



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Development Procedure) Order 1995

Owen Davies Architects
3 Viceroy House
Mountbatten Bus Centre
Millbrook Road East
Southampton
Hants SO15 1HY

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the District Planning Authority, hereby gives notice that the application described below has been granted:

CONDITIONALLY APPROVED

Proposal: **Erection of a five-storey office building with associated parking and vehicular access from Drummond Drive (resubmission).**

Site Address: **Horseshoe Park Horseshoe Bridge Southampton SO17 2NP**

Application No: **08/00083/FUL**

In accordance with the plans and application submitted with the above FULL Application, subject to the following condition(s):

01.
Standard 3 Years

The development 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.
Details of Materials

Full details of the manufacturers, types and colours of the external materials to be used, including samples if required, shall be submitted to and approved by the Local Planning Authority before development commences.

REASON
In order to control the appearance of the development in the interests of visual amenity.

03.
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.

REASON

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

04.
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 and not used for any trade, business or industrial use.

REASON

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

05.
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.
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.
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.

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.

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.

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.

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.

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.

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

14.

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.

15.

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.

Landscaping Details

No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The submitted details shall include:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment; and
- iv. a landscape management scheme.

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.

17.

Landscaping Implementation

The hard and soft landscaping works shall be carried out in accordance with the details approved in the above planning condition. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority prior to the commencement of development.

REASON:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

18.

Landscaping Replacement

If within a period of three years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON:

To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

19.

Sewers

The developer must advise the Local Planning Authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

REASON

To safeguard the public sewer network

20.

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.

21.

Public Highway

Details are to be supplied to ensure that the structural integrity of the public highway will not be undermined either during or after the construction process.

REASON

In the interests of public safety

00. 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 do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning permission should therefore be granted. Policies - SDP1, SDP3, SDP4, SDP5, SDP6, SDP7, SDP9, SDP13, REI11 and IMP1 of the City of Southampton Local Plan Review. In addition, the submitted sequential test is acceptable and the application will be referred to the Secretary of State under The Town and Country Planning (Development Plans and Consultation) (Departures) Directions (1999).

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)

4. Development in accordance with submitted plans

The development hereby approved shall be implemented solely in accordance with the drawings received by the Local Planning Authority on 23 January 2008 numbered 207.24 01, 207.24.02, 207.24 04, 207.24 03 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.



David Rothery
Development Control Manager

R.P.

17 April 2008

If you have any further enquiries please contact:
Andrew Gregory

NOTES

1. This permission relates to Planning Control only. Approval under the Building Regulations may also be required and should you be in any doubt about this, please contact Building Control Services, Tel. 023 8083 2558. Any other necessary consent must be obtained from the appropriate authority. Special attention is drawn to the fact that this permission does not relate to the display of advertisements and separate consent is required under the Town and Country Planning (Control of Advertisements) Regulations. Development affecting buildings of special Architectural or Historical interest is also subject of separate Listed Building Consent. Any queries should be made to Development Control Service as indicated below.
2. This permission has been granted on the basis of all the information submitted by the applicant shown on the plans accompanying the application. Any material misstatement or wrong information may invalidate the permission.
3. If the applicant is aggrieved by the decision of the District Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State for the Environment, Transport and the Regions in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. (Appeals can be submitted on line www.planning-inspectorate.gov.uk or by a form available from the Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS2 9DJ). The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been granted other than subject to the conditions imposed by it having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under that Order.
4. If permission to develop land is granted subject to conditions, whether by the District Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council a purchase notice requiring the Council to purchase their interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
5. In certain circumstances, a claim may be made against the District Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade, and you are advised to contact Building Control Services as set out in Note 1.
7. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.

Please address any correspondence in connection with this form quoting the application number to:

Development Control Service, Southampton City Council, Civic Centre SOUTHAMPTON. SO14 7LS