

Planning and Rights of Way Panel 20th February 2024
Planning Application Report of the Head of Transport and Planning

Application address: North Quay, Wharf Road, Woolston, Southampton			
Proposed development: Short and long-term secure car park for cruise passengers for a period of 5 years, including security fencing, and ancillary staff and customer facilities in ISO containers (Retrospective) (Resubmission ref 23/00810/FUL) (Departure from local plan).			
Application number:	23/01500/FUL	Application type:	Change of use
Case officer:	Andrew Gregory	Public speaking time:	5 minutes
Last date for determination:	15.01.2024 (ETA 23.02.2024)	Ward:	Woolston
Reason for Panel Referral:	Departure from the development plan and 3 objections received	Ward Councillors:	Cllr Blatchford Cllr Payne Cllr Ugwoeme
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Oceanic (Woolston) Ltd		Agent: Boyle & Summers Ltd	

Recommendation Summary	Conditionally approve – Temporary 5 year consent
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Community Infrastructure Levy Liable	Not applicable
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations 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. 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 (revised 2023). Policies – CS6, CS7, CS9, CS18, CS19, CS22 and CS23 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP16 and MSA18, of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Customer notification
3	Airlynx Resident letter		

Recommendation in Full

Conditionally approve - temporary consent for 5 years
(starting from commencement of unauthorised use on 31.03.2023)

1. The site and its context

- 1.1 North Quay in Woolston has a site area of 0.69 hectares and have been cleared and vacant following the closure of Vosper Thorneycroft ship building yard in 2004. The site has a quayside frontage with deep water birth. Access is available from Keswick Road and Wharf Road with palisade fencing enclosing the site. The site has a compacted crushed aggregate surface. An existing boat yard and slipway bounds the site to the north. The proposal site forms part of wider land allocation for maritime based research and development and light industrial uses which require access to the waterfront under policy MSA19 of the Local Plan Review. Planning permission was granted in 2008 for marine related Industrial buildings with a fabrication building and car park located on the proposal site, this formed part of a wider boat building side, intended to be occupied by Palmer Johnson (planning permission ref 08/00629/FUL).
- 1.2 The site has been occupied for cruise parking without planning permission since 31st March 2023. The operator 'Airlynx' has leased the site and provides short and long stay parking for the cruise terminal with a transfer service. The office/storage/WC facilities are located in the south-west corner of the site and are temporary buildings/shipping containers.
- 1.3 The area has a mixed industrial and residential character. Existing housing is located to the east on the adjacent side of Wharf Road/Keswick Road. Flatted development is also located further to the north, beyond the slipway and neighbouring boat yard. Marine industry (Ocean Infinity) comprising a large industrial building and yard is located to the south, with vacant employment land located further to the South with Centenary Quay beyond. Parking controls are in place within Keswick Road/Wharf Road with TRO on-street parking in Keswick Road restricted to a maximum 1hr. Double yellow line restrictions are in place on both sides of Wharf Road.

2. Proposal

- 2.1 This application seeks change of use of the land for short and long stay cruise car parking for a temporary period of 5 years. The application is retrospective and has been operating from this site since 31.03.2023. The car park has a crushed aggregate surface and is not marked out. The application form indicates that the site has a capacity for 350 vehicles, but realistically the site can accommodate circa 250-270 vehicles when accommodating lanes for vehicle circulation. The operator Airlynx provide a park and ride service and the site is open 7.30am-4pm, 7 days a week. 3 no. ISO containers and WC block providing ancillary staff and customer facilities are located on the southern site boundary. Additional palisade fencing has been installed to fully secure the site.

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) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**. There are no specific policies related to off-site cruise passenger parking.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 225 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.

4. Relevant Planning History

- 4.1 Planning permission was granted in 2008 for marine related Industrial buildings with a fabrication building and car park located on the proposal site, this formed part of a wider boat building side, intended to be occupied by Palmer Johnson (planning permission ref 08/00629/FUL).
- 4.2 An earlier planning application for cruise car parking was submitted last year (ref 23/00810/FUL) and subsequently withdrawn because of insufficient supporting information regarding the transport and operational impacts.

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. At the time of writing the report **3 objections** have been received from surrounding residents. The following is a summary of the points raised:

- 5.2 ***Since airlynx has been at the wharf road site there has been an increase in road traffic with airlynx vehicles not sticking to the 20MPHs put in place by the council. When the site is open there is constant traffic up and down wharf road.***
Response

The site had been vacant since 2004 and use of the site for cruise car parking since March 2023 would have led to an increase in traffic on Keswick Road/Wharf Road. No objections have been raised by Highways Development Management concerning pedestrian and highway safety. Keswick Road/Wharf Road includes traffic calming measures and footway on both sides. 20mph speed limits are enforceable by police and any offenders could be prosecuted. Demand for this car park will be spread over multiple cruises and not all customers will be turning up at once.

- 5.3 ***Airlynx open site hours before advised working hours and also after. There has been coaches waiting along side my property early hours of the morning***

including Sunday mornings too having their engines running along with lorries and hiabs. Airlynx have failed to provide designated opening times which again causes a disruption to residing neighbours who live on the housing estate as they open before 7am. Airlynx have also falsely advise monday to Friday 9 till 5pm but this is not the case as they open before 7am and all through the weekends too.

Response

Officers have been working with the applicants to look at operational control measures to reduce and mitigate against adverse noise disturbance to neighbours. Airlynx staff arrive at the site at 7.30am but customers are told not to arrive until 8.00am and the site closes at 4.00pm. Airlynx advise customers not to park and wait in Keswick Road/Wharf Road if they arrive before 8am. Airlynx have also written to neighbouring residents to provide out of hours contact details in the case of any noise nuisance out of hours – **Appendix 2 and 3** refer.

- 5.4 ***The land that is used for the cars to park on cause significant air pollution by kicking up a lot of dirt and dust. Which effects our health as this sort of material is not suitable to be used for a car park. Due to the excessive use of the land this is also cause sever puddling not only through out the land but also at the main entrance too.***

Response

The nature of the crushed aggregate surface can create some dust during dry months and does puddle in some areas. The applicants are working to fill holes and have agreed to introduce dust management arrangements and have invested in a water bowser. Resurfacing is unlikely to be viable given the temporary nature of the application and size of the site (0.69 hectares).

- 5.5 ***There has been car alarms going off through out the day and also at night. When contacting airlynx about this no response was given and was simply ignored.***

Response

Airlynx have now written to residents to set out security and noise control measures and have provided out of hours contact details.

- 5.6 ***The view of the land is unsightly with the amount of vehicles being held. Airlynx have requested a space for upto 350 cars to be parked on site with no thought of the neighbours to the site from noise and pollution.***

Response

The site has been cleared and vacant since 2004 and was previously occupied and continues to be allocated for marine industry. The site has long been enclosed with palisade security fencing to Wharf Road. In the historic and land use context the use of the land for car parking is not considered adversely harmful in relation to noise and pollution, given that cars arrive/depart on a staggered basis and operational control measures have been put in place to mitigate against noise nuisance.

- 5.7 ***The site also has no security day or night so poses a high risk of crime to occur which also puts us as residents at risk. Before airlynx arrived children could go out and play with in the estate this has now stopped due to the risk of the children being hurt due to the volume of traffic now on the estate.***

Response

The submission indicates the site is staffed 7.30am-4.00pm and has monitored 24hr

CCTV coverage. The site is secured with palisade fencing and gates which are locked out of hours. The applicants have written to residents to provide reassurances around site security when the site is closed and have provided out of hours contact details.

5.8 ***This has already happened with no consultation to the residents and its unfair. I feel this area should be used to benefit Woolston and the surrounding community but all it does is bring additional traffic to the area where children need somewhere to play instead. The extra traffic is not bringing any much needed income to Woolston at all whereas this site could be used for something that could or be used to be used by the local residents. I cannot believe all the security fencing and containers have been put up without permission I think it's appalling***

Response

This retrospective planning application followed an enforcement investigation into the unauthorised use of the site for cruise car parking. The UK planning system does allow planning applications to be submitted retrospectively. Residents have been consulted as part of this planning application, but officers do not condone the applicants approach to securing permission following their material change of use occurring.

This site is allocated for marine employment use and has been vacant and actively marketed since 2004. Given the site's location with a deep berth next to the dual tide River Itchen the Council remains hopeful that a suitable marine related employer can be found for the site, but recognises that the site has been marketed as such for a number of years without success and a 'meanwhile use' is deemed suitable. The shipping containers providing ancillary staff and customer facilities are located on the southern boundary and are not visually prominent from the public realm or neighbouring residential properties. Palisade fencing has been used to secure the site and has long been in situ along much of the frontage to Wharf Road.

Consultation Responses

5.9

Consultee	Comments
Cllr Keogh	As a local ward councillor I am concerned about the impact of noise and traffic on local residents given the restricted access to the site. I am aware that families in this area have very limited social amenities.
SCC Highways Development Management	<p>No objection</p> <p>The proposed development will provide both benefits in reducing number of smaller car trips and can act as a park and ride service; but also disadvantages, such as increased cross-city centre trips if cars are arriving from the West of River Itchen.</p> <p>The submitted documents suggest that shuttle services and passenger movements start from 7am-8am and is staggered throughout the day.</p> <p>On a best case scenario, the development could act as a park and ride service and consolidate multiple car trips. However, there is also a likelihood that more vehicular trips would result in</p>

		<p>this development if travelling from the West. For example, drivers coming from M271, The Avenue or Thomas Lewis Way would likely travel through the city centre and cross the Itchen Bridge. Once parked, the shuttle bus would then travel across the bridge, drop off and come back over the bridge once again.</p> <p>The Transport statement suggests that customers from the East and it advised and encouraged by the operators in order to avoid the city centre. Although this may not be effective for all trips, as majority of travellers coming from M27/New forest/M3 direction would likely come from the West of the city. The site does benefit from 11 and 18 seater mini buses which will capture roughly 3-6 car journeys each. AS such, this may balance out the level of trips which come from the West when consider that still a good portion of customers would still arrive via the East.</p> <p>The Transport statement suggests that the shuttle buses will leave the site once it is full. This is quite important and useful in consolidating the level of car journeys. Without it, the level of trip consolidation will reduce.</p> <p>In summary, there are pros and cons to the proposed development but if we can secure a management plan which sets out the retention and commitment to encourage all customers to travel to the site from the East of the River Itchen and that the shuttle buses should depart once full or nearly full (unless of exception circumstances such as passengers running late). Furthermore, as the consent is temporary for 5 years, this allows a degree of flexibility. As such, the application can be supported subject to the following condition:</p> <p>1) Operation Management Plan. A management plan to clearly advise and encourage all customers to arrive to the site from East of River Itchen (via Junctions 7 and 8 of M27 for example). Shuttle buses should always aim to depart the site once fully occupied in order to consolidate multiple car journeys into one mini bus journey.</p>
	<p>SCC Environmental Health</p>	<p>No objection following the receipt of the acceptable information in relation to the following:</p> <ul style="list-style-type: none"> • A copy of the information sent to customers as part of the online booking re arrival and departure arrangements, opening times 8am-4pm, emergency contact number and indicating measures to discourage customers arriving early and waiting in the street. – Indicating other local car parks that can be used if arriving early; • Details of the letter drop to neighbours providing contact details (including out of hours) and measures being put in place in mitigate noise and dust disturbance; • Dust management plan; • Amended operational management plan with details of how

	<p>the applicants 'queue' cars on site rather than on the road during processing and details of how the applicants process arrivals e.g. drive into parking space, operator collects bags and puts them on the coach, client gets on coach for departure to the docks.</p>
SCC Flood	<p>No objection</p> <p>The site is located within Environment Agency flood zone's 1, 2 and 3. The proposed development is classified as 'less vulnerable' (NPPF Flood Risk Vulnerability Classification) and therefore is acceptable within FZ1, 2 and 3.</p> <p>The modular buildings are placed within an existing area of hardstanding therefore there is no change to the surface water runoff rate of volume generated. Some minor betterment could be achieved through inclusion of soft landscaping immediately around the units to utilise surface runoff.</p> <p>Subject to the development being short-term (5 years) and locating the offices (as per the submitted application) within the south-east corner of the site (FZ1) there are no objections from Flood Risk Management.</p>
Environment Agency	<p>No objection and request informatives regarding flood warning and environmental permit (works in close proximity to main river/sea defence)</p>
SCC Land Contamination	<p>No objection</p> <p>This department does not recognise any land contamination risks that could affect this proposal and has no objection to approval be given.</p>
SCC Ecologist	<p>The application lies adjacent to the River Itchen. The site itself has negligible biodiversity value however, the adjacent river forms part of the Solent and Dorset Coast Special Protection Area (SPA).</p> <p>Motor vehicles produce a range of pollutants which can adversely affect the aquatic environment and impact the interest features of the designated site. To prevent adverse impacts, measures will be required to ensure that no pollution can be released into the river.</p> <p>In addition, the river supports species which are sensitive to artificial light. It is important, therefore, that light is not able to spill from the site on to the water.</p> <p><i><u>Officer Response</u> – Given the existing negligible biodiversity value, industrial land allocation and temporary nature of the proposed car park, ecological mitigation is not considered</i></p>

	<i>necessary or reasonable. A condition can be added to ensure that any security lighting is directed into the car park.</i>
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6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- Principle of development;
 - Impact on the character and appearance of the area;
 - Highways Impacts; and
 - Residential amenity.

Principle of Development

6.2 Paragraph 85 of the NPPF advises that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both, local business needs and wider opportunities for development.

6.3 North Quay has a protected employment allocation for maritime-based research and development and light industrial uses which require access to the waterfront adjacent to and in the vicinity of the existing deep water quay, under MSA18 of the Local Plan. Policy CS7 of the City Centre Action Plan advises that all existing employment sites and allocations should remain safeguarded unless there is strong justification for release, for reasons such as the site is not viable for employment use or if redevelopment would provide strong and distinctive planning/regeneration benefits.

6.4 It is recognised that North Quay has remained vacant for circa 20 years despite being actively marketed. However, it is considered that the existing allocation remains important for future growth of the marine employment quarter given and quayside location with deep water berth. That said, bringing this vacant site into temporary cruise car park to support the growth in the cruise sector on a short term basis (5 years) would provide economic benefits, as promoted by policy CS6 and CS9 of the Core Strategy. It is recognised that there has recently been an increase in demand for cruise parking outside of the port which is likely to be due to a combination of growth in the cruise market and the opening of a 5th Cruise Terminal, but also because of increased market competition with private operators competing with ABP for market share.

6.5 The proposed cruise parking does also bring some employment benefits, albeit limited, with the provision of 6-8 members of staff working from the site at peak periods

with 1-3 members of staff working in the office/directing traffic and the remaining driving the minibuses.

- 6.6 The use of the site for a temporary 5 year period is not considered to undermine the site allocation having regard to its period of vacancy and limited physical works would be needed to return the site to its previous condition. As such the temporary release of the site for cruise car parking for a temporary period until 31.03.28 is considered acceptable in principle.

Impact on the character and appearance of the area

- 6.6 There are precedents elsewhere in the city for car parking and vehicle storage on employment land. The proposed use of this site for car parking on a temporary basis is not considered harmful to the character of the area having regard to the historic land use and site allocation as part of the Marine Employment Quarter. The security fence to Wharf Road has been in situ for a number of years and the additional palisade fencing to fully secure the site will not have a harmful visual impact given the site context, albeit once a more permanent solution can be found there will be the opportunity to improve the outlook for neighbouring residents through a properly designed landscaping scheme. Moreover the ISO containers are located discretely against the southern boundary and will not have a harmful visual impact from the public realm.

Highways Impacts

- 6.7 The Council's Highways Development Management Team are satisfied that the proposals will not lead to harmful highway safety or congestion impacts on the network. The proposals would assist in spreading the distribution of cruise car parking away from the Port of Southampton and may lead to a reduction in vehicle trips to the city centre, particularly from passengers arriving from the east of the City. The existing highway conditions within Wharf/Keswick Road in terms of footway provision, TRO parking controls and speed calming measures will ensure the development will not prejudice pedestrian safety.

- 6.8 A condition is recommended to direct customers to arrive/depart the site via routes which avoid the city centre. Consideration has been given to EV charging, however it is considered that it would not be reasonable to require the applicants to invest in EV infrastructure on the basis of a temporary planning permission.

Impact on neighbouring amenities

- 6.9 Since the unauthorised use of the site for cruise car commenced in March 2023, adjacent residents have raised concerns regarding traffic impacts, noise associated with early morning customer arrivals, site security and dust impacts.

- 6.10 In terms of traffic impacts, the planning application indicates a parking capacity of 350 vehicles, however a capacity of approximately 270 vehicles is more realistic for a configuration that includes lanes to enable vehicle movement in the car parking area.

- 6.11 The submitted operational statement indicates:

“Our busy period for the cruise season runs between April to November, when we expect to accommodate approximately 500 customer cars in and out of the site every week. During this period, we operate approximately 5 days a week, but this does vary depending on the cruise ship schedules and can require a 7-day a week operation. Our quiet season is from December through to March, we expect to be open only 1-2 days a week, again this does depend on which cruise ships are in port.

On our busiest days, during the peak cruise season, we can expect up to 200 cars and operate approximately 25-30 shuttle journeys into the port, taking almost 85% trips off the city centre road network”

- 6.12 The site is open to customers between 8am-4pm and arrivals and departures would reflect the staggered embarkation and disembarkation of the cruise ships. The submitted transport statement advises that disembarkation takes place between 8am-10.30am and embarkation 11am-3.30am, as such vehicles customer vehicles entering and exiting the site are spread out. The site check in arrangements are also designed to enable vehicles to enter the site and to prevent queuing on the public highway.
- 6.13 The applicants acknowledge there have been instances of customers arriving at the site before the site is open to customers at 8am and causing noise disturbance. The applicants have now updated there booking procedures to advise customers not to wait Wharf Road/Keswick Road and instead directs them towards public car parks and amenities in Woolston District Centre if they arrive early. Signage has also been erected asking customers to be considerate of neighbours and to keep noise to a minimum. A copy of the booking information sent to customers is attached as **Appendix 2** and a copy of a letter Airlynx have sent to neighbours to provide reassurances regarding noise and security issues is attached as **Appendix 3**.
- 6.14 In terms of site security arrangements, the site is gated and enclosed with security fencing and covered by CCTV and the applicants advise that this is monitored 24hrs. In respect of dust it is recognised that in dry summer months the crushed aggregate surface could lead to dust impacts as a result of vehicle movements, and the applicants have acquired a water bowser do dampen the car park during dry periods. They also advise that should they secure planning permission, they will look to install a more permanent surface however it is unclear if they would make such an investment on the basis of a temporary planning permission.
- 6.15 Given the historic and authorised industrial land use context and wider MEQ allocation for marine industry and having regard to the proposed operational management controls, the use of the site for cruise car parking on a temporary basis is not considered adversely harmful to the amenities of neighbouring occupiers.

7. Summary

- 7.1 In summary, the proposal would bring this vacant employment site into use to support car parking demands and growth within the cruise sector. Operational management controls in relation traffic routing, hours of opening, arrival/ booking arrangements, and dust management controls are considered acceptable to mitigate against congestion, noise and dust disturbance to neighbours. The site has an important

allocation for marine industry based on its quayside location and deep water berth and, therefore, it is recommended that consent for the car park should be given on a short term basis of 5 years to ensure the site is not lost for marine employment use in the long term.

8. Conclusion

8.1 It is recommended that planning permission be granted for a temporary 5 year period and subject to the conditions set out below.

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) (vv) 6.(a) (b) 7.(a)
Andrew Gregory PROW Panel 20.02.24

PLANNING CONDITIONS

01. Temporary Permission (Performance)

The development hereby approved shall be discontinued either on or before the period ending on 31.03.2028. After this time the land shall be restored to their former condition, with the removal of the security fencing, ancillary staff and customer facilities in ISO containers associated with this temporary planning permission, or to a condition to be first agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the special circumstances under which planning permission is granted for the development.

02. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

Reason: For the avoidance of doubt and in the interests of proper planning

03. Hours of Use and Delivery times (Performance)

The use hereby approved shall not operate outside of the hours hereby set out:
7.30am - 4.00pm, 7 days

Between 7.30am-8.00am the site shall only be accessed by staff. Customers shall not access the site before 8am and must be advised not to park and wait in Keswick and Wharf Road and should be directed towards the public car parking and amenities within Woolston District Centre if arriving before 8.00am.

Reason: In the interests of existing residential amenity

04. Operational, dust and traffic Management Plan (Performance)

The development hereby approved shall operate fully in accordance with the submitted Operational, Dust and Traffic Management arrangements, as set out within the email from Harry Brookwell of Hampshire Logistics Ltd dated 08.01.2024 at all times during the period of temporary planning permission hereby approved.

Shuttle buses shall aim to depart the site once fully occupied in order to consolidate multiple car journeys into one mini bus journey.

All customers shall be sent the following notification when their booking is confirmed:

OPERATING TIMES & INFORMATION

Opening Hours for Cruise Days: 08:00am - 16:00pm

If arriving early it is advised to park using the car park in Woodley Road one road over from Wharf Road as there is no public parking on or around Wharf Road and Keswick Road. There are coffee and breakfast shops situated in the Victoria Road which is one road over from the public car park.

TRAVEL ADVICE

If travelling in from the North using the M3 onto the M27 Take Exit 5 on A335 towards Southampton and Eastleigh following the route along Thomas Lewis Way avoiding the City Centre. If travelling from the South from the A27 onto the M27 Take Exit 8 towards Southampton and Hamble following along Bursledon Road onto Portsmouth Road avoiding the City Centre.

Reason: In the interests of residential amenity and highway safety.

05. External Lighting Scheme (Pre-Occupation)

Any external lighting shall be directed into the site and shall be designed not to spill on to the water or towards adjacent residential properties.

Reason: In the interest of residential amenity/to minimise the impact on protected species.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS9	Port of Southampton
CS18	Transport
CS19	Car & Cycle Parking
CS22	Biodiversity
CS23	Flood

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

SDP1	Quality of Development
SDP16	Noise
MSA18	Woolston Riverside

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2023)