

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 21 August 2012
Planning Application Report of the Planning and Development Manager

Application address: 84 Alfriston Gardens SO19 8FU			
Proposed development: Change Of Use From A1 (Retail) To A5 (Hot Food Takeaway) Including Installation Of The External Flue To The Rear			
Application number	12/00729/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	5 minutes
Last date for determination:	09/07/2012	Ward	Sholing
Reason for Panel Referral:	Referred by the Planning & Development Manager	Ward Councillors	Cllr Blatchford Cllr Jeffery Cllr Kolker

Applicant: Mr George Morgan-Harris	Agent: Engineering Architecture
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Recommendation Summary	Refuse
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Reason For Refusal

The introduction of a third takeaway outlet within this small shopping parade serving a predominantly residential area and in immediate proximity to residential units is considered to result in a predominance of food uses operating during evening hours which would have a harmful impact on the amenities of the surrounding area. In particular the Council are concerned about additional disturbance and nuisance issues arising from the late evening hours of operation including the increased likelihood of the area being a focus for the gathering of groups with the potential for anti social behaviour. Accordingly, it is considered that the proposed development is contrary to policies SDP 1 (i) and REI7 of the City of Southampton Local Plan Review (March 2006).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

1. The site and its context

- 1.1 The site contains a three storey building within which the ground floor unit has a commercial use (retail use class A1) and the two floors above are used for residential purposes.
- 1.2 The unit in question forms part of a larger mixed block which at ground floor level is formed of six commercial units. Two of the existing commercial units are at present hot food takeaways (use class A5) where as the application site is currently vacant.
- 1.3 The mixed use block is located within an area which is characterised by

residential dwellings. The block does not form part of a designated commercial hub (Local or District Centre).

- 1.4 There is a very noticeable change in levels both within the area and across the site which slopes down from the front to the rear.

2.0 Proposal

- 2.1 The applicant seeks planning permission for A5 use (hot food takeaway) which it is argued will increase the potential for the unit to become occupied as there would be less reliance upon passing trade (customers being able to call/use the internet to arrange deliveries).
- 2.2 Minor internal alterations will be required along with the installation and addition of a flue extractor system to the rear elevation of the building.

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 (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

4.0 Relevant Planning History

- 4.1 12/00074/FUL - Change Of Use Of The Ground And Semi Basement Level From A Laundrette (Class A1)) To A Hot Food Takeaway (Class A5) And Installation Of An External Extract Flue To Rear. Refused.
- 4.2 Reason For Refusal

The introduction of a third takeaway outlet within this small shopping parade serving a predominantly residential area and in immediate proximity to residential units is considered to result in a predominance of food uses operating during evening hours which would have a harmful impact on the amenities of the surrounding area. In particular the Council are concerned about additional disturbance and nuisance issues arising from the late evening hours of operation including the increased likelihood of the area being a focus for the gathering of groups with the potential for anti social behaviour. Accordingly, it is considered that the proposed development is contrary to policies SDP 1 (i) and RE17 of the City of Southampton Local Plan Review (March 2006).

That application is currently the subject of a written representations appeal for which the Inspectors decision is awaited.

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 also undertaken which included notifying adjoining and nearby landowners and erecting a site notice (09/02/2012). At the time of writing the report **3** representations have been received from surrounding residents.

- When added to the noise generated by the existing extraction equipment noise generated will become a nuisance.
- Cumulative impact of 50% of parade being hot food takeaways, specifically increase litter, vehicular movements and congregation of young people.
- Late night opening hours are raised as a concern.

5.2 **SCC Highways** – No objection

5.3 **SCC Environmental Health (Pollution & Safety)** – No objection subject to the imposition of relevant conditions to control the noise and odour from the extract ventilation system and hours of operation.

6.0 **Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are whether or not the proposal is acceptable in terms of residential amenity and whether the addition of a third hot food takeaway within the parade would harm the balance of uses present within that parade.
- 6.2 The submitted Design and Access Statement details that last year the unit was occupied by hairdressers for a total of just two months. Prior to that the unit was occupied by a laundry for some 15 years, which then relocated to larger premises.
- 6.3 In principle the use of the unit as a hot food takeaway is not opposed and had there been fewer existing hot food takeaways within the parade the principle of the use would be acceptable. The Local Planning Authority, however, have concerns regarding the balance of uses proposed.
- 6.4 Policy RE17 of the Local Plan Review clearly identifies city, town, district and local centres as the most suitable locations for hot food takeaways given that footfall is higher than in residential areas and a greater amount of activity and noise can be expected.
- 6.5 Given that the application site is not located within a designated centre a third hot food takeaway is judged to increase the potential for harm to occur to the amenities currently enjoyed by local residents. In particular concerns relate to additional noise, odour and litter generated from the cooking process along with the movement of delivery vehicles.
- 6.6 In addition as hot food takeaways generally operate during the evening there is the increased likelihood of additional disturbance and nuisance issues arising from the late evening hours of operation including the increased possibility of the area being a focus for the gathering of groups with associated anti social behaviour being more probable.
- 6.7 It should also be noted that the application site falls within, what the Department of Communities and Local Government (DCLG) define as a 'Local Neighbourhood Parade' within the documents '*Parades to be proud of: strategies to support local shops*' (June 2012) and '*Parades of shops – towards an understanding of performance and prospects*' (June 2012). The site is '*in the heart of a residential community...with around 5-10 units, provides walk-in convenience shopping and limited local services*' (pg 4 'Parades to be Proud of')

- 6.8 The documents confirm that retail remains a key part of character and performance of local neighbourhood parades and provide the opportunity for day to day convenience shopping and service access for local residents.
- 6.9 In particular the elderly, disadvantaged and less mobile groups within the community may rely more heavily upon such services than the general population.
- 6.10 The councils own policies also seek to resist inappropriate forms of development and the loss of shops and services needed for day to day living.
- 6.11 Therefore, the loss of the unit, which has the potential to operate during day time hours and provide a function associated with day to day services; and establishment of a use which operates principally in the evening and fails to provide a range of services is not supported.

7.0 Conclusion

- 7.1 Overall it is believed allowing a third take-away on this small parade will be contrary to SDP1 of the Local Plan Review.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1a, 1b, 1c, 1d, 2b, 2d, 6c, 6i, 7a, 9a, 9b.

MP3 for 21/08/12 PROW Panel

POLICY CONTEXT

City of Southampton Local Plan Review – (March 2006)

SDP1 (Quality of Development)

SDP7 (Context)

SDP9 (Scale, Massing and Appearance)

HE6 (Archaeological Remains)

REI7 (Food & Drink Uses)

Local Development Framework Core Strategy Development Plan Document (January 2010)

CS13 (Fundamentals of Design)

Other Relevant Guidance

Department for Communities and Local Government, Parades of Shops - Towards an understanding of performance & prospects (June 2012)

Department for Communities and Local Government, Parades to be Proud of: Strategies to support local shops (June 2012)

NORTH

12/00729/FUL



Scale : 1:1250

Date : 09 August 2012

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