

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 06/09/2011
Planning Application Report of the Planning and Development Manager

Application address: Unit 3A Northbrook Industrial Estate, Vincent Avenue SO16 6PB			
Proposed development: Use Of The Existing Building For MoT Testing And Vehicle Repairs (Class B2)			
Application number	11/01104/FUL	Application type	FUL
Case officer	Mathew Pidgeon	Public speaking time	5 minutes
Last date for determination:	29/08/2011	Ward	Bassett
Reason for Panel Referral:	Departure from Local Plan	Ward Councillors	Cllr Les Harris Cllr Beryl Harris Cllr Hannides

Applicant: Mr Aref Imanpour	Agent: N/A.
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Recommendation Summary	Conditionally approve
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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 including the affect which the proposal will have on the economic viability of the site and the potential for employment to continue at the site in addition to character, parking, 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. 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, SDP5, SDP16 and RE11 of the City of Southampton Local Plan Review (March 2006) and Policy CS7 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The proposal site lies within the Northbrook Industrial Estate. Access is achieved from Hollybrook Road rather than Vincent Avenue.
- 1.2 Residential properties are located on the North side of Hollybrook Road within 25m of the application site and the surrounding uses are within the B1(b), B1(c) and *sui generis* use classes. The application site has an established B1 use and has until recently been used as a garage.
- 1.3 It should be noted that there is another MOT testing centre within the Industrial estate which is accessed off Vincent Avenue (Local Planning Authority reference 06/00726/FUL)
- 1.4 A parking permit zone is identified within Hollybrook Road (non permit holders are unable to park for longer than two hours).
- 1.5 Parking spaces located in the car park which fronts the unit are allocated to individual units within the industrial estate.

2. Proposal

- 2.1 The application unit is currently vacant and has been, according to the applicant for about to years. A change of use is sought from B1 to B2 to allow for MOT testing.
- 2.2 The MOT testing centre would have one MOT bay and three car hoists. The unit also has space for the parking of 12 additional vehicles (customers and staff).

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 site is designated by the adopted Local Plan Review by Policy REI11(x) and is thereby safeguarded for B1(b) [Research and development of products and processes] and B1(c) [Light Industry] uses. The application therefore represents a departure from this policy.

4.0 Relevant Planning History

- 4.1 There is no planning history for Unit 3a and therefore the established use of the unit is considered to be within the B1 use class. The applicant has advised that the site has previously been used for B2 use (repair and maintenance of limousines over a period of approximately 15 years). The applicant has also informed the Local Planning Authority that the unit has been vacant for approximately 2 years. As no lawful development certificate has been sought for the B2 use, this application seeks a change of use from B1 to B2.
- 4.2 Heritage Accident Repairs (Unit 3), Northbrook Industrial Estate, Vincent Avenue

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, placing a press advertisement confirming a potential Local Plan departure (04.08.2011) and erecting a site notice (01.08.2011). At the time of writing the report **four** representations have been received from surrounding residents. The following observations/comments were made:

- Parking on the forecourt is objected to (no allocated parking bays).
- Parking pressure on surrounding streets (overspill).
- Parking pressure and informal parking resulting in highways safety issues.
- Noise and pollution, disturbance to residential amenities.

5.2 **SCC Highways** – No objection following receipt of amended parking layout subject to relevant conditions.

5.3 **SCC Environmental Health (Pollution & Safety)** - No objection subject to relevant conditions.

5.4 **SCC Planning Policy** – No objection to proposed departure from Local Plan Policy REI 11 (x).

6.0 Planning Consideration Key Issues

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

- Principle of the use.
- Impact on the residential amenity.
- Impact on parking and highways safety.

6.2 Principle of Use

The proposal site lies within the Adopted LPR designated area REI11(x) - which is safeguarded for B1(b) and B1(c) uses. It is the view of Planning Policy that because this industrial site is safeguarded for employment use, the proposal would be an appropriate development; particularly in view of government priority that planning supports economic recovery. Additionally the proposed use could be accommodated alongside existing industrial uses already on the estate without detrimental impacts on adjacent users if appropriate conditions are put in place.

6.3 Impact on the residential amenity

The MOT testing bay has been sited to the rear of the building so as to mitigate any noise out spill. Unit 3a has recently been used for vehicle repair and as such the overall noise levels generated should not significantly increase as a result of the development. As such the Environmental Health Team has been able to support the scheme subject to the attached conditions.

6.4 Impact on parking and highways safety

The proposal complies with the maximum parking standards set out in the Local Plan Review. The scheme provides 12 parking spaces which will be allocated for use by customers. The Highways Officer are satisfied that harmful overspill of parking into the surrounding streets will not occur as a result of the development provided that parking spaces are laid out prior to the commencement of the commercial operation and maintained as such thereafter in perpetuity.

7.0 Summary

The established use of the property (notwithstanding the previous unauthorised use) is B1. In submitting the application the applicant seeks to regularise the last known (albeit unauthorised) use of the B2 activity. Adequate parking can be provided for customers and the noise levels will not significantly increase. The use is compatible with the surrounding uses in the industrial estate and the development would create a valuable employment opportunity.

8.0 Conclusion

It is recommended that planning permission be granted subject to relevant conditions.

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

1(a), 1(b), 1(d), 2(b), 2(d), 6(c), 7(a), 7(f), 7(y), 9(a), 10 (a) and 10(b).

MP3 for 06/09/11 PROW Panel

PLANNING CONDITIONS

1. 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).

but would require that all work takes place within the building, and no spraying of bodywork takes place on the premises.

2. 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.

3. APPROVAL CONDITION - Vehicular repairs within building. [PERFORMANCE CONDITION]

No repairs or servicing of vehicles shall take place other than in the garage workshop/building itself.

REASON

In the interests of the visual amenities of the area and to protect the amenities of occupiers of nearby residential properties.

4. APPROVAL CONDITION - Paint Spraying [PERFORMANCE CONDITION]

No paint spraying shall take place on the premises.

REASON

In the interests of the amenities of the area.

5. APPROVAL CONDITION – Hours of Operation [PERFORMANCE CONDITION]

Unless the Local Planning Authority agree otherwise in writing the premises shall only be used for the purpose hereby approved between the hours specified below and at no time on Sundays or recognised Public Holidays.

0800 to 1700 Monday to Friday
0800 to 1300 on Saturdays

REASON

To protect the amenity of surrounding occupiers and to reflect the hours sought by the applicant.

6. APPROVAL CONDITION – Parking Layout [PRE-OPERATION CONDITION]

The four external parking spaces shall be marked out in accordance with the approved plans prior to the site undertaking MOT testing and servicing. The internal parking spaces shall be marked out in accordance with the approved plans within 30 days of the date of this consent or within a timescale that is agreed with the Local Planning Authority prior to the commencement of development.

REASON

To prevent harmful over spilling of parking and obstruction of the public highway.

7. APPROVAL CONDITION – Vehicle Repair Bays [PERFORMANCE CONDITION]

At no time shall there be more than four vehicle repair bays within the premises (including one MOT bay).

REASON

In order to ensure that the use of the site is not over-intensive and in order to ensure that the scheme accords with parking requirements.

8. APPROVAL CONDITION – Parking [PERFORMANCE CONDITION]

All cars associated with the use of the premises shall be parked within the application site area shown on the approved plans whether being dropped off prior to servicing, awaiting collection or waiting to be serviced.

REASON

In the interests of highway safety on the surrounding road network and so as to minimise the impact of the use on adjacent businesses.

9. APPROVAL CONDITION - Cycle Storage Facilities [PRE-COMMENCEMENT CONDITION]

Prior to the operation of the development as a commercial business the applicant shall provide space for at least 1 secure and covered cycle storage space. Such facilities shall be permanently retained for that purpose.

Reason:

To encourage cycling as an alternative form of transport.

POLICY CONTEXT

Core Strategy - (January 2010)

CS7 Safeguarding Employment Sites

City of Southampton Local Plan Review – (March 2006)

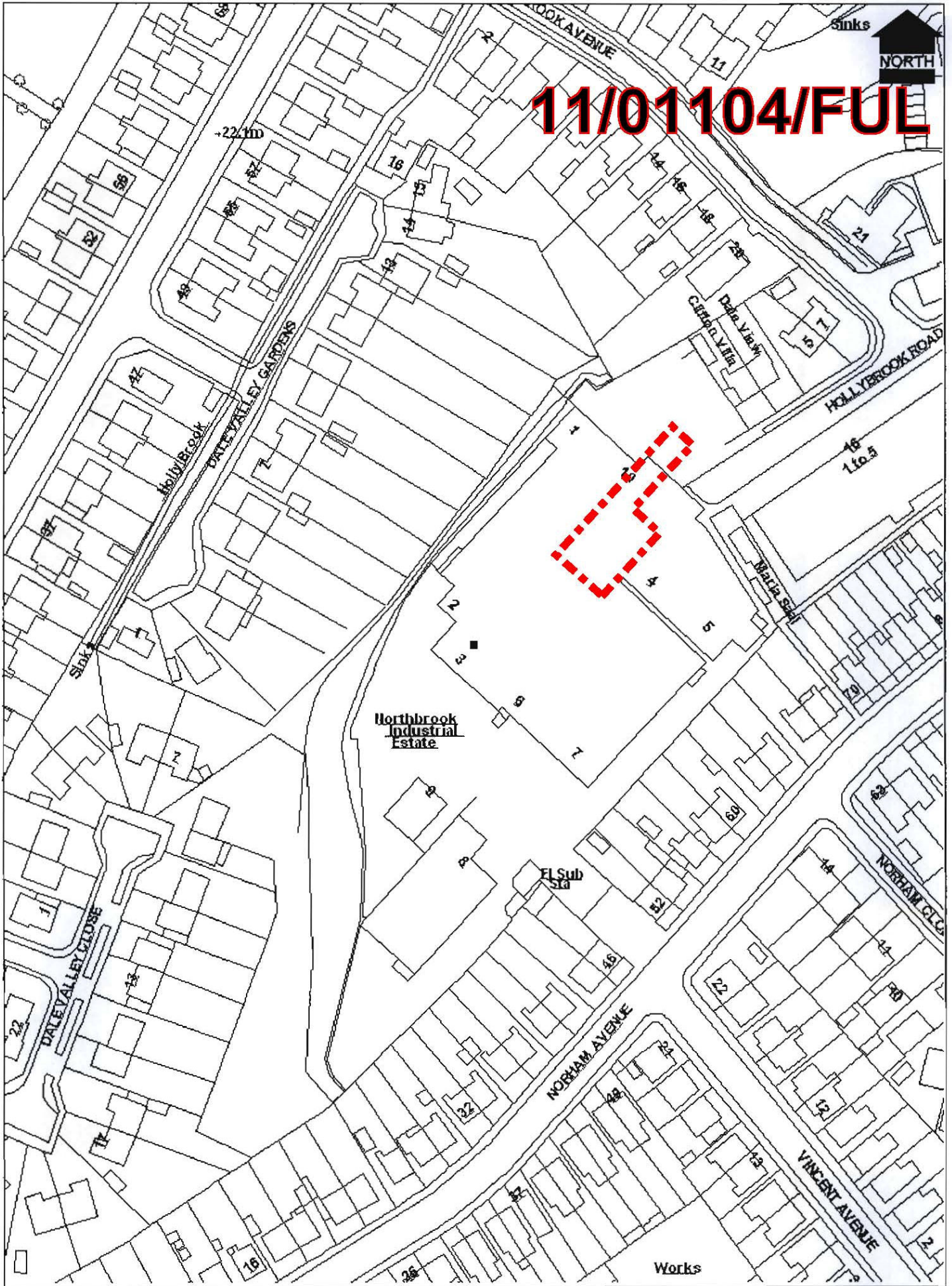
SDP1 Quality of Development
SDP5 Parking
SDP16 Noise
REI11 Light Industry

Other Relevant Guidance

PPS1 Delivering Sustainable Development (February 2005)

PPS4 Planning Policy Statement 4: Planning for Sustainable Economic Growth
(December 2009)

PPG24 Planning and Noise (October 1994)



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Scale : 1:1250

Date : 24 August 2011

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