

**Southampton City Planning & Sustainability**  
**Planning and Rights of Way Panel meeting 29 May 2012**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> The Bulls Eye Public House Butts Road SO19 1BJ			
<b>Proposed development:</b> Installation of ATM to front of proposed store (description modified following amended plans)			
<b>Application number</b>	12/00356/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	John Fanning	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	07.05.12	<b>Ward</b>	Sholing
<b>Reason for Panel Referral:</b>	Referred by Planning and Development Manager at request of Ward Cllr Fitzgerald, Cllr Cunio, Cllr Blatchford and public interest	<b>Ward Councillors</b>	Cllr Jeffery Cllr Blatchford Cllr Kolker

<b>Applicant:</b> Tesco Stores Ltd	<b>Agent:</b> Cgms Ltd
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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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.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Planning history

**Recommendation in Full**

**Conditionally approve**

**1. The site and its context**

1.1 The site is located on the corner of Butts Road and Heathfield Road. The site is currently occupied by a two-storey building which was previously in use as a public house. Land surrounding the building includes existing hard standing and

open areas. There is no change in site levels on the site. The site currently has two vehicular access points, one from Butts Road and one from Heathfield Road.

- 1.2 The site is location within a predominately residential area, with the adjoining Butts Road frontage featuring a row of commercial use. Butts Road is a Class C classified road.

## **2. Proposal**

- 2.1 This application is part of a set of 8 applications which seek to facilitate the change of the property from a pub (Class A4) to a retail unit (Class A1). The change of use from pub to a retail unit does not require permission. This application refers only to the details outlined below and should be assessed on this basis.
- 2.2 The application seeks planning permission for the installation of an external ATM unit, located at the north-east side of the existing building.
- 2.3 The proposed unit would face towards the main entrance.

## **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**.
- 3.2 Having regard to paragraph 214 of the National Planning Policy Framework dated 27 March 2012 the policies and saved policies set out in **Appendix 1** which have been adopted since 2004 retain their full material weight for decision making purposes.

## **4.0 Relevant Planning History**

- 4.1 Permission was originally granted for the erection of a licensed premises on this site in 1954. The opening hours were not restricted as part of this permission. More recently, in 2011, an application was refused for the redevelopment of the site to provide a retail unit and 8 flats.
- 4.2 This application is part of a set of 8 applications aimed at facilitating alterations to allow the permitted change from a public house to a retail unit. A list of all the relevant applications is included within **Appendix 2**.

## **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 on 22.03.12. At the time of writing the report **26** representations have been received from surrounding residents. The following is a summary of the points raised:

### **5.1.1 The ATM would attract additional traffic throughout the day and night**

#### **5.1.2 Response**

The potential for increased traffic and parking issues associated with the proposed development have been taken into account by the Highways officer consulted as part of this application. The recommendation made below (see paragraph 5.2) is considered to address this issue.

5.1.3 ***The ATM would result in an increase in anti-social behaviour associated with the site***

5.1.4 **Response**

The police have been consulted as part of this application (see paragraph 5.3) and the Local Authority will rely on their assessment of this issue.

5.1.5 ***The local area has ample ATMs so the development is not required***

5.1.6 **Response**

It is for the applicant to consider if they feel a proposal is viable given local circumstances and as part of the customer service they wish to provide.

5.1.7 ***The ATM will require 24 hour lighting which will detract from the residential amenity of the surrounding properties***

5.1.8 **Response**

It is not judged that the level of lighting required for the proposed development would represent a significantly harmful impact on the residential amenities of the surrounding properties.

5.1.9 ***The ATM should be provided internally, not externally***

5.1.10 **Response**

ATMs are a common feature of retail frontages which are generally considered to have a minimal impact. Without objection from an external consultee (such as the Police or Highways department) it would not generally be considered that the addition of an external ATM would have a significantly harmful impact to a retail unit or the character of the area.

#### **Consultation responses:**

5.2 **SCC Highways** – Relocation of proposed ATM was suggested to minimise potential for inconsiderate/unsafe parking. Amended plans relocated the ATM adjacent to the car park. No objections in terms of highways safety on the amended design.

5.3 **Police** – No objection to the proposal

## **6.0 Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:

### **6.2 Principle of Development**

The application site is adjacent to several other retail units. For this reason it is judged that the proposed ATM unit would not represent an incongruous or harmful addition to the street scene in the proposed location in terms of visual character.

### **6.3 Highways safety**

At the request of the highways department, amended plans have been submitted which relocate the proposed ATM to a site adjacent to the car park associated with the site. It is considered that this has sufficiently reduced the likelihood of potentially unsafe parking associated with the use of the ATM to a sufficient degree such that a reason for refusal is no longer justified on these grounds.

#### 6.4 Residential amenity

ATM have become a common feature on retail premises and provide a community facility as well as serving the retail unit directly. Given the minimal lighting required for the operation of the ATM and the comments received from the Police regarding the proposal, it is not considered that harm or anti-social behaviour will be caused by the proposal.

#### 7.0 Summary

7.1 Given the amended plans, the application is considered to be supportable taking into account the context and scale of the proposals.

#### 8.0 Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for 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) 4 (vv) 6 (a) (i)

#### **JF1 for 29/05/12 PROW Panel**

### PLANNING CONDITIONS

#### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not 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. APPROVAL CONDITION - Site access [Performance condition]**

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

#### **03. APPROVAL CONDITION - Servicing hours [Performance condition]**

All servicing of the premises, including loading and unloading, shall take place between the hours of 06:00-22:00 (6AM-10PM) unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

**04. APPROVAL CONDITION - Hours of Use [Performance Condition]**

The premises shall not operate outside the following hours:

Monday to Saturday      06.00 hours to 23.00 hours    (6.00am to 11pm)

Unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

**05. APPROVAL CONDITION - 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 - (January 2010)

CS13          Fundamentals of Design

City of Southampton Local Plan Review – (March 2006)

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

Other Relevant Guidance

National Planning Policy Framework (March 2012)

**Relevant Planning History**

1006/E - Erection of licensed premises, Permitted 27/11/52

1031/24 - Erection of licensed premises, Conditionally Approved 12/1/54

1546/E8 - Formation of a new entrance porch and alterations to the external appearance, Conditionally Approved 17/10/78

1665/E40 - Erection of single storey extension, Conditionally Approved 23/7/85

11/00508/FUL - Redevelopment of the site. Erection of a 3-storey building to provide a new convenience store (class A1) on the ground floor, and 8 flats on the first and second floors (6x2-bed and 2x1-bed flats) with associated parking and cycle/refuse storage, Refused 7/7/11

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**Current applications**

12/00353/FUL, External alterations to the building including: creation of new shopfront, and infilling of existing openings at ground and first floor level

12/00355/FUL - Erection of 11 no. steel bollards on Butts Road and Healthfield Road frontages (description modified following amended plans)

12/00356/FUL - Installation of ATM to front of proposed store (description modified following amended plans)

12/00357/FUL - Erection of open sided canopy to rear of building

12/00358/FUL - Extension and reconfiguration of existing car park hard standing

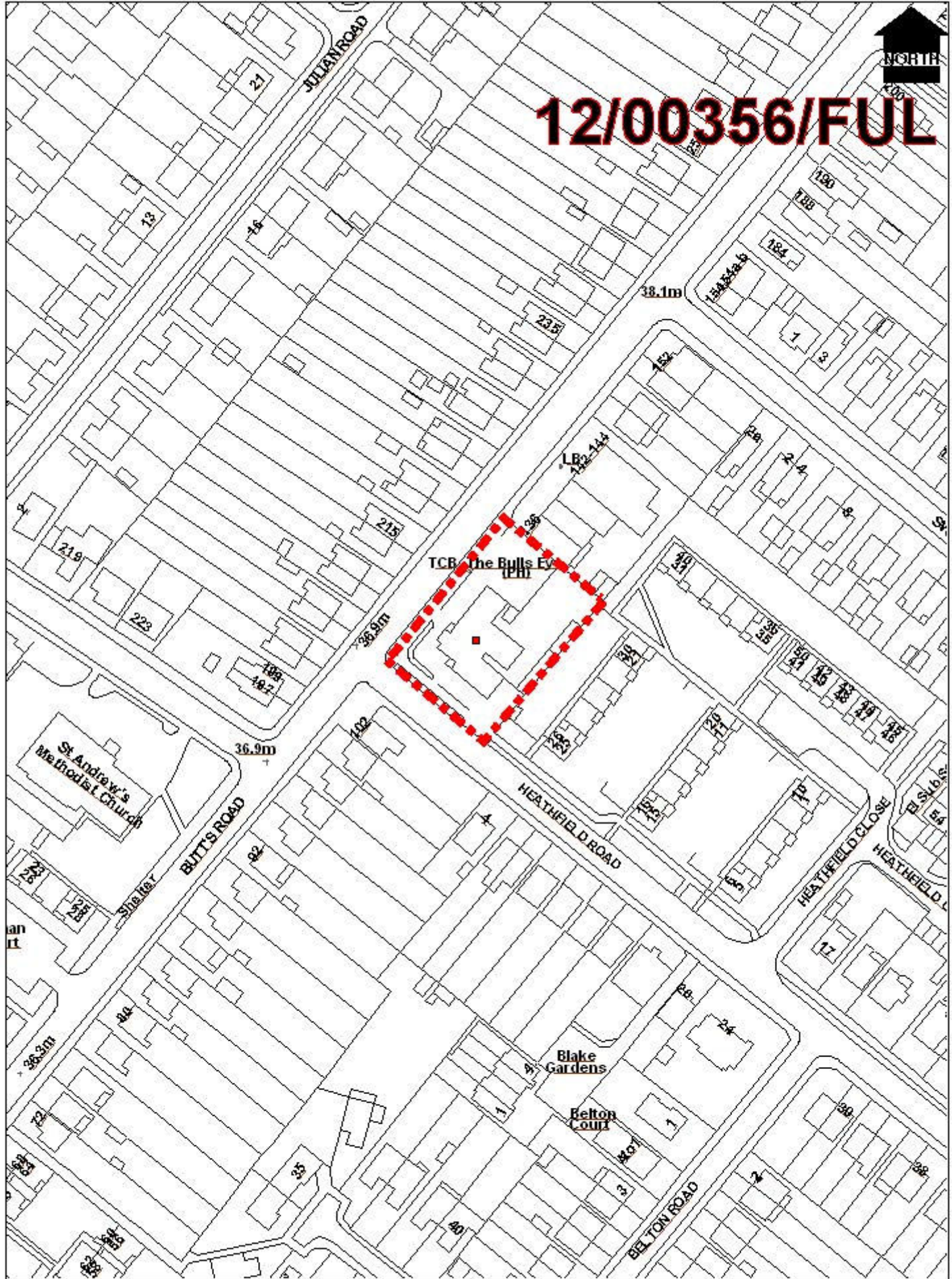
12/00359/FUL - Installation of plant equipment comprising of 3no. A/C units and external condenser unit, within contained rear plant yard

12/00360/FUL - Installation of external chiller/freezer unit to servicing area

12/00361/ADV - Advertisement application for 3 internally illuminated fascia signs, 1 projecting sign, 1 replacement gantry sign and 2 free-standing signs (description modified following amended plans)



**12/00356/FUL**



Scale : 1:1250

Date : 17 May 2012

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