

Planning and Rights of Way Panel 13th March 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and Development.

Application address: 17 - 21 Portsmouth Road, Southampton			
Proposed development: Erection of a 4-storey building incorporating retention of building facade to provide 10 flats (8 x one-bedroom and 2 x two-bedroom) and a ground floor commercial gym / fitness area with associated storage and refuse facilities.			
Application number	18/00032/FUL	Application type	Major Dwellings
Case officer	Andrew Gregory	Public speaking time	15 minutes
Last date for determination:	24.04.2018	Ward	Peartree
Reason for Panel Referral:	Major development with five or more letters of objection have been received.	Ward Councillors	Cllr Lewzey Cllr Houghton Cllr Keogh

Applicant: Mr Anjuim Moied	Agent: No agent
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Recommendation Summary	Delegate conditional approval to the Service Lead – Infrastructure, Planning and Development.
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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. Overall the scheme is acceptable and the level of development proposed will not result in an adverse impact on the amenities enjoyed by surrounding occupiers or to the character and appearance of the area. A suitable balance has been achieved between securing additional housing, protecting and incorporating the buildings locally listed facade and retaining ground floor commercial use within Woolston District Centre. The Bingo Hall has been closed since 2007 and is not protected a protected community facility. Permission 13/00614/OUT is a significant material consideration in this case. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted. 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 186-187 of the National Planning Policy Framework (2012).

Policies SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, REI4 of the City of Southampton Local Plan Review - Adopted March 2006 policies CS3, CS4, CS5, CS13, CS14, CS15, CS16, CS19, CS20 of the Local Development Framework Core Strategy (January 2010) and National Planning Guidance contained within the National Planning Policy Framework.

Appendix attached			
1	Development Plan Policies	3	Planning History 13/00614/OUT
2	Panel Minutes for 13/00614/OUT		

Recommendation in Full

1. Delegate to the Service Lead – Infrastructure, Planning and 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 contributions for highway 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. 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.
 - iii. Either a scheme of measures or a financial contribution towards Solent Disturbance Mitigation Project to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
 - iv. All occupiers of Residential Units are to be notified in writing that they are ineligible to be granted a Residents Parking Permit to park a vehicle within a Residents Parking Bay located in the vicinity of the Land (holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970 being exempt from the requirement to display a Residents Parking Permit when parked in a Residents Parking Bay).
 - v. Employment and Skills Plan to secure training and employment initiatives.
2. In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Infrastructure, Planning and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.
3. That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Background

The Bingo Hall has been vacant for over 10 years following its closure in October 2007. The building was designated as a Locally Listed building in 2009 and has the following list description:

“Former Woolston Picture House built in 1913 in neo-classical style. Stucco façade with semi-circular central pediment. 4 no figure motifs above first floor ‘blind’ windows. Now a bingo hall. 600 seats. Southampton’s second purpose-built cinema (after The Atherley, 1912). Built by William Dalton Buck (1878-1966). Last film shown 1973.”

On 23 July 2013 The Planning and Rights of Way Panel resolved to delegate to the Planning and Development Manger to grant outline planning permission for the erection of a new building to provide 11 flats (10 x one-bedroom and 1 x two-bedroom) and a ground floor retail unit with associated storage and refuse facilities to the rear of the retained building facade (Outline application seeking approval for Layout, Scale, Access and Appearance) – LPA ref: 13/00614/OUT.

The outline planning approval was not progressed and has now lapsed. The current applicants purchased the building in October 2015 and have indicated that during their time of ownership, apart from one person that inquired about opening a private dance studio on the ground floor, there has been no other interest in the commercial floor space. The current application is largely the same as 13/00614/OUT although internal changes mean that 1 less flat is now proposed and the ground floor is now proposed as a gym. Although 13/00614/OUT is no longer capable of being implemented lawfully it is a significant material consideration in the determination process of this latest scheme.

1.0 The site and its context

- 1.1 The application site comprises a Bingo hall, originally constructed as Woolston Cinema in 1913 in neo-classical style. The facade has been locally listed (designated 19.1.09). The building has been vacant since 2007. The site is located within the Woolston District Centre, fronting Portsmouth Road and backing onto an access road and public car park. The area comprises ground floor commercial uses with upper floors occupied for ancillary purposes or residential use. The topography of the area falls from east to west with build height of 2-3 storeys.
- 1.2 There is no on-site car parking. Restricted parking is available within Victoria Road. Cycle parking hoops are located on the footway to the front of the site. The site is not in a designated conservation area.

2 Proposal

- 2.1 The proposal seeks to redevelop the site with the erection of a four-storey building comprising a gym and 10 flats. The scheme proposes façade retention with the new build element tying into the locally listed façade at the front. Minimal alterations are proposed to the facade with existing openings utilised, however the existing steps to the main entrance will be removed with a level approach proposed for accessibility reasons. The commercial use would be accessed from Portsmouth Road with all the flats accessed from the rear.
- 2.2 The scheme provides nil car parking, as was the case previously, however 1:1 cycle parking is provided at ground floor level. Bin storage is also provided at the rear of the ground floor.
- 2.3 A residential mix of 8 x one-bedroom and 2 x two-bedroom flats is proposed. The rear part of the ground floor is occupied by a 2-bed flat with a small amenity terrace. The first floor comprises 4 flats served by a central courtyard area with balconies

at the rear. The second floor again comprises 4 flats, set back from the façade to provide small terrace areas; again with balconies to the rear. The top / third floor comprises a 2-bed flat, set back behind a flat roof, with a rear balcony.

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). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.3 The site is located within defined secondary retail frontage within Woolston District Centre where ground floor uses with direct service to the public at ground floor and residential use on upper floors are supported under saved policy REI4 of the Local Plan Review and CS3 of the Core Strategy. Furthermore the site is identified in the Council’s Strategy Housing Land Availability Assessment (SHLAA) as having the potential for 10 residential dwellings, thereby assisting the Council in meeting its housing requirements of 16,300 homes to 2026.
- 3.4 Bingo Halls are not defined as community facilities under paragraph 70 of the National Planning Policy Framework or policy CS3 of the Core Strategy and therefore there is no policy requirement for community use facilities to be incorporated into this mixed commercial and residential scheme. The glossary in the National Planning Policy Framework includes Bingo Halls as defined town centre leisure facilities.

4. Relevant Planning History

- 4.1 In July 2014 outline planning permission was granted for the erection of a new building to provide 11 flats (10 x one-bedroom and 1 x two-bedroom) and a ground floor retail unit with associated storage and refuse facilities to the rear of the retained building facade (Outline application seeking approval for Layout, Scale, Access and Appearance). This outline planning approval was not progressed and has now lapsed - 13/00614/OUT
- 4.2 Prior to that planning permission was refused under delegated authority on 11.12.2012 for the erection of a new building to provide 13 flats (4 x one bedroom, 6 x two bedroom, 3 x three bedroom) with associated storage and refuse facilities to the rear of the retained building facade (outline application seeking approval for layout, scale, access and appearance).
- 4.3 The 2012 scheme was firstly refused because the proposed scheme of facade retention, involving divorcing the facade from the new building with a steel support frame and formation of enlarged openings within the facade for day lighting and outlook purposes, represented an unacceptable design approach. The proposal was also refused because it resulted in the loss of ground floor commercial use

within the defined Woolston District Centre and would, therefore, detract from the vitality and viability of the District Centre. Southampton City Council Reference 12/01281/OUT.

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 (02.02.2018) and erecting a site notice (02.02.2018). At the time of writing the report **11 representations (including a petition with 16 signatories)** have been received. Some of the representations are from local residents, however some of from further afield such as Dewsbury and Dibden Purlieu. It is unclear if the signatories on the petition are local residents because no addresses have been provided. The following is a summary of the points raised:

5.2 Against

The building should be retained for a similar use according to the original design - ie a theatre or other arts-based use, as its part of the history of the area.

Officer Response – The building has been closed since 2007. The current applicants purchased the building in October 2015 and have indicated that during their time of ownership, apart from one person that inquired about opening a private dance studio on the ground floor, there has been no other interest in the commercial floor space. The site is within private ownership and is not listed as an asset of community value and, therefore, the current owners are under no obligation to sell or lease the building to any interested community groups. The applicant has a right to expect the Planning Panel to determine their application for the uses proposed – both of which are suited to this part of Woolston.

5.3 **Woolston would benefit more from a space to be used for the whole community rather than more flats.**

Officer Response – Whilst officers do not necessarily disagree the site is identified in the Council's Strategy Housing Land Availability Assessment (SHLAA) as having the potential for 10 residential dwellings, thereby assisting the Council in meeting its housing requirements of 16,300 homes to 2026. The ground floor is to be retained as commercial floor space (a gym in this case).

5.4 **A gym is mentioned, but from other local gyms this causes parking problems, parking in Woolston has reduced significantly especially with the car park near the bridge closed.**

Officer Response – A gym represents a good fit commercial use for the ground floor because the retained façade does not include a shop front. A gym is an appropriate use for secondary shopping frontage within the district centre and compliant with policies CS3 of the Core Strategy and RE14 of the Local Plan Review. Bringing the ground floor commercial space back into use will enhance the vitality and viability of the District Centre. Traffic Regulation Orders are in place within the District Centre to control on street parking. Peak demand for gym use is likely to be outside the hours of existing retail use within the District Centre.

In Favour

- 5.5 **It would be an excellent opportunity for local residents to have a new gym in the area, currently there is not one in the vicinity of Woolston and I believe that this would be a great idea in a great location! I am all for this idea!**

Consultation Responses

- 5.6 **SCC Highways (comments the previously approved outline application)** – No objection subject to conditions to secure the following: A suitable surfacing treatment for access into the building; A drop kerb to the rear for bin collection purposes; wheel cleaning facilities during the construction phase; and management of plant and materials during the construction phase. Any revised comments will be reported verbally at the Panel meeting.
- 5.7 **SCC Housing** - This is under the affordable housing threshold, so there is no affordable housing requirement, the site is also recorded on the Council's list of stalled housing delivery sites.
- 5.8 **Design Advisory Panel (comments from the previously approved outline application)** – No objection and should be approved with conditions. Facade retention is acceptable and welcomed.
- 5.9 **SCC Environmental Health (Pollution & Safety)** - No objection subject to conditions to secure management of the demolition and construction phase, hours of work and bin storage provision.
- 5.10 **SCC Environmental Health (Contaminated Land)** - Potentially contaminated site; adequate assessments will need to be carried out on site to determine the likely presence of contaminants. Planning condition recommended.
- 5.11 **SCC Ecology** – No objection
- 5.12 **SCC Conservation & Heritage (comments from the previously approved outline application)** - No objection subject to condition to control the materials and colour of finishes. The main element of the building is the façade to Portsmouth Road. Major refurbishment in 1957 led to the loss of the majority of the internal décor, and the hall behind the façade is now rather plain, in poor condition, and of little merit.

There have been a number of proposals to redevelop the site since the closure of the Bingo Hall. Initially these involve the loss of the façade, but more recently there have been several attempts to negotiate a solution that retained the façade while enabling wholesale redevelopment behind it. This proposal has elegantly both retained the façade and made better use of the land behind it. The design solution, which incorporates existing window openings and steps back at third floor level minimises the impact of the development from Portsmouth Road. In terms of Layout, scale, access and appearance it is my view that the proposals can be supported.

- 5.13 **Southern Water** – No objection subject to conditions regarding surface water drainage and infrastructure protection.

Airport Safeguarding – No objection subject to a condition to control glare from

- 5.14 the solar panels and an informative regarding the use of crane.
- 5.15 **SCC Sustainability Team - No objection**
Subject to the imposition of conditions securing energy and water restriction.
- 5.16 **Southern Water – No objection**
Request a condition to secure details of means of surface and foul water disposal.
- 5.17 **SCC Drainage – Sustainable Urban Drainage should be considered.**
Officer Response – Southern Water have requested details of surface water disposal. SUDS measures would be difficult to incorporate having regard to the amount of site building coverage and extent of solar panels and amenity terraces to flat roof areas.
- 5.18 **City of Southampton Society - Objection**
Please reject this Application on grounds of overdevelopment. This former cinema should be retained as an Asset of Community Value.
Officer Response – The building is not listed as an asset of community value and is not defined as a community facility under national and local planning policy. The building is within private ownership and has been vacant since 2007. Outline Planning permission for mixed use commercial residential development was granted in 2014 and the site is identified as having potential for residential development in the Council's Strategic Housing Land Availability Assessment.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration during the determination of this planning application are:
- Principle of development;
 - Design, layout and impact on established character;
 - Impact on residential amenity;
 - Residential standards;
 - Highways; and
 - Habitat Regulations.

Principle of Development

- 6.2 There has not been a significant change in national and local planning policies in relation to mixed use commercial and residential development on this site since the previous outline planning permission was granted in 2014. The reuse of previously developed land to assist in housing delivery is still supported by local and national planning policy. This current scheme is very similar to the previous approval with the only differences being a reduction in the number of dwelling units from 11 to 10 and a gym is now proposed rather than ground floor retail use.
- 6.3 Redevelopment of the site for intensified residential purposes whilst maintaining ground floor commercial use and incorporating and maintaining the locally listed facade is acceptable in principle and accords with the policies within the development plan and central government's guidance (through the National Planning Policy Framework). The facade retention scheme is welcomed given the facade is locally listed and represents an important part of Woolston's heritage and important visual amenity within the Portsmouth Road street scene. It is accepted that facade retention has constrained the way the site can be developed and a

compromise is needed to make the scheme viable.

- 6.4 The site is located within Woolston District Centre and therefore the provision of a gym on the ground floor with residential on the upper floors is supported and policy compliant in accordance with 'saved' policies REI4 and REI5 of the City of Southampton Local Plan Review and policy CS3 of the Core Strategy. Retention of ground floor commercial use is important to maintain the vitality and viability of the District Centre.
- 6.5 The development has a density of 275 dwellings per hectare. Density levels in excess of 100 dwellings per hectare can be supported in high accessibility locations such as this (Woolston District Centre) in accordance with policy CS5 of the Core Strategy. The scheme proposes a residential mix of 8 x one-bedroom flats and 2 x two-bedroom flat. The residential mix and level of development sought has been informed by the constraints and viability implications of working with the locally listed façade and the efficient reuse of previously developed land is encouraged by the planning system.
- 6.6 The proposal is not considered to result in the loss of a community facility on the basis that a bingo hall is not defined as a community facility under paragraph 70 of the National Planning Policy Framework and policy CS3 of the Core Strategy and given the premises has been vacant since 2007.

Design, layout and impact on established character

- 6.7 The proposed design approach involving façade retention and was previously supported by the Council's City Design and Heritage Teams, as well as the Design Advisory Panel. Conditions are recommended to ensure that the façade is not damaged during the demolition and construction phases. The design proposal works with the existing façade and will have no adverse impact on the appearance of the locally listed structure.
- 6.8 The proposed part three-storey part four-storey scale will have no adverse impact on the Portsmouth Road street scene. The three-storey element is not higher than the existing façade and is set back from the façade. The four storey element is set back deep into the plot (by 10.5 metres) and will appear as a separate building to the rear. It is considered that the area to the rear can accommodate an increase in scale to four-storey without adversely harming the character and appearance of the area which is largely dominated by the Itchen Bridge. Higher densities and taller scale development can work within high accessibility areas such as this. Finishing materials should be secured by condition.

Impact on Residential Amenity

- 6.9 The residential amenities of nearby residents will not be adversely harmed. The proposed development will not give rise to harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy to nearby flats. The proposed flats will have a typical front and rear aspect with outlook across highway and commercial use to the front and a car park at the rear.
- 6.10 There are flats on the upper floors of the adjoining properties at 15 and 23 Portsmouth Road. These flats will not have their view or outlook interrupted however they may be subject to increased enclosure from the proposed four-storey

element. However the use of a light coloured finishing treatment will reduce the dominance of the building and this impact needs to be balanced with the merits of bringing 17-21 Portsmouth Road back into use. As already stated, an increased scale is needed to achieve a viable façade retention scheme.

Residential Standards

- 6.11 The residential environment for future residents is acceptable having regard to the constraints of the site in terms of working with the locally listed facade. All habitable rooms will receive acceptable outlook and day lighting. It is unfortunate that the flats to the rear only have a north facing aspect however the upper floor flats will receive natural lighting through the obscure glazed windows facing onto the internal courtyard area. All the flats are provided with private amenity space in the form of balconies and terraces ranging in area from 6.7sq.m to 28.8sq.m. This is acceptable given the size of the flats, the site constraints and the district centre location.

Highway Issues

- 6.12 The application site is within an area, which is defined as a “high” accessibility Zone, this is defined in relation to principle bus routes and railway stations. The level of parking provision proposed needs to be assessed against the parking standards set out in the adopted Local Plan and Parking Standards SPG, which are maximums. The scheme proposes nil parking. Parking restrictions exist within the area to prevent parking overspill into surrounding streets. 1:1 cycle storage provision has been made to promote sustainable travel.
- 6.13 A legal agreement will be used to secure off site works and measures needed to mitigate the impact of the development, in particular site specific transport contributions for highway improvements, to include:
- Pedestrian enhancements at the front and rear of the Development including tactile paving and kerbing;
 - Restriction to prevent new residents applying for a Residents Parking Permits to prevent increased demand for Residents Parking Bays located in the vicinity of the site;
 - A highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.

6.14 Habitat Regulations

The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent

Disturbance Mitigation Project (SDMP), requiring a financial contribution of £181 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This will be secured through a S106 agreement as detailed above.

7 Summary

7.1 Overall a suitable balance has been achieved between securing additional housing, protecting and incorporating the buildings locally listed facade and retaining ground floor commercial use within Woolston District Centre. On balance, the development will not adversely harm the residential amenities of neighbouring occupiers. The proposed layout and density provides an acceptable residential environment for future occupiers. The proposal is again consistent with adopted local planning policies and the National Planning Policy Framework and has addressed previous reasons for refusal. The previous permission has been largely followed with this layout and should be afforded significant weight in the Panel's deliberations.

8 Conclusion

8.1 The positive aspects of the scheme are not judged to be outweighed by the negative and as such the scheme is recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1 (a) (b) (c) (d), 2 (b) (c) (d), 4 (f) (g), 6 (a) (c), 7 (a), 9 (a) (b)

AG for 13/03/2018 PROW Panel

PLANNING CONDITIONS to include:

01. Full Permission Timing Condition (Performance)

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).

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

No work for the construction of the buildings hereby permitted shall commence unless and until details and samples of the materials and finishes to be used for the external walls, windows, doors and roof of the building have been submitted to and approved in writing by the Local Planning Authority. 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 interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality.

03. APPROVAL CONDITION - Surfacing treatment

Prior to the commencement of development details of the proposed surfacing treatment to the front entrance shall be submitted and agreed in writing by the Local Planning Authority. The surfacing treatment shall be installed and maintained as agreed.

Reason: To secure a satisfactory form of development.

04. 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 08:00 to 18:00 hours

Saturdays 09:00 to 13:00 hours

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.

05. APPROVAL CONDITION Demolition - Dust Suppression (Pre-Commencement)

Measures to provide satisfactory suppression of dust during the demolition works to be carried out on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The agreed suppression methodology shall then be implemented during the demolition period.

Reason: To protect the amenities of users of the surrounding area.

06. APPROVAL CONDITION - Refuse & Recycling Bin Storage - [Pre Occupation Condition]

Bin storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with the approved plans. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the development is used for residential purposes.

Reason: In the interests of the visual appearance of the building and the area in general.

07. APPROVAL CONDITION - Cycle storage

The building shall not be occupied in full or in part until secure, covered space has been laid out within the site for a minimum of 10 bicycles to be stored for the benefit of the occupants in accordance with the plans hereby approved. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON: To encourage cycling as a sustainable form of transport.

08. APPROVAL CONDITION 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).

09. APPROVAL CONDITION 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)

10. 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 Construction Method Plan for the development. The Construction Management 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 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.

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

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

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

12. Land Contamination investigation and remediation (Pre-Commencement & Occupation)

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 scheme 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.

13. Use of uncontaminated soils and fill (Performance)

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.

14. Unsuspected Contamination (Performance)

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.

15. APPROVAL CONDITION - Facade Retention

Prior to any development commencing, including any works of demolition, a detailed methodology statement for the demolition of the building and the retention of the front facade shall be submitted to and agreed in writing with the Local Planning Authority. The statement must demonstrate the manner in which all elements of the front facade are to be retained and protected during demolition and construction and development shall be completed in accordance with the agreed details.

Reason: In the interests of the character of the Conservation Area and the amenities of surrounding occupiers.

16. APPROVAL CONDITION - Hours of use for ground floor gym [Performance Condition]

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

Monday to Saturday 6.00am to 10.00pm

Saturday, Sunday and recognised public holidays 7.00am to 10.00pm

Unless otherwise agreed in writing by the Local Planning Authority.

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

17. APPROVAL CONDITION - Balustrade Details (Pre-commencement condition)

Prior to the commencement of development details of the balustrade treatment to the internal first floor roof terraces shall be submitted to the Local Planning Authority and agreed in writing.

Details shall include the height, design and materials to be used for the balustrades.

The development shall be carried out strictly in accordance with the agreed details and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To secure a satisfactory form of development and to protect the privacy of neighbouring occupiers.

18. APPROVAL CONDITION - Roof design and drainage (Pre-commencement condition)
Before the development commences, detailed drawings at no less than 1:50 scale shall be submitted to and approved in writing by the local planning authority indicating the flat roof design and system of roof drainage. Development shall be carried out in accordance with the approved details.

REASON: For the avoidance of doubt and to secure a satisfactory form of development.

19. APPROVAL CONDITION - Site security

Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out and retained with the following design security measures:

- a. The entrance door meets British Standard - LPS 1175 SR2,
- b. Ground Floor windows to meet British Standard BS 7950 (or new standard PAS 24-2012)
- c. Install a video/audio access control system to manage visitors,
- d. The building entrance should be fitted with low energy light fitting operated by a photo electric cell (dusk to dawn lighting).

REASON: In the interests of site security and crime safety.

20. APPROVAL CONDITION – Airport Safeguarding

Solar Panels: No light, reflection or glare of any kind shall be exhibited from the development at any time which is liable to endanger aircraft taking off or landing from Southampton Airport. Southampton Airport Limited shall have sole discretion to determine if a particular condition or structure is liable to endanger aircraft and have it adjusted or removed at the expense of the developer and/or land owner.

The aerodrome must be entitled to recover any costs from the developer and/or land owner incurred as a result of non-compliance with the proposed condition, including but not limited to any resultant airport closures or flight delays.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Southampton Airport through confusion with aeronautical ground lights or glare.

21. Public Sewer protection (Performance)

Prior to the commencement of development, details of the measures to protect/divert the public sewer from damage during the demolition and construction shall be submitted to and approved by the Local Planning Authority in writing. The measures shall be implemented as approved for the duration of demolition and construction works.

Reason: In order to safeguard the public sewer.

22. Surface / foul water drainage (Pre-commencement)

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason: To ensure satisfactory drainage provision for the area.

23. 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.

