To: **Head of Development Control**

FAO: **Kitty B**

From: **Planning Policy and Design Section (Regeneration and Planning Policy Unit)**

Date: **24 August 2016**

Register No: 2584 **Application Ref:** X/16/78941

Application Address:

Unit 1B Bradbeers Retail Park, Wellington Park, Hedge End, Southampton, SO30 2QY

Application Summary:

Variation to Condition 8 of Planning Permission Z/28673/11 to enable the sale of a range of child and baby related goods (including non-bulky goods)

Policy Officer: Toby Ayling

Comments:

Design Officer: Dave Francis

Comments:

Policy Response
NPPF states that its' objective is to "ensure the vitality of town centres". It requires proposals that are out of centre/edge of centre to be subject to a "sequential test" to ascertain whether there are any sequentially preferable sites within or on the edge of an existing centre as defined..
In addition, the NPPF states that when assessing applications for town centre uses Local Authorities should require an "impact assessment " if the proposal exceeds 2,500m2. (Information supplied by the applicant indicates that the floor area is 200om2 and therefore below the threshold).

The saved policies within the ELPR 2001-11 set out to protect Eastleigh town centre and other "centres" within the Borough..
133. TC promotes growth in existing centres
134.TC "restricts out of centre or edge of centre development for retail, leisure, office or other out of town centre uses - subject to a range of criteria.
i)there is demonstrable need (No longer required by the NPPF)
II) There are no suitable/viable and available sites within established centres (this has been addressed in the applicants submission. It should also be borne in mind that achieving large retail formats in town centres has become more difficult as a result of the Rushden Lakes appeal (where the inspector concluded that the whole scheme would have to be accommodated in its entirety).

It is noted that the applicant has put forward revised wording to condition 8 of consent Z/28673/11 to enable the proposed occupier Mothercare to sell a wider range of goods from the apportioned floor area identified for the sale of bulky goods identified in the original consent.

I would question how the condition can be effectively monitored if non-bulky items are included within the bulky category. .

Whilst it is regrettable the application is to widen the range of goods that can be sold from an out of centre location, in view of appeal decisions elsewhere, case law and the Councils recent decision on the adjoining property 1A (ref x/15/76771 to the south for Smyth's toys, on balance it is concluded that not withstanding the policy concerns expressed there are significant material considerations that indicate that an objection would be very difficult to defend.

In view of this, no objection is raised to the condition being amended as set out in the applicants letter (Savills 19th July) and that it is made specific to the operator and does not apply to future occupiers.
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In addition to the usual planning obligations, it is recommended that a developers contribution is negotiated to offset the stated impacts of trade draw from Eastleigh Town Centre through supporting its' vitality and viability through enhancing the public realm and supporting the Eastleigh BID. .

Design Officer 2:

Comments

Design Officer 3:

Comments

Response: NO OBJECTION