

Planning and Rights of Way Panel 11th December 2018
Planning Application Report of the Service Lead – Infrastructure, Planning and Development.

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| Application address: Former East Point Centre, Bursledon Road (south-west land parcel) | | | |
| Proposed development: The erection of a food store (Class A1) and a coffee drive thru (Class A1/A3) with associated access, car parking and landscaping. | | | |
| Application number | 18/00968/FUL | Application type | Major Retail |
| Case officer | Andrew Gregory | Public speaking time | 15 minutes |
| Last date for determination: | 12.12.18 (ETA) | Ward | Bitterne |
| Reason for Panel Referral: | Six letters of support have been received contrary to the officer recommendation | Ward Councillors | Cllr John Jordan Cllr Frances Murphy Cllr Terry Streets |

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| Applicant: ALDI Stores Limited | Agent: Planning Potential |
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| Recommendation Summary | Refusal |
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| Community Infrastructure Levy Liable | Yes |
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| Appendix attached | | | |
| 1 | Development Plan Policies | | |

Recommendation in Full

Refuse for the following reasons:

01. REFUSAL REASON - Site Access

The proposal has failed to demonstrate adequate capacity for safe right turn movements out of the site without leading to severe obstruction to traffic flow on Bursledon Road, a main arterial route which has been identified by Highways England as requiring major improvements to improve traffic flow. Therefore the proposal would have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would be severe. Furthermore the proposed layout fails to provide direct pedestrian access from the north, because the site is being developed in isolation, with access for cars given priority over pedestrians. The development proposal is thereby contrary to policies SDP1(i), SDP3, SDP4 and TI2 of the City of Southampton Local Plan Review (2015) and CS18 of the Local Development Framework Core Strategy (2015) and paragraph 109 of the National Planning Policy Framework (2018).

02. REFUSAL REASON - Poor Layout

This application and the adjoining residential proposal (Ref 18/01373/FUL) have not been developed comprehensively or master planned and as a consequence, the failure to provide access from the southern land parcel onto Burgoyne Road without agreement from third party land would prejudice the future development of this site in the event the northern parcel is developed. Furthermore, the proposed layout provides a poor relationship between commercial and residential uses, with the servicing area for the Aldi food store located on the boundary with a potential housing site thereby prejudicing its full delivery. The development proposal is thereby contrary to policies SDP1, SDP7, SDP9 of the City of Southampton Local Plan (2015) and CS4, CS6 and CS13 of the Local Development Framework Core Strategy (2015)

03. REFUSAL REASON – Loss of safeguarded open space

This application results in the net loss of safeguarded open space and fails to mitigate against this loss because replacement open space has not been secured on this site or elsewhere, and S106 contributions have not been secured towards off-site open space improvements to meet the needs of the community and to prevent habitat disturbance. The development is thereby contrary to policies SDP1(i) (ii), CLT3 of the Local Plan Review (2015) and CS21 of the Local Development Framework Core Strategy (2015) which seeks to ensure no net loss of public open space.

04. REFUSAL REASON – Insufficient Landscaping

Insufficient tree replacements and landscaping is provided to mitigate against the loss of existing landscaping, trees and biodiversity habitat and to improve the pedestrian environment. Additional landscaping and trees could be provided had the parking layout not exceeded the Council's maximum car parking standards. The proposed site coverage with buildings and hard surfacing and lack of soft landscaping is symptomatic of a site overdevelopment and out of keeping with the character and appearance of the area. Furthermore the development fails to provide net biodiversity gains. Amended landscaping plan 1294-01 Rev C is not considered to adequately address these issues. The development proposal is thereby contrary to saved policies SDP1 (i) (ii), SDP7(i), SDP12 of the City of Southampton Local Plan Review (2015) and policies CS13 and CS22 of the Local Development Framework Core Strategy (2015)

05. REFUSAL REASON - Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

(i) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured in accordance with Policies CS18, CS19, and CS25 of the Southampton Core Strategy (2015) and the adopted Developer Contributions SPD (2013);

- (ii) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway, caused during the construction phase, to the detriment of the visual appearance and usability of the local highway network;
- (iii) In the absence of a mechanism to secure off-site open space improvements the proposal fails to mitigate against the net loss of open space contrary to CLT3 of the Local Plan Review (2015) and CS21 of the Local Development Framework Core Strategy (2015)
- (iv) Submission of a tree replacement plan to secure 2:1 tree replacement and to secure a tree Replacement Off Site Contribution should any off-site replacements be required.
- (v) Servicing Management Plan;
- (vi) Submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013); and
- (vii) Employment and Skills Plan.

Background

There are two applications for the former Eastpoint Centre on this Panel agenda – both are recommended for refusal in the knowledge that a single comprehensive scheme, submitted as a single planning application, could address officer concerns. Outline planning permission was granted in 2017 for residential redevelopment on the Former Eastpoint Centre site comprising 114 flats and 36 family housing. The outline scheme was accessed from Burgoyne Road and the approved layout included a net increase in public open space across the site, including existing tree retention to the northern boundary. Two separate planning applications are now proposed with residential redevelopment comprising 128 dwellings in the northern part of the site and an Aldi food store and Coffee drive-thru within the southern part of the site.

These separate planning applications represent a significant uplift in development across the site which has consequences for highway safety and traffic flow on Bursledon Road and a reduction in the amount of open space, soft landscaping and tree provision across the site. The applicants were advised at pre-app stage to submit a single application for this development. The Local Planning Authority has also encouraged the applicants to withdraw the current schemes, and has offered to work with them to achieve a comprehensive solution for the whole site which provides a suitable balance of housing and employment delivery, open space provision and tree and soft landscaping retention/mitigation. The land (ie. both sites) is in single ownership and a comprehensive scheme could deliver a similar quantum of development without the problems raised in this report. However the applicants have chosen not to withdraw the current schemes and seek a formal determination by the Planning and Rights of Way Panel.

1 The site and its context

- 1.1 The Former Eastpoint Centre site is located between Burgoyne Road and Bursledon Road and comprises the, now vacant, two-storey offices/training facility and grassed open space area to the south (former school playing fields). The site was historically occupied by Hightown Secondary School which closed in the 1980's. The vehicle access to the site is from Burgoyne Road, to the north, with the access-way within the site itself not being adopted public highway. Immediately to the south of the site is Highpoint Centre, a community and conference centre with first floor offices. Beyond the north-east boundary of the site are two-storey residential properties and south of this, an area of woodland.
- 1.2 The existing buildings on site are two and three storeys in scale, flat-roof and institutional in design appearance. There is a slight change in levels across the site, with the land generally sloping downwards towards Bursledon Road. There is an attractive hedgerow to the southern boundary of the site with Bursledon Road and also along the northern boundary with Burgoyne Road. The surrounding area is mixed in character containing short terraces or semi-detached pairs of dwellings with a suburban character, interspersed by residential tower blocks.
- 1.3 The site has been split into two land parcels and this application relates to the south-western parcel which fronts Bursledon Road. The site has an area of 0.8 hectares and comprises access into the Highpoint Centre and grassed open space and landscaping which is safeguarded as open space. The north-eastern parcel has an area of 1.39 hectares and is subject to a separate planning application for residential redevelopment (Ref 18/01373/FUL).

2. Proposal

- 2.1 The proposal seeks permission for redevelopment of the site with an Aldi foodstore and Starbucks drive-thru coffee shop with associated access, car parking and landscaping.
- 2.2 The site would be accessed via the existing access into Highpoint Centre which is currently one way. The proposal seeks to widen the access to provide access and egress onto Bursledon Road. The existing one way system for the Highpoint Centre exits onto Burgoyne Road and traffic re-joins Bursledon Road at the signal controlled junction with Warburton Road.
- 2.3 The site frontage would be occupied by car parking with a total of 133 car parking spaces (including 6 disabled bays) provided across the site. The proposed food store (1724sqm gross floor area) has a mono-pitch roof design with the main access north-east facing. The servicing area / delivery dock for the food store is located adjacent to the boundary with the residential proposal to the north and a 3m height acoustic barrier is proposed in this area. The proposed Starbucks drive thru coffee outlet is single storey with contemporary mono-pitch roof design (167sqm gross floor area).
- 2.4 The scheme seek to remove 76 existing trees with 23 replacement trees incorporated within the landscaping proposals across the site.

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). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The updated National Planning Policy Framework (NPPF) came into force on 24th July 2018 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.

Open Space

3.3 The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. This Policy was strengthened by the examining Core Strategy Inspector and established an approach of 'no net loss' of open space within the city. The evidence base to the Core Strategy demonstrated a shortfall in provision of open space across the city. The Green Spaces Strategy has recently been reviewed and this situation has not improved. Furthermore, the nature of Southampton as a solely urban authority means there is little opportunity to create new open spaces to meet this need.

3.4 Paragraph 97 of the National Planning Policy Framework indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.

Retail Impact

3.5 The locally set threshold for retail impact assessment is a retail floor area greater than 750sqm gross as set out within policy CS3 of the Core Strategy (amended 2015). The proposal seeks retail use which is greater than 750sqm on this 'out of centre site and therefore this planning application is supported by a Retail Impact Assessment and Sequential Test in accordance with the requirements of Section 07 of the National Planning Policy Framework (2018).

Vehicular Access

3.6 The A3024 Bursledon Road is a classified road and connects Southampton City Centre and Port with the M27 Junction 8 (in Hampshire). It is a key cross boundary multi-modal corridor that serves the wider Southampton Travel to Work area covering the residential areas of Southampton of Bitterne, Sholing and Thornhill and the housing and economic activities in Hedge End, Botley and Hamble.

3.7 Highways England are proposing a package of highway junction improvements aimed at boosting productivity and supporting delivery of housing and jobs by easing congestion and improving journey time for all modes along the A3024 Bursledon Road in Southampton.

3.8 Saved Policy TI2 of the Local Plan Review indicates that vehicular access to new development or redevelopment sites from classified roads will not be permitted unless the city council is satisfied that road safety would not be adversely affected. Paragraph 10.11 of the supporting text to policy TI2 indicates:

“To aid safety and avoid congestion by preventing the interruption of free flow of traffic through the proliferation of accesses on to the principal routes within the city, the Council will not usually allow access onto classified roads from new development or redevelopment proposals.....”

3.9

Policy CS6 promotes economic growth and the retail sector supports job growth as set out within the south Hampshire Strategy by PUSH.

4. Relevant Planning History

4.1

Outline planning permission was granted in 2017 across both land parcels for residential redevelopment comprising up to 114 flats and 36 family houses, public open space, associated parking and vehicle access from Burgoyne Road (Outline application seeking approval for access at this stage) (our reference 16/01888/OUT). This proposal achieved a net gain of open space across the site with an increase from circa 5,500 sq.m to circa to 6269 sq.m. The proposed site access was from Burgoyne Road with emergency vehicle access only from Bursledon Road. Affordable housing was secured as part of the S106 Agreement in accordance with the requirements of policy CS15 (35% of the final units adjusted to reflect any vacant building credit).

4.2

The site has now been split into two with two applications lodged by two different applicants. A separate planning application is currently pending on the adjoining north-eastern land parcel for 128 residential dwellings comprising a mixture of 21 houses (20 x 3 and 1 x 4 bed) and 107 flats (29 x 1 and 78 x 2 bed) (our reference 18/01373/FUL). This scheme proposes access from Bursledon Road and incorporates circa 2100sqm of functional/recreational open space with represents 60% of the existing safeguarded open space.

4.3

The Highpoint Centre was originally approved in 2010 (our reference 09/00318/FUL). Further detailed aspects of this scheme were approved in 2011 (reference 10/01636/FUL). Whilst this application resulted in a loss of designated open space, the area lost was re-provided off-site and the re-provision secure by a section 106 legal agreement. This scheme was approved with a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road. Planning permission was subsequently granted to use the first floor as offices (our reference 15/00219/FUL).

4.4

In 2009 it was proposed for the existing Eastpoint Centre and its curtilage to be developed to provide a new campus for Itchen College. A resolution to grant planning permission was secured from the Planning and Rights of Way Panel, although the application was withdrawn before the section 106 was finalised. The layout for this scheme incorporated a one way access from Bursledon Road with traffic exiting the site via Burgoyne Road.

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, placing a press advertisement (06.07.2018) and erecting site notices (06.07.2018 and 20.07.2018). At the time of writing the report **11 representations** have been received (6 in support and 5 against). The following is a summary of the points raised:

5.2 **In Favour**

The proposed retail offer and job creation is welcomed. Additional retail has been needed within Thornhill Estate for some time and the elderly and young families at this end of the estate will be able to walk there; Redevelopment of this derelict site is welcomed; and In favour of this application as it will bring more food shopping choice to the area.

5.2.1 ***Officer Response**– The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. However the merits of increased retail offer and job creation whilst welcomed, do not outweigh the concerns regarding Impact on traffic flow and highway safety from vehicles existing right onto Bursledon Road, failure to secure replacement open space and off-site open space enhancement to mitigate against the net loss of open space and insufficient replacement landscaping. The Local Planning Authority have asked the applicants to withdraw this application and have offered to work with them to achieve a revised scheme which achieves a better balance in terms of jobs/retail offer, open space provision, replacement landscaping and achieves an access design that addresses concerns regarding the proposed right turn exit onto Bursledon Road.*

It is considered that a comprehensive solution to both sites is possible and will result in a better development.

Against

5.3 The existing traffic lights will have to be revised because of the volume of traffic. Increased traffic will have an adverse impact on traffic flow and will lead to congestion both within the estate roads and Bursledon Road;

***Officer Response** – The Council’s highway engineers have confirmed that changes to the phasing of the Bursledon Road/Coats Road traffic lights will not achieve an acceptable right turn exit solution and would impact on traffic flow and highway safety.*

5.3.1 Existing access into the Highpoint Centre will become two-way and the intensification of vehicular traffic may prejudice pedestrian safety.

***Officer Response** – The Council’s Highways Engineer has raised no objection in relation to pedestrian safety. Footway is to be provided and traffic calming measures can be installed to provide safe crossing points within the site. The schemes pedestrian linkages are, however, poor from a design perspective*

5.3.2 The proposed Starbucks drive thru coffee shop will have an adverse impact on the viability of the existing community coffee shop (registered charity) within the Highpoint Centre. There are also 5 coffee retailers at Antelope Park, Gala Bingo, Costa, Greggs, The Range and KFC all of which sell coffee to local residents, so within half a mile of the proposed drive thru coffee shop there are 7 outlets for purchasing coffee, I would ask the planning committee to consider just how many coffee outlets one area of a housing estate needs to meet demand? It is my opinion that there is an over saturation of coffee shops in the local community.

***Officer Response** –The coffee drive-thru has a gross internal area of 167sqm (less than 750sqm) and therefore is not subject to retail impact policy within the Core Strategy and NPPF. The planning system cannot intervene to stop market competition and therefore increased competition is not a material consideration.*

The applicants have indicated that Starbucks will provide a slightly different offer and may appeal to a different customer base.

- 5.3.3 If there is not enough car parking spaces any overspill would have an adverse impact on the Highpoint Car park and nearby streets

Officer Response – The proposal provides in excess of the Council's maximum parking standards (16 additional).

- 5.3.4 The traffic survey submitted states traffic was monitored from 10am and through until 4pm Mon-Fri, the planned opening time of the supermarket is 8am -10pm Mon-Sat and 10am -5pm on Sunday. There is no traffic impact assessment submitted during the rush hour/s times for Bursledon Road travelling both ways, if the store is open at 8am are the owners suggesting no one including staff will travel to the store before until 10m or leave after 4pm? six days a week. How will staff get to work.

Officer Response – It is agreed that the survey does not cover the morning peak (before 10am). A staff travel plan has been provided to encourage employees to access the site by sustainable modes of travel.

- 5.3.5 The traffic survey submitted makes no mention of the traffic flow to and from the Starbucks drive thru coffee? The term Drive Thru means customers will drive thru, so one would imagine there would be an impact on traffic, which of course there will be but this seems to have been ignored altogether.

Officer Response – The Council's Highway Engineer has indicated that the impact of trips arising from the proposed drive-thru coffee shop is not properly understood due to the lack of comparable trip data.

- 5.3.6 Concerns regarding delivery lorries attending the Aldi site in relation to the building and the community and how close the traffic will be to the Highpoint Venue and the increased traffic noise and disruption across the board.

Officer Response – The submitted Transport Assessment indicates that the site will be served by up to 2 HGV deliveries per day and 1 milk delivery per day by a sized goods vehicle. The impact of servicing and all vehicle movements will not lead to harmful noise disturbance on existing residents having regard to existing background noise levels from road traffic.

The Council's Environmental Health Team have raised no objection. However it is accepted that the proposed access arrangements will lead to disruption as set out within the proposed reason for refusal.

- 5.3.7 How will Aldi guarantee that their shoppers will NOT use the Highpoint Venue car park and ensuring our clients who support the community will have free flow access to our site? Would Aldi consider discussions and the implementation of a controlled barrier system to safeguard our clients/workers ensuring their right to park?

Officer Response – The scheme exceeds the Council's maximum car parking standards however a barrier could be installed to prevent unauthorised overspill parking.

- 5.3.8 With the overall development of the site for Aldi and then the expected building development of 128 homes behind the store is considered to be a site overdevelopment.

Officer Response – The proposed insufficient landscaping mitigation is considered symptomatic of a site overdevelopment and a comprehensive developments would address the LPA's concerns.

- 5.3.9 The sequential test is flawed because the designation of the site as allocated open space has been ignored as a constraint against development. The retail assessment provided by the applicants would appear to show that retail centres within reasonable journey distance of the application site (some 12 in total), to be generally viable and not lacking in food or other convenience facilities.

Officer Response – See Planning Considerations Section below.

- 5.3.10 The family housing on the adjacent side of Bursledon Road would be subject to unreasonable noise nuisance and vehicle pollution as well as light pollution from vehicle headlights.

Officer Response – No objection has been raised by the Council's Environmental Health Team. The proposal is not considered to lead to a harmful increase in disturbance and pollution having regard to existing road traffic and street lighting impacts, although it is recognised that vehicles will shine headlights across the street whilst waiting to leave the site onto Bursledon Road.

Consultation Responses

5.4 SCC Highways – Objection

- 5.4.1 Insufficient evidence has been provided to provided enough comfort that the proposed all movement junction will function well and to not have a harmful impact on the public highway, especially one of such importance

5.4.2 Trip Assessment

There is still question marks on the actual impact from the coffee shop due to a lack of directly comparable Trip data which has been confirmed by the TN3 that no data is available at this time. The 70% linked trip figure is based on end-user's experience with other sites but no formal evidence have been provided. The 70% figure is still considered to be high especially during peak hours (as commuter trips would unlikely visit ALDI on the way to work and would unlikely visit the coffee shop on the way home before/after a shop).

- 5.4.3 The Transport Submission acknowledges the fact that the proposed junction capacity assessment (Picady) does not allow for the signal junction on Coates Road and that it would be difficult to model this due to driver behaviour having an influence on capacity results. This is the same reason that the Highways team is concerned as the signal has a direct impact to how this proposed new 'all movement' junction will function. Again, the Picady assumes traffic is free flowing which does not reflect accurately of how the junction will function. Due to the constant flow of traffic during the peak hours, it could be difficult for vehicles to turn in or out of this site with the odd gaps here and there. There is a clear gap in the flow when the signals turn red at Coates Road, however the time between traffic stopping and vehicles from Coates Road turning right onto Bursledon Road is not going to be for very long.

5.4.4 Furthermore, when the signals turn red, it would be likely that there will be a couple of cars stopped at the stop line leaving no room for any vehicles to turn right out of the site access. This could lead to unfavourable driver behaviours like edging out and blocking the East-bound lane or accelerating hard into or out of the site access during gaps in traffic flow.

5.4.5 Keep clear signs can only help when traffic is near a standstill on both lanes and does not really address the concerns previously raised (trying to time the left turn out's with the traffic signal). If the junction does not perform well, it is difficult to predict the exact impact on the highway.

5.4.6 Parking

The submission proposes 16 spaces over the Council's maximum parking standards (133 spaces proposed) presumably as a flexible margin. Having said that, not all customers will be there for a whole hour and therefore the projected figures could be lower also. Overall, the Council's policy was written for a reason and allows for additional parking to areas which are not within a high accessible area. However, it is acknowledged that a quick study has been done to project demand and if there could be potential overspill issues. Should there be any potential overspill, it would unlikely be on Bursledon Road and therefore would mainly be an amenity issue for local residents or High Point Centre. For these reasons, the recommendation from highways will be for the quantum to comply with the policy as it is not far off the projected demand (around 10 spaces) but would be understandable should a planning judgement be made on the balance of the study that was done.

5.4.7 HE/SCC A032 Scheme

Land to the front of the site will need to be dedicated to accommodate road improvements on Bursledon Road, including footway widening to provide a shared cycleway/footway (approximately 1.4m width). The future plan is to add in a new bus priority lane which will likely require an additional 3.75m on top of the 1.4m.

Urban Design Manager – Objection

5.5 The proposal does not create a positive link to the adjacent site, particularly with the drive through coffee pavilion. We said at the preap meeting with them and to the applicants of the other half of the site that we expect a strong and obvious pedestrian/cycle link between Bursledon and Burgoyne Roads and this does not demonstrate that with pedestrians having to cross three separate access points and also cross back over the road to access the connection through to the northern site. This is unacceptable, as is the lack of any tree planting along this route. I would also expect to see an ultimately much larger native tree species used for the planting along Bursledon Road rather than Acer campstre 'Streetwise'. This boundary frontage is important as it is the lead in to the substantial block of native woodland adjacent to the site and the landscape proposal should recognise this transition from the natural to a more formalised landscaped frontage

5.5.1 With regard to the design of the foodstore, the asymmetrical roof pitch is at odds with the design of the Highpoint centre and I would suggest that a parapet is needed to the Bursledon Road frontage to disguise the asymmetrical roof pitch. It would also be beneficial if white cladding panels were used for the

store to have a sympathetic relationship to the adjacent Highpoint centre. The same is applicable for the coffee shop, should it remain. Currently without the benefit of an agreed layout to the other half of the site it is impossible to determine whether the orientation of the store is acceptable.

- 5.5.2 Overall I think the drive through coffee shop needs to be deleted so that there is only one access point into the store thereby allowing a safer and more direct tree-lined pedestrian/cycle path connecting through and agreed with the site to the north.
- 5.5.3 Based on the current orientation of the store a strong boundary landscape strip will be needed along the northern boundary to screen the store and its car park, as we don't know what is likely to be proposed on the other site and the prospect of just a boundary wall is unacceptable

Tree Officer – Objection

- 5.6 The density of planting falls far short as the development proposes a total of 76 trees to be removed, with only 23 being replaced. There needs to be a significant increase in planting numbers with other large canopy trees forming the frontage with Bursledon Road. In its current form, I am not in support of the proposal due to the location of the store, the number of trees to be removed and the lack of replacement trees.
- 5.6.1 *Officer Response – It is accepted that some tree loss can be supported to allow the site to be redeveloped providing appropriate open space re-provision and landscape mitigation can be achieved. However inadequate replacement landscaping is proposed with only 23 trees to be re-provided. The development is providing 16 spaces above the Council's maximum car parking spaces and therefore a greater amount of landscaping and tree planting could be provided in the interests of the character and appearance of the area*

Ecology Officer – Objection

- 5.7 The application is supported by an ecological appraisal undertaken in May 2018 however, it relies upon a survey of bat foraging activity undertaken in 2016 (Phlorum Ltd, November 2016). This is acceptable as this survey was carried out in August 2016, and is less than two years old. Unfortunately, the level of bat activity reported in the new ecological appraisal does not appear to tally with that recorded in the 2016 survey. The 2016 report states that there is a moderate level of bat foraging activity on the site however, the new appraisal only reports it as low. No new data is provided to justify this change in assessment. I am therefore of the view that the original assessment of moderate levels of foraging should be maintained
- 5.7.1 The 2016 survey confirmed that bats were observed foraging over the grassland and woodland edge. The proposed development will result in the loss of all of the habitat on the site which is likely to have adverse impacts on bat foraging area. The proposed replacement habitat is minimal in extent.
- 5.7.2 The earlier ecology report also noted that lighting can adversely affect bats and that external illumination should be kept to a minimum. Whilst the building will shield some of the light emitted by the floodlights in the proposed car park, the

presence of pedestrian access points immediately adjacent to the woodland means that lights will be required in very close proximity to the trees canopies. This has the potential to further reduce the extent of bat foraging habitat

- 5.7.3 The vehicle access to the site will also result in the loss of landscape planting installed as part of the Highpoint development which formed part of the biodiversity mitigation scheme. There does not appear to be any replacement planting to offset this loss.

5.8 **Public open space**

The application site is allocated as public open space and there is currently a deficit of public open space within the city. The proposal makes no provision for replacement of any of the open space. Such re-provision was a key part of the approved residential scheme.

Officer Response – The lighting design can be addressed by condition. However a greater amount of landscaping is required to provide improved foraging habitat and to replace the existing biodiversity mitigation scheme. See above officer response to the SCAPPS objection in relation to loss of open space

- 5.9 **Sport England** – No objection as the playing field has not been used for at least five years, the consultation with Sport England is not a statutory requirement. Having assessed the application for the redevelopment of the site to create 128 residential dwellings, Sport England is satisfied that the proposed development has negligible impact on the playing field and affects only land incapable of forming a playing pitch or part of a playing pitch, and therefore meets exception 3 of our playing fields policy.
- 5.10 **Environmental Health** – No objection subject to conditions to secure construction management, servicing and trading hours, lighting design and plant noise levels (as detailed in 9.3 of the Sharps Redmore Noise Report dated 24th May 2018).
- 5.11 **Archaeology** – No objection subject to conditions to secure an archaeological watching brief
- 5.12 **SCC Land Contamination** - No objection. Suggest a condition to secure a full land contamination assessment and any necessary remediation measures
- 5.13 **SCC Flood – No objection** subject to a condition to secure sustainable drainage
- 5.14 **SCC Sustainability Team** – No objection subject to conditions to secure at minimum Excellent against the BREEAM Standard
- 5.15 **Southern Water:** No objection subject to a conditions to secure details of the measures which will be undertaken to protect the public sewers and water mains and details of the proposed means of foul and surface water sewerage disposal

Southampton Commons & Parks Protection Society (SCAPPS) - Objection

5.16 There is a long, complex planning history on the site of the former school/Eastpoint Centre. This application is for development of only part of that site. In the absence of a comprehensive scheme, relating the development proposed in this application to what is to happen on the remainder of the site, permission should be refused.

1. Because the application fails to make provision for public open space on-site or to provide replacement public open space elsewhere. This is part of the site of a former school & its playing fields, & so subject to Core Strategy policy CS21 intended to maintain the quantity of green space in the City. There is an extant outline planning permission for housing & public open space. At pre-app consultation the applicant was advised that permission would not be granted without binding commitment to provision of public open space on part of the overall site. The applicant has failed to provide that undertaking & permission must be refused. The LPA should reject the preposterous claim (Planning Statement 7.12-7.16) that there is no obligation for the applicant to identify & provide public open space because a permission would be CIL liable & the LPA is able to spend CIL receipts on provision of & improvements to public open space. To accept that proposition would make CS21 otiose. SCAPPS requests that reasons for refusal explicitly reject the applicant's false claim & affirm the principle set out in policy CS21 that applications taking land from designated public open space must identify replacement public open space.
2. Because the application proposes over-development of the site resulting in damage to an important landscape feature. This is a sensitive site on a principle main road into & out of the City. To the east of the site, the substantial tree belt is a major visual feature marking the edge of the built area. Development of the application site should protect that through view to the trees. Instead, the application takes development & hard surfacing almost to the Bursledon Road frontage & interposes parked cars & a large shed-like building in views through to the tree belt. The application fails to provide what the Design & Access Statement (para 3.5) recognises is important --- 'to maintain the character of the existing site boundaries & to keep the green aspect along Bursledon Road'. Instead of substantial planting on the Bursledon Road frontage, the application proposes a grass verge & small trees. It proposes to take built development hard up against the east boundary with a close-boarded fence on the boundary itself.
3. Although not a matter on which SCAPPS would expect to comment, the proposed arrangements for vehicle access & egress are likely to result in congestion & traffic chaos. The Transport Impact Assessment makes no reference to the recent Highways England consultation on improvements to the M27 junction/A3024. It fails to acknowledge current problems of congestion & queuing on the A3024. SCAPPS finds inconceivable the conclusion that an unsignalled junction with right-turn in & right-turn out moves will not result in traffic chaos & be dangerous.

5.16.1 *Officer Response - The principle of some net loss of some open space could be supported in the interests of housing and employment delivery having regard to the period of time the open space has not been used formally by the public since Hightown Secondary School was closed in the 1980's and given that Sport England have raised no objection. The residential proposal on the adjacent site would provide replacement of circa 60% of recreational open*

space and additional financial contributions towards off-site open space enhancements could be secured thorough the legal agreement. However replacement open space and off-site enhancements cannot be secured because both planning applications are recommended for refusal and therefore the Aldi scheme is contrary to policy CS21 of the Core Strategy and paragraph 97 of the NPPF. The concerns regarding right turn vehicular movements onto Bursdeon Road are shared and a reason for refusal is recommend on this basis

City of Southampton Society: Objection

5.17

Site too small for the purpose.

Direct access/egress turning right on to main road A3024 unacceptable. Major work projected on this road, busy main road to and from the east.

Heavy vehicles would have difficulty on the site.

Vehicle movements generally would conflict, especially with pedestrians.

The coffee shop would kill off the coffee shop in the community centre.

There is a lot of greenery on site, which would be lost.

The site would be satisfactory for housing, with amenity space, and a link to Burgoyne road for safe access.

6.

Planning Consideration Key Issues

6.1

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

- the principle of the development (open space and retail impacts);
- highways impact; and
- Landscaping design.
- Relationship between proposed retail use and adjacent residential redevelopment proposal.

Principle of Development

6.2

Open space

The proposal relates to the grassed southern part of the site Former East Point Centre, which is safeguarded as open space. Policy CS21 of the Core Strategy requires the retention of the quantity and the improvement of the quality and accessibility of open space within the city. Furthermore paragraph 97 of the National Planning Policy Framework 'the Framework' indicates that existing open space, sports and recreational land should not be built on unless the space is demonstrably surplus to requirements; or the lost open space would be replaced elsewhere; or the development is for alternative sports and recreational provision. Open space is defined as all open space of public value.

6.2.1

The Council's Ecologist and Open Spaces Manager have expressed concern over the shortage of recreational open space across the city with 2.54 hectares per 1000 of the population available in 2016, which is short of the national standard of 3.45 hectares and down from the 2006 provision of 2.98 hectares. However the Council's Open Spaces Manager has not formally commented on this planning application. A net loss of open space is, however, proposed and significant weight has been afforded to policy CS21.

6.2.2

This area of safeguarded public open space has not been formally accessible for public use for over 5 years and therefore Sport England have raised no objection to loss of this former school playing field (Hightown Secondary

School was closed in the 1980's). The 2016 outline planning permission for residential redevelopment (our reference 16/01888/OUT) achieved a net gain of open space across the site with an increase from circa 5,500 sqm to circa 6269 sqm. The proposed residential redevelopment on the adjacent land parcel (18/01373/FUL) offers 2100sqm of functional/recreational open space which would represent circa 60% of the existing open space provision and offers circa 80% re-provision if the proposed areas of landscaping across both site are considered.

- 6.2.3 In light of the above circumstances it is considered that some net loss of open space could be supported when weighed in the balance with the housing and employment benefits of both schemes. However replacement open space and contributions towards open space improvements off-site cannot be secured because both planning applications are recommended for refusal and neither party have provided a phasing plan showing how the delivery of replacement open space could be linked to the delivery of the food store. Therefore this proposal represent a net loss of open space and would be contrary to policy CS21 of the Core Strategy and paragraph 97 of the NPPF.
- 6.2.4 Retail Impact
All new retail development of a particular size, located out of a defined centre requires a retail impact assessment and sequential test before the principle can be supported (policy CS3 refers).
- 6.2.5 The approach taken by the applicant in identifying district and local centres in the eastern part of the city along with edge and out-of-centre foodstores is considered to be both reasonable and proportionate. It's noted that Hedge End District Centre has also been looked at in terms of the sequential approach taken for site selection and retail impact.
- 6.2.6 The key headlines in terms of retail impact are included in pages 41-42 and Tables 6-8 of the Planning and Retail Statement. It's observed that the main impact of the proposal would be upon Woolston District Centre. The applicant has provided three scenarios to demonstrate the retail impact of the proposal. These show varying degrees of impact upon turnover depending on how the vacant foodstore at Centenary Quay is factored into this assessment.
- 6.2.7 The worst case scenario in terms of retail impact from approving the proposal, whereby a functioning foodstore at Centenary Quay considered separately from Woolston District Centre, would result in a 21.0% impact upon overall turnover in this District Centre. Discounting this vacant foodstore altogether at Centenary Quay would result in an 8.2% impact upon overall turnover in Woolston District Centre if the application is approved. The best case scenario in terms of retail impact, whereby a functioning foodstore at Centenary Quay is incorporated within the turnover calculations for Woolston District Centre, would result in a 5.3% impact upon overall turnover in this District Centre if the application is approved – therefore the lowest retail impact out of the 3 tested scenarios (see Table 8). Centenary Quay food store is not going to come forward and the space has recently secured planning permission for a leisure use.
- 6.2.8 Taking into account the three scenarios, it's reasonable to conclude from the information provided by the applicant that the overall impact upon turnover in Woolston District Centre, would equate to the calculated 8.2%. This is because the site has not come forward for retail development to date with no evidence of this likely to come forward for its intended use. In addition, it's noted in the Planning and Retail Statement that the reasons for the foodstore remaining

vacant are due its lack of commercial prominence and commercial constraints (as an aside, it's noted that the applicant states an impact of 21.0% wouldn't be significantly adverse although this is questionable).

- 6.2.9 Whilst 8.2% is not considered to be materially significant in terms of impact, it's not considered to be a low impact. However, this is partly offset by the comprehensive approach taken by the applicant to the sequential test which is considered both reasonable and proportionate. Taking these factors into consideration, it's recommended that any approval is conditioned so that the overall floorspace is no more than that proposed, with the convenience floorspace in the foodstore limited to no more than 80% of the proposed overall total. Consideration should also be given to whether developer contributions should be collected for improvements to the district and local centres in the eastern part of the city. Officers conclude that the principle of a foodstore in terms of retail impact and sequential approach is acceptable but this in itself is not enough to secure a favourable recommendation

6.3 Highways Impact

- 6.3.1 The proposal seeks to establish two-way access on Bursledon Road by altering the existing one way access serving the Highpoint Centre to form a T-junction with ghost island right turn lane. The applicants were advised at pre-application stage that such arrangement would unlikely be supported due to existing traffic volume on Bursledon Road and conflict with the adjacent traffic lights at the junction of Bursledon Road/Coates Road. The planning history for this site indicates that previously consented schemes for the relocation of Itchen College, Highpoint site and the 2016 residential redevelopment did not propose two-way access and all exiting traffic had to use Burgoyne Road and the signal controlled junction at Warburton Road/Bursledon Road.
- 6.3.2 Due to the constant flow of traffic during the peak hours, it could be difficult for vehicles to turn out of this site. There is a clear gap in the flow when the signals turn red at Coates Road, however the time between traffic stopping and vehicles from Coates Road turning right onto Bursledon Road is not very long. Furthermore, when the signals turn red, there would only be room for a maximum of 1-2 vehicles to exit right if the existing stop line was moved back. This would cause excessive delay and tailbacks within the site and such delays could lead to unpredictable driver behaviour with additional cars pulling out and blocking the eastbound lane.
- 6.3.3 The introduction of design measures to force all traffic westbound, without allowing traffic to exit via Burgoyne Road, would result in unacceptable turning manoeuvres in nearby streets because there is no roundabout to serve exiting traffic seeking to turn to travel eastbound.
- 6.3.4 The A3024 Bursledon Road is a classified road and connects Southampton City Centre and Port with the M27 Junction 8 (in Hampshire). It is a key cross boundary multi-modal corridor that serves the wider Southampton Travel to Work area covering the residential areas of Southampton of Bitterne, Sholing and Thornhill and the housing and economic activities in Hedge End, Botley and Hamble. Highways England are proposing a package of highway junction improvements aimed at boosting productivity and supporting delivery of housing and jobs by easing congestion and improving journey time for all modes along the A3024 Bursledon Road in Southampton.
- 6.3.5 It has not been demonstrated that the proposed T-Junction can work safely and effectively and would not delay flow on Bursledon Road. As such the proposal could have an unacceptable impact on highway safety and the residual

cumulative impacts on the road network could be severe, contrary to saved Local Plan policy TI2 and paragraph 109 of the NPPF.

6.4 Landscape Impact

The character of the existing site comprises grassed open space and 76 trees. The proposal seeks substantial site coverage with buildings and hard surfacing with limited replacement landscaping and tree planting to mitigate against the loss of existing landscaping. The proposal also seeks to remove new biodiversity habitat on the southern side of the site access, introduced when the Hightown Centre was constructed

- 6.4.1 The landscaping scheme has been improved by providing an improved planting mix of native tree species along the site frontage and the number of replacement trees has been increased from 9 to 21 plants. However further soft landscaping could be achieved given the scheme seeks 16 car parking spaces over the Council's maximum car parking standards. In light of the Urban Design Manager's concerns regarding the pedestrian environment, and ecology officers concerns regarding the loss of bat foraging habitat, it is considered that the planting bed to the southern side of the site access could be widened to provide improved landscaping and further tree planting

6.5 Relationship between proposed retail use and adjacent residential redevelopment proposal

Failure to provide a comprehensive mixed use development across both land parcels or lack of a masterplan to inform separate applications has led to a poor relationship between the proposed retail use and residential redevelopment. The proposed HGV loading dock would be located only 13m from proposed residential accommodation. The provision of landscaping and a 3m height acoustic fence is considered insufficient to mitigate against the disturbance and poor outlook to these neighbouring flats. Whilst the residential scheme is also recommended for refusal it is considered that the current approach (2 applications), with a service yard located adjacent to the boundary, prejudices the delivery of housing on the neighbouring site.

7 Summary

- 7.1 The Local Planning Authority is satisfied with the submitted sequential test and retail impact assessment. However the merits of the scheme in terms of retail impact/need and employment creation do not outweigh the concerns regarding impact on traffic flow and highway safety from vehicles existing right onto Bursledon Road, failure to secure replacement open space and off-site open space enhancement and insufficient replacement landscaping. The Local Planning Authority have asked the applicants to withdraw this application and have offered to work with them to achieve a revised scheme which achieves a better balance in terms of jobs/retail offer, open space provision, replacement landscaping and achieves an access design that addresses concerns regarding the proposed right turn exit onto Bursledon Road. The applicants have requested a determination of their scheme.

8 Conclusion

- 8.1 The positive aspects of the scheme are not considered to outweigh the negative highways, open space and landscape impacts and as such the scheme is recommended for refusal.

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), 4 (f) (g), 6 (a) (c), 7 (a), 9 (a) (b)

AG for 11/12/2018 PROW Panel

POLICY CONTEXT

Core Strategy - (as amended 2015)

- CS3 – Town, District and Local Centres
- CS6 – Economic Growth
- CS13 – Fundamentals of Design
- CS14 – Historic Environment
- CS15 – Affordable Housing
- CS16 – Housing Mix and Type
- CS18 – Transport
- CS19 – Car and Cycle Parking
- CS20 – Tackling and adapting to Climate Change
- CS21 – Protecting and Enhancing Open Space
- CS22 – Biodiversity and Protected Species
- CS25 – Delivery of Infrastructure and Developer Contributions

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

- SDP1 – Quality of Development
- SDP4 – Development Access
- SDP5 – Parking
- SDP6 – Urban Design Principles
- SDP8 – Urban Form and Public Space
- SDP9 – Scale, Massing and Appearance
- SDP10 – Safety and Security
- SDP11 – Accessibility and Movement
- SDP12 – Landscape and Biodiversity
- SDP13 – Resource Conservation
- SDP14 – Renewable Energy
- CLT3 – Protection of Open Space
- TI2 – Vehicular Access

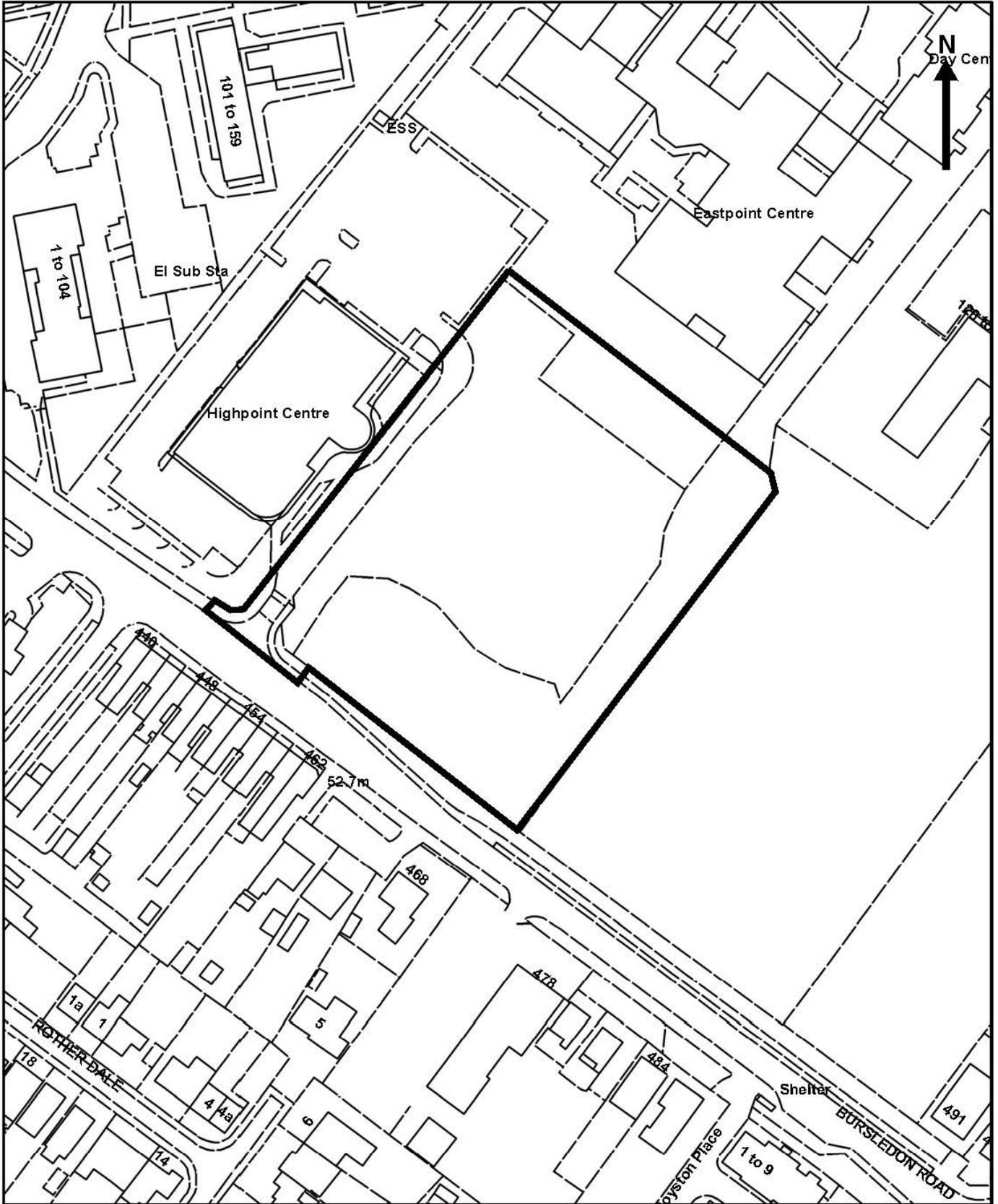
Supplementary Planning Guidance

- Planning Obligations (Adopted - September 2013)
- Parking Standards SPD (September 2011)

Other Relevant Guidance

- The National Planning Policy Framework (2018)
- The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

18/00968/FUL



Scale: 1:1,250

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