

Planning and Rights of Way Panel 31st July 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and Development.

Application address: Costco, Regents Park Road, Southampton			
Proposed development: Erection of petrol filling station, reconfiguration of car parking, landscaping and associated works (additional landscaping, lighting, air quality, odour, noise and transport information received)			
Application number	17/02525/FUL	Application type	Full
Case officer	Andrew Gregory	Public speaking time	5 minutes
Last date for determination:	18.05.2018	Ward	Millbrook
Reason for Panel Referral:	Five or more letters of objections have been received.	Ward Councillors (at the time of Panel considerations)	Clr Galton Clr Furnell Clr Taggart

Applicant: Costco Wholesale UK LTD	Agent: RPS
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Recommendation Summary	Conditionally Approve
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Community Infrastructure Levy Liable	No
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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. The petrol filling station will be restricted to Costco members only in line with Costco membership requirements and restrictions. There is no policy requirement to demonstrate need for the petrol filling station and it has been demonstrated that the development will not have a harmful impact in relation to air pollution, odour, noise, lighting, highway capacity and traffic flow on Regents Park Road. The petrol filling station will complement the existing retail warehouse use and accords with the employment land use allocation. Other material considerations are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7, SDP9 and REI9 of the City of Southampton Local Plan Review (Amended 2015) and CS6, CS7, CS13, CS18 and CS20 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached		
1	Development Plan Policies	

Recommendation in Full

1. Delegate to the Service Lead to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a successful Traffic Regulation Order (TRO), with the applicants to pay all the Council's reasonable administrative charges in connection therewith, for double yellow lines on the eastern side of Regents Park Road adjacent to the proposed traffic island location.
2. In the event the TRO fails delegate to refuse planning permission as access/highway safety concerns not addressed.

1 The site and its context

- 1.1 The application relates to land which was formerly part of the British American Tobacco (BAT) site and now comprises a car parking area associated with Costco wholesale. Site access is taken from Regents Park Road. The Costco Warehouse building is located to the east and retained BAT office and research & development buildings are located to the north.
- 1.2 The surrounding area comprises a mix of commercial and residential uses. Adjacent to the southern boundary is the Military, Territorial Army base and the Solent Business Centre. Two-storey dwelling houses frame the western boundary and part of the southern boundary. The eastern boundary abuts Waterhouse Lane with dwelling houses located on the adjacent side of the road. There are group and individual tree preservation orders located at the site entrance, along the southern boundary and also within the north-eastern corner of the site.

2 Proposal

- 2.1 The application proposes a petrol filling station and forecourt to be located in the southern part of the car parking area servicing Costco. The proposal would occupy 85 existing car parking spaces. Access would be taken from the main Regents Park road entrance.
- 2.2 The petrol filling station (PFS) would have 9 fuel dispenser islands with automated fuel pumps available to Costco members only, with members swiping their Costco membership and debit/credit payment cards at the pump.. The filling station would have a roof canopy finished with an aluminium fascia. A staffed single-storey control room would be located adjacent to the forecourt.
- 2.3 The proposed hours of operation have been amended to 0700hrs-2130hrs Monday to Friday, 0700hrs-2000hrs Saturday and 0700hrs-1800hrs on Sundays.
- 2.4 The capacity of the existing right turn lane into the site from Regents Park Road has been reduced from circa 7 vehicles to 2 vehicles following the introduction of a traffic (splitter) island to reduce speeds along Regents Park Road. The proposal

seeks to revise the position of the splitter island in order to improve the capacity of the right turn lane back to 7 vehicles whilst maintaining a measure to reduce traffic speed. This change requires a Traffic Regulation Order prior to its installation and this process needs to be completed ahead of planning permission being granted.

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 site (part of the British American Tobacco site) is safeguarded for major employment uses under saved policy REI9 (i) of the Local Plan Review, specifically light industrial and research and development uses within use class B1(c) and B1(b). However redevelopment of this part of the site with a Costco warehousing club and associated parking was accepted as a departure from this policy under planning application ref 10/01449/FUL.
- 3.3 Paragraph 32 of the National Planning Policy Framework (NPPF) indicates that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

4. Relevant Planning History

- 4.1 On 21.09.2011 planning permission was granted for redevelopment of the site to provide a warehouse club (13,006 square metres gross external floorspace) including tyre installation, sales and associated facilities with vehicular access from Regents Park Road (LPA Ref 10/01449/FUL).

The reason for granting planning permission was as follows:

“The site is safeguarded for light industry and research and development uses under Saved Policy REI9 (i) of the Local Plan Review. Whilst a warehouse club does not strictly accord with the site specific designation, it is unlikely the site will come forward for single occupancy industrial use on the same scale as BAT, and leading Retail Estate Advisors ‘Vail Williams’ have indicated that demand from smaller industrial units on this back land site would be limited. Overall the principal scheme is acceptable, particularly as it will regenerate the site and will bring it back into employment use, whilst ensuring that existing residential amenities are protected. The Local Planning Authority is satisfied that the proposal will not undermine the vitality and viability of existing retail centres within the City. Furthermore the travel demands of the development can be met without compromising the city transport network, subject to the securing of site specific highway improvements through the S106 legal agreement. Other material considerations do not have sufficient weight to justify a refusal of the application.”

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 and erecting a site notice (posted 09.01.18). A 14-day re-consultation took place on 20.04.18 which closed on 04.05.18. At the time of writing the report **14 representations** have been received from surrounding residents. The following is a summary of the points raised:

5.2 **Impact of Noise**

Officer Response – The application is supported by a noise assessment which demonstrates that noise from additional vehicle flows on the surrounding network will not change significantly and on from additional vehicles, the access road and forecourt activities (including fuel deliveries) would not result in a detrimental noise impact. The proposed hours of operation and delivery times for the Petrol Filling Station have been revised to start from 7am rather than 6am. The Council’s Environmental Health Team have raised no objection.

Predicted peak noise from deliveries at the closest bedroom window would be 67 dB, LAmax. Although existing peak background noise levels in the area after 07:00 hours are frequently already above this level (up to 85 dB), it is proposed that a 1.8 metre high screen be introduced (such as a suitable close boarded timber fence) as shown on the site and landscape plans in the interests of neighbouring residential amenities. This would reduce noise from fuel tanker deliveries at the closest receptors to 59 dB, LAmax. These levels have been assessed as acceptable.

5.3 **Impact on Traffic and Road Safety**

Officer Response – The Council’s Highways Team raise no objection subject to the securing of works to increase the capacity of the right turn lane into the site whilst maintaining recently installed measures to reduce traffic speeds on Regents Park Road. An updated 2018 traffic survey has been undertaken on Regents Park Road and existing trip and proposed trip rates have been provided using data from a comparison Costco Petrol Filling Station in Liverpool. Based on the survey data provided, and subject to works to increase the capacity of the right turn lane into the site, it is considered the proposed development would not have a harmful impact on road network capacity and will not obstruct the flow of traffic on Regents Park Road.

The forecasted new PFS trips indicate 86 trips (two-way) at the weekday AM peak (0800hrs to 0900hrs), 246 trips (two-way) weekday PM peak (1600hrs to 1700hrs) and 271 trips (two-way) on the Saturday peak (1330hrs to 1430hrs).

The supporting Transport Assessment indicates the proposal will result in the net loss of 85 car parking spaces in order to accommodate the PFS facility. The report indicates that the maximum existing car park occupancy levels is 49%. In reducing the total number of car parking spaces from 601 to 516 and accounting for a 10% uplift in Costco Warehouse traffic, the maximum car parking occupancy would increase to circa 63% resulting in circa 37% of parking spaces remaining available at peak times. Therefore based on this evidence the proposal would not have an adverse impact on car parking capacity at the Costco Warehouse site.

5.4 **The application doesn’t contain noise or smell surveys to reassure local residents of their amenity.**

Officer Response - Additional noise and odour assessments have been received and have been subject to re-consultation. The Council's Environmental Health Team have raised no objection.

The odour associated with petrol filling stations is created by vapours evaporating from petrol. The petrol filling station will require a mandatory vapour recovery system which reclaims the vapours displaced from a customer's fuel tank as fuel is dispensed by sucking the vapours through a separate pipe system into the underground storage tank. The submission indicates that the same principle is applied during fuel deliveries where vapours displaced from the underground storage tanks are piped back into the road tanker and carried away.

The Petrol Filling Station will require Part B Environmental Permit which provides control measures regarding the vapour recovery and any spills. The submission indicates that Costco has management systems in place to ensure that spills are quickly dealt with by the on-site attendant.

- 5.5 As the station is unmanned what will be the process for dealing with any fuel leakages? For this reason it should only operate at the same time as the store so someone from CostCo is on site to deal with any emergencies or issues.**

Officer Response - The petrol filling station will be served by a staffed control room with one onsite attendant. The Petrol Filling Station would be constructed and maintained in accordance with national design and safety requirements under the following legislation and guidance:

*Petroleum (consolidated) Regulations 2014;
Dangerous Substances and Explosive Atmospheres Regulations 2002;
Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations by the Association for Petroleum and Explosives Administration and the Energy Institute; and
Guidance on Managing the Risk of Fire and Explosion*

- 5.6 The Petrol Filing Station would represent a security risk**

Officer Response - The submission indicates that control measures for the proposed Costco petrol filling station include the presence of a trained person on the forecourt during trading hours and remotely monitored analytical CCTV. The remote monitoring centre will have the ability to cut all power to the site and instigate emergency procedures at any time should any untoward activity be observed.

- 5.7 There will be an increase in traffic and pollution as a result.**

Officer Response - There is no planning policy requirement for the applicants to demonstrate need for the Petrol Filling Station. The site is not located within a designated air quality management area. The application is supported by an Air Quality Report which indicates the traffic generated by the petrol filling station is predicted to increase pollutant concentrations only marginally at sensitive receptor locations in the vicinity of the Costco warehouse. The proposed development would not increase the number of receptors experiencing poor air quality. It is noted that air quality is predicted to exceed the air quality objective with the proposed development at one receptor location on Millbrook Road, however that receptor already exceeds the air quality objective.

A condition is recommended to secure electric charging points in order to assist in tackling climate change and to reduce the emission of pollutants in accordance with policy CS20 of the Core Strategy.

5.8 Not only will there be an increase in the number of cars but we will also get petrol tankers passing our garden.

Officer Response - The submitted noise report indicates there is typically one tanker delivery per day and that noise from vehicle deliveries would not result in a detrimental noise impact. No objection has been raised by the Council's Environmental Health Team. The proposed deliveries will not commence until 7am in line with the consented delivery times for the Costco Warehouse.

Consultation Responses

5.9 SCC Highways – No objection subject to:

- Highway mitigation measures being provided to the satisfactory of the local planning authority; and
- Servicing management plan to avoid servicing during peak traffic hours.

Parking and Access

The proposal will reduce the amount of parking for the existing retail store but the submitted data shows that the car park is under subscribed and therefore the loss of the spaces would have minimal impact – this was observed to be the case upon site visits. The proposed PFS will be accessed by the existing access on Regents Park Road which has been designed for large vehicles and can accommodate tankers. As there is long stretch of private road leading onto the PFS, the chances of any vehicle queues tailing back and impacting on the public highway will be low.

It is important to note that the highway layout immediately outside the site access has been reconfigured since the original Costco store opened. This highway scheme was separate to the planning process and was not related to any developments. It was a result of public interest and complaints received with regards to the highway safety and a long standing request for pedestrian crossing facilities by local schools and residents. In response, Southampton City Council undertook a study on Regents Park Road in 2015 for both speeds and suitable pedestrian crossing refuge locations. It was identified that vehicles were abusing the hatched markings and right turn lane which allowed for higher vehicle speeds. The highway scheme had gone through the correct procedures and notified and consulted local residents, Councillors and business operators (including Costco). As a result, two islands had been installed with the one just north of the site access forming a refuge island to aid pedestrian crossing. The island in the South was to aid lane discipline for northbound traffic as they approach the bend in the road – however, as a result of this, the right turn into the site was reduced. Again, although this had impact on the capacity for the right turn lane, it was considered and consultations were carried out.

Traffic Impact

The Transport Assessment (TA) utilises both existing data for an existing Costco Store with a Petrol Filling Station (PFS) in Liverpool as well as TRICs data to come up with trip rates and behaviour. The data and figures suggests that there will be an increase in traffic movements but the amount is not considered to be

severe. It is worth noting that since the initial TA, there has been more up to date surveys carried out as requested which shows current flows, queues and turn counts which allows a more accurate and comprehensive assessment.

The data shows that there will be an increase in traffic flows at this junction but some will be pass-by trips and linked trips due to its relationship with the Costco store itself. Furthermore, it is noted that the PFS is not open to the general public and is exclusive to Costco members only (the TA recognises the impact from an increase in membership as a result of this). Nonetheless, there will be a portion which is considered to be new trips as a result of the PFS. The modelling shows that the junction can accommodate this level of increase with no severe impact.

The main concern however is the increase in right turn movements into the site. Due to the right turn lane being able to accommodate 2 to 3 vehicles, any addition to this would start affecting the northbound traffic along Regents Park Road. The TA does include a survey which shows the current queuing and projected queue lengths. In order to mitigate this concern, there is a highway mitigation measure which will include relocating the island just south of the right turn lane which will increase the capacity of the right turn lane whilst maintaining its function to aid lane discipline for northbound traffic. Relocating this without impacting the local residents is difficult due to the number of accesses and on-street parking. The applicant has proposed a location whereby it does not affect vehicle tracking or residents accessing their drives. However, as proposed, a TRO in the form of double yellow lines would be required to extend from the existing ones outside No.36 Regents Park Road southwards to link up with the other double yellow lines. This would approximately remove two on street parking spaces – although it was noted that residents park in front of their drives, which can be retained if the new double yellow lines do not cross the driveways. It has been advised that the double yellows would naturally require a TRO which is handled by a separate process and would be subject to public consultation. Therefore there is a possibility that the TRO could fail which could result in the highway mitigation measure not being able to be delivered if no alternative or workable solution can be provided.

It is also proposed that keep clear signs can be placed in front of the vehicular access on Regents Park Road to aid turning movements.

In summary, the modelling results show that the junction can accommodate the additional traffic at this junction. The mitigation measure as submitted addresses the concerns of the increase of right turn movements by increasing capacity of the right turn lane.

Servicing

It is proposed that the PFS will be serviced by a tanker once per day and is scheduled at 6am. Tracking has been provided for the vehicle and the general arrangements is considered acceptable. As the PFS will not offer any other goods for sale, no other deliveries are required.

- 5.10 **Environmental Health** – Following a perusal of the recent additional information provided by the Agent in relation to this application we have no objections to make provided that the recommendations of the Noise assessment for "Proposed petrol filling station" report, dated 17th April 2018. Ref: Project No 1817718 by

Sharps Redmore are undertaken by the applicant. Furthermore we are satisfied with the lighting report and the proposed operational hours for the site. A construction environment management plan should also be secured by condition.

The conclusions of the submitted air quality assessment are agreed and the proposal will have negligible air quality impact.

- 5.11 **Sustainability** - Policy CS20 states that 'all development must be low carbon, with a view to carbon neutrality where appropriate.' Tackling and adapting to climate change is a fundamental part of spatial planning and the Core Strategy continues Southampton's commitment to be a leader in addressing climate change... Development should also include measures to reduce the emission of pollutants (5.4.2)

By the end of June 2017, 113,000 claims had been made under the government's plug-in car and van grant schemes which gives buyers of the greenest vehicles a subsidy of up to £4,500. In 2017 reports show that there is currently a shortage of electric vehicle charging points and the Government's plan to ban the sale of conventional petrol and diesel cars by 2040 in the Automated and Electric Vehicle Bill means that demand for electrical charging infrastructure will only increase.

It is recommended that the applicant consider the feasibility of the inclusion of electric vehicle chargers with this application.

- 5.12 **Environment Agency** – No objection

- 5.13 **SCC Trees** – No objection

The Five trees on the Northern edge of the proposed site would benefit from being protected from mechanical damage and the root protection areas considered when excavating around them.

Plans indicate four trees to be removed from the centre of the site with five being replanted on the Southern boundary. Council policy requires replants on a favourable basis of 2:1 so would be looking for a further three trees to be planted.

The carpark area of Costco has predominantly been planted with Hornbeams and to contribute to a varied diversification of tree species, I would like to suggest that different species are considered for the replants. This also has the added benefit of minimising the potential impact of pests and diseases to the area.

- 5.14 **SCC Land Contamination** - The proposal is for the construction of petrol station. This is not regarded as a sensitive land use, however, the mobilisation of contaminants that may be present on the site could present a risk to human health and/or the wider environment during the construction phase.

Potentially contaminated site; adequate assessments will need to be carried out on site to determine the likely presence of contaminants. Planning condition recommended.

- 5.15 **Southern Water** – No objection and request informative relating to connection to the public sewer.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration during the determination of this planning application are:
- The principle of the development;
 - Design and impact on the appearance of the area;
 - The impact on the amenities of neighbouring and surrounding residents;
 - Highway matters.

Principle of Development

- 6.2 The site is allocated for employment uses under saved Policy RE19 (i) of the Local Plan Review (March 2006) and the site is authorised for use for retail warehousing under planning permission reference 10/01449/FUL. The proposed petrol filling station accords with the site employment allocation and would be in keeping with the commercial character of the site. The PFS would complement the existing Costco offering and will be available to Costco members only. It is not uncommon to find petrol filling stations connected to superstores and this proposal would be similar in nature albeit Costco is a membership warehouse club.
- 6.3 The proposal will result in the loss of 85 existing car parking spaces reducing the overall number of spaces for the Costco warehouse from 601 to 516 spaces. The submission indicates that the existing car park has a maximum occupancy of 49% and therefore the proposed reduction in car parking spaces will not have an adverse impact on car parking capacity. The submission indicates that even allowing for a 10% uplift in Costco Warehouse traffic, the maximum car parking occupancy would increase to circa 63% resulting in circa 37% of parking spaces remaining available at peak times.

Design and impact on the appearance of the area

- 6.4 The proposed design is typical of a petrol filling station with a canopy over 9 no. automated pumps. This PFS incorporates a staffed single-storey control unit but has no kiosk/shop. The canopy and the control unit are in keeping with the character and appearance of existing buildings on site. The overall canopy height would be circa 6.5m and the structure would not be visible from the public realm, set back circa 140 metres from the Regents Park frontage. A condition is recommended to secure the finishing materials as set out in the submission.
- 6.5 Additional landscaping is proposed along the southern edge of the development with 8 replacement trees and new shrub planting

Impact on neighbouring amenities

- 6.6 The proposed PFS will not have a harmful impact on the residential amenities of neighbouring occupiers having regard to separation distances (circa 50m from the nearest private residential dwelling house and circa 30m from the nearest residential boundary), existing background noise levels and having regard to the existing and historic commercial character of this site. Specialist noise, lighting

and odour reports have been received and the Council's Environmental Health Team raise no objection.

The proposed hours of operation and delivery times have been amended to commence at 7am rather than 6am, which aligns with the consented delivery times for the existing warehouse

- 6.7 The proposed PFS would have no adverse visual impact having regard to separation distances, oblique positioning in relation to Langley road properties and also having regard to the existing tree screen along the southern boundary.

Highways

- 6.8 No objection has been raised by Highways Development Management. The proposal will have no adverse impact on the overall parking capacity for Costco Wholesale (see principle of development section above). The forecasted level of additional trips will not have a severe impact on the existing highway network (NPPF test), subject to works to increase the capacity of the right turn lane into the site from 2-3 to 7 vehicles. The right turn lane into the site has historically had capacity for 7 vehicles but recent road safety improvements introduced a traffic (splitter) island to reduce speeds and the current location of the traffic (splitter) island has significantly reduced the capacity of the right turn lane to 2-3 vehicles. The submitted transport evidence indicates that at peak the right turn lane will need to have the capacity of up to 5 vehicles in order to prevent obstruction to the northbound flow on Regents Park Road.
- 6.9 A revised design has been provided and is agreed in principle which increases the right turn lane to 7 vehicles whilst maintaining a traffic island. The proposed revised position of the traffic island has been carefully considered to avoid obstruction of existing driveways on Regents Park Road. Some existing on-street bays would need to be removed with the introduction of double yellow lines to ensure there is adequate width for an articulated lorry to pass the revised traffic island location. The removal of existing parking bays and introduction of double yellow lines will require a Traffic Regulation Order.
- 6.10 It is recommended that planning permission should not be granted until a successful Traffic Regulation Order is achieved because increased right turn lane capacity is critical to achieve an acceptable development in highway safety terms. Failure of the proposed TRO would mean that safe access would not be achieved.

7 Summary

- 7.1 The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The petrol filling station will be restricted to Costco members only in line with Costco membership requirements and restrictions. There is no policy requirement to demonstrate need for the petrol filling station and it has been demonstrated that the development will not have a harmful impact in relation to air pollution, odour, noise, lighting, highway capacity and traffic flow on Regents Park Road. The petrol filling station will complement the existing retail warehouse use and accords with the employment land use allocation. Other material considerations are not judged to have sufficient weight to justify a refusal of the application.

8 Conclusion

- 8.1 The positive aspects of the scheme are not judged to be outweighed by the negative, despite the significant local objection and as such the scheme is recommended for conditional approval. Subject to the successful outcome of the TRO process.

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 31/07/2018 PROW Panel

PLANNING CONDITIONS

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. Materials (Performance Condition)

The development shall be carried out and retained in accordance with the details of materials and finishes as shown on the plans hereby approved.

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 and satisfactory visual relationship of the new development to the existing.

03. APPROVAL CONDITION - Costco Warehouse Club Members Only

The petrol filling station hereby approved shall serve Costco Warehouse Club members only (in accordance with membership requirements and restrictions as set out within Appendix 3 of the S106 Agreement for planning application reference 10/01449/FUL, dated 19 September 2011).

Reason: The highway and amenity impacts of the petrol filling station hereby approved have been assessed on the basis on the basis of members only use.

04. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan (Performance)

The development shall be carried out in accordance with landscape drawing no. 1001 Rev D by Andrew Davis.

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

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

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

05. APPROVAL CONDITION - Noise and Lighting

The development hereby approved shall be carried out in accordance with the noise and lighting design and mitigation requirements as set out within the Noise Report by Sharps Redmore dated 17.4.18 and Lighting Report by Faarup Associated Ltd dated 10.04.18.

Reason: To prevent adverse noise and lighting impact to neighbouring residential occupiers.

06. 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.

07. 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.

08. Hours of Use (Performance)

The Petrol Filling Station hereby approved shall not be open to customers and no deliveries taken outside of the following hours:

Monday to Friday - 07:00 to 21:30

Saturday - 07:00 to 20:00

Sunday and recognised public holidays - 07:00 to 18:00

No deliveries shall take place during the following peak times on the highway network:

Monday - Friday 0800hrs to 0900hrs and 1600hrs to 1700hrs

Saturday 1330hrs to 1430hrs

Reason: To protect the amenities of the occupiers of existing nearby residential properties and in the interests of highway safety.

09. APPROVAL CONDITION - Electric Vehicle Charging points feasibility study

A feasibility study for electric vehicle charging points must be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. If the study demonstrates the site has the capacity for electric vehicle charging points, a specification shall be agreed in writing with the Local Planning Authority. Electric vehicle charging points to the approved specification must be installed and rendered fully operational prior to the first operation of the development hereby granted consent and retained and maintained thereafter.

Reason: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20

10. 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 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.

11. 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.

12. 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.

13. 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 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. APPROVAL CONDITION - Site Specific Transport Works (Grampian Condition)

The petrol filling station hereby approved shall not be brought into use until a detailed scheme for off-site specific transport works in respect of access improvements and right hand turning has been submitted to and approved in writing by the Council. The site specific transport works shall include increased capacity in the right turn lane, relocation of traffic island and any markings, signage in line with a Traffic Regulation Orders as required.

The petrol filling station hereby approved shall not be brought into use unless the Developer has entered into an agreement (or more than one agreement if required) under Section 278 of the 1980 Act with the Council as the local highway authority in order to procure the Site Specific Transport Works.

The petrol filling station hereby approved shall not be brought into use unless all the Site Specific Transport Works have been completed in accordance with the agreed details.

Reason: In the interests of highway safety

17/02525/FUL

APPENDIX 1

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS20	Tackling and Adapting to Climate Change

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP7	Context
SDP9	Scale, Massing and Appearance
REI9 (i)	Major Employment Sites

Other Relevant Guidance

The National Planning Policy Framework (2012)