

**Planning and Rights of Way Panel 24 August 2021**  
**Planning Application Report of the Head of Planning & Economic Development**

<b>Application address:</b> 1 Gover Road			
<b>Proposed development:</b> Change of use of land for staff car parking associated with the adjacent commercial vehicle garage and installation of associated surfacing treatment and landscaping.			
<b>Application number:</b>	21/00827/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>	Extension of time agreement	<b>Ward:</b>	Redbridge
<b>Reason for Panel Referral:</b>	More than 5 letters of objection have been received, including objections from 3 Ward Councillors	<b>Ward Councillors:</b>	Cllr Guest Cllr McEwing Cllr Spicer
<b>Applicant:</b> Adams Morey Ltd		<b>Agent:</b> Schofield Sweeney LLP	

<b>Recommendation Summary</b>	Conditional Approval
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<b>Community Infrastructure Levy Liable</b>	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 39-42 and 46 of the National Planning Policy Framework (2021). Policies – SDP1, SDP5, SDP10, SDP15 and SDP16 of the Local Plan Review (amended 2015), CS6, CS7, CS13, CS19 and CS20 of the Core Strategy (amended 2015)

<b>Appendix attached</b>			
1	Development Plan Policies		

**Recommendation in Full**

Conditionally Approve

## **1. The site and its context**

- 1.1 The application site comprises a cleared residential plot following the recent demolition of a vacant bungalow. The site is located at the southern end of Gover Road, situated adjacent to the Adams Morey commercial vehicle garage which bounds the site to the south and west.
- 1.2 The adjoining plot to the north at 3 Gover Road comprises a bungalow. Site access is taken from Gover Road over a highway verge which has recently been made good following damage arising from the recent demolition works. A street tree is located on the highway verge adjacent to the site access. Gover Road is predominantly residential in character comprising bungalows and two-storey housing. The site is located within close proximity to the Redbridge roundabout, which joins the M271 and A33 Redbridge flyover.

## **2. Proposal**

- 2.1 The application seeks change of use of this cleared residential plot for staff car parking associated with the adjacent commercial vehicle garage. The submitted plans show the car park laid out to accommodate 12 spaces with 10 spaces parked adjacent to the southern boundary with the garage and 2 parallel parking spaces adjacent to the boundary with 3 Gover Road.
- 2.2 The proposals indicate that the car park surface will be permeable with a cellular confinement system with granular fill. The proposed site boundary treatment comprises 2m height fencing and hedgerow planting to the boundary with 3 Gover Road and 1m fencing and hedgerow along the front boundary to Gover Road with gated access. The existing driveway arrangement across the highway verge will remain unchanged.
- 2.3 The applicants have indicated that the proposed parking spaces will reduce staff parking on the street with insufficient existing staff parking provision within the adjacent garage site. A temporary arrangement is in place whereby some staff park at the nearby public house. A further 24 new staff are shortly to start working at the garage in addition to the 60 people currently employed. The car park is proposed to be in use between the hours of 8am-6pm Monday- Friday and the gates access can be closed outside of these hours.

## **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 Sustainable Drainage Systems (SUDS) to reduce surface water run should be incorporated into all development in accordance with Core Strategy Policy CS20
- 3.3 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 48 confirms that, where existing local policies are consistent with the NPPF, they

can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.

- 3.4 The Adams Morey Commercial Vehicle Garage is safeguarded for light industrial use under policy REI 11 viii of the Local Plan Review. The application site is situated adjacent but on the outside of this allocation and does not have a site-specific policy allocation.

#### **4. Relevant Planning History**

- 4.1 There are a number of planning applications relating to garage use on the Adams Morey site dating back to the 1950s.
- 4.2 Demolition prior approval (Ref 20/01731/DPA) for demolition of the bungalow at 1 Gover Road was granted on 27.01.2021. Please note that under the provisions of the Town and Country Planning General Permitted Development Order (2015), demolition of a dwelling house is permitted development. However, prior approval is required from the Local Authority in relation to the method of demolition and site restoration.

#### **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 and erecting a site notice (25.06.2021). At the time of writing the report 17 objections have been received, plus 3 objections from each of the Local Ward Councillors. The following is a summary of the points raised:
- 5.1.2 ***It is not appropriate to be building a car park in a residential area.***  
*Officer Response – The site is situated between a residential area to the north and the Adams Morey garage to the south. The National Planning Policy Framework requires the three economic, social and environmental objectives of sustainable development to be balanced. In this instance, the provision of additional land for staff parking will support the viability of Adams Morey allowing expansion and to remain on this existing site within Southampton. Evidence in the form of an acoustic report, has been provided to demonstrate that the car park will not adversely harm the amenities of neighbours. Furthermore, appropriate boundary treatments can be installed to respond to the street scene.*
- 5.1.3 **The application states there are no trees on the plot or adjacent.**  
*Officer Response – 1 Gover Road is a cleared site and contains no trees. The adjacent trees to the west are on land within the control of the applicant, Adams Morey. None of the trees within adjacent plots are subject to a Tree Preservation. The landowner of 1 Gover Road has a common law right to cut back any overhanging branches from a neighbouring site. The installation of the proposed geoweb system will not involve significant excavation and will not adversely harm neighbouring trees.*

**5.1.4 There are no plans for drainage**

*Officer Response* - The proposal comprises cellular confinement system with granular fill which is a permeable surface and will not lead to surface water run-off. The compacted hard core currently in situ is not considered significantly greater than the height of the neighbouring bungalow ground level and the hard core has been set away from the boundary with 3 Gover Road.

**5.1.5 The proposed 2m height boundary fence is not sufficient, it needs to be of brick or block structure to suppress the noise impact through to the neighbouring property. Also, there is no statement of hours of use. This needs to be set for office hours only, and it needs to be gated and secure outside of these hours to stop the ability for others to use it and possibly gain very easy access to the property next door.**

*Officer Response* - The application is supported by evidence in the form of a noise report which demonstrates that the car park, with the provision of a 2m boundary fence, would not lead to harmful noise nuisance having regard to existing background noise levels in this area. The findings of the noise report are accepted by the Council's Environmental Health Team. The car park is to be gated and a planning condition is recommended to ensure the gates are locked between the hours of 6pm-8am

**5.1.6 It is unclear what vehicles are to be parked on the site, there is no precedent present in the plans. Adams Morey business as a truck dealer is known to all, what's to stop them parking HGV tractor units on the site or large vans?**

*Officer Response* - A planning condition is recommended to ensure this area is used for staff car parking only and shall not be used for HGV parking or repairs, in the interests of the amenities of neighbouring occupiers.

**5.1.7 Out of keeping with residential area, and the extra movement of vehicles will have a detrimental effect on the area and more importantly on the value of the adjacent property and the occupants of that property's quality of life as it backs onto their garden.**

*Officer Response* - This is a modest sized staff car park and the traffic movements associated with these 12 spaces will have a negligible impact in terms of noise and disturbance having regard to existing background noise levels in this area, as demonstrated in the submitted acoustic report. The proposed 2m height fence and hedge planting will screen the car park from the neighbour and will offer noise mitigation. In addition, the control over the hours of use will ensure activity only between working hours during the week. There is likely to be grouped car movements at the start and end of the working day but there is unlikely to be frequent in/out vehicle movement throughout the day. Impact on property value is not a material planning consideration.

**5.1.8 Adams Morey already have a very large site and another new one in Nursling with more than ample space to park cars.**

*Officer Response* – It is understood the off-site car park in Nursling is a temporary solution. The proposed staff car park is seen as a permanent solution by Adams Morey.

- 5.1.9 **The public footpath along Gover Road (in front of 1 Gover) to the Bus Stop at Redbridge and the walkway to Totton is the main access for many elderly residents and dog walkers of Old Redbridge. The application states that between 9-10 am and 5-6pm Mon to Friday the footpath will be used by "Most" staff entering/leaving the proposed new car park. This will create direct conflict between pedestrians and car park users especially as they state "the car park will be operational Monday to Friday only from 08:00 to 18:00 hrs"**

*Officer Response – No objection has been raised by Highways Development Management. A condition is recommended to ensure that vehicles do not reverse out of the access and on this basis, there would be no adverse safety impact on pedestrians*

- 5.1.10 **The ground level has already been raised by the company who demolished the bungalow at 1 Gover Road. The proposed layout enables people to look directly into the side windows at 3 Gover Road.**

*Officer Response – There is now a modest level difference between the current site level and the ground level of 3 Gover Road. The proposed 2m height boundary fence shall be installed at the higher ground level of the application site to ensure there is no overlooking/loss of privacy.*

- 5.1.11 **1 Gover Road should never have been demolished, it was left to go to ruin by Adams Morey as part of their "expansion masterplan". Adams Morey chose to allow a perfectly good bungalow to fall into disrepair so they could build a car park.**

*Officer Response – The previous bungalow was not safeguarded from demolition because the bungalow was not listed and therefore had no statutory protection. As such could be demolished under permitted development rights.*

- 5.1.12 **Adams Morey want to remove the existing trees to the west of the site, these are established trees which help to dilute air & noise pollution from the Adams Morey site and Redbridge Roundabout.**

*Officer Response – Trees on Adams Morey land to the west of this application site do not form part of this planning application and are therefore not under consideration.*

- 5.1.13 **Adams Morey appear to have enough space on their existing footprint to provide staff car parking at the rear of their property, next to the Causeway, away from residential property, they should be considerate neighbours and rearrange their layout.**

*Officer Response – Adams Morey are proposing this permanent staff parking solution to replace the existing temporary off-site solution. Formation of staff parking within their existing garage site may compromise their operation given the space needed for HGV parking and repairs.*

- 5.1.14 **This proposed car park, which will create air & noise pollution in a row of residential bungalows, is not in keeping with the area and should not be allowed.**

*Officer Response - The proposed modest staff car park will have a negligible air quality impact and no objection has been raised by the Council's Air Quality Team. A condition is recommended to secure the offer from Adams Morey to provide an electric vehicle charging point within their site for staff use.*

- 5.1.15 **The Noise report was conducted early morning to midday and the consultant, working for Adams Morey, states "noise from car parking including door slams are unlikely to be discernible within the garden of the neighbouring properties". This is so wrong, the fact that he states "door slams" shows they expect this to be a regular occurrence, even if it is "only" between 9-10 am and 5-6pm Mon to Friday, this will severely affect the occupier of 3 Gover Road.**

*Officer Response – The Council's Environmental Health Team support the approach and findings of the acoustic report and are satisfied there will not be an adverse noise impact on neighbouring occupiers.*

## 5.2 **Consultation Responses**

### 5.3 **SCC Highways – No objection**

The planning application can be supported subject to the following conditions:

- 1) Car Park Layout and Turning Space. All car parking spaces to be fully marked out (minimum size of 2.4mx5m) and should have at least 6m aisle width to allow for on site turning. The turning space will thereafter need to be kept clear at all times.
- 2) Car Park Management Plan. The proposed car park should be only used as staff parking and for domestic sized vehicles only. No HGV's are permitted to access the car park (for clarity purposes, no vehicles over 3.5tonnes)
- 3) Front Boundary Treatment. The front boundary treatment should be maintained to a maximum height of 1m to ensure visibility for any vehicles about to enter or leave the site.

N.B to secure the 6m aisle width, the number of car parking spaces within the car park will reduce by 2 spaces (see condition 4).

### 5.4 **SCC Environmental Health – No objection**

The Environmental Health Team concur with the findings of the acoustic report and as such we have no objections to the proposed development.

### 5.5 **SCC Air Quality – No objection**

The Council's Air Quality Officer recognise that the development involves the construction of 12 parking spaces only and supports the applicants offer of 1 electric vehicle charging point within the Adams Morey site and this can be secured by condition.

## **6. Planning Consideration Key Issues**

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

- The principle of development;
- Impact on the appearance of the area;
- Residential amenity;
- Highways;
- Drainage and;
- Air Quality and the Green Charter.

### **6.2 Principle of Development**

6.2.1 The application site does not have a site-specific policy allocation but bounds the Adams Morey garage which has an employment allocation under policy REI 11 viii of the Local Plan Review. The demolition of the former bungalow was carried out under permitted development rights, with the method of demolition and site restoration agreed with the Local Planning Authority under prior approval (application ref 20/01731/DPA). As such, since the house no longer exists, policies H6 of the Local Plan and CS16 of the Core Strategy which require the retention of dwellings and family homes, do not apply to this application.

6.2.2 The Council currently has a 5-year housing land supply and therefore conversion of this single residential plot into car parking would not significantly impact on the city's short-term housing land supply. Furthermore, the application site sits between the Adams Morey garage site and the residential street of Gover Road. The incorporation of this plot with the Adams Morey site would align with the existing northern boundary of the garage. The provision of additional land to provide staff parking would support the viability of this existing employment use within Southampton, which currently employs 60 members of staff and is looking at taking on an additional 24 members of staff. In addition to this, the application also has the benefits of reducing the likelihood of overspill car parking onto surrounding streets. When considered in the planning balance, the loss of a residential plot is, therefore, considered to be acceptable and the use of the site for commercial car parking is acceptable.

### **6.3 Impact on the appearance of the area**

The car park would be set back from the road frontage and would not be harmful in the street scene having regard to the depth of the highway verge, existing street tree and the proposed boundary treatment. The properties in Gover Road are enclosed by a mix of dwarf wall, fencing and hedgerow. As such, the proposed means of site enclosure of hedgerow and 1m height fencing would be in keeping with the existing street scene. As such, the proposal would not be harmful to the character and appearance of the area.

### **6.4 Impact on the residential amenities of neighbouring occupiers**

The noise impacts from a staff car park would be different to those associated with residential use. The car park has been laid out to show 12 spaces but this is likely to be reduced to 10 spaces to meet the vehicle manoeuvring requirements of the Council's Highways Team. The car park would be in usage between the hours of 8am-6pm and this can be controlled by planning condition with the use of lockable gates to prevent access outside of these hours.

6.4.1 The majority of trips into the site would be at the beginning of the day 8am-9am and the majority of trips out of the site would be during the hours of 5pm-6pm. The application is supported by a noise assessment which indicates that noise associated with vehicles using the car parking area would only be 2db greater than the background noise level from road traffic and employment uses in this area.

6.4.2

The submitted noise report follows the basic principles of British Standard 4142:2014 'Method for rating and assessing industrial and commercial sound' and concludes:

*"An impact of 2 dB would not be noticeable in the context of the area where the ambient noise levels are relatively high and vary due to high volume of road traffic and various other sources of impact noise.*

*In terms of peak noise levels, the measurement in the garden shows many peaks of high noise levels outside the period when cars were manoeuvred in the new car park. These could be caused by existing sources as mention above.*

*Therefore, noise from car parking including door slams is unlikely to be discernible within the garden of the neighbouring properties. A 2m high timber fence is proposed along the boundary to dwelling at No. 3 Gover Road and this will provide screening and mitigate further the noise in the garden from impacts within the new car park."*

6.4.3 The findings of the acoustic report have been agreed by the Council's Environmental Health Team and therefore the proposal is not considered to have a demonstrably harmful noise impact. A planning condition is recommended to install the proposed boundary fence is installed prior to commencement of use of the car park. The 2m height fence shall be installed at the height of the car park level to ensure there is not harmful overlooking or loss of privacy to the occupiers of 3 Gover Road. As such, the proposal will not adversely harm the residential amenities of neighbouring occupiers.

6.5 Highways

The Council's Highways Team have raised no objection to the proposal. The provision of additional on-site car parking to replace the existing off-site temporary solution and will assist in limiting any overspill parking into surrounding streets. The proposed car park is modest in size accommodating approximately 10 spaces. The trips associated with 10 spaces will have a negligible impact on the highway network. Subject to conditions to secure adequate manoeuvrability to allow cars to exit the site in a forward gear and the front boundary treatment restricted to 1m in height, then the proposal is considered to have no adverse highway safety impacts.

6.6 Drainage

The proposed car park surface will comprise a cellular confinement system with granular fill. This type of surface is porous and will guard against surface water run-off. As such, the proposal will not lead to surface water runoff into the neighbouring garden or onto the highway

6.7 Air Quality and the Green Charter

6.7.1 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport

to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards.

6.7.2 There are 10 Air Quality Management Areas in the city which all exceed the nitrogen dioxide annual mean air quality standard. In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by 2020, when the country as a whole must comply with the Directive.

6.7.3 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m<sup>3</sup>. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:

- Reduce pollution and waste;
- Minimise the impact of climate change
- Reduce health inequalities and;
- Create a more sustainable approach to economic growth.

6.7.4 The application has addressed the Green Charter and the air quality impact of the development by providing one electric vehicle charging point which can be secured by condition.

## **7. Summary**

7.1 The previous bungalow on the site was demolished under permitted development rights and the plot is not safeguarded for housing. The proposed car park is modest in size and will support an existing employment use. Evidence in the form of an acoustic report has been provided to demonstrate the car park would have no adverse noise impact and the proposed means of site enclosure will further mitigate against noise impact and will guard against loss of privacy. Furthermore, the proposed frontage boundary treatment is appropriate for the Gover Road and will incorporate a secure gated access to prevent usage and anti-social behaviour out of hours. The proposal is also acceptable in terms of highways, drainage and air quality impacts

## **8. Conclusion**

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for 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) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

**AG for 24/08/2021 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. 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.

03. Landscaping & means of enclosure (Pre-Commencement)

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- ii. Native hedgerow planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iv. details of any proposed boundary fencing and;
- v. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

If any of the native hedgerow dies, fails to establish, is removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The front boundary fence, gated access and hedgerow shall be maintained to a maximum height of 1m from ground level. The side boundary fence to 3 Gover Road shall be a maximum of 2m in height measured from the ground level of the car park hereby approved.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. In the interests of neighbouring amenities and highway safety.

#### 04. Parking Layout (Pre-Occupation)

Notwithstanding the submitted drawings, the parking and access shall be provided in accordance with revised plans to be submitted and approved in writing to the Local Planning Authority before the car park is first brought into use. The plans shall demonstrate that all car parking spaces will be fully marked out to have a minimum size of 2.4m x 5m with at least a 6m aisle width to allow for on site turning. For the avoidance of doubt, in order to achieve the 6m aisle width, car parking spaces no. 11 and 12, as shown on the plans hereby submitted will need to be omitted. The parking layout and turning space will thereafter be retained, as approved, and the turning space kept clear at all times.

#### 05. Use of the Car Park (Performance)

The proposed car park shall only be only used as staff parking and for domestic sized vehicles only. No HGV's are permitted to access the car park (for clarity purposes, no vehicles over 3.5tonnes)

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety. In the interests of the amenities of neighbouring occupiers.

#### 06. Hours of Use (Performance)

The car park hereby approved shall be closed and access gates locked between the hours of 7pm-7.30am Monday-Friday and all times at weekends.

Reason: In the interests of the amenities of neighbouring occupiers and in the interests of site security.

#### 07. Electric Vehicle Charging Point (Performance)

Prior to the car park hereby approved coming into use, an electric vehicle charging point for staff vehicles shall be provided within the red or blue line site boundary (Adams Morey site). The electric charging point shall thereafter be retained for staff use.

Reason: In the interests of air quality.

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS13	Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

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

SDP1	Quality of Development
SDP5	Parking
SDP7	Context
SDP10	Safety & Security
SDP15	Air Quality
SDP16	Noise
REI 11 viii	Light Industrial Use

Supplementary Planning Guidance

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2021)