EASTLEIGH BOROUGH COUNCIL

Development Control
Application No C/13/72388
Your ref
Please ask for Rachel Illsley
Direct dial 023 8068 8446
Hours of work Tues-Thurs 9-5 Fri 9-4.30
e-mail rachel.illsley@eastleigh.gov.uk

Mr Graham Beck
Luken Beck Mdp Ltd
30 Carlton Crescent
Southampton
SO15 2EW

23 July 2013

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

Application No. C/13/72388

In pursuance of their powers under the above Act and in accordance with your application received on 25 April 2013, with subsequent amendments dated

07/06/2013

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

Description: Renovation, conversion and extensions to the principal Netley Court School building to provide a 65 bed care home and 9 no. assisted living apartments with communal facilities following demolition of existing outbuildings in a conservation area and provision of re-sited vehicular access and new pedestrian access to Victoria Road, parking, landscaping and ancillary works.

Site: Netley Court School, Victoria Road, Netley Abbey, Southampton, SO31 5DR

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 11.018.101, 11.018.102, 11.018.103, 11.108.104, 11.018.105, 11.018.200 Rev A, 11.018.400 Rev C, 11.018.401 Rev C, 11.018.402 Rev A, 11.018.801 Rev B, 11.018.802 Rev E, 11.018.803 Rev B, 11.018.804 Rev B, 11.018.901 Rev B, 11.018.902 Rev A, 11.018.903, 11.018.904 Rev C, CBA 6386-08 TPP Demolition, CBA 6386-08 TPP Construction, CBA 6386.04A, 024.0012.200 Rev P2. Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3)No development shall start until full details and samples of the materials to be used in the construction of the external surfaces, hard landscaping areas and boundary walls/railings of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(4) Plans and particulars showing the proposals for all the following aspects of the development must be submitted to and approved in writing by the Local Planning Authority prior to the installation of these items on site. Reason: In order that these matters may be considered by the Local Planning Authority.

a) The provision to be made for all street/external lighting

b) Full details and location of all rainwater goods

c) Details and locations of meter boxes

d) Full details of the design, materials and position of all bollards and railings to be used across the site

e) Full details of the design and materials, including a sample of the obscure glazing/screen, to be used in the balconies and privacy screens

f) Full details of the photovoltaic tiles and elevations to show them in context

g) Proposed ground levels and relationship to existing levels both within and on immediately adjoining land.

(5) Prior to the commencement of the development hereby permitted, the developer must advise the Local Planning Authority, in consultation with Southern Water, of the measures which will be undertaken to protect the public sewers and water apparatus. Reason: To ensure the protection of existing drainage/water infrastructure.

(6) Prior to the commencement of the development hereby permitted, full details of the proposed foul and surface water drainage measures shall be submitted and approved in writing by the Local Planning Authority, in consultation with Southern Water. If a SuDS scheme is proposed, the details submitted should specify the responsibilities of each party for the implementation of the SuDS scheme, specify a timetable for implementation and provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and other arrangements to secure the operation of the scheme throughout its lifetime. Reason: To ensure satisfactory drainage provision to the site.

(7) The development hereby permitted shall be implemented in accordance with the recommendations outlined in the ecological report, (EcoSupport, October 2012). Reason: To protect and enhance biodiversity.

(8) No percussive piling or works with heavy machinery (ie: plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken

during the bird overwintering period, October to March inclusive, unless the existing noise level measured from the sensitive receptor already exceeds 69dbAmax; in which case, no such works shall be undertaken during the specified period if the resulting noise level would exceed the existing noise level measured from the sensitive receptor. (Note: the sensitive receptor is the nearest point of the SPA or any SPA supporting habitat, eg: high tide roosting point). Reason: To protect the ecological interests of the designated sites.

(9) No clearance of trees/vegetation shall take place on site during the bird nesting season, 1st March to 31st August inclusive, unless supervised by an appropriately qualified ecologist. Reason: To prevent harm to breeding birds.

(10) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. The following steps are then required to be undertaken in accordance with current best practice and shall be submitted to the Local Planning Authority:

i) An appropriate investigation and risk assessment and, where necessary;
ii) A remediation scheme; and
iii) A verification report validating the measures in (ii) on completion of the works.

Reason: To ensure any ground contamination can be properly investigated.

(11) Development shall not begin until the developer has provided a noise assessment scheme that demonstrates that the impacts of noise, from the proposed sub-station affecting the site and neighbouring dwellings, and external and internal layout have been considered. The report shall include a scheme of mitigation measures for protecting the development from noise and vibration, this scheme must be submitted for approval by the Local Planning Authority. All works, which form part of the scheme approved by the Local Planning Authority, must be completed before any of the permitted dwellings is occupied (unless agreed by the Local Planning Authority) The scheme shall be fully implemented, unless varied with the written permission of the Local Planning Authority in advance of implementation. Reason: To protect the amenities of neighbouring properties.

(12) The development hereby permitted must be constructed and proceed in accordance with the measures contained within the submitted Management Strategy. Reason: To ensure the protection of the amenities of local residents and the ecological interests of the site

(13) No burning of materials obtained by site clearance or from any other source to take place on this site during the construction and fitting out process. Reason: To protect the amenities of neighbouring properties

(14) Prior to the first occupation of the development hereby permitted, full details of all external security lighting, lockable gates and all other crime prevention proposals must be submitted to and approved in writing by the Local Planning Authority. The development must then accord with these approved details. Reason: To ensure these matters can be considered by the Local Planning Authority

(15) The unallocated parking spaces shown on the layout hereby approved shall not be sold off at any time to individual plots or landowners and must remain unallocated and available for use at all times. Reason: To ensure adequate parking provision is available at all times.

(16) The landscape scheme must be completed within 12 months from the completion of the last building shell, or by such later date as the Local Planning Authority may determine. Any trees or plants which die, are removed or become seriously damaged or diseased during the first five years must be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure the provision of satisfactory landscaping.

(17) During the construction period no storage of building materials or parking of vehicles shall take place underneath the crown spread of the tree(s) to be retained on the site. Reason: To ensure the protection of the trees on site.

(18) No trenches for services or drains shall be sited within the crown spread of any trees that are to be retained on site. Reason: To ensure the protection of trees on the site.

(19) The development hereby permitted must not be brought into use until the areas shown on the approved plan for the parking of vehicles shall have been made available, surfaced and marked out, and the areas must be retained, including those areas marked out on the plan as being unallocated, in a condition to the satisfaction of the Local Planning Authority, and reserved for that purpose at all times. Reason: to ensure satisfactory parking provision on site.

(20) The development hereby permitted shall not be occupied until the approved cycle and bin storage areas have been constructed in accordance with the approved plans and they shall be thereafter retained and kept available for cycle/refuse storage at all times. Reason: To ensure satisfactory provision on site.

(21) The development shall accord with the Arboricultural Development Statement and tree protection plan for both demolition and construction works prepared by CBA Trees dated September 2012. Protective fencing and ground protection must be erected as per the Tree Protection Plan submitted with the application. This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of the monitoring and compliance by the pre appointed tree specialist during construction. Reason: To ensure the protection of the trees on site.

(22) No development shall start until a site meeting (attended by the Arboricultural Consultant and Site Manager) has taken place where a representative from the Local Planning Authority has inspected and approved the fencing and ground protection and signed the card which accompanied this decision notice. Once approved no access by vehicles or placement of goods, chemical, fuels, soils or other materials shall be placed within the fenced area. The fencing shall be retained in its approved form for the duration of the work. During this meeting, all aspects of the Arboricultural Development Statement will be discussed and agreed to ensure that the correct processes are followed during all phases of the development of the site. Reason: To ensure the protection of the trees on site.

(23) Within six weeks of the commencement of development on site, a Code for Sustainable Homes/BREEAM interim stage certificate and sustainability report which demonstrates how all of the essential requirements of the Eastleigh Borough Council adopted 'Environmentally Sustainable Development' Supplementary Planning Document are to be met, and how the required BREEAM score of 63.99% is to be achieved shall be submitted to and approved in writing by the Local Planning

Authority. The development must then proceed in accordance with these agreed measures. Reason: To ensure the delivery of sustainable development.

(24) Within six weeks of the completion of the development hereby permitted, a Code for Sustainable Home/BREEAM final stage certificate and sustainability report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document, 'Environmentally Sustainable Development', have been met for the relevant phase, and confirming the required BREEAM score of 63.99% has been achieved must be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the delivery of sustainable development.

(25) No development shall commence on site until such time as the details, including surface materials, for the highway improvement and access works on Victoria Road, as shown indicatively on drawing 024.0012.200 P2 have been submitted to and approved in writing by the Local Planning Authority. There shall be no occupation of the site for the purposes pursuant to the planning permission until such time as the works have been completed to the written satisfaction of the Local Planning Authority. Reason: In the interests of visual amenity and to ensure the access proposals are safe and appropriate.

(26) No development shall start until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for all areas of hard and soft landscaping and details of timing for all landscaping and future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard. Reason: To ensure high quality landscaping provision.

(27) For the duration of the initial site clearance and set up phases, demolition of the existing buildings, conversion works to the retained school building and construction of the new buildings (sub-structures and superstructures), as set out in the approved Construction Management Plan (including the Construction Programme), no construction or demolition works or deliveries to the site must take place during the construction period, except between the hours of 8am to 6pm Mondays to Fridays and not at all on Saturdays, Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority, prior to the works being carried out. Once the scheme progresses to internal works/finishing, external works including landscaping and the fitting out of the buildings, no works or deliveries to the site must take place except between the hours of 8am to 6pm Mondays to Fridays, 9am to 1pm Saturdays and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority, prior to the works being carried out. Reason: To protect the amenities of neighbouring properties.

(28) No development shall commence on site until the applicant has secured the implementation of a programme of archaeological monitoring and recording (watching brief) in accordance with a written specification that has been submitted to and approved in writing by the Local Planning Authority. Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these assets is preserved for future generations.

Notes to Applicant:

Southern Water has requested that the applicant be advised of the following issues:
- The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this

development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (29) or www.southernwater.co.uk

- A formal application for connection to the water supply is required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688) or www.southernwater.co.uk

- No new soakaways should be located within 5 metres of a public water mains and foul sewer

- No development or new tree planting should be located within 3 metres either side of the centreline of the water mains or 3.5 metres either side of the centreline of the public foul sewer

- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of the construction works

Natural England has stated that the applicants must ensure that best practice is in place for operating machinery to reduce unnecessary noise.

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, as listed below, and after due regard to all other relevant material considerations including the National Planning Policy Framework and the emerging draft 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 26.NC, 18.CO, 22.NC, 25.NC, 28.ES, 34.ES, 35.ES, 37.ES, 45.ES, 59.BE, 62.BE, 63.BE, 74.H, 100.T, 102.T, 104.T, 147.OS, 169.LB, 170.LB, 171.LB, 175.LB, 190.IN.

Pre-submission Eastleigh Borough Local Plan 2011-2029 Policies DM1, DM2, DM3, DM6, DM7, DM8, DM9, DM10, DM23, DM24, DM28, DM37, H02.

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.

C L Thomas
Head of Development Control

N.B. See Enclosed Notes (PER)