

Planning and Rights of Way Panel 17th September 2019
Planning Application Report of the Service Lead – Infrastructure, Planning and Development.

Application address: Former East Point Centre, Bursledon Road (south-west land parcel)			
Proposed development: The erection of a Class A1 foodstore (1,775 sqm gross internal) with associated access, car parking, and landscaping works (resubmission)			
Application number	19/00997/FUL	Application type	Major Retail
Case officer	Andrew Gregory	Public speaking time	15 minutes
Last date for determination:	27.09.19 (ETA)	Ward	Bitterne
Reason for Panel Referral:	Departure from the development plan and 3 or more objections have been received.	Ward Councillors	Cllr Frances Murphy Cllr Elliot Prior Cllr Terry Streets

Applicant: ALDI Stores Limited	Agent: Planning Potential
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Recommendation Summary	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. The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The principle of some net loss of open space is supported having regard to the wider economic benefit of the scheme and the period of time the open space has not been available to the public. A minimum of 90% replacement open space will be secured on the adjoining site as part of the planning application for residential redevelopment (application ref 19/01284/FUL).

Other material considerations including, highway safety, residential amenity, landscaping and 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 17th September 2019. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2019). Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, CLT3, and TI2 of the City of

Southampton Local Plan Review (Amended 2015) and CS3, CS6, CS13, CS18, CS19, CS20, CS21, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and National Planning Guidance contained within the National Planning Policy Framework.

Appendix attached			
1	Development Plan Policies	2	Previous Minutes
3	Decision notice 18/01373/FUL	4	Decision notice 18/00968/FUL

Recommendation in Full

1. Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission subject to the planning conditions recommended at the end of this report, the securing of a legal mechanism to deliver replacement open space on the adjoining site as part of planning application ref 19/01284/FUL 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. Submission, approval and implementation of a Travel Plan.
- 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 the 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, approval and implementation of a Servicing Management Plan to include a delivery activity noise management plan

2. 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.

3. 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.

Background

Outline planning permission was granted in 2017 for residential redevelopment on the Former Eastpoint Centre site comprising 114 flats and 36 family housing (ref 16/01888/OUT). The outline scheme was accessed from Burgoyne Road and the approved layout included a net increase in public open space across the site, including existing tree retention to the northern boundary.

Two separate planning applications were then submitted in 2018 for residential redevelopment comprising 128 dwellings in the northern part of the site (ref 18/01373/FUL) and an Aldi food store within the southern part of the site (ref 18/00968/FUL). The proposals represented a significant uplift in development across both sites and the proposed layout and access arrangements were considered to have adverse highway safety, amenity and landscaping impact and resulted in a poor relationship between the proposed commercial and residential uses. The applications were determined by the Planning and Rights of Way Panel on 11 December 2018 where the officer recommendation to refuse both planning applications was upheld by the Panel.

Revised applications have now been submitted for the residential development and the Aldi food store which have been amended to address the previous refusal reasons. The standalone Aldi application was submitted in advance of the residential application and has been brought to the Planning and Rights of Way Panel, in accordance with the officer scheme of delegation, because it represents a departure from the development plan (net loss of open space) and because 3 or more objections have been received. The revised residential application is pending but the consultation period has not yet expired and therefore that application has not been brought to Panel jointly with the Aldi application. Both applications are standalone and are not reliant on the other, providing a mechanism for delivering replacement open space can be agreed and therefore it is considered unreasonable to hold up consideration of the Aldi application until the public consultation period has expired on the residential scheme.

1 The site and its context

- 1.1** The Former Eastpoint Centre site is located between Burgoyne Road and Bursledon Road and comprises the, now vacant, two-storey offices/training facility and grassed open space area to the south (former school playing fields). The site was historically occupied by Hightown Secondary School which closed in the 1980's. The vehicle access to the site is from Burgoyne Road, to the north, with the access-way within the site itself not being adopted public highway. Immediately to the south of the site is Highpoint Centre, a community and conference centre with first floor offices. Beyond the north-east boundary of the site are two-storey residential properties and south of this, an area of woodland.
- 1.2** The existing buildings on site are two and three storeys in scale, flat-roof and institutional in design appearance. There is a slight change in levels across the site, with the land generally sloping downwards towards Bursledon Road. There is an attractive hedgerow to the southern boundary of the site with Bursledon Road and also along the northern boundary with Burgoyne Road. The surrounding area is mixed in character containing short terraces or semi-detached pairs of dwellings with a suburban character, interspersed by residential tower blocks.

1.3 The site has been split into two land parcels and this application relates to the south-western parcel which fronts Burseldon Road. The site has an area of 0.8 hectares and comprises access into the Highpoint Centre and grassed open space and landscaping which is safeguarded as open space. The north-eastern parcel has an area of 1.39 hectares and is subject to a separate pending planning application for residential redevelopment (Ref 19/01284/FUL).

2 Proposal

2.1 The proposal seeks full planning permission for redevelopment of the site with the erection of an Aldi food store with associated access, car parking and landscaping.

2.2 The re-submission has removed the previously proposed drive thru-coffee shop and the layout has been amended to locate the food store to the rear of the site in order to accommodate revised access arrangements and additional landscaping/tree planting. The site would share the existing in-only access from Burseldon Road serving the Highpoint Centre and a new exit-only access point is proposed onto Burseldon Road, located 60m to the south-east from the existing access.

2.3 The site frontage would be occupied by car parking with a total of 134 car parking spaces (including 4 disabled bays) provided across the site. Provision has also been made for cycle storage for 10 bicycles to the front of the store. The proposed building (1775sqm gross floor area) has a mono-pitch roof design with the main access facing Burseldon Road. The servicing area / delivery dock for the food store is located adjacent to the side of the building and enclosed by a 2m height acoustic fence. The scheme seek to remove 76 existing trees with 30 replacement trees incorporated within the landscaping proposals across the site.

The following table sets out the key changes following the previous refusal:

Matters	Key changes
Access	A new exit-only access has been incorporated to address previous concerns in relation to conflict with existing right turn traffic and the nearby traffic lights.
Layout	Drive-thru coffee shop has been removed. Aldi food store is now positioned to the rear of the site. The proposed store has a gross internal area of 1775sqm and a retail area of 1315sqm (previously GIA 7725sqm with 1254sqm retail area)
Landscaping / Trees	Soft landscaping has been increased. The number of replacement trees has increased from 23 to 30.
Parking	The parking level is similar with the number of car parking spaces increased from 133 to 134 car parking spaces. Additional space is available for landscaping following removal of the coffee-drive thru.

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 updated National Planning Policy Framework (NPPF) came into force on 24th July 2018 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 Open Space
The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. This Policy was strengthened by the examining Core Strategy Inspector and established an approach of 'no net loss' of open space within the city. The evidence base to the Core Strategy demonstrated a shortfall in provision of open space across the city. The Green Spaces Strategy has recently been reviewed and this situation has not improved. Furthermore, the nature of Southampton as a solely urban authority means there is little opportunity to create new open spaces to meet this need.
- 3.4 Paragraph 97 of the National Planning Policy Framework indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.
- 3.5 Retail Impact
The locally set threshold for retail impact assessment is a retail floor area greater than 750sqm gross as set out within policy CS3 of the Core Strategy (amended 2015). The proposal seeks retail use which is greater than 750sqm on this 'out of centre' site and therefore this planning application is supported by a Retail Impact Assessment and Sequential Test in accordance with the requirements of Section 07 of the National Planning Policy Framework (2018).
- 3.6 Vehicular Access
The A3024 Bursledon Road is a classified road and connects Southampton City Centre and Port with the M27 Junction 8 (in Hampshire). It is a key cross boundary multi-modal corridor that serves the wider Southampton Travel to Work area covering the residential areas of Southampton of Bitterne, Sholing and Thornhill and the housing and economic activities in Hedge End, Botley and Hamble.
- 3.7 Highways England are proposing a package of highway junction improvements aimed at boosting productivity and supporting delivery of housing and jobs by easing congestion and improving journey time for all modes along the A3024 Bursledon Road in Southampton.
- 3.8 Saved Policy TI2 of the Local Plan Review indicates that vehicular access to new development or redevelopment sites from classified roads will not be permitted unless the city council is satisfied that road safety would not be

adversely affected. Paragraph 10.11 of the supporting text to policy TI2 indicates:

“To aid safety and avoid congestion by preventing the interruption of free flow of traffic through the proliferation of accesses on to the principal routes within the city, the Council will not usually allow access onto classified roads from new development or redevelopment proposals.....”

3.9* Policy CS6 promotes economic growth and the retail sector supports job growth as set out within the south Hampshire Strategy by PUSH.

4. Relevant Planning History

4.1 Outline planning permission was granted in 2017 across both land parcels for residential redevelopment comprising up to 114 flats and 36 family houses, public open space, associated parking and vehicle access from Burgoyne Road (Outline application seeking approval for access at this stage) (our reference 16/01888/OUT). This proposal achieved a net gain of open space across the site with an increase from circa 5,500 sq.m to circa 6269 sq.m. The proposed site access was from Burgoyne Road with emergency vehicle access only from Bursledon Road. Affordable housing was secured as part of the S106 Agreement in accordance with the requirements of policy CS15 (35% of the final units adjusted to reflect any vacant building credit).

4.2 The site has now been split into two and separate planning applications for commercial and residential development were previously refused by the Planning and Rights of Way Panel on 11.12.2018 – A copy of the minutes are attached as **Appendix 2:**

18/01373/FUL - Redevelopment of the site to create 128 residential dwellings comprising a mixture of 21 houses (20 x 3 and 1 x 4 bed) and 107 flats (29 x 1 and 78 x 2 bed) with associated car parking, bin, cycle storage and landscaping – Refused for the following reasons:

01. Layout and access arrangement
02. Loss of trees
03. Failure to secure policy compliant Affordable Housing
04. Failure to enter into S106 agreement

18/00968/FUL - The erection of a food store (Class A1) and a coffee drive thru (Class A1/A3) with associated access, car parking and landscaping – Refused for the following reasons:

01. Insufficient site access arrangement
02. Poor Layout
03. Loss of safeguarded open space
04. Insufficient Landscaping
05. Failure to enter into S106 agreement

4.3 A copy of the decision notices for applications 18/01373/FUL and 18/00968/FUL, which set out the refusal reasons in full are attached as **Appendix 3** and **Appendix 4**

4.4 The Highpoint Centre was originally approved in 2010 (our reference 09/00318/FUL). Further detailed aspects of this scheme were approved in 2011 (reference 10/01636/FUL). Whilst this application resulted in a loss of designated open space, the area lost was re-provided off-site and the re-provision secured by a section 106 legal agreement. This scheme was approved with a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road. Planning permission was subsequently granted to use the first floor as offices (our reference 15/00219/FUL).

4.5 In 2009 it was proposed for the existing Eastpoint Centre and its curtilage to be developed to provide a new campus for Itchen College. A resolution to grant planning permission was secured from the Planning and Rights of Way Panel, although the application was withdrawn before the section 106 was finalised. The layout for this scheme incorporated a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road.

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 (14.06.2019) and erecting site notices (14.06.2019). At the time of writing the report **77 representations** have been received (71 in support, 2 neutral and 4 against). The following is a summary of the points raised:

In Favour

- 5.2
- ***The proposed retail offer and job creation is welcomed;***
 - ***Additional retail has been needed within Thornhill Estate for some time and the elderly and young families at this end of the estate will be able to walk there;***
 - ***Redevelopment of this derelict site is welcomed;***
 - ***In favour of this application as it will bring more food shopping choice to the area; and***
 - ***This amended scheme removes the previously proposed Starbucks coffee shop drive-thru which is welcomed in the interests of the existing community coffee shop (registered charity) within the Highpoint Centre.***

Officer Response – The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The wider regeneration and employment benefits and increased food retail offer is considered to outweigh the net loss of some open space (A minimum of 90% re-provision to be secured on the adjacent residential site). Removal of the previously proposed coffee drive-thru addresses previous local concerns in relation to the adverse impact on the viability of the existing community coffee shop within the Highpoint centre.

Against

- 5.3 **Increased congestion - Aldi want to build a store adjacent to the A3024 (Burseldon Road) with an entrance and exit and no traffic lights, thereby adding to the already congested traffic along the A3024.**

Officer Response – No objection has been raised by the Council's Highway Engineers. The revised access arrangements including separate in and out access points and submitted evidence regarding trip rates and modelling as set out within the submitted Transport Assessment demonstrates that the proposal would not prejudice highway safety and the residual cumulative impacts on the road network (congestion) would not be severe (NPPF Test)

- 5.4 **Overdevelopment of an area that has Tesco and Lidl stores within reasonable travelling distance and a food outlet in the garage complex opposite the proposed development.**

Officer Response - The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment – see considerations section below.

- 5.5 **If built, the Aldi will not only serve residents of Thornhill but also a wide area on the other side of the A3024. How are foot customers expected to cross the busy main road?**

Officer Response – Site specific highway contributions are proposed to be secured on this application and the adjoining residential scheme for improved pedestrian crossing facilities across Burseldon Road (A3024)

- 5.6 **Have comments been sought from Hampshire Police about the viability of how such a store will affect the already busy A3024?**

Officer Response – SCC Highways are the responsible authority in relation to this section of the A3024.

- 5.7 **The re-siting of the store to the rear of the site will have an unacceptable impact on the proposed houses and gardens within the adjacent residential proposal.**

Officer Response – It is agreed that the close proximity between the proposed food store and housing is a shortcoming of the scheme and is a consequence of the uplift in development across both sites (128 dwellings and an Aldi food store) with the new position of the food store arising from the need to introduce an exit only access. That said, the proposed housing is located 14.5m from the rear elevation of the proposed food store which exceeds the minimum design standard of 12.5m separation between habitable room windows and a blank elevation. The rear elevation of the Aldi food store has a height to eaves of 5.5m and would be set 3m from the rear boundary of the residential properties. The Council's Environmental Health Officer has raised no objection in relation to noise impact to nearby existing and proposed residents subject to conditions as recommended. The proposed height of the food store and separation distance from neighbouring properties will not be adversely harmful to neighbouring occupiers having regard to BRE Daylight and Sunlight Standards, design standards within the Residential Design Guide SPD. The residential scheme proposes a boundary treatment of a wall topped with a close boarded fence to a height of 2.8m which will assist in partially screening views of the food store. Further landscaping is also proposed to assist in screening views of the food store from the proposed residential properties. On balance, the merits of the scheme are considered to outweigh the impact on the living environment of

future occupiers, who may choose not to live in the new housing because of this relationship. No existing residents are affected by this layout

5.8 **The right turn exiting traffic across the east boundary lane would give rise to considerable conflict between vehicles and worsening of even the previous scheme because the two junctions are relatively close together.**

Officer Response – The Council's Highway Engineers have raised no objection and are satisfied with the submitted highway evidence and safety audit in relation to the proposed new exit-only access. Furthermore the submitted evidence demonstrates the additional traffic arising from this proposal will not have a severe impact on the highway network.

5.9 **No real attempt has been made to increase the planting and screening either within or around the site.**

Officer Response – The landscaping scheme has been further amended to add 7 additional trees (30 new trees proposed) with increased landscaping and trees now incorporated along the site entrance, adjacent to the Highpoint Centre. The boundary frontage to Bursledon Road now comprises trees planting, hedgerow and substantial shrub planting. A hedgerow is also proposed to the rear boundary. The residential redevelopment of the brownfield site to the north (Eastpoint Centre buildings) will provide opportunity for additional landscaping and tree planting.

5.10 **The sequential test is flawed because the designation of the site as allocated open space has been ignored as a constraint against development**

The retail assessment provided by the applicants would appear to show that retail centres within reasonable journey distance of the application site (some 12 in total), to be generally viable and not lacking in food or other convenience facilities.

Officer Response – See Planning Considerations Section below.

5.11 **The family housing on the adjacent side of Bursledon Road would be subject to unreasonable noise nuisance and vehicle pollution as well as light pollution from vehicle headlights.**

Officer Response – No objection has been raised by the Council's Environmental Health Team. The application is supported by a lighting diagram to demonstrate that the proposed external lighting will not lead to harmful light spillage. The building is set back from the road frontage and a substantial landscaped boundary is proposed along the Bursledon Road frontage.

Consultation Responses

5.12 **SCC Highways** – No objection subject to the following conditions:

- Servicing Management Plan - Details of servicing plan to be submitted and agreed upon in writing by the local planning authority. Plan to include restrictions to articulated lorries arriving and departing during peak traffic hours;
- Cycle Parking - Details to include secure and lockable for each individual cycle for staff; and Construction Management Plan

5.12.1 Access

The resubmitted scheme now provides a new access further East along Bursledon Road. This addresses the previous concerns additional turning

movements, especially the right turn movements on a busy road and within close proximity of the signalised junction with Coates Road.

5.12.2 The new access will be further away whereby the impact on Coates Road junction will be much less and any abnormal driver behaviour will be that much further away from the junction. Therefore, the principle of the new access location is considered acceptable.

5.12.3 Road Safety Audit has raised concerns with the locating opposite the Residential Access and therefore the exact location of the access may be subject to change to address this issue. However, any relocation will be minimal and will be roughly in the same area subject to creating further implications on other aspects such as utilities, trees etc. These issues can be addressed during the 'Scheme of Works' process which will likely be via a Section 278/171.

5.12.4 Trip Impact

Please note that the modelling output within the Transport Assessment (TA) seems to be missing as there is no appendix g. However, this recommendation will be based on a Technical Note (attached) which was sent to me directly by the applicant's transport consultant. Since there are no major changes in terms of access design and traffic data, the technical note has been considered as part of this assessment.

5.12.5 The technical submitted is considered acceptable and the modelling results indicate that both accesses (existing and new) will have no major significant impact. There will be some increase in trips and delay to Bursledon Road but is considered to be within an acceptable amount. The main delays would be the new site access for vehicles exiting the site. However, the queues and delays will be contained within the site which itself provides a large amount of queuing space before any tailbacks impact on the highway.

5.12.6 It is noted that the assessments do not include any trips related to High Point Centre. However there are existing Alligator teeth within the Highpoint centre to prevent vehicles from the Highpoint centre exiting directly onto Bursledon Road.

5.12.7 Servicing

The layout shows that a servicing vehicle is able to enter and leave the site in a forward gear. The manoeuvres for the articulated lorries will encroach onto both lanes of the carriageways. The submitted details indicate that there will be two large (likely articulated) lorries in a day plus general smaller deliveries. However, without restrictions, this could be subject to change. It would not be ideal or practical to limit the amount of servicing vehicles and therefore it is considered reasonable to have a servicing management plan to restrict articulated lorries arriving/departing during peak traffic hours

5.12.8 Cycle Parking

The TA mentions cycle parking is provided for both visitors and staff. The quantum proposed is in line with Parking SPD which is acceptable. The staff spaces are described as in store but the wording of a condition can expand on this.

5.12.9 Parking

The submission proposes 16 spaces over the Council's maximum parking standards (134 spaces proposed) presumably as a flexible margin. The previous decision raised no objection to the proposed level of parking above the maximum car parking standards

5.13. Urban Design Manager

The boundary hedge between the store and the future residential is insufficient to provide proper screen planting to this boundary, which means that the residential; outlook will largely be dominated by the store and its sloping roof. A minimum of 5m is required to create a viable screen planted boundary including the potential for native broadleaf trees. So either the store has to move to provide the boundary, or the future residential will require much deeper gardens, minimum 16m, 5m of screen planting 11m of garden in order to provide an adequate landscape buffer. Clearly it would be preferable that this happens on the Aldi site from an ongoing management point of view, as if it is in back gardens this can often be problematic with individual home owners
The boundary to the car park to the Highpoint building is far too narrow and therefore unable to have any tree planting. Tree planting is important along this boundary as well as within the car park.

5.13.1 To the Bursledon Road frontage the preference would be for a seamless transition from a high/dense native hedge at the Woodland end to a lower hedge, perhaps clipped/maintained more formally at the junction end. The proposed mix of native and ornamental hedge separated by a bark mulch 'maintenance path' is considered very odd.

The alignment of the pedestrian link through between the two sites also raises concerns. The projecting Meeting Room is preventing a more direct and obvious landscaped route and should be relocated to allow a better route from the Aldi side of the street. This is after all an important entrance to the neighbouring residential and wider existing community north of the site and is likely to be heavily used once the two sites are complete, which is to be encouraged on sustainable transport grounds encouraging access to the store on foot or by cycle rather than just by private car.

5.13.2 *Officer Response – The landscaping scheme has been amended to address these points where possible. A condition is also recommended in order to secure appropriate landscaping, tree replacements and boundary treatment.*

5.14. Tree Officer – Verbal update to be provided at the Panel meeting.

5.14.1 *Officer Response – It is accepted that some tree loss can be supported to allow the site to be redeveloped providing appropriate open space re-provision and landscape mitigation can be achieved. The scheme has increased the number of tree replacements from 23 to 30 with the inclusion of some native tree species as previously requested. The 70 trees proposed to be removed are not safeguarded by a Tree Preservation Order.*

5.15. Ecology Officer – Verbal update to be provided at the Panel meeting

- 5.15.1 *Officer Response – The application is supported by an Ecology Assessment by Tyler Grange which sets out how the previous ecology concerns have been addressed through improved landscaping, lighting design and other mitigation measures such as bat boxes. Further landscaping and ecology enhancements can be incorporated into the proposal for residential redevelopment of the adjoining brownfield site to the north*
- 5.16 **Sport England** – No objection as the playing field has not been used for at least five years, the consultation with Sport England is not a statutory requirement. Having assessed the application for the redevelopment of the site to create 128 residential dwellings, Sport England is satisfied that the proposed development has negligible impact on the playing field and affects only land incapable of forming a playing pitch or part of a playing pitch, and therefore meets exception 3 of our playing fields policy.
- 5.17 **Environmental Health** – No objection subject to conditions to secure construction management, servicing and trading hours, lighting design and plant noise levels (as detailed in the Sharps Redmore Noise Report dated 29th May 2019).
- 5.18 **Archaeology** – No objection subject to conditions to secure an archaeological watching brief
- 5.19 **SCC Land Contamination** - No objection. Suggest a condition to secure a full land contamination assessment and any necessary remediation measures.
- 5.20 **SCC Flood – No objection** subject to a condition to secure sustainable drainage.
- 5.21 **SCC Sustainability Team** – No objection subject to conditions to secure at minimum Excellent against the BREEAM Standard.
- 5.22 **Southern Water:** No objection subject to a conditions to secure details of the measures which will be undertaken to protect the public sewers and water mains and details of the proposed means of foul and surface water sewerage disposal.
- 5.23 **Southampton Commons & Parks Protection Society (SCAPPS) - Objection**
- 5.23.1 SCAPPS objected to the previous application, 18/00968 & is disappointed to find this resubmission fails to remove a fundamental ground for SCAPPS previous objection, & a ground for refusal of permission.
- 5.23.2 This is not a brownfield site which has previously been built on. It is part of the grounds of a former school & is classified as 'open space'. The intention & purpose of Core Strategy policy CS21 is to maintain the quantity of green space in the City. The City needs more, not less, open space to keep pace with population increase. Per capita provision by area has fallen 2006-2016. There is already a shortfall against national standards & that shortfall is increasing.
- 5.23.3 This application includes only part of the former school site designated in the development plan as 'open space'. Either this application should itself provide replacement open space or it should be considered & determined as part of a

comprehensive proposal for the whole of the former school site which provides sufficient & appropriate new open space on or off-site.

5.23.4 In the particular circumstances of this former school site, where the land has been unused for a number of years, it may be reasonable to balance the need for open space with need for jobs. But it must be a carefully considered balance. The applicant's Planning Statement (paras 8.15-8.22) repeats the unreasonable & unacceptable proposition that because the application is CIL liable that removes any requirement to comply with Core Strategy policy CS21. SCAPPS asks that this wholly false proposition be firmly rejected & either provision of green open space included on this site or adequate replacement open space provided elsewhere.

5.23.5 *Officer Response - The principle of some net loss of some open space is supported, as part of the planning balance, in the interests of housing and employment delivery having regard to the period of time the open space has not been used. The open space was the playing fields of Hightown Secondary School which closed in the 1980's. Furthermore Sport England have raised no objection. The residential proposal on the adjacent site proposes to incorporate replacement of circa 90% of recreational open space and additional financial contributions towards off-site open space enhancements. Officers request delegation to ensure an appropriate legal mechanism is used to secure delivery of replacement open space through the adjoining planning application for residential redevelopment.*

5.24 **City of Southampton Society: Objection**

- Traffic proposals unsafe, vehicles turning right into and out of the site, no traffic light control. Busy main road out of the City;
- Design not attractive;
- Store too near the existing and future residential accommodation;
- Site tight for vehicles, and mix of commercial and customer vehicles;
- Site entirely car based;
- Site much better suited to housing, for which planning permission has been granted in the past;
- Substantial need for housing in the City;
- Landscaping not very extensive; and
- No evidence of need or demand for the store

5.24.1 *Officer Response – The Council's Design Officer has raised no objection to the building design. This schemes brings employment benefits and increased retail offer to the community (as recognised within the 70 letters of support from local residents). The adjoining site still provides opportunity for delivery of 128 housing units. See considerations section below which respond to the other points of concern.*

6. **Planning Consideration Key Issues**

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

- the principle of the development (open space and retail impacts); and
- whether the previous reasons for refusal have been addressed in relation to site access/highway impacts, site layout and landscaping proposals.

Principle of Development

6.1 Open space

The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. Furthermore paragraph 97 of the National Planning Policy Framework 'the Framework' indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.

6.1.1 The Council's Ecologist and Open Spaces Manager previously expressed concern over the shortage of recreational open space across the city with 2.54 hectares per 1000 of the population available in 2016, which is short of the national standard of 3.45 hectares and down from the 2006 provision of 2.98 hectares. However the Council's Open Spaces Manager has not formally commented on this planning application. A net loss of open space is, however, proposed and significant weight has been afforded to policy CS21.

6.1.2 This area of safeguarded public open space (0.32hectares / 3,200sqm) has not been formally accessible for public use for over 5 years and therefore Sport England have raised no objection to loss of this former school playing field (Hightown Secondary School was closed in the 1980's). The 2016 outline planning permission for residential redevelopment (our reference 16/01888/OUT) achieved a net gain of open space across the site. The proposed residential redevelopment on the adjacent land parcel (19/01284/FUL) offers 2896sqm of functional/recreational open space which would represent circa 90% of the existing grassed open space provision in a usable format.

6.1.3 In light of the above circumstances it is considered that the proposed net loss of open space could be supported when weighed in the balance with the housing and employment benefits of both schemes, subject to 2896sqm of functional/recreation open space being secured as part of the adjoining planning application for residential redevelopment.

6.1.4 Retail Impact

All new retail development of a particular size, located out of a defined centre requires a retail impact assessment and sequential test before the principle can be supported (policy CS3 refers).

6.1.5 The approach taken by the applicant in identifying district and local centres in the eastern part of the city along with edge and out-of-centre foodstores is considered to be both reasonable and proportionate. It's noted that Hedge End District Centre has also been looked at in terms of the sequential approach taken for site selection and retail impact.

6.1.6 The key headlines in terms of retail impact are included in pages 41-42 and Tables 6-8 of the Planning and Retail Statement. It's observed that the main impact of the proposal would be upon Woolston District Centre. The applicant has provided three scenarios to demonstrate the retail impact of the proposal.

These show varying degrees of impact upon turnover depending on how the vacant foodstore at Centenary Quay is factored into this assessment.

- 6.1.7 The worst case scenario in terms of retail impact from approving the proposal, whereby a functioning foodstore at Centenary Quay considered separately from Woolston District Centre, would result in a 21.0% impact upon overall turnover in this District Centre. Discounting this vacant foodstore altogether at Centenary Quay would result in an 8.2% impact upon overall turnover in Woolston District Centre if the application is approved. The best case scenario in terms of retail impact, whereby a functioning foodstore at Centenary Quay is incorporated within the turnover calculations for Woolston District Centre, would result in a 5.3% impact upon overall turnover in this District Centre if the application is approved – therefore the lowest retail impact out of the 3 tested scenarios (see Table 8). Centenary Quay food store is not going to come forward and the space has recently secured planning permission for a leisure use and storage.
- 6.1.8 Taking into account the three scenarios, it's reasonable to conclude from the information provided by the applicant that the overall impact upon turnover in Woolston District Centre, would equate to the calculated 8.2%. This is because the site has not come forward for retail development to date with no evidence of this likely to come forward for its intended use. In addition, it's noted in the Planning and Retail Statement that the reasons for the foodstore remaining vacant are due its lack of commercial prominence and commercial constraints (as an aside, it's noted that the applicant states an impact of 21.0% wouldn't be significantly adverse although this is questionable).
- 6.1.9 Whilst 8.2% is not considered to be materially significant in terms of impact, it's not considered to be a low impact. However, this is partly offset by the comprehensive approach taken by the applicant to the sequential test which is considered both reasonable and proportionate. Taking these factors into consideration, it's recommended that any approval is conditioned so that the overall floorspace is no more than that proposed, with the convenience floorspace in the foodstore limited to no more than 80% of the proposed overall total. Consideration should also be given to whether developer contributions should be collected for improvements to the district and local centres in the eastern part of the city. Officers conclude that the principle of a foodstore in terms of retail impact and sequential approach is acceptable but this in itself is not enough to secure a favourable recommendation, as the previous reasons for refusal also need to be satisfied. Officers have considered the revised scheme against the Reasons for Refusal set out in the attached decision notices (Appendices 3 and 4 refers) and have reached the following conclusions:

Highways Impact

- 6.2 The previous planning application failed to demonstrate adequate capacity for safe right turn movements out of the site without leading to severe obstruction to traffic flow on Bursledon Road. This re-submission has amended the access arrangement with the existing access to be in-only and a new exit-only located 60m to the south-east. The Council's Highway Engineers are satisfied that the position of the new exit-only access removes any harmful conflict with traffic flow at the signalised junction and has raised no objection. Therefore the previous highway concerns have now been addressed.

6.2.1 Layout

The footprint of the store has now moved through 90 degrees. Whilst the food store is now located closer to the rear boundary as a consequence of achieving the necessary servicing vehicle tracking arising from the revised access arrangements, the residential scheme has been amended to increase the separation distance from the boundary with Aldi. The proposals now achieve a circa 14.5 separation distance which, on balance is now considered acceptable, when having regard to the merits of the schemes in terms of job creation, retail offer and housing delivery. Therefore the previous refusal reason in relation to poor layout has now been addressed

6.2.2 Landscape Impact

The character of the existing site comprises grassed open space and 76 trees. The proposal seeks substantial site coverage with buildings and hard surfacing. The landscaping scheme has been improved by providing an improved planting mix of native tree species along the site frontage and the number of replacement trees has been increased from 9 (on the previous submission) to 30 now proposed. Increased landscaping and trees have now been incorporated along the site entrance, adjacent to the Highpoint Centre, as requested by the Council's Design Officer. The proposed landscaping scheme is considered acceptable having regard to the nature of the development and site context and significant landscape improvements are proposed as part of the residential redevelopment proposal to the north.

7 Summary

The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. The principle of some net loss of some open space is supported having regard to the wider economic benefit of the scheme and the period of time the open space has not been available to the public. A minimum of 90% replacement open space will be secured on the adjoining site as part of the planning application for residential redevelopment (application ref 19/01284/FUL). The previous concerns in relation to site access, loss of open space, poor layout and landscaping have now been addressed.

8 Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions and the securing of a suitable legal mechanism to deliver replacement off-site open space.

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 17/09/2019 PROW Panel

PLANNING CONDITIONS

1. 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).

2. Details of building materials to be used (Performance)

The development shall be carried out and retained in accordance with the schedule of external materials as set out within Drawing No 1500-P2.

Reason: In the interests of the visual amenities of the area

3. Restriction of net sales area (Performance Condition)

Notwithstanding the approved plans the development hereby approved shall only have a maximum net sales area of 1,315sq.m unless agreed otherwise in writing by the Local Planning Authority

Reason: To prevent effecting the vitality and viability of nearby designated retail centres.

4. Parking and access (Pre-Use Condition)

The 134 car parking spaces and access shall be provided in accordance with the plans hereby approved before the development first comes into use and thereafter shall be retained as approved for use in connection with the food store hereby approved.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

5. Management of Trolleys (Pre-Use Condition)

Prior to use hereby approved first commencing, a scheme for the storage and management of supermarket trolleys shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to ensure that trolleys are returned to appropriate collection points and storage positions and not otherwise left or abandoned. The approved scheme shall operate from the first opening of the store and thereafter adhered to at all times. The effectiveness of the scheme shall be reviewed in accordance with a programme to be included in the scheme and such changes to the scheme as are necessary and approved by the Local Planning Authority shall be introduced in accordance with an agreed timescale.

Reason: To protect the character of the area and to avoid circulation problems which might otherwise be caused by abandoned trolleys.

6. Cycle storage and changing facilities (Pre-Use Condition)

Before the development hereby approved first comes into use, secure and covered storage for bicycles for both employees and customers shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Customer cycle parking should be covered and secure and staff cycle parking should be positioned within a secure and weatherproof storage area. Lockers shall also be provided for staff. The approved scheme shall be thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

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

07. Refuse & Recycling (Pre-Use Condition)

Before the development hereby approved first comes into use, 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 first comes into use 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 nearby properties and in the interests of highway safety.

08. Litter Bins (Pre-Use Condition)

Before the use hereby approved commences, litter bins shall be provided in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be retained and managed during the lifetime of the development.

Reason: To ensure that adequate facilities are provided for the collection and disposal of litter likely to be generated by this development.

09. Active frontages (Performance Condition)

Notwithstanding the provisions of Class 12 of Schedule 3 of the Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any Order amending, revoking or re-enacting these Regulations, the occupiers of the food store (retail/A1) hereby approved shall retain clear glazing on the ground floor along the length of the shop frontages within the south and west elevation (without the installation of window vinyl, shutters or equivalent), unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of good design and the visual amenities of the area.

10. Landscaping scheme (Pre-Commencement Condition)

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. Planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- ii. Specification of the trees to be planted providing native trees where appropriate;
- iii. Details of all hardstanding;
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme including an automated irrigation scheme or similar to maintain the vegetation on site.

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

11. Arboricultural Method Statement (Performance Condition)

The development hereby approved shall be carried out and retained in accordance with the recommendations of the Arboricultural Impact Assessment & Tree Protection Plan by Bosky Trees dated 30.05.19.

Reason: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

12. No storage under tree canopy (Performance Condition)

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.

13. Ecological Mitigation Statement (Pre-Commencement Condition)

The development shall be carried out and retained in accordance with the programme of habitat and species mitigation and enhancement measures as set out within the Ecology Assessment by Tyler Grange Dated 30.05.19.

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

14. Lighting scheme (Performance Condition)

The development shall be carried out and retained in accordance with the external lighting details as set out within Drawing No. B2340-MJA-P105-4746-G.

Reason: In the interests of neighbouring residential amenities and to safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

15. BREEAM Standards (Pre-Commencement Condition)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum Very Good, with a total minimum score of 63% against the BREEAM Standard, in the form of a design stage report, is 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 Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

16. BREEAM Standards (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 Very Good, with a total minimum score of 63% against the BREEAM Standard, in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body 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 Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

17. Zero or Low Carbon Energy Sources (Pre-Commencement Condition)

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO₂ emissions of at least 12.5% must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

REASON:

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

18. Archaeological watching brief with provision for excavation 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.

19. Archaeological watching brief with provision for excavation 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.

20. Control of noise (Performance Condition)

The development shall be carried out and retained in accordance with the recommendations of the Sharps Redmore Noise Report dated 29th May 2019.

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

21. Noise - plant and machinery (Pre-Commencement)

The use hereby approved shall not commence until details of measures to minimise noise from plant and machinery associated with the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 45 dBA between 0700 and 2300 hours and 35 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014. The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved.

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

22. Unsuspected Contamination (Performance Condition)

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified, no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

23. 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.

24. Construction Management Plan (Pre-Commencement Condition)

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,
- f) 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.

25. Sustainable Drainage Systems (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).

26. Surface / foul water drainage (Pre-commencement Condition)

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.

27. Public Sewer protection (Performance Condition)

Prior to the commencement of development, details of the measures to protect 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.

28. Hours of Use & Delivery (Performance Condition)

The food store hereby approved shall not operate outside of the hours hereby set out:

- 8am - 10pm (Monday to Saturday) and
- 10am and 5pm Sundays and Bank Holidays

No deliveries shall be taken or despatched outside the hours hereby set out:

- 7am - 10pm (7 days per week)

Reason: In the interests of existing and proposed residential amenity

29. 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 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.

30. Electric Vehicle Charging Points (Pre-Commencement Condition)

A feasibility study for electric vehicle charging points shall 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 shall 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

31. Access control measures (Pre-Commencement Condition)

Prior to first occupation of the food store hereby approved, details of control measures to ensure the existing vehicular access point remains in only and the new access is exit only, shall be submitted and agreed in writing with the Local Planning Authority.

The access control measures shall be installed and retained as agreed for the lifetime of the development.

Reason: In the interests of highway safety

30. 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.