

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel 26 March 2013  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Former Remploy Site, West Quay Road SO15 1GZ			
<b>Proposed development:</b> External alterations including recladding of existing factory building to provide temporary car showroom, workshop and associated administrative areas including new detached single storey structure for servicing and valeting. Change of use from B1 (light industrial) to sui generis (car showroom).			
<b>Application number</b>	13/00011/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Andrew Gregory	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	OVER	<b>Ward</b>	Bargate
<b>Reason for Panel Referral:</b>	Departure from the Development Plan	<b>Ward Councillors</b>	Cllr Bogle Cllr Noon Cllr Tucker

<b>Applicant:</b> Mr Michael Nobes	<b>Agent:</b> Simpson Hilder Associates
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<b>Recommendation Summary</b>	<b>Conditional approval (3 year Temporary Consent expiring 31.3.2016)</b>
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<b>Appendix attached</b>	
1	Development Plan Policies

**Reason for granting temporary planning permission until 31.3.2016**

The site is safeguarded for Industry and Warehousing use under Saved Policy REI10 (xiii) of the Local Plan Review. Whilst the proposed temporary car sales use does not strictly accord with the site specific designation, the Council is satisfied that car sales use can be supported for a temporary period in order to bring this vacant employment site back into use. The change of use is only supported on a temporary basis in order that the city retains a broad employment base and a supply of sites and premises that provide a variety of opportunities for industrial and warehouse development in the interests of future economic growth. The applicants seek to relocate from their existing nearby premises for a temporary period of 3 years whilst their existing site is being upgraded in accordance with planning approval 12/01469/FUL.

The development is acceptable, for a temporary 3 year period, taking into account all other relevant policies and proposals in the Development plan as set out below. Overall the principle scheme is acceptable, particularly it would provide continued employment use for the site and the proposed use will not prejudice neighbouring commercial and industrial activities.

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 temporary planning permission until

31.3.2016 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, SDP3, SDP4, SDP7 and REI10(xiii) of the City of Southampton Local Plan Review (March 2006) and policies CS6 and CS7 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

## **Recommendation in Full**

### **Conditional approval (3 year Temporary Consent expiring 31.3.2016)**

#### **1.0 The site and its context**

- 1.1 The application site comprises a vacant factory building authorised for light industrial use, previously occupied by Remploy (a government funded initiative that provided employment for disabled people). The factory building is single-storey and finished in face brick. The front of the site is landscaped with parking at the rear.
- 1.2 The site fronts West Quay Road and is located adjacent to West Quay Industrial Estate within an area safeguarded for industrial and warehousing use. Nearby premises fronting West Quay Road are occupied for car sales use.  
The site is served by a slip road running parallel to West Quay Road.

#### **2.0 Proposal**

- 2.1 The application seeks temporary change of use of the site with associated external alterations and a small extension, from B1 (light industrial) to car sales (sui generis) use. The applicants currently occupy Richmond Car Sales, a Hyundai dealership to the south-east of the application site, and have planning permission to undertake significant remodelling works to their existing premises. The applicants wish to relocate to the former Remploy factory site for a temporary period of 3 years, in order to continue to trade, whilst building works are being undertaken to their existing premises.
- 2.2 The proposal would involve external alterations to the front elevation to provide a shopfront. The front of the building would be occupied by the showroom and administration, with the rear part occupied as a workshop (with a small mezzanine occupied as a parts store). The front of the site would be occupied as a vehicular display area with the rear of the site used for parking and car storage. The application also proposes the erection of a single-storey ancillary building within the rear south-western corner, housing a vehicle ramp and valeting services.

#### **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 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> 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.

3.3 South-East Plan- following the strategic environmental assessment of the abolition of the South East Plan the government announced on the 13 February that the Order to give effect to the abolition would shortly be laid before parliament. Until the order is made the SE plan remains a material consideration but of very little weight.

#### **4.0 Relevant Planning History**

4.1 02/00207/FUL - Change of use to retail/car sales/servicing - Refused on 3.4.02 for following reasons:-

*"01. The applicants have not provided information in support of their proposals to demonstrate that the introduction of a retail or car showroom use would not harm the vitality or viability of the City Centre. The proposals would therefore be contrary to the objectives of the City of Southampton Local Plan. The proposals would in addition be contrary to the provisions of Policy RE19 (xiii) of the City Plan Review - Initial Deposit Edition which seeks to safeguard the application site and its surroundings for light industrial, general industrial and storage and distribution uses.*

*02. The proposals would give rise to increased pedestrian movements and do not make any provision for the safe movement of pedestrians to and from the site, most particularly in respect of road crossings. The proposals would therefore be detrimental to highway and pedestrian safety, contrary to the provisions of Policies GP1 and T2 of the City of Southampton Local Plan.*

*03. The proposals would give rise to increased vehicle movements associated with the application site and make no provision for works to highlight the one-way system on the adjacent service road for the benefit of visitors unfamiliar with that system. The proposals would therefore be detrimental to highway safety, contrary to the provisions of Policies GP1 and T2 of the City of Southampton Local Plan".*

#### **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 placing a Notice in the press on 22.2.2013 advertising the proposals as a departure from the development plan, notifying adjoining and nearby landowners and erecting a site notice (enter date). At the time of writing the report **no** representations have been received from surrounding residents.

5.2 **Planning Policy** - No objection to the proposed change of use for a

temporary period.

5.3 **Environment Agency** – No objection

5.4 **Southern Water** – No objection however an informative should be added to the decision notice advising the applicants to contact Southern Water regarding connection to the public sewer.

5.5 **SCC Environmental Health (Pollution & Safety)** - No objection

5.6 **SCC Highways DM** - No objections subject to conditions to safeguard highway safety and efficiency of adjoining highway network.

## 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

6.2.1 The application site is safeguarded for light industry, general industrial and storage and distribution uses (classes B1(c), B2 and B8). The proposed car sales use (sui generis) falls outside of the designated use class for the site and therefore the proposed change of use represents a departure from policy.

6.2.2 However, employment uses can be located within safeguarded areas like this.

Paragraph 8.43 (supporting policy REI10) within the Local Plan Review acknowledges that certain alternative employment uses are often found on industrial estates, as is the case here with a number of existing car sales premises within the immediate vicinity. Furthermore paragraph 4.6 within the Core Strategy sets out that employment generating uses located on industrial estates can include sui generis uses in some situations. Taken together these policies allow flexibility for other employment uses.

6.2.3 The change of use is however only supported on a temporary basis In order that the city retains a broad employment base and a supply of sites and premises that provide a variety of opportunities for industrial and warehouse development in the interests of future economic growth. As such the applicant seeks a 3 year temporary consent only whilst works are being undertaken to their existing premises nearby.

### 6.3 Design and Layout

6.3.1 The proposed shopfront, external cladding system and new detached single storey structure for servicing and valeting will not harm the character and appearance of the area having regard to the surrounding commercial context. The shop front is typical of a car sales premises and is comparable to neighbouring premises. The proposed detached building by reason of its single-storey scale and nature will not prejudice neighbouring commercial activity. Details of finishing materials will be controlled by condition.

#### 6.4 Impact on nearby commercial use

6.4.1 The proposed change of use is compatible with existing car sales premises located nearby on West Quay Road. Furthermore car sales use will not prejudice the operation of nearby commercial and industrial activities.

#### 6.5 Highway Matters

6.5.1 The site is located within a sustainable location in close proximity to the city centre. The area is well served by public transport and the site is also accessible by bike and on foot. Car parking is provided at the rear of the site and TRO restrictions are in place within the area to prevent harmful displacement parking within surrounding streets. The site is served by a slip road and therefore traffic seeking to access or egress from the site will not undermine the free flow of traffic along West Quay Road a condition will require all loading and unloading to take place within the site, so as to not interfere with the movement of traffic on the adjacent strategic highway network.

#### 6.6 Other Matters

6.6.1 Planning permission was refused in 2002 for change of use of the site to retail/car sales/servicing (reference 02/00207/FUL). That particular scheme was refused because insufficient information was submitted to demonstrate that the introduction of a retail or car showroom use would not harm the vitality or viability of the City Centre, and because of concerns regarding pedestrian and vehicle access given the highway layout at that particular time.

6.6.2 The proposed scheme is considered acceptable given its temporary nature and opportunity to bring the employment site back into use. Car sales represent a specialist form of retail and the provision of a new showroom is not considered to undermine the vitality or viability of the city centre.

6.6.3 Planning permission would be required for change of use from car sales use to standard retail use (class A1), because a mixed (sui generis) use is proposed, not just a car showroom. The existing service road currently provides acceptable pedestrian and vehicular access to the application and site and to existing neighbouring car show rooms.

### **7.0 Summary**

7.1 Whilst the proposed temporary car sales/workshop use does not strictly accord with the site specific designation, the Council is satisfied that car sales use can be supported for a temporary period in order to bring this vacant employment site back into use. The change of use is only supported on a temporary basis in order that the city retains a broad employment base and a supply of sites and premises that provide a variety of opportunities for industrial and warehouse development in the interests of future economic growth. The applicants seek to relocate from their existing nearby premises for a temporary period of 3 years whilst their existing site is being upgraded in accordance with planning approval 12/01469/FUL.

7.2 The development is acceptable, for a temporary 3 year period, taking into account all other relevant policies and proposals in the Development plan as set out below. Overall the principle scheme is acceptable, particularly it would provide continued employment use for the site and the proposed use will not prejudice neighbouring commercial and industrial activities.

## **8.0 Conclusion**

8.1 It is recommended that planning permission be granted for a temporary period of 3 years until 31.3.2016, subject to conditions.

### **Local Government (Access to Information) Act 1985** **Documents used in the preparation of this report Background Papers**

1 (a) - (d), 2 (a) (d), 3(a), 4 (d), (i), (i), (r), (uu), 5 (e), 6 (c), 7(a), 9 (a)-(b)

### **AG for 26/03/13 PROW Panel**

## **PLANNING CONDITIONS**

### **01. APPROVAL CONDITION - Time Limited (Temporary) Permission Condition - Change of use**

The use hereby permitted shall be discontinued on or before 31.3.2016 and the land and buildings restored to their former condition, or to a condition to be 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 this type of development, given that it is not considered an appropriate permanent use for the premises.

### **02. APPROVAL CONDITION - Details & samples of building materials to be used [Pre-Commencement Condition]**

No development works shall be carried out unless and until a detailed schedule of materials and finishes including samples (if required by the LPA) for the shop front, external cladding and detached single-storey building has been submitted to and approved in writing by the Local Planning Authority. Details shall include all new glazing, panel tints, stained weatherboarding, drainage goods, and the ground surface treatments formed. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

### **03. 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.

#### **04. PERFORMANCE CONDITION - Servicing of the site**

All loading and unloading connected with the temporarily approved showroom/workshop shall take place within the site.

Reason:

So as not to interfere with the flow of traffic on the adjoining public highway network and in the interests of highway safety.

#### **05. PRE-OCCUPATION/PERFORMANCE CONDITION - Servicing management plan**

Before the use commences the developer shall submit a servicing management plan for the written approval in writing by the local planning authority. In particular this shall specify the use of a banksman, should vehicles need to reverse out of the site. Once approved, that service management plan shall be adhered to at all times the approved use is in operation.

Reason:

Due to potential lack of on-site turning area, a servicing management plan will be required especially to include the aid of a banksman should a delivery vehicle need to reverse out of the site, in the interests of highway safety.

#### **06. APPROVAL CONDITION - Material Storage (Pre-Commencement Condition)**

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

Reason:

To avoid undue congestion on the site and consequent obstruction to access.

#### Note To Applicant

Southern Water - Public Sewerage: A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS6 Economic Growth  
CS7 Safeguarding Employment Sites

City of Southampton Local Plan Review – (March 2006)

SDP1 Quality of Development  
SDP4 Development Access  
SDP7 Urban Design Context  
REI10 Industry and Warehousing

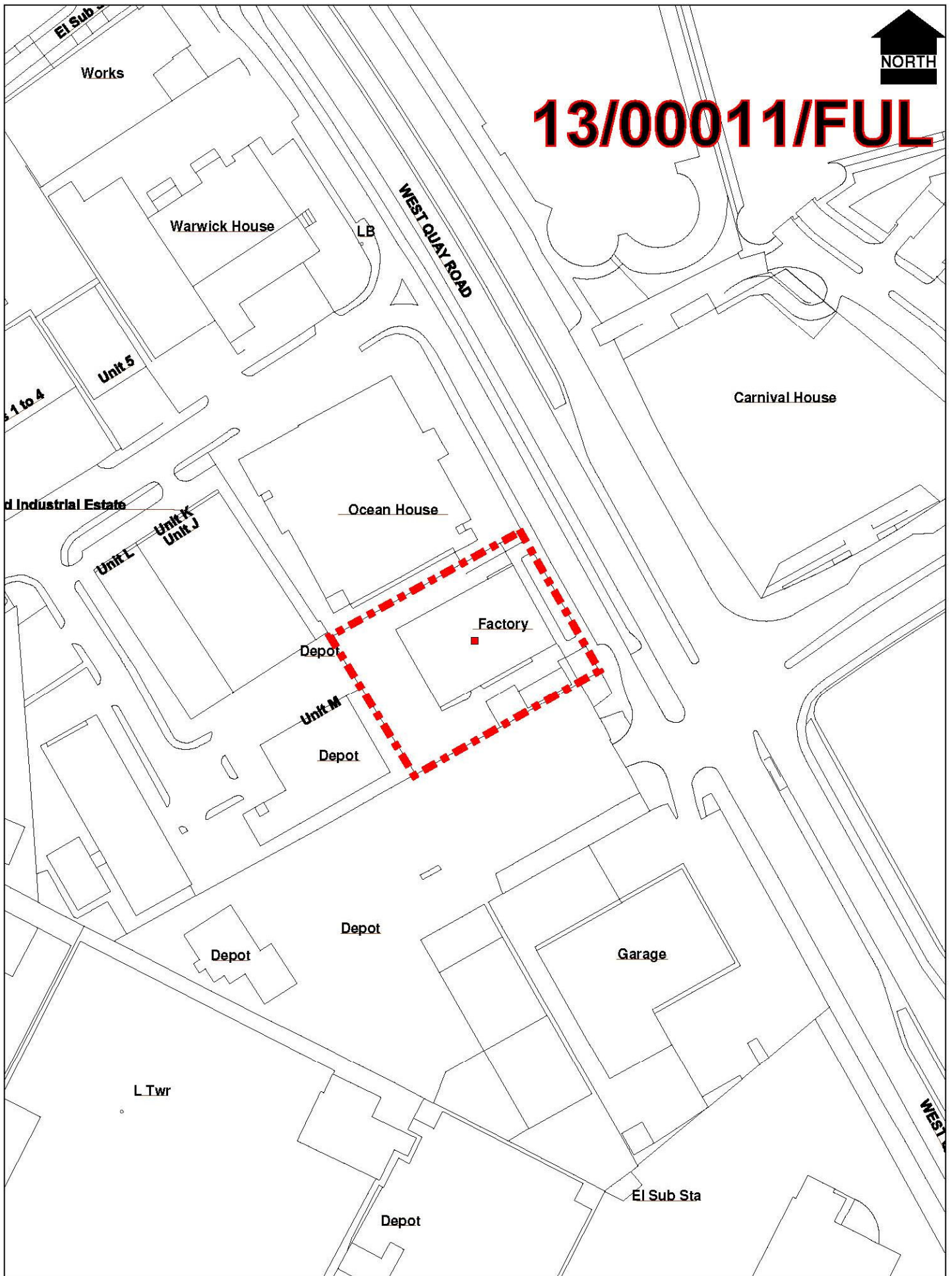
Other Relevant Guidance

The National Planning Policy Framework 2012  
PPS6 Planning for Town Centres (March 2005)





# 13/00011/FUL



Scale : 1:1250

Date : 13 March 2013

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