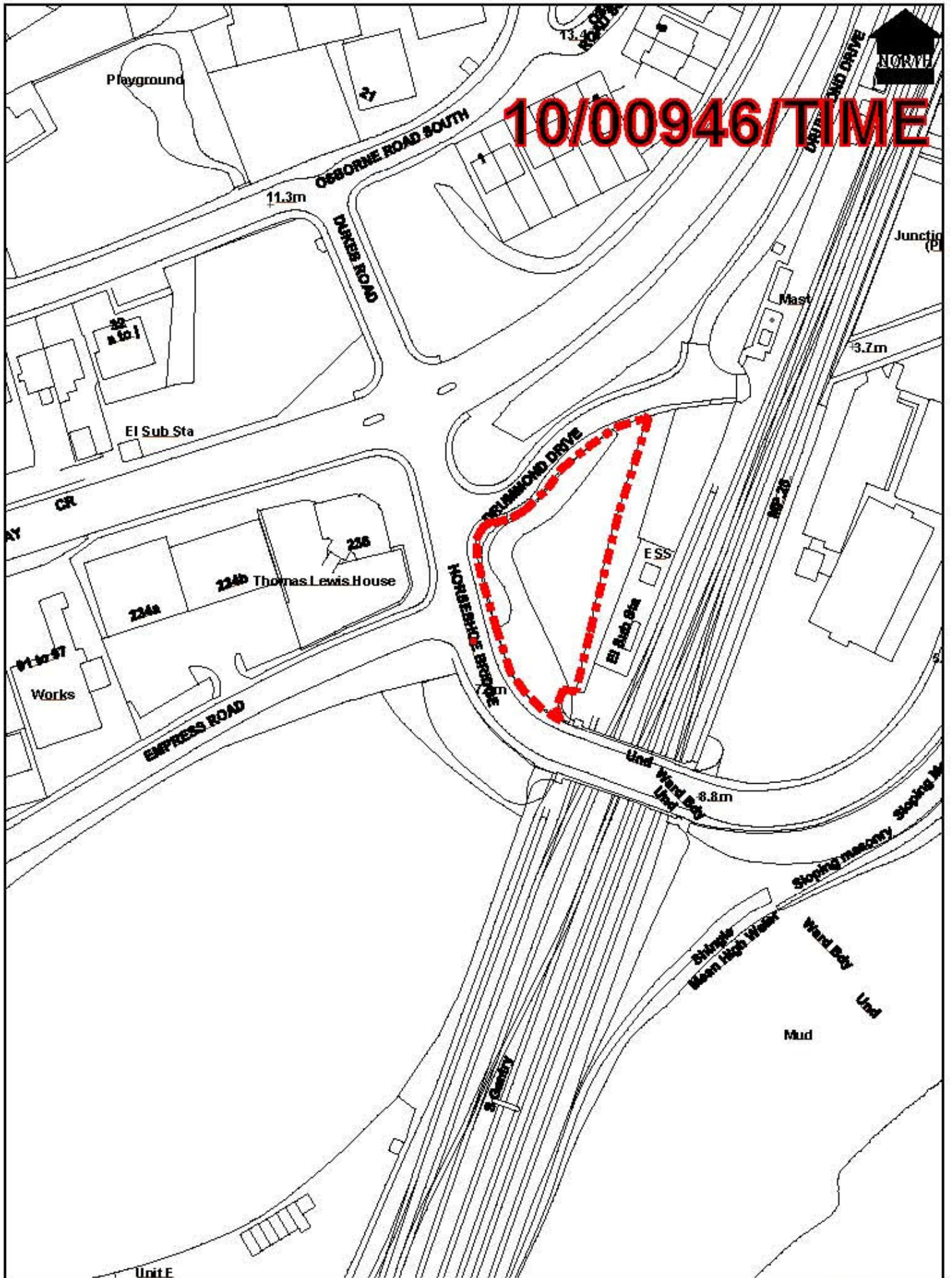
Notes to Applicant:

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

2. No Works on Highway: The applicant is reminded that no works to the public highway should be undertaken without first obtaining a road opening permit and agreement of the

specification of the works. The applicant should contact the Council's Engineering Policy Division of the Directorate of Community Services in this respect.

3. Water and sewer connection: Formal applications for connection to the public sewerage system and connection to the water supply are required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St, James House, 39A Southgate Street, Winchester SO23 9EH (tel 01962 858600)



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