

Planning and Rights of Way Panel 9th October 2018
Planning Application Report of the Service Lead- Infrastructure, Planning & Development

Application address: 111 - 113 Paynes Road and Richmond Works, Pitt Road, Southampton, SO15 3BX			
Proposed development: Re-development of the site. Erection of 40 dwellings (3x 3-bed, 20x 2-bed, 8x 1-bed flats) and 9x 3-bed houses and a commercial building (class B1(b) or C) (Outline application seeking approval for Layout, Access and Scale) (departure from development plan)			
Application number	17/02592/OUT	Application type	OUT
Case officer	Anna Lee	Public speaking time	15 minutes
Last date for determination:	09.04.2018 (Extension of Time Agreement)	Ward	Freemantle
Reason for Panel Referral:	More than five letters of objection have been received	Ward Councillors	Cllr Leggett Cllr Parnell Cllr Shields
Applicant: Mr D Waldron - Mursell Ltd & Rockstone Investments Ltd		Agent: Mr R Reay - Luken Beck MDP Ltd	

Recommendation Summary	Delegate to Delegate to Service Lead – Infrastructure Planning & Development to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the policy allocation of the site, highway safety, residential amenity and the impact on the street scene 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 as set out in the report to the Planning & Rights of Way Panel on 9th October 2018. 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 (2018). Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, HE6, CLT1, H, H2, H7 and REI11 of the City of Southampton Local Plan Review - Amended 2015 policies CS4, CS5, CS6, CS7, CS13, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy (2015) and National Planning Guidance contained within the National Planning Policy Framework.

Appendix attached			
1	Habitats Regulation Assessment	2	Development Plan Policies
3	Highway comments	4	Viability Assessment – DVS Findings

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - ii. Either the provision of 35% affordable housing in accordance with LDF Core Strategy Policy CS15 or a mechanism for ensuring that development is completed in accordance with the agreed viability assessment (without any affordable housing) and that a review is undertaken should circumstances change and the development stall;
 - iii. 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.
 - iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - v. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vi. Submission and implementation of details to be approved providing a permanent, publicly accessible pedestrian link with Freemantle Lake Park.
 - vii. Financial contributions or other measures towards the Solent Disturbance Mitigation Project (SDMP) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), saved Policy SDP 12 of the City of Southampton Local Plan Review (as amended 2015), CS22 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).
 - viii. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets (Controlled Parking Zones).

3. That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

1. The site and its context

- 1.1 The application site, currently solely in commercial use, is 0.67 hectares and although is defined as being outside Shirley Town Centre, is within walking distance of the centre and, therefore, lies within a very sustainable location. The site is split in two by the buildings. The majority of the site, which is the front part facing Paynes Road, is used for car sales, MOT garage and car repairs with the rear of the site, accessed via Pitt Road, being occupied mainly for storage in association with small companies.
- 1.2 The area is mixed in nature comprising mainly residential, but opposite the site is Freemantle Church of England Community Academy. The two properties either side fronting Paynes Road are residential accommodation in the form of a dwelling at 109 Paynes Road and sheltered housing at Shaftsbury House (113a - 115 Paynes Road). To the rear, the site is bordered by Richmond Road, which is at a higher level, to the east, the commercial premises at Pitt Road and to the west, Freemantle Lake Park, which is at a lower level than the site.
- 1.3 There are level changes on the site with the rear part being much lower than the front. Adjacent to Paynes Road the land level is 13 metres above ordnance datum (AOD) lowering to 11.50 metres at the rear of the existing gardens Paynes Road, to the lowest level, ranging between approximately 9.5 to 10.5 metres, adjacent to the park and then stepping up to approximately 11.5 metres adjacent to the boundary with Richmond Road. The land slopes up again to the properties at Richmond Road.

2. Proposal

- 2.1 Outline planning permission is sought. The proposal is for a mixed use scheme for 40 dwellings (3x 3-bed, 20x 2-bed, 8x 1-bed flats) and 9x 3-bed houses together with a commercial building providing 464 square metres floorspace. It is an outline application with the Access, Layout and Scale being identified for consideration. Appearance and Landscaping are reserved from this application and will form part of a reserved matters application at a later stage.
- 2.2 The application provides a pedestrian link from the site to Freemantle Lake Park which will be secured as a public accessible footpath via the S106 legal agreement and condition 2. Vehicular access will be formed via Paynes Road for the residential element and Pitt Road for the commercial element. In total, 61 parking spaces are to be provided, 9 of which would serve the commercial unit.
- 2.3 The residential element of the development takes the form of 2 blocks of 2-storey, 3-bed houses, one fronting Paynes Road and the other is located along the access road, adjacent to the rear of 107 -109 Paynes Road. To the rear of the site there are two larger blocks mainly comprising apartments. The block positioned adjacent to the commercial unit, steps up from 2-storey in height, adjacent to the boundary with Richmond Road, to 4 stories in the middle of the site (albeit with rooms in the roof). The second block, located adjacent to Freemantle Lake Park, comprises 4,

3-bedroom houses with integral garages. This steps up from 3 storeys in height to 4 storeys in the middle of the site (albeit with rooms in the roof).

2.4 The commercial building would be used for light industrial purposes (Use Class B1 (c)) and is 5.5 metres to eaves height and is 2-storeys in design. The lowest part of the site, adjacent to the entrance to Freemantle Lake Park, is utilised for car parking and areas of shared amenity space.

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 2.

3.2 The application is a departure from the Local Plan as part of the site to north (rear) is safeguarded for employment uses under policy RE111 (xiii) for light industry, which specifies the uses B1 b and B1c. The definition of these uses are B1(b): Research and development of products and processes and B1(c): Light industry appropriate in a residential area. Also of particular relevance to this proposal are policies CS6 and CS7 of the Core Strategy which supports the economic growth of the city by safeguarding existing employment sites. Criterion 1 notes that there may be an exception to the safeguarding if there is clear evidence that a site is not, and is not likely to become viable for employment use. However, it is more appropriate to consider criterion 2 in this instance due to the mix of employment and residential use proposed.

3.3 It is particularly worth noting paragraph 4.6.8 of the Core Strategy whereby it is stated that a site may remain commercially viable for some employment use if redeveloped for a mix of employment and other higher value uses. It is further stated that a higher density development could retain the same or significant number of jobs and / or provide a higher quality floorspace. It is also worth noting the constrained nature of the site which is largely surrounded by residential uses. Therefore, the proposal from a planning policy perspective should be considered on this basis.

3.4 It should also be noted that the Local Plan Issues and Options (July 2015) cannot be afforded sufficient weight at this stage particularly in relation to the identification of Pitt Road Industrial Estate as one of the sites which could be deemed surplus to requirements. However, as noted above, Core Strategy Policy CS 7 does allow exceptions to safeguarding if the criteria within the policy are considered to be satisfactorily met.

3.5 Major developments in the city are also expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.

3.6 The National Planning Policy Framework (NPPF) was revised in July 2018. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.

4. Relevant Planning History

- 4.1 There is a long planning history associated with the trading estate's expansion however, the most relevant planning is application 99/01286/FUL for 2x3-storey blocks of 16 no. 1-bed and 8 no.2-bed flats. This application was withdrawn in 2005.

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (12.01.18) and erecting a site notice (16.01.18). At the time of writing the report, 23 representations have been received from third parties, one of which is letter of support. The following is a summary of the points raised:

5.2 Overdevelopment

Response

The proposal results in a density of 59 dph and, therefore, is in line with Policy CS5 of the Core Strategy which indicates that densities of between 50 – 100 dph are appropriate for this area. It is also important to note that, in terms of building and hardsurfacing, the site is currently 100% developed whereas the proposal will introduce areas of soft landscaping together with a reduced amount of building footprint. Therefore, the development does not lead to an overdevelopment of the site.

5.3 Impact on neighbours

Response

The development is located between 25 and 28.5 metres away from the nearest properties at Richmond Road and 26 and 27 metres away from 107 and 109 Paynes Road. The siting of the proposed buildings exceeds the separation distances set out in the adopted Residential Design Guide (21m for 2 storey development).

- 5.4 Concern regarding access, parking and transport problems that will arise from the increase in dwellings. In particular, with respect to the parking.

Response

SCC Highways have considered the concerns raised by residents and do not consider the proposed development to be detrimental to highway safety. A highway safety improvement package will be secured as part of the S106 legal agreement (see recommendation 1(i)) to mitigate any potential highway issues). Parking has been proposed to provide at least one space for each dwelling (with 2 spaces for the larger units) and in this accessible location this is acceptable. Condition 26 is recommended to provide sufficient sight lines to improve highway safety. The full Highway response is set out in Appendix 3 of this report.

- 5.5 Pitt Road is too narrow.

Response

The application proposes a reduction in reliance on Pitt Road for access when compared with the existing situation. The existing commercial building to the rear of the site provides approximately 1500 sq.m of floor space with over 1000sq.m of an area for parking and servicing. The application proposes that only the commercial unit would be accessed from Pitt Road and this provides 464 sq.m floorspace with an associated service yard of approximately 500 sq.m. As such, the proposal represents a betterment in this respect.

5.6 Concern that development will result in increased flood risk to the adjoining land
Response
Detailed information has been submitted to address the Council's Flood officers' concerns with respect to the climate change and proposed drainage mechanism. Subject to the inclusion of conditions 23 and 24, set out below, the previous objection has been addressed.

5.7 Concerned about boundary treatment to the shared boundary with Richmond Road
Response
A boundary treatment condition (see condition 6, below) is secured to request these details prior to development.

5.8 Key sections are missing and the full impact of the proposed 3.5 metre flatted development is not shown
Response
An existing site survey and proposed ridge heights are provided so officers are able to assess the proposed height difference between the existing neighbouring properties and the proposed development.

5.9 The development should be reduced in height as the 3.5 storeys are out of keeping with the other residential properties within the area.
Response
The local area differs in types of development and land levels. This site forms a bowl making it possible to accommodate taller development without harming established character. The assessment of the proposed height is set out in section 6.3 of the report.

5.10 No mention is made in the planning application to the policy designation
Response
The submitted Planning, Design and Access statement sets out the relevant policy constraints for the site. This is also discussed in more detail below.

Consultation Responses

5.11 SCC Highways – No objection subject to conditions (See conditions 25-31 and 33). Details of the vehicular access onto Paynes Road, road construction, refuse storage and collection points including details of the arrangements on collection day. In addition, parking restrictions to restrict all kerbs which are not serving as a formal parking space should be marked with parking restrictions to deter any informal parking. Finally, details of cycle parking and the submission of a construction management plan. The full comments from the Highway Engineer are included as Appendix 3.

5.12 SCC Policy - No objection received at pre-application stage – see comments above.

5.13 SCC City Design – The principal concern with this scheme is that it is effectively making a large cul-de-sac when the opportunity exists to create a pedestrian/cycle link to Pitt Road thereby improving permeability, which will become even more important if/when at some future date the industrial site to the east becomes available for redevelopment. The link to the park is shown as only 'potential'. This must be delivered by this application as otherwise there is no prospect of it being delivered at a future date.

Response:

It is noted that a pedestrian link from Pitt road through the site to Freemantle Lake Park would be beneficial (see s.106 recommendation). However, the current state of Pitt Road means that pedestrian access is unsafe and there are no works proposed within the immediate future to improve this. The Panel may decide that a pedestrian link from the development into Pitt Road is required to make this development acceptable, and further details could then be secured through a condition or the Reserved Matters stage.

- 5.14 SCC Housing – As the scheme comprises of 40 dwellings in total the affordable housing requirement from the proposed development is 35% (CS15- sites of 15+ units = 35%). The affordable housing requirement is therefore 14 dwellings.

Response

The scheme's viability, with this level of affordable housing provision, has been questioned and tested by an independent expert. Further details are provided later in this report with the DVS findings attached at Appendix 4.

- 5.15 SCC Sustainability Team – No objection

As the commercial element of the scheme is under 500m², no BREEAM assessment is required. With respect to the residential elements conditions securing energy and water targets are to be secured. See conditions 16 and 17.

- 5.16 SCC Environmental Health (Pollution & Safety) –

No objection subject to conditions securing dust suppression during demolition, a construction environment management plan, no bonfires (not secured as can be dealt with under separate legislation) and working hours. See conditions 32 -34.

- 5.17 SCC Environmental Health (Contaminated Land): No objection

No objection subject to conditions to secure a contaminated land assessment and any required remediation measures. See conditions 13 -15.

- 5.18 SCC Ecology – No objection subject to conditions to secure the appropriate mitigation measures provided in section 6.2 Mitigation/Compensation of the submitted ecology report as well as a conditions securing an ecological mitigation statement, protection of nesting birds and details of lighting. See conditions 18 – 20. Adjacent to the application site lies Fremantle Lake Park which consists of an area of amenity grassland with mature trees around its boundaries. An ecological appraisal supporting the planning application established that the habitats present on the site were of low ecological value. It also found that the buildings and trees had negligible potential for bat roosts but that the block of trees and scrub along the western boundary was likely to provide suitable foraging and commuting habitat for bats. The trees, scrub and buildings were also considered to be suitable habitat for nesting birds, whilst the park is likely to be of value to foraging bats and nesting birds. Whilst the removal of the buildings will alter the habitat this can be mitigated through the provision of replacement habitat. This can be achieved by using native and ornamental species with established wildlife value in the landscaping scheme. In addition, a range of bird and bat boxes should be incorporated into the buildings to provide replacement / additional nesting and roosting sites for birds and bats. External lighting will need to be carefully positioned to avoid illumination of surrounding vegetation and be hooded to prevent upward light spill.

- 5.19 SCC Trees – No objection

The arboricultural assessment and method statement provided give a detailed methodology for work within the root protection areas of four trees requiring special protection and the intended removal of three trees. One of these being a category U tree. The site plan indicates that thirteen new trees are being planted

which will help to increase the canopy cover of the area. Conditions to be secured are tree retention and safeguarding, no storage under tree canopy and the submission of a detailed landscaping plan (see conditions 21 and 22).

5.20 SCC Flood Risk Officer – No objection

It appears that there is to be sufficient attenuation to accommodate the 1 in 100 year rainfall event plus 40% climate change. This coupled with a reduction in impermeable areas to the site through the addition of soft landscaping provides a significant betterment from the current discharge rate and volume. The information provided is suitable for removing objection to outline design planning, with additional information to be supplied at full planning including as secured by condition 23.

5.21 SCC Archaeology: No objection

There is potential for archaeology to exist on the site and conditions are suggested to address this including archaeological damage assessment and an archaeological investigation. See conditions 10 -12.

5.22 Southern Water – No objection.

Suggests a condition (number 24) to secure measures to protect the public sewer during development and to secure details of the means of foul and surface water disposal.

5.23 Southampton Common and Parks Protection Society (SCAPPS) - Objection

The proposed development is adjacent to Freemantle Lake Park. The application site overlooks the Park -- the eastern end of the Park is at lower level than the adjacent property, the application site. The ground slopes steeply down/there is a sharp difference in level between Park & the development site. SCAPPS' first concern is that the tallest building in the application is sited at this point & will be very visible from the Park. SCAPPS questions why this building is proposed to be 3.5 storeys? Why can it not be lower in height to reduce visual impact from within the Park? Landscaping & planting will be a reserved matter; SCAPPS expects to see strong landscape planting on the boundary with the Park to 'soften' the appearance from within the Park. SCAPPS notes proposals for surface water drainage; SCAPPS has insufficient knowledge to be certain that, because of the drop in levels, surface water will be adequately intercepted to prevent run-off into the Park.

5.23.1 SCAPPS notes that the plans submitted with the application are tentative about a pedestrian link from the development site into the Park. SCAPPS would support provision of a clear, attractive pedestrian link from Paynes Road through the proposed development into the Park. There is an existing path from the Park to Paynes Road but it is narrow, somewhat unattractive & not readily seen. SCAPPS would support taking this opportunity to create a more attractive & visible route for public access to the Park from Paynes Road. SCAPPS asks that further consideration be given to layout of the access road from Paynes Road so there is a clear, safe pedestrian route through to the new Park entrance.

5.23.2 Response

The impact of the height will be assessed in section 6 of the report. The drainage aspect has been assessed by the Council's Flooding Team see section 5.20 and Southern Water see section 5.22. The link to the park will be secured via the Section 106 legal agreement and condition 2.

6. Planning Consideration Key Issues

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

- The principle of development;
- The effect on character;
- Residential amenity;
- Parking, highways and transport;
- Affordable housing and viability;
- Development mitigation and;
- Likely effect on designated habitats.

6.2 Principle of Development

6.2.1 As set out in paragraph 3.2 above, the application site is partly safeguarded for light industrial use. The proposal includes 464 sq.m of commercial floorspace to provide a mixed use development, although results in a reduction in light industrial floorspace and, therefore, represents a departure from the adopted Development Plan policies.

6.2.2 In allocating the site for light industrial purposes, the Local Plan Inspector's report (paragraph 8.16.12-8.16.13) noted the following:

"...in terms of location and access, which I observed to be very narrow. ... I fear that the effect of the safeguarding will be to perpetuate unsuitable uses within a primarily residential area. I also note that the safeguarding of adjoining land facing onto Paynes Road (also owned by Mursell Ltd and currently used for car repairs) was removed at Revised Deposit stage. It seems to me that if the general industrial use were to continue on the Richmond Works site, this would be likely to blight any future use of this land for residential purposes, for example. I have already concluded that the supply of industrial land is not as poor as the Council believe. I do not therefore consider that the loss of this site would be critical and I recommend that this part of the safeguarded site should be removed from Policy REI 12."

The Richmond Works is in a poor state of repair and redevelopment would undoubtedly have the potential for considerable visual improvement to benefit the local area. The Objector considers that the site would be most suitable for housing. I agree that it is in a highly sustainable location close to Shirley District Centre and adjacent to Richmond Park. However, there is no overriding need for further housing allocations and this is not suggested by the Objector. In the absence of the safeguarding the site would fall to be considered under Policy H3, which relates to housing development on previously developed land. One consideration would be the existence of the remaining industrial land on the adjoining Liners Industrial Estate."

6.2.3 Policy CS7 of the Core Strategy safeguards existing employment sites unless certain criteria are met. In this case, having regard to the Inspector's comments above, criteria 2 (a & b) of the policy are pertinent. The policy confirms that, where there is strong justification to release the safeguarding in terms of planning and regeneration benefits or the impact of the use on residential amenity, mixed use development can be considered. Given the nature of the surrounding area, which is mainly residential; the poor condition of the majority of the existing buildings and; the unsuitability of Pitt Road for serving largescale employment use, it is considered that Policy CS7 is satisfied and the redevelopment of the site for alternative uses is appropriate.

6.2.4 The proposal provides a light industrial element at the rear of the site, albeit at a scale that is more appropriate to the nature of Pitt Road, and is designed to prevent the remainder of the development from utilising the Pitt Road access. The proposal, therefore, provides a better situation when compared with the existing. Furthermore, the Use Classes Order confirms that Light Industrial uses are those which are appropriate within a residential area and so the proposed commercial element would integrate better into the residential context when compared with the existing noise-generating uses (which includes general industrial).

6.2.5 As detailed in Policy CS4 of the Core Strategy, an additional 16,300 homes need to be provided within the City between 2006 and 2026. The proposal would make efficient use of previously developed land to provide further homes, including 30% family housing in accordance with policy CS16 (12/40 are 3 beds including 9 houses). The development also does achieve a good mix of one and two bedroom accommodation ensuring a balanced community would be achieved. A residential density of 59 dwellings per hectare would be achieved, in accordance with policy CS5 of the Core Strategy, which requires densities in line with 50 - 100 dwellings per hectare in sustainable locations. Furthermore, the introduction of residential on this site would be more sympathetic to the residential context.

6.2.6 The redevelopment of this safeguarded employment site for mixed use commercial and residential development is, therefore, considered to be justified by Policy CS7 of the Core Strategy. However, after assessing the policy allocation the proposal has to be weighed against the other key issues set out below:

6.3 Effect on character

6.3.1 The external appearance/architecture of the development is reserved from consideration and, therefore, the scale and layout, together with the amount of development can only be assessed in terms of character. The two-storey scale of the development proposed adjacent to the existing properties along Paynes Road is in keeping with the height of the majority of the dwellings. The layout of this part of the site mimics the existing street frontage and then provides further units to the rear of Paynes Road properties along the access way. These provide an active frontage when entering the development. Between these units and the rest of the proposed units to the rear of the site is amenity area with parking. This is provided due to the drainage issues at the site and also provides a low-level and open feel to the new link to the adjacent park. The layout clearly shows a pedestrian footpath linking the site to the park, this secured via condition 2 and recommendation vi.

6.3.2 At the lowest part of the site, 4 storey flats are proposed (albeit with rooms in the roof). It is noted that this will be a height that is only approximately 0.2 metres lower than the properties at Richmond Road which are set at a higher level. However, there are other examples of similar scale development within the vicinity (the development at 117-123 Paynes Road). The highest two blocks at 4 storeys within the centre of the development would not appear dominant due to the land level changes and set back from the site boundaries. It is clear from the section provided that, although the development will be high, it will not tower over the existing properties in the area due to the site level changes and the alignment of the buildings in the middle of the site. The distance between the tallest flats and existing surround units aids this transition. In terms of the relationship with the adjacent park it is important to note that Freemantle Lake Park is an urban park surrounded by development which includes 3 and 4 storey development at the eastern end of Paynes Road. Existing tree screening in the park will filter

views of the development and a setback of more than 11 metres from the boundary with the park will also lessen the visual impact of the development. On this basis no objection has been received from the Council's City Design Officer.

- 6.3.3 The layout provides the natural surveillance of the parking and access within the development with units fronting the car parking area and access. The development has been well designed to provide a great deal of space around the development which not only provides setting but also amenity space. The amenity provided for the houses is in line with guidance as at least 10 metre deep gardens are provided. Having assessed the resulting amenity space there is sufficient amenity space to meet the required 20 sq.m per unit. This is notwithstanding the location adjacent to the park.
- 6.3.4 With respect to the commercial unit, it is accessed separately and is set a distance away from all proposed and existing residential neighbours. The height of the development is in line with the existing buildings on site and the neighbouring industrial uses and provides a sufficient height buffer.
- 6.3.5 Landscaping is to be a reserved matter. However, the layout plan does show the provision of trees and areas of amenity space for the flats and the houses. Currently, the whole site is laid out with hardstanding. The site is located adjacent to Freemantle Lake Park where there are both protected trees secured either under a Tree Preservation Order (TPO) and group orders. Conditions 21 and 22 seek to protect these trees from damage during construction. Further details of the landscaping and amenity space provision will be provided at the reserved matters stage.
- 6.3.6 In summary, the scale of the development albeit 4 storeys high as its highest is in keeping with the character of the area. The layout has been well designed by providing a development which provides adequate spacing between the buildings and respect the low density of the area.
- 6.4 Residential Amenity
- 6.4.1 Overall, the layout of the development provides good spacing between buildings and achieves an orientation of residential blocks which provides good outlook and access to daylight and sunlight. The privacy distances are met throughout the site both with respect to the proposed and existing properties. The privacy distances with regard to the existing neighbouring properties exceed the guidance and are set out in paragraph 5.3. The road and pedestrian routes within the development benefit from natural surveillance and provide safe and convenient routes for residents.
- 6.4.2 The existing commercial units that neighbour the site are historic and, therefore, unfettered by planning controls. However, the scheme is designed with commercial floorspace located immediately adjacent to the existing commercial uses, with residential uses set away. The Council's Environmental Health raises no objection to siting residential development in this location as the existing commercial uses are already surrounded by residential uses. However, development can be protected from external noise sources with an adequate specification of glazing. This can be secured by condition 34.
- 6.4.3 Conditions 8 and 9 are also suggested to ensure that the new commercial uses do not generate noise and disturbance to new residents. In particular, the hours of operation will be controlled, soundproofing measures secured and details of plant, equipment and machinery also secured by condition to avoid undue disturbance to residents within the development. Overall, it is considered that the development is designed to provide a high-quality environment for future residents.

6.5 Highway Safety and Parking

- 6.5.1 The parking for the development comprises 61 spaces with 9 spaces for the commercial element leaving 52 spaces for the residential development. Each house would be served by 2 spaces (including garage spaces) and 34 for the flats, providing at least one space per flat. This provision is acceptable in this location which is well served by public transport and is within walking distance of shops and services. The site is located within an area that is subject to traffic regulation orders and a residents parking zone which means parking overspill is unlikely to occur as residents will not be eligible for parking permits, as secured by recommendation xiii of this report. The parking provided complies with the maximum standards set out in the adopted Parking Standards Supplementary Planning Document.
- 6.5.2 The main vehicular access into the site will be via Paynes Road for the residential properties. The second access via Pitt Road serves only the industrial unit. Concern has been raised that highway safety could be compromised, however, a sight line condition (no 26) has been included to ensure highway safety is secured for both pedestrians and vehicles. A detailed Transport Assessment has been submitted and assessed with the application and adequately demonstrates that the proposal will have an acceptable impact on the highway network. As such, the Council's Highways and Transport Team have raised no objection to the application and the proposal is considered to be acceptable in this respect.

6.6 Affordable Housing and Viability

- 6.6.1 Policy CS15 sets out that 'the proportion of affordable housing to be provided by a particular site will take into account the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model).' The application is accompanied by a viability assessment which sets out that the development would not be viable and able to commence should the usual package of financial contributions and affordable housing be sought. In particular, the assessment sets out that the development would not be able to meet the requirement to provide Affordable Housing on the site. The viability appraisal has been assessed and verified by an independent adviser to the Council; in this case the District Valuation Service (DVS). A copy of their report is appended to this report at Appendix 4.
- 6.6.2 The DVS report concludes that 'our appraisal indicates that the proposed scheme will achieve a profit level of just 2.75% of gross development value which is significantly below the levels generally required for the purposes of debt finance (typically a 15% on GDV minimum for residential), which brings into question the sustainability of the proposed scheme.'
- 6.6.3 In response to this point the applicants have stated that 'It is the position of the applicant, Mursell Ltd, that the viability findings don't preclude the implementation of the planning application. We have had approaches and expressions of interest from more than 5 different companies /representatives and this suggests that there is a healthy level of market interest in bringing this site forward for development'.

'...The other advantage of the outline consent is that it would achieve clarification of density, the level of developer contribution, car parking & access to Paynes Road and Pitt Road, plus the location of the noise buffer. We are encouraged by the level of market interest and are confident that the granting of planning consent will then lead to the

scheme being delivered. The delivery of the scheme also accords with Paragraph 68 of the revised NPPF which indicates that, small and medium sized sites can make an important contribution to meeting housing requirements.'

- 6.6.4 In conclusion, the DVS states that 'it is assumed that the provision of the office/industrial accommodation is a requirement of the Local Authority to demonstrate some continuation of employment use and it should be noted that the cost of creating this accommodation is greater than the revenue achievable from it. It is therefore onerous to the scheme and this has a direct impact on the viability of the proposed scheme. On the basis that the Council is prepared to consider granting consent with a reduced level of affordable housing and since we are assessing this scheme in the current market, we would recommend that if the scheme is not delivered within an agreed timescale that an automatic viability review be triggered.'
- 6.6.5 These comments are noted and the applicant is aware of the above but the site is safeguarded for light industrial use and the provision of the industrial element acts as a buffer between the existing adjacent industrial use and the proposed residential units. The balance between providing a mixed use development which provides a use suitable for the area as well as providing units to meet the housing need has to be weighed against the provision of affordable housing. The benefits of redeveloping the site in this manner and the need to comply with the policy constraints outweigh the requirement for affordable housing in this case. The Panel may attach greater weight to the need for affordable housing in this part of the City but in doing so – and thereby rejecting this application – the Council would then need to defend an appeal where an independent Inspector is likely to attach significant weight to the DVS report (also independent).
- 6.7 Development Mitigation
- 6.7.1 As with all major development the application needs to address and mitigate the additional pressure on the social and economic infrastructure of the city, in accordance with Development Plan policies and the Council's adopted Planning Obligations SPD (2013). Given the wide ranging impacts associated with a development of this scale, an extensive package of contributions and obligations would be required as part of the application if the application were to be approved. The main area of contribution for this development, in order to mitigate against its wider impact, is for highway works and these works are to be secured via a Section 106 legal agreement with the applicant. These works will be improvements to the shared footway on Paynes Road (including footway construction, markings/lining and signage where necessary) and improvements to Paynes Road to include buildouts to improve sight lines. In addition the scheme triggers the Community Infrastructure Levy (CIL).

6.8 Likely effect on designated habitats

- 6.8.1 The proposed development, as a residential scheme, has been screened (where mitigation measures must now be disregarded) as likely to have a significant effect upon European designated sites due to an increase in recreational disturbance along the coast and in the New Forest. Accordingly, a Habitat Regulations Assessment (HRA) has been undertaken, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, see Appendix 1. The HRA concludes that, provided the specified mitigation of a Solent Recreation Mitigation Strategy (SRMP) contribution and a minimum of 5% of any CIL taken directed specifically towards Suitably Accessible Green Space (SANGS), the development will not adversely affect the integrity of the European designated sites.

7. Summary

- 7.1 This proposal would bring the application site back into effective use, introducing an additional residential use as well providing industrial use, within what is a predominantly residential area. The principle of development can be justified in light of policy CS7 of the Core Strategy and highway safety, transport, design and residential amenity have been adequately addressed. The scheme does not deliver any affordable housing but remains policy compliant in this regard given the flexibility of Policy CS15 in respect of allowing a shortfall when evidenced through a tested viability appraisal. As such, the scheme fulfils the requirements of the NPPF.

8. Conclusion

- 8.1 It is recommended that planning permission is granted subject to a Section 106 agreement, reserved matters and the attached 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(c), 2(d), 2(f), 4(b), 4(f), 4(g), 4(vv), 6(b), 7(a), 8(a), 8(j), 9(a) and 9(b),

AL for 09/10/2018 PROW Panel

PLANNING CONDITIONS

1. Outline Permission Timing Condition (Performance)

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the principle of development, layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site and the buildings, the scale, massing and bulk of the structures is approved subject to the following:

- (i) Written approval of the details of the following awaited reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site:
 - the appearance and architectural design specifying the external materials to be used;
 - the landscaping of the site specifying both the hard, soft treatments and means of enclosures.
- (ii) An application for the approval of the outstanding reserved matters shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission
- (iii) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last application of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Pedestrian link to Freemantle Lake Park (Pre-Commencement Condition)

Prior to commencement of any development detailed plans showing a pedestrian link providing a footpath to an adoptable standard shall be submitted to and be agreed in writing by the Local Planning Authority. The approved plans of the footpath shall be implemented and be available for pedestrian use prior to the occupation of any of the units hereby approved. The approved pedestrian link shall remain open and accessible at all times.

Reason: In the interests of legibility through the site and to allow access to the park for future residents.

3. Residential - Permitted Development Restriction (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1 & 2, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Part 1

- Class A (enlargement of a dwelling house), including a garage or extensions,
- Class B (roof alteration),
- Class C (other alteration to the roof),
- Class D (porch),
- Class E (curtilage structures), including a garage, shed, greenhouse, etc.,
- Class F (hard surface area)

Part 2

- Class A (Means of enclosure)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

4. Use of garages (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garages hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason: To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

5. Amenity Space Access (Pre-Occupation Condition)

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

Reason: To ensure the provision of adequate amenity space in association with the approved flats.

6. Boundary Treatment (Pre-Occupation Condition)

Before occupation of the development hereby approved, details boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected before the development is first occupied and shall thereafter be retained as approved.

Reason: In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

7. Phasing condition (Performance Condition)

The industrial unit (464 sq.m) hereby approved shall be completed and made ready for occupation prior to the occupation of any of the residential units unless agreed in writing by the Local Planning Authority.

Reason: To safeguard future residential amenities against existing adjacent industrial uses.

8. B1(b) and B1(c) Hours of Use and Delivery Restriction (Performance Condition)

The commercial uses hereby permitted shall not operate outside the following hours:

Monday to Saturdays	08:00 am to 21.00 pm
Sundays and public holidays	08.00 am to 21.00 pm

No deliveries shall take place outside of the times specified above.

Reason: In order to control the use in the interests of amenity

9. Plant and Machinery and Soundproofing (Pre-occupation Condition)

Before individual commercial units come into use, details of plant and machinery to be used within the use, together with measures to minimise noise from them and soundproofing measures to mitigate any external and internal noise transfer to residential units within the development, shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be installed in accordance with the agreed details within the unit to which they relate, before that unit is occupied and thereafter retained as approved.

Reason: To ensure residents of the development are not adversely affected by noise from the commercial uses.

10. Archaeological damage-assessment (Pre-Commencement Condition)

No development shall take place within the site until the type and dimensions of all proposed groundworks 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.

11. Archaeological 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.

12. 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.

13. 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.

14. Use of uncontaminated soils and fill (Performance 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.

15. 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

16. Energy & Water (Pre-Commencement Condition)

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

17. Energy & Water (performance condition)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

18. Ecological Mitigation Statement (Pre-Commencement Condition)

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, as set out in section 6.2 Mitigation/Compensation of the submitted ecology report (Land At Paynes Road And Liners Industrial Estate, Southampton Preliminary Ecological Appraisal, ECOSA Ltd, Final Document (Rev. 1) 6th December 2017) which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before construction works commence.

Reason To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

19. 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 lighting scheme shall be thereafter retained as approved.

Reason: In the interest of residential amenity/to minimise the impact on protected species.

20. 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

21. Tree Retention and Safeguarding (Pre-Commencement Condition)

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be

maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason: To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

22. No storage under tree canopy (Performance)

No storage of goods including building materials, machinery and soil, shall take place within the root protection areas of the trees to be retained on the site. There will be no change in soil levels or routing of services through root protection zones. There will be no fires on site within any distance that may affect retained trees. There will be no discharge of chemical substances including petrol, diesel and cement mixings within or near the root protection areas.

Reason: To preserve the said trees in the interests of the visual amenities and character of the locality

23. Sustainable Drainage (Pre-Commencement Condition)

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

24. Drainage details (Pre-Commencement Condition)

The development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure the provision of adequate drainage arrangements and to minimise flood risk.

25. Road Construction (Pre-Commencement Condition)

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

- A specification of the type of construction proposed for the roads, cycleways and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water.
- A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

Reason: To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority.

26. Sightlines specification (Performance condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level unless agreed otherwise in writing by the Local Planning Authority.

Reason: To provide safe access to the development and to prevent congestion on the highway.

27. Refuse management plan (Pre-Commencement Condition)

Prior to commencement a refuse management plan shall be submitted to and be agreed in writing by the Local Planning Authority which sets out refuse strategy for the movement of the euro refuse bins from the units to a collection point and back to the internal storage areas. The collection point should be within 10m of either the public highway or the route of the refuse vehicle. The approved refuse management plan shall be implemented and retain unless agreed otherwise by the Local Planning Authority.

Reason: In the interests of highway safety.

28. Refuse & Recycling (Pre-Commencement Condition)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, 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. 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.

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.

Note to applicant: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

29. Euro Bin Storage (Performance)

The bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and a lock system to comply with SCC standard lock requirements operated by a coded key pad. It must be possible to secure the doors open whilst moving the bins.

Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage cause by bin movements. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m. Any gates on the pathway are not to be lockable, unless they comply with SCC standard coded keypad detail. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10.

A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin. The site management must contact SCC refuse team 8 weeks prior to occupation of the development to inspect the new stores and discuss bin requirements, which are supplied at the developer's expense. E mail waste.management@southampton.gov.uk

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.

30. Cycle storage (Pre-commencement Condition)

Notwithstanding the information already submitted no development shall commence until plans and elevational details of the secure, covered cycle storage for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided prior to the first occupation of the dwellings hereby approved and thereafter retained for that purpose at all times.

Reason: To ensure an appropriate provision of cycle storage is made for future occupants of the site in accordance with saved policy SDP5 of the adopted Local Plan.

31. Parking area (Pre occupation Condition)

The parking areas shown on the approved shall be laid out and ready for use prior to the occupation of development unless agreed otherwise in writing by the Local Planning Authority. These parking spaces shall be retained during the lifetime of the development for use by residents and their visitors only.

Reason: To prevent off site highway safety issues.

32. Construction Management Plan (Pre-Commencement)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Plan for the development. The Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;

(e) measures to be used for the suppression of dust and dirt throughout the course of demolition and construction;

(f) details of construction vehicles wheel cleaning; and,

(g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

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

33. 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.

34. Glazing- Soundproofing from external noise (Performance Condition)

Unless otherwise agreed in writing by the Local Planning Authority, the glazing for the residential accommodation shall be either:

Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

Any trickle vents must be acoustically rated. The above specified glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

Reason: In order to protect occupiers of the flats from traffic noise.

35. 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.