

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 14th March 2017
Planning Application Report of the Service Lead- Infrastructure, Planning & Development

Application address: 21-22 Hanover Buildings			
Proposed development: Change of use of ground floor from use classes A1/A2/A3 to use class D1 for a meditation centre.			
Application number	17/00055/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	07.03.2017	Ward	Bargate Ward
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr Bogle Cllr Noon Cllr Paffey
Referred to Panel by:	Cllr Bogle	Reason:	Support for concerns of residents given local interest

Applicant: Ms Alyson Evans	Agent: N/A
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Recommendation Summary	Conditionally approve
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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 and SDP5 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); AP5 of the City Centre Action Plan (2015).

Appendix attached			
1	Development Plan Policies	2	Site history

Recommendation in Full

Conditionally approve

1. **The site and its context**

- 1.1 The site is identified as a secondary retail frontage within the defined city centre, overlooking Houndwell Park which is a registered park. The surrounding area is primarily commercial in nature. The proposal relates to two ground floor commercial units fronting onto the street, with the upper parts of the building having recently been given permission for redevelopment for additional residential accommodation.

2. **Proposal**

- 2.1 The application proposes converting the existing vacant ground floor commercial units for use as a meeting and meditation use (falling within Class D1). There would be other ancillary elements including a small retail element (book/gift shop) and the sale of tea/coffee on the premises.

3. **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) and the City Centre Action Plan (adopted 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. **Relevant Planning History**

- 4.1 The full planning history is outlined in **Appendix 2**. There has been a recent application on the site in relation to the upper and ground floors (retaining the commercial units at ground floor level). The ground floor units, to which the proposal relates, have been vacant for some time.

5. **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. At the time of writing the report **3** representations have been received from surrounding residents. The following is a summary of the points raised

- 5.2 ***The proposal will be harmful to retail frontage, by frosting half of the window fronting onto the highway***

Response: Following the submission of amended plans, the applicant now proposes an active retail frontage onto the street scene.

- 5.3 ***An alternative location for the use would be more appropriate.***

Response: The application has been submitted and will be assessed on its individual merits. Policy CS3 of the Core Strategy supports non-residential uses, including community uses within the city centre

5.4 ***The proposal would place an additional strain on local highways infrastructure.***

Response: The city centre is a highly accessible location in terms of public and private transport links and therefore appropriate for uses which attract members of the public. As such, no objection has been raised by the highways team to the proposal.

5.5 ***The development is contrary to policies in the City Centre Action Plan which promotes retail uses and provision of jobs in the city centre.***

Response: The area is identified as secondary retail frontage in the City Centre Action Plan, with the relevant policy, AP5, supporting uses other than retail in this location which offer a direct service to the public.

Consultation Responses

5.6 **Cllr Bogle** – Support for concerns of local residents.

5.7 **Highways** – No objection

5.8 **Environmental Health** – **No objection.**

5.9 **Historic Environment** – No objection

6. Planning Consideration Key Issues

6.1 The application proposes relatively minor physical alterations to the existing site to internally link the existing two commercial units. The original proposal included obscure glazing half of the unit frontage, however following submission of amended plans, this element of the scheme has been removed and the application currently proposes the retention of the existing shop front.

6.2 Retail frontage

6.2.1 The site is identified as a secondary retail frontage in the City Centre Action Plan. In accordance with Policy AP5, and supported by AP28, there is an expectation that uses in this area provide a direct service to the public whilst maintaining an active commercial frontage to the street. The policy goes onto clarify that such service uses can include community uses. Following the submission of amended plans to retain the existing frontage, the principle of the proposal use in in accordance with Policy AP5.

6.3 Specific use

6.3.1 Class D1 uses have a wide variety of associated impacts for different uses. Given the details provided of the specific meditation centre use proposed, it is considered that the potential impacts are acceptable given the facilities and amenities of the site. The location in the city centre is highly accessible by public transport, with restrictions on nearby on-road parking limiting the potential for overspill parking and public car parks available in the vicinity of the site. A condition is recommended to restrict the nature of the use to that outlined in the proposed development in order to ensure that these issues remain in accordance with the information submitted

7. Summary

7.1 The principle of the development is considered to comply with the relevant policies and guidance and it is considered that other issues can be controlled through the use of conditions.

8. Conclusion

- 8.1 For the reasons discussed 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)(e), 4(vv), 6(a)(b)

JF1 for 14/03/2017 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition (Performance)

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. Restricted Use (Performance)

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only as a meditation centre (as indicated in the submitted details) and not for any other purpose, including any other use within Use Class D1.

Reason: In the interest of the amenities of neighbouring occupiers.

03. Active frontages (Performance)

Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (or any Regulation revoking, amending or re-enacting that Regulation) the ground floor windows fronting onto the highway shall retain an 'active window display' along the length of the shop frontages hereby approved (without the installation of window vinyls). The development shall be laid out in accordance with the submitted floor plan so as to retain an active retail frontage.

Reason: In the interests of retaining a lively and attractive streetscene.

04. 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)

CS1	City Centre Approach
CS3	Town, district and local centres, community hubs and community facilities
CS13	Fundamentals of Design
CS19	Car and Cycle Parking

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

SDP1	Quality of Development
SDP5	Parking

City Centre Action Plan (2015)

AP5	Supporting existing retail areas
AP28	Bargate sites (East of Castle Way, Bargate Shopping Centre and Hanover Buildings)

Supplementary Planning Guidance

Parking Standards SPD (2011)

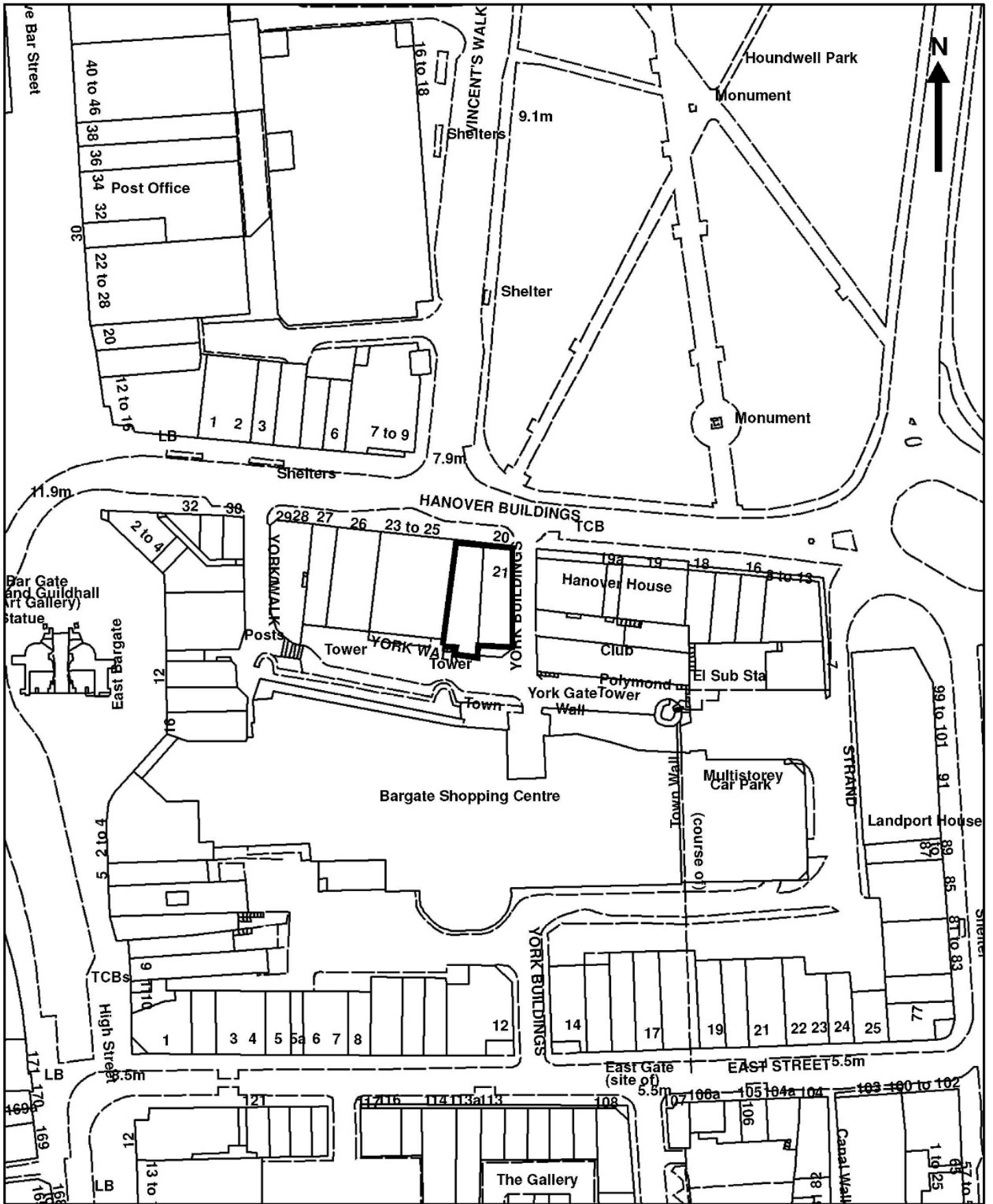
Other Relevant Guidance

The National Planning Policy Framework (2012)

Relevant Planning History

16/00730/FUL, Erection of one additional floor, extensions and external alterations to create 7 additional flats (10 in total; 6x 1-bed, 4x 2-bed) and retention of ground floor commercial units (class A1,A2 or A3) with associated cycle/refuse storage
Conditionally Approved, 18.11.2016

17/00055/FUL



Scale: 1:1,250

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