

Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 25/05/2009  
 Planning Application Report of the Head of Division

Application address: 20 – 24 Orchard Place			
Proposed development Renewal of 06/01681/TEMP for continued use of land for parking 24 cars for a further 3 years (Until 31.03.2013).			
Application number	10/00242/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Application category	Q28 - Other

<b>Recommendation Summary</b>	Grant temporary planning permission until 31.03.2013, subject to criteria listed in report
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Reason for Panel consideration	Departure from Development Plan  (NB under the terms of Circular 02/2009, it is not necessary for any favourable resolution by the Panel to be referred to the Secretary of State for Communities and Local Government, via the Government Office of the South-East).
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Applicant Mr H.A Barker	Agent Ms Emma Clarke
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Date of receipt	05.03.2010	City Ward	Bargate
Date of registration	05.03.2010	Ward members	Cllr Bogle
Publicity expiry date	29/04/2010		Cllr Damani
Date to determine by	30/04/2010		Cllr Willacy

Site area	0.05ha	Usable amenity area	n/a
Site coverage (developed area)	n/a	Landscaped areas	n/a
Density - whole site	n/a		

Residential mix	numbers	size sqm	Other land uses	Class	size sqm
Studio / 1-bedroom	n/a	n/a	Commercial use	n/a	n/a
2-bedroom	n/a	n/a	Retail use	n/a	n/a
3-bedroom	n/a	n/a	Leisure use	n/a	n/a
other	n/a	n/a	other	Sui generis	0.05ha
Policy designation	Business industry and Warehousing RE111 (v) (Brunswick Square Industrial Area - light industry).				

Accessibility zone	<b>High</b> / medium / low	Policy parking max	Spaces
Parking Permit Zone	yes / <b>no</b>	existing site parking	24 spaces
Cyclist facilities	yes / <b>no</b>	car parking provision	24 spaces
		motor & bicycles	0 motor / 0 cycles

Key submitted documents supporting application			
1	Covering letter	2	Site plan

## **Recommendation in full**

To grant temporary planning permission until 31.03.2013.

## **Background**

Temporary planning permission was granted at appeal on 11<sup>th</sup> March 2008. At the time of the appeal the main consideration was whether or not the proposed change of use would be contrary to the emerging City Centre Action plan (CCAP). The CCAP was at the 'Issues and Options' stage when the appeal was determined and therefore it was considered acceptable to the Inspector to allow a temporary consent since Circular 11/95 allows the use of temporary conditions when it is expected that planning circumstances are likely to change in a particular way over a given specified time period. Accordingly a limiting condition of a maximum of two years was added to the permission.

## **Proposed Development and Surrounding Context**

The site itself forms part of the REI11 (v) light industry allocation on the proposals map of the Local Plan Review. The site is within the Eastern Character area identified by the City Centre Urban Design Strategy (2001) and within area 17 of the City Centre Characterisation Study (2009). The site is immediately adjacent to, but not within, the Oxford Street Conservation Area.

The application site is located within the city centre in an area comprising a mix of uses including office, industrial and residential. The immediate area of Brunswick Square contains predominantly light industrial use with a social club adjoining the northern boundary. Opposite the block is a five storey residential block.

The site has been entirely hard surfaced with a low wall around the outside to separate the car parking facility with the public highway/footway. Lighting to the car park is provided predominantly by three street lights located on three of the corners of the site. The lighting columns overhang the public realm.

There are no CCTV cameras which specifically cover the site although CCTV is a feature of the surroundings. Having undertaken a site visit CCTV cameras were evident in Brunswick Square covering the industrial unit and Social Club.

At present there is one ticket machine on site which is located on the north east corner.

The proposed development seeks to retain parking on site for a further 3 years with no alterations to the existing circumstance.

## **Relevant Planning Policy**

The Council's normal considerations in respect of quality of development, protection of the character of the area and the amenities of neighbouring occupiers apply. The planning policy to be considered as part of this proposal is scheduled in **Appendix 1** to this report. The site is allocated within the City of Southampton Local Plan Review - Adopted Version March 2006 under policies REI 11 (v) and the Plan also contains general policies applicable to this development. Commentary on CS18 (7) is given later in the report, in terms of the Council's aim to reduce travel by the private car in relation to CS19 – car and cycle parking, where preparation of the City Centre Action Plan is at a very early stage of preparation as part of the Local Development Framework.

## **Relevant Planning History**

06/01681/TEMP – APP/D1780/A/07/2046121 - Temporary use of land for parking 24 cars including the provision of parking pre-payment equipment – Appeal Allowed.

Condition 1: The use hereby permitted shall be discontinued and the land restored to its former condition within two years from the date of this decision (11<sup>th</sup> March 2008).

## **Consultation Responses and Notification Representations**

A consultation exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice.

At the time of writing the **16 letters of support** have been received on the basis that the car park provides useful parking provision for the area.

## Summary of Consultation comments

### **Highways Development Control:**

There have been no reported accidents at this site (2005 - 2008). Conditions are recommended to ensure unfair competition with city council car parks does not occur.

### **Hampshire Constabulary:**

There are no existing reported crime incidents relating to this site.

Theft has been reported from cars located in the car park of Oceana Boulevard and there is also one reported theft from a vehicle located on Orchard Place. No objection.

### **Planning consideration key issues:**

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

- The principle of the proposed use;
- Impact on highway safety, traffic congestion and sustainable modes of transport; and
- Crime.

### **Principal of the use:**

The main consideration is the emerging City Centre Action Plan (CCAP). This document has only progressed to the 'Preferred Options' Stage and is not due to be adopted until 2013.

The Planning Policy Team do not object to an extension of time over which the temporary car park can operate. Accordingly the application is only supported on a further temporary basis.

As the CCAP is not due to be adopted until 2013 and given the support from the Planning Policy Team and given that this is an existing situation having a neutral effect on the amenities of the area - introducing some activity and natural surveillance to the area - it is considered unreasonable to object to the principle of the proposal for a further temporary period.

The main thrust of Policy CS18 of the Core Strategy, adopted after the relevant appeal decision, is to reduce the number of vehicles entering the city centre and accordingly the level of parking provision. Having regard to the temporary nature of the application, the amount of parking involved as well as the timescale for adopting the City Centre Action Plan, it is not considered that the granting of temporary permission would prejudice the objectives of Policy CS18. The site is unlikely to come forward for a comprehensive development in the immediate future and the granting of a further temporary permission would at least keep the site in an active use.

### **Impact on highway safety:**

As there have been no reported traffic related incidents and as it is unlikely that the CCAP will not be adopted until 2013 there are no justifiable reasons to prevent the ongoing operation of the car park on the site until this date. As the car park is an existing one there will be no net increase in the number of parking spaces in the city and therefore the development does not contribute to, or create any, additional competition to city council owned car parking facilities.

### **Safety and security:**

The site is sufficiently overlooked by residential properties located to the east and street lighting adequately provides illumination of the site. These two circumstances reduce the potential for crime to occur however CCTV cover has not been confirmed. Given that there are no known crime related events to have taken place on site since the site began use as a car park it is considered unreasonable to object the scheme on safety and security grounds. Furthermore upon consideration of the scheme being for a further temporary period only it is considered unreasonable to insist on the incorporation of additional CCTV.

### **Conclusion:**

There has been no objection to the proposal from either members of the public or from our consultees, there is no history of crime on the site and there are no overriding policy reasons to prevent support for the scheme for a further temporary period.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(c), 2(d), 2(e), 4(c), 4(g), 5(e), 5(d), 6(c), 7(a), 7(d), 7(m), 9(a) and 9(b).

MP 13.05.10 for 25.05.10 PROW Panel

## **CONDITIONS for 10/00242/FUL**

### 01. APPROVAL CONDITION - Time Limited (Temporary) Permission Condition

The use hereby permitted shall be discontinued on or before 31 March 2013.

#### Reason:

To enable the Local Planning Authority to review the special circumstances under which planning permission is granted for this type of development and having regard to the fact that the City Centre Action Plan is only at a very early stage of preparation and the council would wish to review to appropriateness of continuing this private car park provision in the light of Policy CS18 of the Core Strategy (January 2010).

### 02. APPROVAL CONDITION - Car parking charging rates PERFORMANCE CONDITION

Parking charges must comply with the city council's public car parking charging standards.

#### REASON

To ensure that the charging scheme does not conflict with the existing city centre charging structure and strategy.

### **Reason for granting temporary permission until 30 March 2013**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including surrounding character and amenity have been considered and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. As the City Centre Action Plan is not due to be adopted until 2013 and given that this is an existing situation having a neutral effect on the amenities of the area - introducing some activity and natural surveillance to the area - it is considered unreasonable to object to the principle of the proposal for a further temporary period. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus temporary permission until 30 March 2013 should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11 and SDP17 of the City of Southampton Local Plan Review (March 2006); and,

CS18, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

**Relevant Planning Policy**

**Adopted City of Southampton Local Plan Review (2006)**

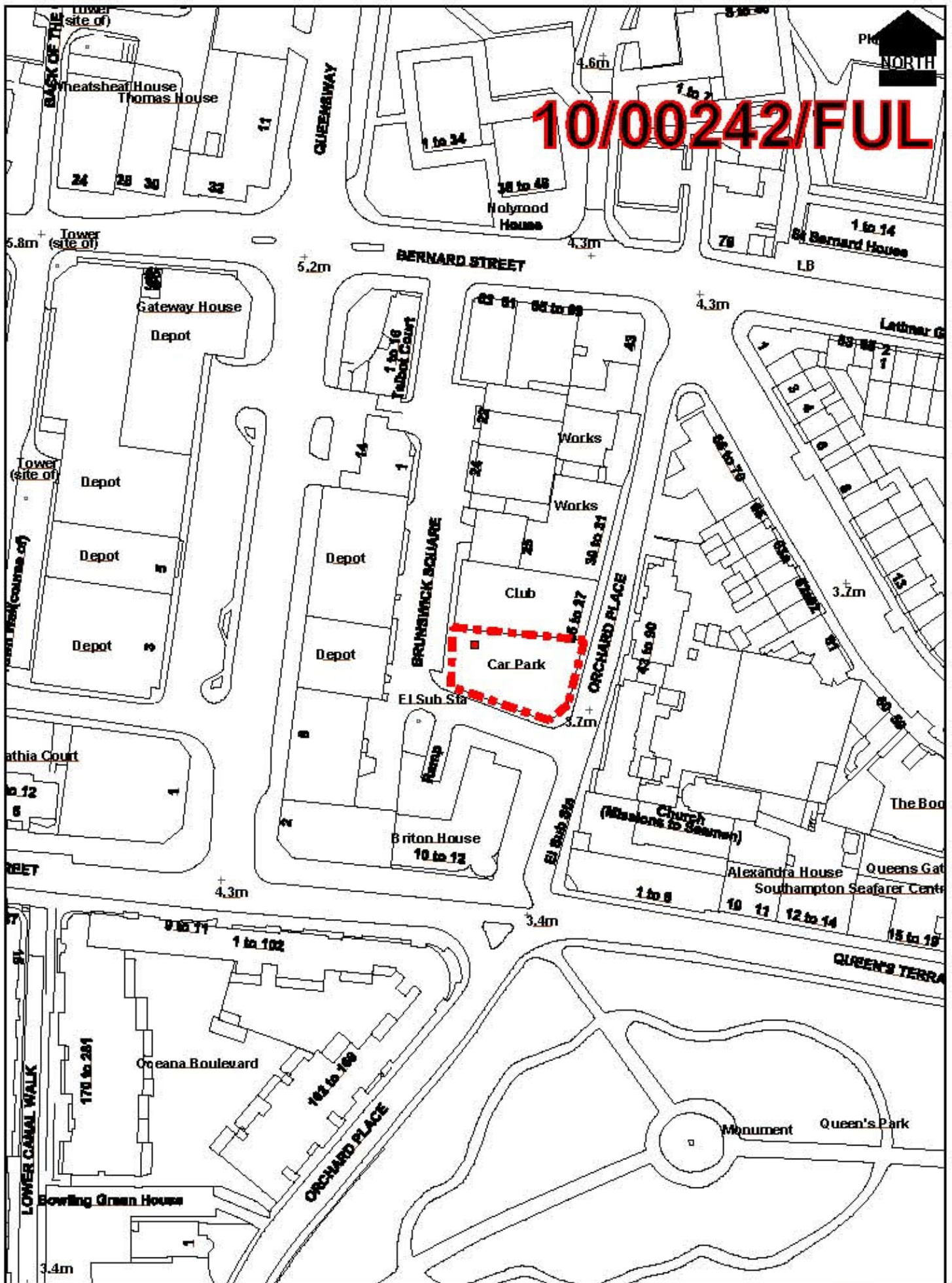
SDP1 (Quality of Development)  
SDP4 (Development Access)  
SDP5 (parking) and Appendix 1  
SDP7 (Context)  
SDP9 (Scale, Massing and Appearance)  
SDP10 (Safety & Security)  
SDP11 (Accessibility & Movement)  
SDP17 (Lighting)  
REI 11 (v) (Allocation for light industrial purposes)

**Local Development Framework, Core Strategy Development Plan Document, Adopted Version (January 2010)**

CS18 Transport: Reduce – Manage – Invest  
CS19 Car & Cycle Parking  
CS20 Tackling and Adapting to Climate Change

**National planning guidance**

PPS1 – Delivering sustainable communities  
PPS4 – Planning for sustainable economic growth  
PPG13 - Transport



Scale: 1:1250

Date: 13 May 2010

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20-24 Orchard Place

