EASTLEIGH BOROUGH COUNCIL

Development Management
Application No F/13/73591
Your ref
Please ask for Eleanor Evans
Direct dial 023 8068 8495
Hours of work Wed, Thurs & Fri's Only
e-mail eleanor.evans@eastleigh.gov.uk

Mr B Christian
Vail Williams Llp
Meridians House
7 Ocean Way
Ocean Village
Southampton
SO14 3TJ

19 March 2014

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2010

Application No. F/13/73591

In pursuance of their powers under the above Act and in accordance with your application received on 15 November 2013, with subsequent amendments dated

10 Dec 2013, 12 Dec 2013, 31 Jan 2014

the Council, as Local Planning Authority hereby PERMIT the following :

Description: Construction of single storey unit for flexible use as retail/restaurant/takeaway uses (A1, A3, A5) with associated car parking & altered access, yard & bin store, landscaping, following demolition of existing 2no. retail units

Site: 3 High Street, West End, Southampton, SO30 3AA

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 12103-P 01 rev A, 12103 P 02 rev A, 12103 P 03 rev F, 12103 P 04 rev E, 12103 P 05 rev G, ENC-01/04/13-6N5. Reason: For the avoidance of doubt and in the interests of proper planning.

(2) Prior to commencement of development, details shall be submitted to and approved in writing to show an area within the building hereby approved by the Local Planning Authority for both customer trolleys and delivery trolleys and associated waste products. The works shall be carried out in accordance the approved details and thereafter retained. Reason: In order to secure a well planned development and in the interests of visual amenity.

(3) No deliveries to the site shall take place outside the hours of 07:30 to 23:00. Reason: To protect the amenities of the occupiers of nearby properties.

(4) Prior to commencement of development and once the final design and layout of the scheme is agreed, including the location and position of utility services, an Arboricultural Method Statement (AMS) must be submitted to and approved in writing by the Local Planning Authority before any equipment, materials or machinery are brought onto the site for the purposes of development. A pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager will also be required to confirm details regarding the protection of trees on and adjacent to the site in accordance with the Arboricultural Impact Appraisal and Method Statement.
Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(5) Prior to commencement of development a Tree Protection Plan should be submitted to and approved in writing by the Local Planning Authority. The tree protection should be positioned as shown on a finalised Tree Protection Plan, before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection should be retained until the development is completed and nothing placed within the fencing, nor any ground levels be altered or excavations made without the written consent of the Local Planning Authority.
Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(6) Any installed outside plant must not exceed a daytime noise of 47dB Laeq(15mins) and a night time noise of 35 dB Laeq(15mins) when measured from 1m. Reason: In the interest of residential amenity

(7) Development shall not begin until a Construction Management Scheme of works detailing measures to be taken to control noise, dust and vibration from site activities has been submitted to and approved in writing by the local planning authority. The approved scheme must then be fully implemented. Reason: To protect neighbouring residential amenity

(8) Should the development require the installation of an odour neutraliser, this must be installed and in full working order prior to the commencement of the use and, as long as the use continues, be operated in such a manner as will effectively suppress the emission of fumes or smell. Reason: In the interests of neighbouring residential amenity

(9) The development hereby permitted shall not be brought into use until the car park has been constructed, surfaced and marked out in accordance with the approved plan. The approved parking area shall not thereafter be used for any purpose other than the turning, parking, loading and unloading of vehicles. Reason: To make provision for off street parking for the purpose of highway safety.

(10) The development hereby permitted shall not be brought into use until a turning space has been provided within the site to enable vehicles to enter and leave in forward gear. The turning space shall subsequently be retained and kept available for such purposes at all times. Reason: In the interests of highway safety.

(11) No development shall start until details of the access including any footway and verge crossing have been submitted to and approved in writing by the Local Planning

Authority. The development shall not be [occupied/ brought into use] until the approved details have been fully implemented [unless agreed in writing by the Local Planning Authority]. Reason: To ensure satisfactory vehicular access.

(12) The development hereby approved shall implement the vehicular entrance and exit points as shown on plan no. 12103 - P.03 Rev F prior to the commencement of the use hereby approved and these entrance and exit points shall thereafter be retained as such. Reason: In the interests of highway safety

(13) The development hereby permitted shall not operate except between the hours of 07:30 to 23:00 Monday to Sunday. Reason: To protect the amenity of the occupiers of nearby properties.

Informative Note:
Whilst there appears to be low potential for bat roosts in the buildings to be demolished, if any are discovered during works, the applicant should note that all species of bat are legally protected and therefore the work should stop and the statutory nature conservation organisation, Natural England, must be contacted for advice.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review [2001-2011], and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Revised Pre-Submission Eastleigh Borough Local Plan [2011-2029] the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011, saved Policies 25.NC, 29.ES, 36.ES, 59.BE, 63.BE, 69.BE, 100.T, 101.T, 102.T, 104.T, 134.TC, 142.TC, 191.IN

Revised Pre-Submission Eastleigh Borough Local Plan 2011-2029 Policies DM1, DM7, DM9, DM19, DM23, DM24, DM35, DM37 .

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning [England] Regulations 2012, a fee is now required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

L O'Driscoll

Louise O'Driscoll
Head of Development Management

N.B. See Enclosed Notes (PER)