



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town & Country Planning (Development Management Procedure) (England) Order 2015

Mr David Jobbins
Luken Beck
30 Carlton Crescent
Southampton
SO15 2EW

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

FULL APPLICATION - **CONDITIONAL APPROVAL**

Proposal: Use of site for recycling of metals including erection of workshop building, siting of offices, an acoustic wall and means of enclosure (amended description).

Site Address: 93 - 99 Belgrave Road, Southampton,

Application No: 20/01235/FUL

Subject to the following conditions:

1 Full Permission Timing Condition (Performance Condition)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

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

2 Approved Plans (Performance Condition)

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

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

3 Restricted Use (Performance Condition)

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details, namely metal recycling/processing, and not for any other purpose, including any other use within Use Class B2.

Reason: In the interest of the amenities of neighbouring occupiers and to enable a further assessment should further employment uses seek to operate from this site.

4 Details of building materials to be used (Pre-Commencement Condition)

Notwithstanding the information shown on the approved drawings and application form, with the exception of site clearance, demolition and preparation works, no development works shall be carried out until a written schedule of external materials and finishes, including samples and sample panels where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturer's composition, types and colours of the external materials to be used for external walls, windows, doors, rainwater goods, and the roof of the proposed buildings, metal bay walls, boundary walls and acoustic wall. The development shall be implemented only in accordance with the agreed details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

5 Archaeological watching brief investigation (Pre-Commencement Condition)

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

6 Archaeological watching brief work programme (Performance Condition)

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

Reason: To ensure that the archaeological investigation is completed.

7 Hours of Use (Performance)

The use hereby approved shall not operate outside the following hours:

Monday to Friday 08:30 - 18:00.

And shall not operate during public holidays.

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

8 Cycle storage facilities (Pre-Occupation Condition)

Notwithstanding the approved plans before the development hereby approved first comes into occupation, secure storage for 1 bicycle shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

Reason: To encourage cycling as an alternative form of transport.

Informative: The position indicated for cycle storage on the approved site plan (next to the lorry parking space and in an area where loading and offloading of lorry's will occur is not expected to be convenient once the use is operational, it would make more sense to position the cycle storage nearer to the office and away from where metals will be delivered, loaded/off loaded, sorted and away from where large machinery and vehicles will be used/manoeuvre.

9 Refuse & Recycling (Performance Condition)

Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved (outside of the fenced and gated site boundary).

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby business properties; and in the interests of highway safety.

10 Delivery operations location restriction (Performance Condition)

Unless otherwise agreed in writing the turning of vehicles associated with the delivery or collection of metals associated with use hereby approved shall not take place outside of the site and in particular (for avoidance of doubt) shall not use the Belgrave Road public highway for turning manoeuvres.

Reason: To avoid congestion and obstruction of the adjacent highway.

11 No processing of vehicles (Performance Condition)

At no time shall any vehicles (including end of life vehicles) be processed at the site for decommissioning/recycling purposes.

Reason: In the interests of adjacent residential amenity, most notably noise and visual amenity.

12 Construction of buildings, acoustic wall and metal bays

Prior to the commencement of the development hereby approved all physical structures hereby approved, including the buildings, 6m high acoustic wall, 2m high metal bay walls and 2m high boundary walls shall be erected on site to the specification set out in the hereby approved updated noise impact assessment, Technical report R8796-1 rev 1 Dated February 2021 and shall be retained for the lifetime of the development.

Reason: In the visual interests of the area, in the interests of safety and in order to mitigate the noise impact of the development.

13 Noise Report - Full compliance. (Performance)

The development hereby approved will be carried out in full accordance with the noise impact assessment, Technical report R8796-1 rev 1 Dated February 2021 including maximum noise levels generated, all recommendations, equipment and working practices for the lifetime of the development. For the avoidance of doubt the recommendations and working practices include:

- o Re-orientation of bays and uses within the site (agreed as set out on the amended plans);
- o Erection of a 6m high acoustic barrier within the site which will fully eliminate line of sight between the offloading/working area and all receptors in Roxan Mews; and shall be constructed from an impervious material with a surface density no less than 12 kg/m².
- o Provision of acoustic insulation within workshop building.
- o A commitment to keep doors and windows to the workshop closed when plant is operated internally;
- o No recycling of end of life vehicles; and
- o Offloading of products into the reception bay will need to be undertaken with care and in accordance with a noise management plan which will include unloading by hand or a crane/material handler fitted with a clamshell grab only.

Reason: To protect the amenities of nearby residents.

14 Noise management plan (Pre-occupation)

Prior to the occupation of the site a noise management plan, listing methods to reduce noise generation at the site, shall be submitted to and approved in writing by the local planning authority. All staff members, prior to starting their employment, shall be made aware of the noise management plan and the metal recycling operations on site shall be carried out in accordance with the plan throughout the lifetime of the development.

The plan will include details of, but not be exclusively limited to, the points listed below:

- o The method of careful offloading of products into the reception bay by hand or a crane/material handler fitted with a clamshell grab.
- o Metal articles must be carefully lowered to the ground or into storage containers when using the crane/material handler fitted with a clamshell grab and shall at no time be dropped from height.
- o At no time shall metal articles be thrown onto the floor, into piles, bins, skips or any other storage container.
- o The specification of acoustic insulation required within the workshop building.
- o No idling of vehicles when not in use.
- o No use of angle grinders.
- o No external storage outside of the designated bays or any materials not held within a container.

Reason: In the interests of local visual amenity including amenities enjoyed by nearby residents.

15 No tipping of any material from delivery vehicles (Performance Condition)

Notwithstanding the approved noise report at no time shall metal articles be tipped from delivery vehicles onto the floor of the hereby approved metal recycling site.

Reason: In the interests of adjacent residential amenity, most notably noise and visual amenity.

16 Sound amplifying equipment (Performance Condition)

At no time shall sound amplifying equipment (including radios and stereos) be operated on site that are audible outside of any of the hereby approved buildings.

Reason: To protect the amenities of nearby residents.

17 Metal storage restriction (Performance Condition)

At no time shall metal be stored outside of the boundaries of the defined metal bays or outside of the building hereby approved on site; and piles of metal shall not exceed a height of 2m and thus shall also not exceed the height of the boundary treatment (2m high wall) defining the metal bays.

Reason: In the visual interests of the area, in the interests of safety and in order to leave sufficient space within the site for vehicle and pedestrian movement.

18 Glazing panel specification (Performance Condition)

The windows in the west elevation of the portacabin offices hereby approved [serving the rooms indicated as an office and staff room] shall be glazed in obscure glass and shall only have a top light opening above a height of 1.7m above the floor level of the rooms to which they serve. The windows as specified shall be installed before the development hereby permitted is first occupied and shall be permanently retained in that form.

Reason: To protect the privacy enjoyed by the occupiers of the adjacent flats.

19 Dust Suppression (Performance)

During times of dry weather, and when metal articles arrive on site which bring with them dust that could be blown off site whilst being processed, dust suppression measures shall be used to prevent dust from leaving the site which unless otherwise agreed in writing shall be achieved by dampening metal articles with water prior being unloaded onto site.

Reason: To prevent dust from being transferred from the site onto adjacent sites and; in particular, to protect the amenities enjoyed by the occupiers of adjacent residential properties.

20 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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

21 External Lighting Scheme (Pre-Commencement Condition)

Prior to the development hereby approved first coming into occupation, external lighting shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include measures preventing light spillage directly towards nearby residential properties. The approved lighting scheme shall be thereafter retained as approved.

Reason: In the interest of residential amenity.

22 Restricted vehicle movements (trip number & vehicle size restriction) (performance)

No more than 4 trips (2 in, 2 out) shall be made by heavy goods vehicles, with 'heavy' being defined as any vehicle larger than 3.5 tonnes or with more than 2 axels, for the purposes of the bulk delivery of metal articles in association with permission hereby approved.

No vehicles exceeding 26 tonnes, or which are articulated; or which have more than 3 axels, shall enter the site or service/deliver to/from the site in association with the permission hereby approved.

Reason: As a means of limiting the scale of operation owing the information provided and in the interests of the amenities of the neighbouring residential occupiers.

23 Extract Ventilation (Pre-Commencement)

The use of any extract ventilation systems within the workshop building shall not take place 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 mechanical ventilation of the building shall thereafter be carried out in accordance with agreed written scheme throughout the lifetime of the development.

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

24 Onsite storage limitation (Performance)

At no time shall the site be used for the storage of caravans or mobile homes, vehicles not associated within the hereby approved business, end of life vehicles, or vehicle parts including tyres; and at no time shall vehicle batteries be stored outside of the workshop building.

Reason: In the interests of limiting the operation and scale of operation on site to protect the amenities of the occupiers of existing nearby properties.

25 Hours of work for Demolition / Clearance / Construction (Performance)

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday 08:30 to 18:00 hours

And at no time on weekends 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.

26 Refuse & Recycling (Pre-Commencement)

Prior to the commencement of development, details of storage for refuse and recycling (not metal) shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

Reason for granting planning permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out within the Officers Report. 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 therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39 - 42 and 46 of the National Planning Policy Framework (2019).

Additional Note: Should you require new addresses to be created for your development you are advised to use the following link at the appropriate time:

<http://www.southampton.gov.uk/planning/planning-permission/getting-street-names-numbers.aspx>



Paul Barton
Interim Head of Planning & Economic Development

11 June 2021

If you have any further enquiries please contact:

Mathew Pidgeon

PLANS AND INFORMATION CONSIDERED



WEBCHAT

southampton.gov.uk



@sotoncc



@southamptoncc

DX115710 SOUTHAMPTON 17

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings:

Drawing No:	Version:	Description:	Date Received:	Status:
1311.02	Amended site layout plan	Site Plan		Approved
1312.04	Workshop	General Plan		Approved
1312.03	Proposed portacabin build	General Plan		Approved

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) England Regulations 2007. 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 Local Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. Appeals must be made using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or do it online at <https://acp.planninginspectorate.gov.uk/>
4. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
5. If permission to develop land is granted subject to conditions, whether by the Local 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.
6. In certain circumstances, a claim may be made against the Local 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.
7. 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.
8. 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.
9. Your attention is drawn to the conditions this consent is subject to:

Pre-commencement conditions require the full terms of the condition to be approved by the Local Planning Authority before any development starts. In order to discharge these conditions a formal application is required by the applicant and a time period of at least 8 weeks should be allowed for a decision to be made. If the conditions are not met, the Local Planning Authority has the power to take enforcement action.

10. The applicant is recommended to retain this form with the title deeds of the property.

Please address any correspondence in connection with this form quoting the application number to: **Development Management, Southampton City Council, Lower Ground Floor, Civic Centre, Southampton, SO14 7LY.**

