

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 11th July 2017
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: 137-143 South East Road			
Proposed development: The installation of new refrigeration plant and AC unit, external cold-room, barrier rail, access door, relocated existing AC unit and cycle racks.			
Application number	17/00664/FUL	Application type	FUL
Case officer	John Fanning	Public speaking time	5 minutes
Last date for determination:	15.06.2017	Ward	Sholing
Reason for Panel Referral:	Request by Ward Member and five letters of objection have been received	Ward Councillors	Cllr Wilkinson Cllr Bailie Cllr Hecks
Referred to Panel by:	Cllr Hecks	Reason:	Support for local residents in relation to noise and activity associated with site

Applicant: The Co-operative Group	Agent: Wellsfield Associates
--	-------------------------------------

Recommendation Summary	Conditionally approve
-------------------------------	------------------------------

Community Infrastructure Levy Liable	Not applicable
---	-----------------------

Reason for granting Planning 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, SDP7, SDP9 and SDP16 of the City of Southampton Local Plan Review (Amended 2015) and CS13 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached			
1	Development Plan Policies	2	Planning history

Recommendation in Full

Conditionally approve

The site and its context

- 1 The application site is a corner plot, between Chapel Crescent and South East Road, with a ground floor retail unit, fronting onto South East Road, and a service area to the rear. There are flats at first floor level above the retail unit. The surrounding area is predominately residential in nature.

Proposal

2. The application relates to a number of minor physical alterations to the existing premises in addition to the installation of replacement plant equipment to the rear and the erection of an outbuilding to act as a 'cold-room'. The cold room would be 2.16 m in width, 5.73 metres in length and just over 2.5 metres high.

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 (as amended 2015) and the City of Southampton Core Strategy (as amended 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.

Relevant Planning History

- 4 A recent application of a similar nature was approved under 16/01836/FUL although it is considered that there are a number of differences from the current proposed alterations so a fresh assessment is considered necessary.

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 undertaken which included notifying adjoining and nearby landowners and erecting a site notice (05.05.2017). At the time of writing the report 5 representations have been received from surrounding residents and from Ward Councillor Hecks. The following is a summary of the points raised:

- Additional noise/disturbance and activity would be harmful to neighbouring residential occupiers, particularly during the night.

Response: This is discussed in more detail, below.

5.2. Consultation Responses

- 5.2.1 **SCC Environmental Health** - Following a careful perusal of the associated documents and, in particular, the new Noise Impact Assessment report dated 13 April 2017, it has been determined by a suitably qualified Acoustic Consultant that "In accordance with paragraph 14 of the National Planning Policy Framework (2012) planning permission should be granted for the proposal as the benefits outweigh any significant adverse impacts in terms of noise from the installation of the proposed additional mechanical equipment". Furthermore, it

appears that the overall noise levels should be reduced and be an improvement on the existing plant noise levels. We, despite residents' concerns, which don't seem to comment on the noise report in question, have no objections to the proposed development.

- 5.2.2 I note that one resident is concerned about increased illuminated light levels but I don't think this is part of the application. Furthermore, we in Environmental Health enforce light nuisance legislation and, if there are concerns, we can make an assessment outside of the planning framework.
- 5.2.3 I have also noted that residents are concerned with existing noise levels and I did get involved some years back now in getting the Co-op to undertake noise mitigation measures which did reduce noise levels. It does mention in the current noise report that there should be no audibility at the site boundary and that no additional noise mitigation measures are required. New refrigeration/air conditioning plant is as a rule now much quieter than older plant and it would be in my professional opinion beneficial to have the new plant installed which should reduce overall noise levels and be an improvement. Other noise issues have been mentioned by residents but these are not subject to the current planning application and I have to comment in relation to the proposals appertaining to this application only. To conclude, we in Environmental Health are supportive of the current application.

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application relate to the impact in terms of residential amenity, particularly in terms of noise, and the acceptability of the alterations in terms of design and visual amenity.
- 6.2 The installation and alterations to the layout and screening of the plant equipment and service yard area have been assessed by the Council's Environmental Health team, who are satisfied that there will not be a significant increase in the noise associated with this equipment. A detailed noise report has been provided with the application and a condition is suggested to ensure the new equipment operates in accordance with the specification provided (see condition 2, below) As set out above, Environmental Health are also of the view that the new refrigeration and air conditioning plant would represent an improvement in terms of noise disturbance to nearby residents.
- 6.3 In terms of the physical form of the development, the new coldroom would be situated in close proximity to the boundary with the neighbouring property to the rear (1 Chapel Crescent) however, given the above and the existing relationship between the two properties, it is not felt that the installation would be harmful either in terms of the scale of the development or the additional noise and activity associated. The other alterations proposed are considered to be minor in nature and no objection is raised in this regard.
- 6.4 In terms of appearance, it is not considered that the proposed alterations to the plant equipment, service yard layout and new coldroom would represent a significant departure from the existing appearance and would be consistent with the commercial character of the site. As such, no objection is raised on this basis.

Summary

- 7 The Council's Environmental Health team have assessed the proposals and do not find them harmful to neighbouring residential amenity. Furthermore, the proposal would not have a harmful impact on the character and appearance of the area. As such, the proposal complies with the relevant planning policies, set out below.

Conclusion

- 8 For the reasons outlined 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(d)(e), 4(f), 6(a)(b)

JF for 11/7/17 PROW Panel

PLANNING CONDITIONS

01. Full Permission Timing Condition

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. Noise

The development shall be implemented in accordance with the details outlined in the submitted 'Noise Impact Assessment' (dated 13/04/2017), with suitable noise mitigation installed. The development shall be maintained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby occupiers.

03. Materials

The development shall be implemented in accordance with the external details and materials outlined in the submitted application form.

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.

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)

CS13 Fundamentals of Design

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

SDP1 Quality of Development
SDP7 Urban Design Context
SDP9 Scale, Massing & Appearance
SDP16 Noise
SDP17 Lighting

Other Relevant Guidance

The National Planning Policy Framework (2012)

Relevant Planning History

17/00513/ADV, Installation of 2 x internally illuminated fascia signs, 1 x non illuminated fascia sign, 3 x internally illuminated signs and 1 x non illuminated wall panel sign.
Pending

16/01836/FUL, The installation of refrigeration plant, condensers and external cold-room including new fencing external staircase and access gate.
Conditionally Approved, 30.01.2017

08/01674/FUL, Alterations to entrance comprising new shop front and access ramp.
Conditionally Approved, 15.01.2009

08/01623/FUL, Installation of mechanical and air conditioning plant to rear service yard
Conditionally Approved, 12.01.2009

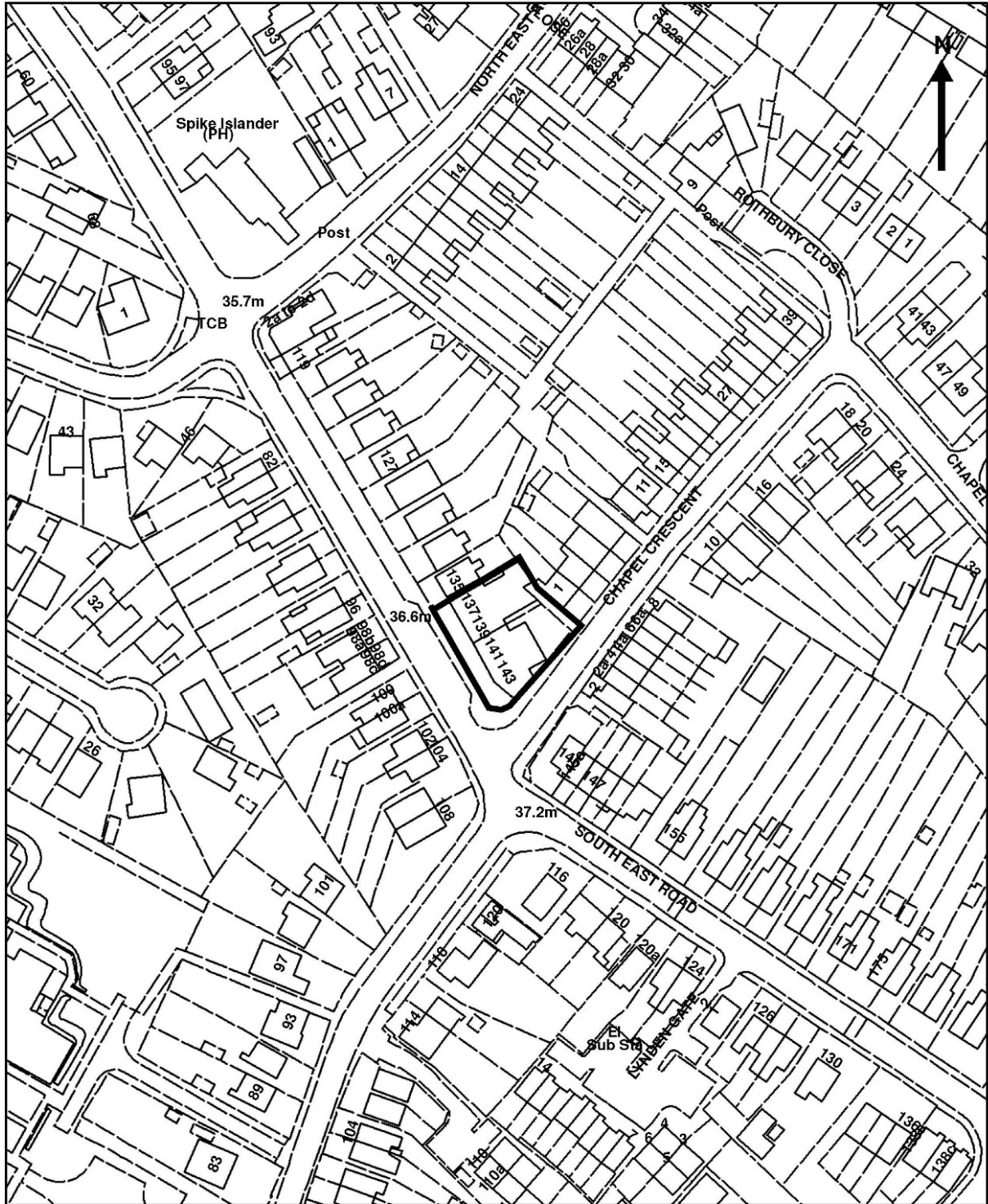
08/01049/ADV, Display of 3 externally illuminated fascia signs and 2x internally illuminated projectory signs
Conditionally Approved, 02.09.2008

03/01729/FUL, Installation of 2 no. air conditioning units to rear elevation and new automatic entrance doors and trolley bay to front elevation.
Conditionally Approved, 29.01.2004

03/01415/FUL, Installation of 1m-diameter satellite dish mounted on flat roof.
Conditionally Approved, 17.11.2003

03/01201/ADV, Installation of fascia sign and one projector sign with illuminated logos.
Conditionally Approved, 22.09.2003

17/00664/FUL



Scale: 1:1,250

©Crown copyright and database rights 2014 Ordnance Survey 100019679

