

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 23 April 2013
Planning Application Report of the Planning and Development Manager

Application address: East Street Shopping Centre, East Street and adjoining land			
Proposed development: Redevelopment of Shopping Centre and car park as a new foodstore (5,534 square metres gross floorspace) with car parking on upper levels, including works of demolition, retention of Capital House and the Royal Oak Public House; new vehicular access arrangements, including construction of a new roundabout on Evans Street, highway and public realm improvements, including creation of a new pedestrian link between East Street and Evans Street, landscaping and associated works (affects an existing right of way).			
Application number	13/00415/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	13.06.2013	Ward	Bargate
Reason for Panel Referral:	Departure from the Development Plan	Ward Councillors	Cllr Bogle Cllr Noon Cllr Tucker

Applicant: Arcadian Estates	Agent: Firstplan
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The application proposes a new convenience retail development within the primary shopping area of the city and offers significant economic and regeneration benefits. The application constitutes a Departure from the Development Plan due to the failure to meet the BREEAM Excellent standard required by Core Strategy Policy CS20. However, this issue has been weighed in the balance with other material considerations. The impact of the development in terms of transport, design and neighbour amenity issues is considered to be acceptable. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The 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 be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP11, SDP13, SDP14, SDP16, SDP22, HE6, REI3, REI4, REI8, TI2 and MSA1. of the City of Southampton Local Plan Review (March 2006) and Policies CS1, CS3, CS6, CS9, CS13, CS18, CS19, CS20, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies	2	City Design Officer Comments

Recommendation in Full

1) Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:

- i. Site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), Policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
 - ii. A financial contribution towards strategic transport improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
 - iii. Submission and implementation of a Training & Employment Management Plan committing to adopting local labour and employment initiatives (during and post construction) in line with LDF Core Strategy Policies CS24 and CS25.
 - iv. The submission, approval and implementation of public art that is consistent with the Council's Public Art Strategy.
 - v. Provision of CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy Policies CS13 and CS25.
 - vi. Submission and implementation within a specified timescale of a Travel Plan.
 - vii. Financial contribution or works of improvement to the public realm in accordance with policy and the relevant SPG.
 - viii. Measures to ensure the new pedestrian and cycle routes are provided and maintained for public use in perpetuity.
 - ix. A Car Park Management Plan to ensure public car parking is provided and retained.
 - x. Implementation of landscaping improvements to the adjoining site at Challis Court.
 - xi. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - xii. Submission and implementation of a refuse management plan.
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2) In the event that the legal agreement is not completed within two months of the Panel meeting the Planning and Development Manager 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 vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

1. Introduction

This proposal is very similar to the application considered by the Panel in

November of last year (reference 12/01355/FUL). The only changes with the current proposal relate to the highways alterations in Evans Street. No changes are proposed to the building or car parking area.

2. The site and its context

- 2.1 The application site is an area of approximately 2 hectares and incorporates the East Street Shopping Centre, the 13-storey Capital House office building, the Royal Oak Public House at the corner of Evans Street and Houndwell Place and the landscaped car parking area of the residential block at Challis Court fronting Lime Street. The application site also incorporates areas of existing public highway at Houndwell Place, Evans Street, Marsh Lane, Lime Street and at the junction of Evans Street and St Mary Street.
- 2.2 The East Street Centre is an enclosed shopping centre of small retail units comprising approximately 8,000 square metres floorspace over two floors although now vacant. There is an existing pedestrian route through the shopping centre which links the end of East Street to Evans Street but this is only open during daylight hours. There is a car parking area on the roof of the shopping centre which currently provides 205 spaces for public use and 22 spaces for use by office tenants of Capital House. This car park is accessed from a ramp at the eastern end of Lime Street. Servicing to the shopping centre took place in various service bays to the south and east of the building. The Capital House building has its frontage onto Houndwell Place. The Royal Oak Public House is a two-storey building. Challis Court is a 3 and 4-storey block of flats which forms part of the Holyrood Estate. The application site is within the city centre and within the Primary Shopping Area as defined in the Local Plan.
- 2.3 The surroundings are a mixture of residential and commercial uses with retail uses adjoining to the west in East Street, including the Debenhams store. Predominantly residential uses adjoin to the east on the opposite side of Evans Street with the exception of Central Hall which is a locally listed building in use for community and religious use.

3. Proposal

- 3.1 The current application involves the demolition and redevelopment of the East Street Shopping Centre to provide a new foodstore for Morrisons. The proposed store would be 5,534 square metres gross floorspace with a net sales area of 2,722 square metres, a customer cafe and car parking for 286 vehicles on two levels above the foodstore. Travelators will take customers and trolleys to and from the foodstore and car park.
- 3.2 The siting of the new foodstore allows for the creation of a new open pedestrian route between East Street and Evans Street. The main entrance to the new foodstore would be at the western end of this route with the cafe at the eastern end. Vehicular access to the car park will be via a ramp from a new roundabout constructed on Evans Street at the location of the existing Threefield Lane/Evans Street/Marsh Lane junction. Servicing for the store will be on the Evans Street side of the building at ground floor level. Access will be taken directly from the new roundabout with a separate entrance and exit onto Evans Street.
- 3.3 Capital House and the Royal Oak Public House would be retained and altered

as part of the proposals. A new car park with spaces for 28 cars will be provided for the office users of Capital House with access from Houndwell Place.

- 3.4 The application proposes various highway alterations in the vicinity of the new foodstore including: maintaining Evans Street as a dual carriageway in both directions; the closure of the existing subway under Evans Street and the construction of a new surface level 'Toucan' crossing over Evans Street to tie in with the new East Street link; the closure of Lime Street to vehicles to be replaced by a new footpath/cycleway and landscaping adjoining Challis Court; creation of a new lay-by on Evans Street adjoining the Royal Oak pub to be used as a taxi rank and drop-off point for disabled drivers. The application includes landscaping and public realm improvements around the new store. On the south elevation of the building a 'green wall' will be created to screen the car park ramp. At the foot of the 'green wall' a new footpath/cycleway will follow the edge of the existing Lime Street. Additional landscaping will be provided to Challis Court which will be designed to integrate with existing Council proposals to upgrade landscaping on the Holyrood Estate. The existing service yards to the shopping centre and the access ramp to the car park are currently adopted public highway. These areas of highway will need to be closed as will Lime Street as part of the proposals.
- 3.5 The application is accompanied by a series of supporting/background documents including: a Design and Access Statement; Transport Assessment; Flood Risk Assessment; Energy Strategy; Desk-top Archaeological Survey; Noise Assessment and Statement of Community Involvement.

4. 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 application site is part of the defined Primary Shopping Area and a secondary retail frontage. The most relevant policies to these proposals are set out at **Appendix 1**.

- 4.2 Major developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

- 4.3 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.

5. Relevant Planning History

- 5.1 The existing shopping centre dates from the early 1970's, planning permission was granted in July 1971 for a 10-storey office building with entrance hall, an arcade of shops, a roof top car park, a public house, caretakers flat, pedestrian square and associated roads, footpaths, service areas, ramps and walkways.
- 5.2 There have been a series of subsequent planning decisions for alterations, including new shopfronts and changes of use which are not directly relevant to

the current application.

- 5.3 In December 2011 a 'Screening Opinion' was issued confirming that the development subject of this application did not require the submission of an Environmental Statement (reference 11/01759/SCR).
- 5.4 In March of this year planning permission was granted for redevelopment of the shopping centre and car park as a new foodstore (5,534 square metres gross floorspace) with car parking on upper levels, including works of demolition, retention of Capital House and the Royal Oak Public House; new vehicular access arrangements, including construction of a new roundabout on Evans Street, highway and public realm improvements, including creation of a new pedestrian link between East Street and Evans Street, landscaping and associated works (reference 12/01355/FUL).

6. Consultation Responses and Notification Representations

- 6.1 The applicant carried out extensive pre-application consultation as part of the previous application including a public exhibition in January 2012 as well as presentations to local residents groups and other bodies. Following the receipt of this planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (22.03.2013) and erecting a site notice (21.03.2013). The application has also been advertised as a Departure from the Development Plan due to issues associated with Core Strategy Policy CS20 dealt with later in this report. At the time of writing the report 0 representations have been received from surrounding residents.
- 6.2 **Associated British Ports (ABP)** - This amended application has ABP's support. ABP have decided not to pursue its previous objection to the replacement of the existing subway and the introduction of a roundabout and therefore raises no objection to this application. Notwithstanding this view, the Council should be aware that ABP retains grave misgivings about the basis of the Transport Assessment submitted with the application and is concerned about the City Council's future intentions for the A33 (both via The Avenue and via West Quay Road) on which the Eastern Docks entirely depend. The Transport Assessment says that the applicants agreed with the Council that it would not be necessary to apply any traffic growth factors. ABP believes this to be an untenable assumption. In addition to the Port's growing transport needs, which the assessment does not consider, very large-scale development proposals are included within the City Centre Action Plan, many of which require to be served by the A33. The CCAP makes reference to proposed narrowing of carriageways on the A33 and has already published proposals for cycleways to be provided. ABP will strongly oppose any such proposals and interventions that are not in the interests of the Port.
- 6.3 **SCC Highways** - Following the earlier approval, and subsequent dialogue with ABP, this scheme has been changed to address the concerns raised by ABP. It is still the opinion of highways officers that the proposed road scheme is over engineered but is acceptable. An at grade pedestrian crossing facility is still provided on the desire line from the new link walkway to St Marys Street, to replace the existing poor quality subway. The plans show a road which maintains appropriate access to and from the strategic road network, and has

adequate capacity for traffic generated on busy cruise days, although principal access to the port is still recognised as being via the A33 Western Approach and West Quay Road, which is to benefit from the improvements offered by the Platform Road scheme, due to start shortly. Access to the store car park and to the delivery area remain unchanged, and it is recognised that the majority of vehicle trips to this store are already on the network, therefore it is only a local change of choice of location to park. The road changes and construction will be covered by a Section 278 Agreement which will ensure that the city council criteria are met, including the materials to be used as surface finishes.

- 6.4 **SCC City Design** – This application is essentially the same as the previously approved scheme but revised to omit the narrowing of Evans Street. In urban design terms, it is disappointing that the revised application retains two lanes in each direction but it does retain the straight-over, two-stage pedestrian crossing as per the previous application, aligned with the new pedestrian route. This was the most positive aspect of the Evans Street intervention so I can support the revised submission through its retention. (The Design Officer's full comments on the application are included in Appendix 2 of this report).
- 6.5 **SCC Sustainability Team** – The development has been assessed against a superseded version of BREEAM (2008). The current BREEAM assessment method at the time of application should be used, as it is updated to reflect any changes in Building Regulations etc and amended to overcome any issues that have been found in the previous versions. Therefore the submitted information does not demonstrate that BREEAM Excellent will be able to be met as required by policy CS20. Therefore Sustainability objects to this application unless amended information is submitted demonstrating that BREEAM Excellent can be met under the current assessment (2011). In addition, connection to the district energy systems should be considered, the Holyrood system is located close to the development site. It is recommended that discussions are undertaken with Cofely to see whether a connection is viable as this may assist the development in being policy compliant.
- 6.6 **SCC Rights of Way Officer** – The Public Rights of Way Section has no objection to this proposal. The application contains welcomed improvements regarding a pedestrian link with Evans Street and beyond to the St Mary's area, and a shared pedestrian/cycle route just to the north of Challis Court. What public rights exist are embedded in the vehicular carriageways and pedestrian footways, (pavements), that constitute the highway infrastructure within the site. As adopted highways, they come under the immediate jurisdiction of this Council's Highways Services Partners.
- 6.7 **SCC Archeology** - The East Street Centre was built during the early 1970s, at a time when archaeological excavations were not a requirement of planning permission. Consequently there is little information in the archaeological record as to the impact of the development on this important medieval suburb, and an historic assumption that the construction of the centre destroyed much of the below-ground deposits. However, while the construction methods commonly in use in the 70s caused significant damage to archaeological deposits, excavations in other parts of the country have frequently demonstrated remarkable survival. It is therefore essential that a better understanding of the nature of any surviving archaeological remains on this site is better understood,

and appropriate mitigation measures agreed prior to the proposed development proceeding. It is not possible at this stage to state definitively what the impact of the development will be on archaeological deposits and further evaluation will be required. It is strongly recommended that the evaluation is commissioned as soon as possible.

6.8 The method of construction of the existing building will be a significant factor in locating evaluation trenches. At present it is not clear what the original foundation layout is, and therefore what impact this will have on locating evaluation trenches. It would be helpful if this information could be supplied by the applicant in order that an evaluation strategy can be conceived. The evaluation should attempt to determine the following:

- The nature, extent, significance, and depth of surviving archaeological deposits
- The extent of level reduction on the southern part of the site
- The likely damage to archaeological deposits caused by the construction of foundations and piles for the existing building
- The potential for services associated with the new development to damage or destroy archaeological deposits.

It is important that at least one trench is located on the line of the proposed new sewer as this will have a direct impact on the Wolff cannon foundry. Subject to the results of the evaluation, it is likely that a further programme of archaeological work will be required, comprising of a mixture of excavation and watching brief as appropriate.

6.9 **SCC Environmental Health (Contaminated Land)** - The proposal is for the construction of a new foodstore. This 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. Records maintained by SCC - Regulatory Services indicate that the subject site is located on/adjacent to the following existing and historical land uses: - Printing Works, Laundry and Brewery (on site). These land uses are associated with potential land contamination hazards. There is the potential for these off-site hazards to migrate from source and present a risk to the proposed end use, workers involved in construction and the wider environment. Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and Policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. To facilitate this it is recommended that if planning permission is granted, conditions be attached.

6.10 **SCC Employment Skills Team** - An Employment and Skills Plan (ESP) is required for the previous planning application reference 12/01355/FUL. This amended application retains the same requirement for an Employment and Skills Plan covering the construction and end use occupation of the development.

6.11 **SCC Ecology** – no objection to the amended scheme, previous comments still apply as copied below:

'The application site has been subjected to an Extended Phase 1 Habitat Survey. This survey concluded that the site is of negligible value to bats and limited value to nesting birds. Permanent adverse impacts on local biodiversity are therefore unlikely. The construction phase poses low risk to nesting birds however, this can be addressed through vegetation clearance either at an appropriate time of year, September to February inclusive, or under the supervision of a suitably qualified ecologist. In addition, as the presence of bats can never be ruled out, features that could support bats, such as the cracks in the concrete car park wall and the gap between the main 'Eastreet' Shopping Centre sign and ridged concrete behind, should be subjected to a 'soft strip' during demolition. In the unlikely event of a bat being found, work should stop and a licensed bat ecologist brought in to assist. It is pleasing to see the addition a green wall and a commitment to use native species. The green wall in particular will improve the quality of the local environment for both people and wildlife.'

6.12 **BAA** – No aerodrome safeguarding objections to the application.

6.13 **Environment Agency** - no objections to the proposed development. The finished floor levels of the proposed development are to be set at 3.54m AOD. Over the development life of the building, the predicted 1 in 200 year future tide level is estimated at 3.60m AOD. Detailed modelling for the Tidal Itchen shows that a 3.60m event would not affect the site, although road access to the East of the site may experience low level flooding (Marsh Lane, St Mary Street). As there will be a reduction in impermeable area, there will be a small reduction in surface water runoff from the site. The site and surrounding area has been identified as an area potentially at risk of surface water flooding, there may be potential to reduce flood risk in the area through the development of the site by reducing surface water to less than the existing, however, this would need to be agreed between the LPA and the developer.

6.14 **Southern Water** – No objections, initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. There is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposal would increase flows to the public sewerage system and any existing properties and land may be subject to a greater risk of flooding as a result. The applicant should investigate alternative means for surface water disposal which may include attenuation and storage on site.

7. **Planning Consideration Key Issues**

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

- The principle of this form of retail development.
- Design issues including the site layout and new pedestrian route as well as the external appearance of the building.
- Transport issues including the impact on the highway network, access arrangements for the store and the level of car parking proposed.
- Regeneration, environmental and sustainability issues.
- The impact on the amenities of neighbouring occupiers.

7.2 Principle of Development

The principle of this development has clearly been established by the recent grant of permission. The East Street Centre was the first purpose built shopping centre in the city but it has been in decline for many years and no longer provides a retail function. The city centre is currently well represented by comparison goods retailers. However, the Southampton and Eastleigh Retail Study published last year to inform the policy approach for the city, found the city centre had a below average representation of convenience floorspace and existing supermarkets were underperforming. There are smaller convenience stores suitable for top-up shopping but these are mostly in the western part of the primary shopping area. The applicants state that the proposed Morrisons is a predominantly grocery business with a modest comparison goods range amounting to approximately 20% of the floorspace. The emerging City Centre Action Plan (CCAP) promotes new superstores in the east and west of the city centre and recommends that the eastern superstore should be located within the existing primary shopping area. The NPPF confirms previous national and local guidance of directing proposals for retail uses to town or city centres first. As the site is within the defined primary shopping area there is no requirement to undertake sequential or retail impact tests prescribed by the NPPF. In these circumstances the new retail development is policy compliant and the principle is acceptable.

7.3 Design Issues

The existing building is monolithic and an eyesore which significantly detracts from the environment of the surrounding area. The shopping centre also creates a strong physical barrier which restricts east-west movement in the city centre. A proposed modern foodstore will significantly enhance the appearance of the area. The design of the proposed building has not changed compared to the recent grant of permission. Members' attention is drawn to the detailed comments on the application from the Council's City Design team which are in Appendix 2 of this report. The proposed building will have three public sides and inevitably active frontages cannot be provided to all three sides given the requirements of the operators. The decision was taken to concentrate the active frontage on the north side of the building adjoining the new pedestrian route which is considered to be acceptable. There will be entrances at either end of this frontage with the main store entrance being visible from the end of East Street and the cafe entrance at the Evans Street end. The scale and form of the building is considered to be acceptable and appropriate for its context. The location of the service bay on the Evans Street frontage of the building has considerable advantages in limiting vehicle movements through the narrow streets adjoining the Holyrood Estate but it does result in a large entrance area to the eastern elevation. This is an inevitable consequence of the servicing arrangements and subject to seeking further details of the treatment to this elevation and external materials is considered to be satisfactory.

7.4 The removal of the existing shopping centre also offers an important opportunity to enhance connectivity in this part of the city centre by restoring a link between East Street and Evans Street. Various options for the alignment of a new pedestrian route have been investigated. A more direct straighter route would perhaps be the ideal situation but this would not have allowed for a sufficient footprint for a new foodstore and would have resulted in two vehicular servicing areas being required. The application proposal results in an angled alignment to

the new pedestrian route which would allow for a suitable connection to the St Mary's area as well as providing a large footplate for the retail store, with car parking above, and a single servicing area for large vehicles. The new pedestrian route would be 6.5 metres wide which is sufficient to create a human scale and a suitable sense of enclosure. A more comprehensive development, including Capital House and the Royal Oak Public House, would have offered wider advantages but this has not proved possible. The footprint of the new building would not prejudice the future redevelopment of this adjoining site and in the interim details of landscaping and means of enclosure can be secured by conditions. The landscaping treatment to the south side of the building, including a proposed green wall to screen the ramp to the car park would significantly enhance the appearance of the area. Again, there are no changes to these aspects of the application compared to the recent approval.

7.5 Transport Issues

The proposed access arrangements will be a significant improvement on the existing arrangements whereby both cars and larger vehicles access the site from the west off Queensway, East Street and Lime Street. Accessing the site directly off a new roundabout will remove a significant amount of traffic from these narrow roads and the adjoining Holyrood Estate. Members will recall that the previous application proposed narrowing the carriageway in Evans Street to a single lane in both directions. This was based on the desire to change this part of the road network from a traffic dominated highway to one where there is a more appropriate balance between all users including pedestrians and cyclists. The Council's Highways officers were satisfied that this narrowing of Evans Street would not adversely affect overall highway capacity along the A33 corridor in this part of the city centre. However, this approach was a concern for ABP who considered the proposals would reduce traffic capacity and thereby compromise the economic future of the Port of Southampton. In response to these concerns the applicant has agreed to revise the road layout to maintain a dual carriageway in both directions whilst still incorporating improvements to pedestrian movement. These changes are the closure of the pedestrian subway beneath Evans Street, the provision of a new traffic light controlled crossing to align with the new pedestrian route to the north of the store and widening of the footways especially at the junction with St Mary Street. It is considered that the revised road arrangements represent an acceptable balance between the needs of all highways users.

- 7.6 The proposed closure of the subway under Evans Street will improve pedestrian safety and security as has happened elsewhere in the city centre, for example at Charlotte Place. It is unfortunate that the works do not extend to altering the gradient of Evans Street following closure of the subway. A highways closure procedure will be needed following the grant of planning permission to stop up the eastern end of Lime Street and the servicing yards and car park ramp which are currently adopted. These areas of highway to be stopped up are relatively small and their current role is mainly as access to serve the existing shopping centre. The pedestrian route in Lime Street will be replaced by a new footway/cycleway. The proposed car parking will replace the existing public provision with a small increase. The number of spaces is in accordance with the parking standards and it is intended that the car park will be available for general public car parking as well as for Morrisons customers. The car park management arrangements can be controlled through the Section 106 agreement as has been done elsewhere in the city, at IKEA for example.

7.7 Regeneration and environmental issues

The redevelopment of this largely vacant site offers significant regeneration benefits to this part of the city centre. Approximately 400 new jobs will be created and Morrisons state that for a typical store 75% of the workforce live within 3 miles of the store. The employment benefits to the local area can be secured through the training and employment management plan as part of the Section 106 agreement. The development involves a significant investment in this part of the city centre and the provision of a retail anchor store should result in spin-off benefits which will enhance the vitality and viability of the East Street shopping area.

- 7.8 In terms of sustainability issues the submission of the application (which originally targeted BREEAM 2008 Excellent) was scheduled for submission at the end of 2011 but was delayed due to protracted legal negotiations. In the intervening period, BREEAM 2008 was superseded by BREEAM 2011, which the applicant considers poses significant viability and technical problems for achieving an Excellent rating. The applicants together with Morrisons, the future tenant, have undertaken further investigation of the practicalities of targeting the additional credits necessary to achieve BREEAM excellent. Morrisons have confirmed that they can meet the majority of the credits, with the exception of Ene 02, Ene 06 and Pol 01. This results in a BREEAM 2011 rating of 69.37% Very Good, which is just short of the 70% required for BREEAM 2011 Excellent. In the circumstances of this case and the significant economic development and regeneration benefits of the proposal, this minor shortfall in the BREEAM credits is considered to be acceptable.

7.9 Neighbour amenity issues

The nearest residential neighbours are in Challis Court. The proposed building would move closer to Challis Court but as it is on the north side of these residents there will be no loss of sunlight. The closure of part of Lime Street will result in a significant reduction in the amount of traffic adjoining these neighbours and the provision of an enclosed service yard will mean that noise from servicing has limited impact on local residents. The considerable visual improvements resulting from this application will benefit those residents who currently overlook the site.

8. Summary

- 8.1 This proposal would replace an existing eyesore at a prominent location in the city centre. The new foodstore will provide a new retail destination at the eastern end of the primary shopping area which will enhance the convenience retail offer and provide significant regeneration benefits. The proposal is policy compliant and the issues of transport, car parking, design and environmental issues have been satisfactorily addressed. This application is, in effect, an amendment to the previous approval. All the relevant planning considerations remain unchanged with the exception of the proposed road layout. The new highway arrangements are considered to be an acceptable compromise with improvements for all highway users.

9. Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 3(a), 4(d), 4(e), 4(g), 4(r), 4(uu), 4(vv), 6(a), 6(c), 7(a), 8(a), 9(a) and 9(b).

RP2 for 23/04/2013 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, apart from demolition of the existing buildings, 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 - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works, apart from demolition of the existing buildings, a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations 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. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);

- iv. details of any proposed boundary treatment, including retaining walls; and
- v. a landscape management scheme.

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 hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

04. APPROVAL CONDITION- Land Contamination investigation and remediation [Pre-Commencement & Occupation Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scene of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

05. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]

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 the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

06. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

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.

Any changes to the agreed remediation actions will require the express written consent of 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.

07. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

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 are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

08. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission, apart from demolition of the existing buildings, shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

09. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

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 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

10. APPROVAL CONDITION - Demolition Methodology Report [Pre-Commencement Condition]

No demolition works or site preparation works shall take place on the site unless and until plans, cross-sections and technical information has been provided to and approved by the Local Planning Authority to show that for full or partial demolition (superstructure removal) an engineering demonstration has been carried out to show that any remaining construction (retaining walls, basement substructure) would be stable either in its own right or with suitable temporary propping mitigation measures (props, shores, thrust blocks, buttresses, etc.). This information should also address any safety and site security issues (such as the treatment of unprotected edges, clear drops, confined spaces, below ground level (or part ground level) areas, etc.) related to and resulting from such full or partial demolition works.

Reason:

To ensure the proper consideration of on-site and potential off-site land stability and associated safety issues related to demolition works.

11. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

12. APPROVAL CONDITION - Piling [Pre-Commencement Condition]

Prior to the commencement of development approved by this planning permission, apart from demolition of the existing buildings, (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the selected piling method can be justified on the grounds of structural, geotechnical, contamination, noise, vibration and practicability and ensure any adverse environmental impacts are identified and appropriate mitigation measures are proposed
Condition Informative 1

Guidance is provided in the Environment Agency's publication NC/00/73, Piling and Penetrative Ground Improvements Methods on Land affected by Contamination: Guidance on Pollution Prevention, section 6.5

Condition Informative 2

Guidance suggests maximum vibration of 1mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of the nearest occupied residential building and a maximum vibration of 3mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of an occupied commercial building.

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

No development shall take place within the site, apart from demolition of the existing buildings down to ground floor slab level, 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.

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

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

Reason: To ensure that the archaeological investigation is completed.

15. APPROVAL CONDITION - Archaeological damage-assessment [Pre-Commencement Condition]

No development shall take place within the site, apart from demolition of the existing buildings down to ground floor slab level, until the type and dimensions of all proposed groundworks (including details of foundations, ground beams, all services etc) have been submitted to and agreed by the Local Planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

Reason: To inform and update the assessment of the threat to the archaeological deposits.

16. APPROVAL CONDITION - Delivery hours (Performance Condition)

No deliveries shall be taken at or despatched from the retail use hereby approved outside the hours of 0600 hours to midnight on any day.

Reason

To protect the amenities of neighbours

17. APPROVAL CONDITION - Shopping Trolley Management Scheme (Pre-Occupation Condition)

The retail use hereby approved shall not commence until a shopping trolley management

scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason

In the interests of safety and security and the amenities of the area.

18. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the building is first open to the public full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for retail purposes.

Reason:

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

19. APPROVAL CONDITION - Layout of Car Parking/ Servicing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and servicing facilities for the retail use hereby approved shown on the approved plans shall be laid out and made available before the retail use is first open to the public and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose.

REASON

To ensure adequate on-site parking and servicing facilities and to avoid congestion in the adjoining highway.

20. APPROVAL CONDITION - Servicing arrangements (Performance Condition)

No servicing, loading or unloading relating to the retail use hereby approved shall take place other than from the enclosed service yard as shown on the approved drawings.

Reason

In the interests of safety and the amenities of the area.

21. APPROVAL CONDITION - Cycle and changing facilities (Pre-Occupation Condition)

The retail use hereby approved shall not be first open to the public until cycle storage, changing, washing and shower facilities for members of staff have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter.

Reason

To encourage cycling as an alternative sustainable means of transport in accordance with Council policy.

22. APPROVAL CONDITION - Security measures (Pre-Occupation Condition)

Before the use hereby approved opens to the public, details of a CCTV system and other security measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first retail use of this part of the building and thereafter retained.

Reason

In the interests of the safety and security of the area.

23. APPROVAL CONDITION - Details of lighting (Pre-Commencement Condition)

The retail use shall not be open to the public until details of external lighting to the buildings and external areas of the development have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON

In the interests of ensuring a satisfactory appearance to the development and the safety and security of the area.

24. APPROVAL CONDITION - Public realm details (Pre-Occupation Condition)

The development hereby approved shall not be open to the public until details of the treatment to the public realm surrounding the buildings has been submitted to and approved in writing by the Local Planning Authority. These details shall include surface treatment, seating and any means of enclosure. The approved measures shall subsequently be implemented unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent amending order, no gates, walls, fences or other means of enclosure shall be installed on the new pedestrian walkway between East Street and Evans Street without the prior approval of the Local Planning Authority.

REASON

To ensure satisfactory treatment of this important area of public space.

25. APPROVAL CONDITION - Noise - plant and machinery [Pre-Commencement Condition]

The use hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

26. APPROVAL CONDITION - Extract Ventilation - control of noise, fumes and odour [Pre-Commencement Condition]

No development shall take place, apart from demolition of the existing buildings, until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

27. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

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

28. APPROVAL CONDITION - Sustainability statement implementation [Pre-Occupation Condition]

Prior to the retail use opening to the public the sustainability measures as detailed in the application documents shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

29. APPROVAL CONDITION - 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.

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

Written documentary evidence demonstrating that the development has achieved at minimum a rating of 'Very Good' against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing prior to the retail use first opening to the public unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

31. APPROVAL CONDITION - Treatment to the Eastern Elevation (Pre-Commencement Condition)

Notwithstanding what is shown on the approved drawings and prior to the commencement of development, apart from demolition of the existing buildings, details of the design treatment to the eastern elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure satisfactory treatment to this important elevation of the building.

POLICY CONTEXT

Core Strategy - (January 2010)

CS1	City Centre Approach
CS3	Promoting Successful Places
CS6	Economic Growth
CS9	Port of Southampton
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
HE6	Archaeological Remains
CLT14	City Centre Night Time Zones and Hubs
REI3	Primary Retail frontages
REI4	Secondary Retail Frontages
REI8	Shopfronts
TI2	Vehicular Access
MSA1	City Centre Design

Supplementary Planning Guidance

Planning Obligations (Adopted - August 2005 and amended November 2006)
Parking Standards (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012
City Centre Action Plan - Preferred Approach (January 2012)

City Design Officer Comments

A. LAYOUT

APPRAISAL: The layout responds well to the required need to reconnect East Street to the wider city streets network. The current situation (i.e. the current East Street Shopping Centre sitting across the eastern end of East Street creating what is in essence a cul-de-sac) is unacceptable to the city council. This proposal addresses this directly by creating a new 'walk' alongside the northern edge of the new building. The width, scale, alignment and length of this new walk are considered appropriate to the function it is likely to perform (i.e. to be a well-used and strategically important pedestrian link connecting neighbourhoods on the eastern side of the city centre with the main retail areas including the High Street). It is assumed details of the surfaces, lighting and materials will be controlled through planning conditions to ensure the appropriate level of robustness and quality, as will the precise nature of the route (e.g. will it be open to cycles as well as pedestrians?)

As regards the arrangement of the various elements of the building, I support the way in which the internal layout supports the appropriate external environment. For example, the most active edge of the building is aligned with the new 'walk' that reconnects East Street with the wider city street network. Given this is expected to be busy with pedestrian movement it is right to animate this edge to ensure feelings of safety and security. The other three edges of the 'big box' are essentially blank in that they comprise servicing and back of house uses. It is right that these edges have been aligned with either party walls (in the case of the western elevation) or streets with much lower pedestrian flows than that to be found on East Street (e.g. Evans Street and Lime Street). The layout and alignment also allows for revealed views of the St Marys Church Spire for those walking eastwards.

The internal arrangement of check-out points and main access seeks to enhance a quality urban environment on the outside of the building and this is supported. The location of the service bays and the car park access ramps (i.e. towards Evans Street) is also deemed appropriate as this keeps main vehicle movements towards the larger roads within the immediate network.

RECOMMENDATION: Approval subject to access conditions.

B. SCALE

APPRAISAL: The building is considered to be of a scale appropriate to its setting and immediate neighbours. The relatively low-rise form reflects the nature of the food store (i.e. a large floor plate as preferred by retailers) but also does not dominate unnecessarily the view eastwards along East Street towards the building. The length of the northern edge of the building (the edge that fronts the new pedestrian walk) is also considered acceptable in that it is not overly long (at approx. 60m) as to deter pedestrian amenity.

RECOMMENDATION: Approval for the scale.

C. ACCESS

APPRAISAL: The location of the service bays and the car park access ramps (i.e. towards Evans Street) is also deemed appropriate as this keeps main vehicle movements towards the larger roads within the immediate network. The arrangement that has aligned the most 'active' edge of the building alongside the new pedestrian link is also deemed appropriate

and is supported. The front door to the food store is located 'on axis' with East Street enhancing legibility and understanding of the building. The pedestrian link along Lime Street is also supported. As with the new pedestrian walk alongside the northern edge of the building, it is assumed that details of the surfaces, lighting and materials for the Lime Street link will be controlled through planning conditions to ensure the appropriate level of robustness and quality, as will the precise nature of the route (e.g. will it be open to cycles as well as pedestrians?)

That the building will have two access points (e.g. a main entrance on the north western corner and also an entrance via the café on the north eastern corner) is welcomed. This can allow the café to animate and support a more active street life even if the main store is not open (e.g. early Sunday mornings, evenings etc). Even if this 'dual-trading' option is not pursued for commercial reasons, it is considered important that the physical design of the building has the flexibility to allow for this at a later date.

RECOMMENDATION: Approval subject to access conditions.

D. APPEARANCE

APPRAISAL: The proposed design for the building is modest in its use of materials and finishes. The building clearly 'reads' as a food store and in this respect the use of a limited range of materials and finishes is generally supported. That said, the eastern elevation onto Evans Street (which accommodates the service access) appears cluttered and confused in its use of materials and designs. It would seem that the approach to this edge is intended to add interest to what would otherwise be a relatively blank elevation. However, the resultant design begins to look overly complicated. The use of different materials and projections to 'disguise' the car parking ventilation areas is considered unnecessary. A revision to this particular elevation with a view to simplification is therefore recommended.

The café on the northern eastern corner of the building is a welcome addition. The use of glazing and the 'wrap-around' nature of the curved corner could be strengthened here to add interest and quality to the eastern elevation. At present, the corner café is primarily focussed onto the new pedestrian walk on the northern edge of the building. Bringing the café elevation around the corner more, through greater use of glazing on the ground floor, would be welcomed. The southern elevation alongside Lime Street is treated by use of a 'green wall' and this is considered below.

RECOMMENDATION: Approval for appearance, subject to revisions to the eastern elevation.

E. LANDSCAPE

APPRAISAL: The use of the green wall alongside Lime Street and opposite Challis Court is the most striking feature of the proposal and this is supported. As explained earlier, the food store essentially has only one active edge and this has rightly been aligned with the new pedestrian walk. This leaves only a blank edge to be aligned opposite Challis Court. The applicant has sought to offset the negative impact of this through use of a green wall and this is supported. It is recommended that the involvement of Challis Court residents in the design and implementation of this green wall is encouraged to enhance the sense of ownership and stewardship. As with the new pedestrian links, it is assumed that details of the green wall will be controlled through planning conditions to ensure the appropriate level of maintenance and ownership (e.g. the precise type of green wall technology to be used).

Other aspects of the landscape design are supported although one minor area of concern

is with the proposed landscape treatment to Evans Street. The innovative 'in-out' service arrangement for service vehicles requires hard surfaces to cross the landscape strip in a shallow diagonal route. It is encouraged that this infrastructure is 'disguised' through the use of landscape treatments that enhance the pedestrian priority of those walking along the footway on Evans Street. For example, the application of paving materials that plays down the visual dominance of the diagonal routes. The drawings as submitted suggest a use of materials that reinforces the service routes, rather than the Evans Street footway, and this should be reversed.

RECOMMENDATION: Approval subject to landscape conditions.

