

Planning, Transport & Sustainability Division
Planning and Rights of Way (WEST) Panel - 9 February 2016
Planning Application Report of the Planning and Development Manager

Application address: 101 Redbridge Road, SO15 0ND			
Proposed development: Subdivision of existing unit into 3 retail units and the installation of 3 new shopfronts and the arrangement of existing car parking area to provide a loading bay			
Application number	15/02137/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	25.12.2015	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr McEwing Cllr Whitbread Cllr Pope
Referred by:	Cllr Pope	Reason:	Concerns with operation of retail unit
Applicant: Porcelanosa Uk Limited		Agent: Higgs Young Architects - Fao Ms Nisha Vekaria	
Recommendation Summary		Conditionally approve	

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 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP5, SDP7 and SDP9 of the City of Southampton Local Plan Review (Amended 2015); CS13 and CS19 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Site history

Recommendation in Full

Conditionally approve

1.0 The site and its context

1.1 The application site is currently occupied by a single large retail unit. The site was

originally granted permission for redevelopment of the site and the existing retail use in 1994.

- 1.2 The side of the unit fronts onto Redbridge Road, with a large parking area and access from Alington Road. The site is adjacent to the rear of residential properties on Oakridge Road and just west of the Millbrook Trading Estate.

2.0 Proposal

- 2.1 The applicant is proposing a number of modifications to the existing building, a number of which do not themselves need planning permission. They are seeking to subdivide the existing retail premises to form three separate units. Provided these units remain within the same Class A1 retail use planning permission is not required for this subdivision - however planning permission is required for the physical alterations to facilitate this use. As such the major feature being considered under this application is the physical alterations to the front of the building to create three shopfronts from the existing one.
- 2.2 Following amendments to the scheme, internal alterations proposed by the applicant to facilitate the subdivision of the units (including alterations to the mezzanine floor) now fall within the permitted development rights of the existing retail use and as such do not form part of this application.

3.0 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 National Planning Policy Framework (NPPF) came into force on 27th March 2012 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.

4.0 Relevant Planning History

- 4.1 The existing retail use was conditionally approved under planning application 940722/W in 1994. As part of this application a number of conditions were imposed relating to the car parking and landscaping, however no conditions were put in place to control the hours of opening or other operational elements of the use.
- 4.2 An application was conditionally approved for associated works for the sub-division of the use to 2 units in 2003, however it does not appear that this consent was ever implemented.

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and

nearby landowners and erecting a site notice (10.11.2015). At the time of writing the report 1 representation has been received from surrounding residents. An objection and referral request has also been received from Ward Councillor Pope. The following is a summary of the points raised:

- 5.2
- Overlooking of neighbouring gardens

Response: This application relates to alterations to the existing shopfront and car park. It does not appear that this would result in a harmful increase in overlooking of neighbouring properties.

Consultation Responses

- 5.3 **SCC Highways** - No objection.

- 5.4 **Health and Safety Executive** – No objection.

- 5.5 **Cllr Pope** –

- Overlooking (suggest condition requiring close board fencing and sound reducing boarding)
- Propose conditions to control noise associated with site
- Suggest S106 agreement requiring highways alterations in surrounding area
- Opening times and delivery hours should be restricted
- Concern for potential of additional light pollution

6.0 Planning Consideration Key Issues

- 6.1 There are two main issues to be considered as part of this application:

6.2 Alterations to frontage

The application proposes alterations to the existing retail frontage to facilitate the creation of three separate units. The specific alterations to advertisements on the frontage will fall under the remit of separate advertisement applications so all that is being considered under this application is the physical alterations necessary to the building to facilitate this.

- 6.3 Broadly, the alterations are considered to be relatively minor in nature and are not considered to represent a harmful alteration to the overall character and appearance of the property in its context.

6.4 Parking layout and highways

The alterations to the parking layout seek to provide a designated loading area. No objection is raised to the proposed layout which appears to represent an improvement over the existing situation in terms of highways safety for the manoeuvring of larger vehicles within the site. The application does not give rise to the need for highways alterations in the surrounding area.

6.5 Other issues

- 6.6 A number of concerns have been raised by Cllr Pope (section 5.5) in addition to the issue raised by a local resident in their representation letter (section 5.2). The issues appear to primarily relate to the operation of the existing retail usage within

the site.

- 6.7 While the current application has been submitted as part of a scheme of larger works on the site, it is important to note that this application has been submitted solely on the basis of the relatively minor external physical works to facilitate this use. When considering what planning conditions are appropriate there are a number of tests conditions must meet in order to be imposed, with one of these tests being that it must relate fairly and reasonably to the development being permitted (see para 206 of the National Planning Policy Framework).
- 6.8 The issues raised by the local resident and Cllr Pope may be an issue of concern for nearby occupiers. However, it is not felt that these issues relate directly to the works for which permission is sought as part of this planning application and as such it would be unreasonable to impose conditions relating to these issues. Any nuisance to neighbouring occupiers of the site should continue to be raised with, and addressed by, the Environmental Health team.

7.0 Summary

- 7.1 The application proposes a number of alterations to the existing site to facilitate the sub-division of the existing single retail unit into three (in addition to internal alterations). The sub-division of the existing unit and internal alterations do not themselves require planning permission so the application has been assessed on the impacts of the physical alterations only which are considered to have a relatively minor impact on the overall appearance and design of the existing building.

8.0 Conclusion

- 8.1 For the reasons outlined above, the application is recommended for conditional approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a)(b)(c)(d), 2(b)(d)(f), 4(vv), 6(a)(b)

JF for 09/02/16 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. 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.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design
CS19 Car & Cycle Parking

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

SDP1 Quality of Development
SDP5 Parking
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance

Supplementary Planning Guidance

Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

04/00898/ADV, Installation of internally illuminated fascia signs to the front and side elevations.

Conditionally Approved, 20.07.2004

04/00859/FUL, Installation of security shutters to the windows on the North East and South East elevations of building.

Conditionally Approved, 26.07.2004

04/00198/ADV, Installation of an internally illuminated free standing sign to the north side of site and internally illuminated fascia signs.

Conditionally Approved, 15.04.2004

03/01337/FUL, External alterations to doors and windows.

Conditionally Approved, 13.11.2003

02/01604/FUL, Sub-division of retail unit to form two retail units and installations of new shopfronts and roller shutters.

Conditionally Approved, 13.01.2003

970846/WA, Installation of an illuminated fascia sign

Conditionally Approved, 16.09.1997

951030/WA, Installation of freestanding illuminated v-board

Conditionally Approved, 13.11.1995

950740/WA, Installation of illuminated fascia signs

Conditionally Approved, 08.09.1995

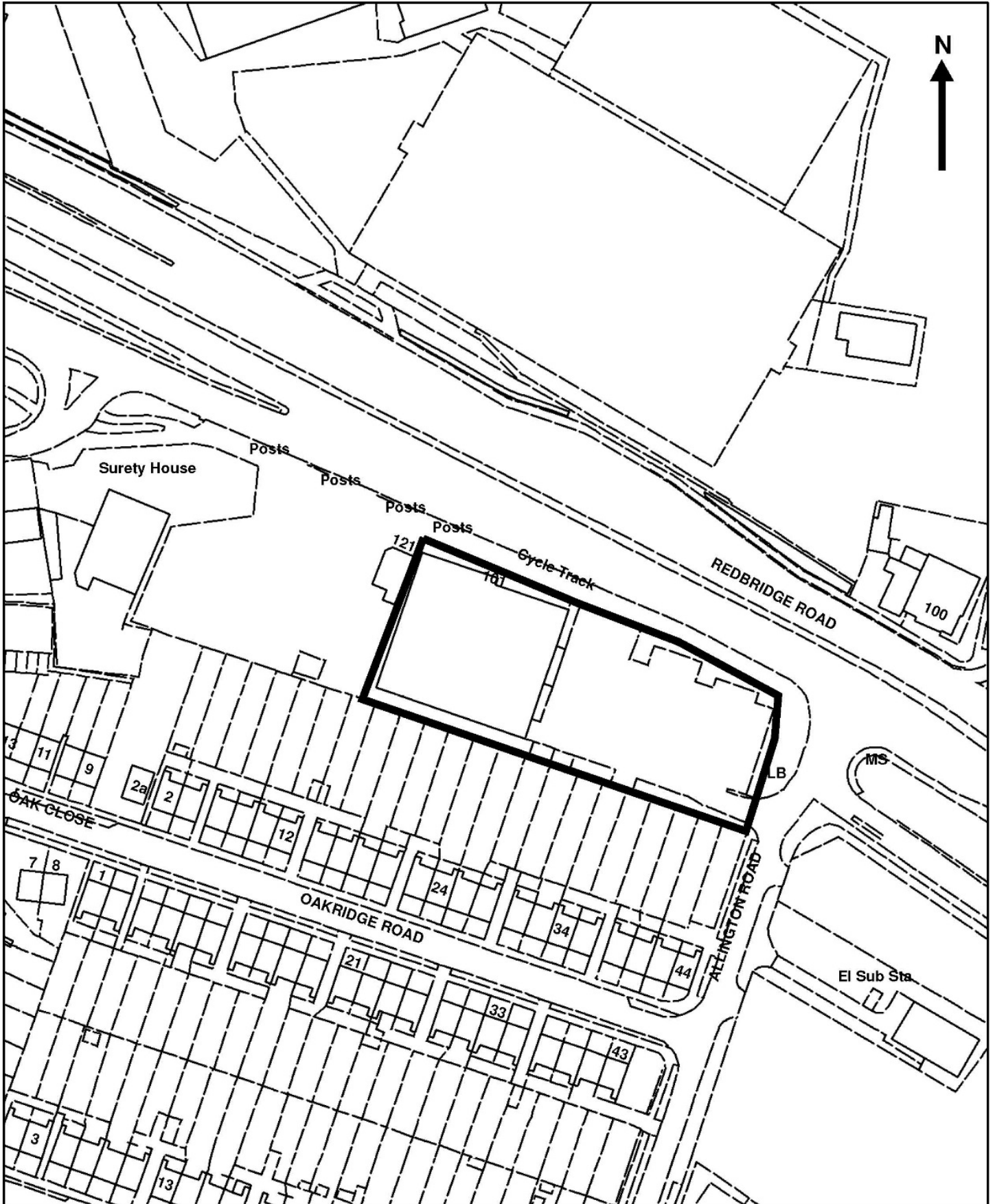
950351/W, Installation of air condenser unit and tv aerial

Conditionally Approved, 02.06.1995

940722/W, Erection of a single storey non-food retail unit with associated car parking

Conditionally Approved, 09.12.1994

15/02137/FUL



Scale: 1:1,250

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