REF. NO. F/14/73868

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	External alterations to existing warehouse (Class B8) and part change of use to a builders' merchant (SUI Generis) for display, sale and storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage and associated works. Unit 16 Parham Drive Eastleigh SO50 4NU

SITE VISIT DATE -	20th January 2014
ARE PLANS ACCURATE? -	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? -	Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	External alterations to existing warehouse (Class B8) and part change of use to a builders' merchant (SUI Generis) for display, sale and storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage and associated works and office accomodation at first floor. **Existing** B8 = 3245 sqm **Proposed** B8 = 469 sqm Sui Genris = 2720 sqm
SITE AREA	0.88ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat level site when viewed from Parham Drive but from Whyteways appears to be in an elevated position.
TREES	None within the site but many dotted around the boundary, particularly onto Whyteways.
BOUNDARY TREATMENT	The site is bound by palisade fencing with some space trees/hedging in places. Beyond the rear (NE) boundary is a landscape bund which contains a row of semi mature trees that create screening, particularly in the summer months.
SITE CHARACTERISTICS	The site contains a disused B8 warehouse constructed of brick with steel cladding and a steel roof. To the front is a steel canopy over several enclosed and exposed loading bays. Ancillary office space is provided at first floor. The site is surrounded by hard standing with large open areas to both the front and rear.
CHARACTER OF LOCALITY	Commercial/Industrial Estate surround on three sides by similar industrial buildings and uses. To the rear (NE) are residential properties that are set on lower ground than the

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THE SITE AND ITS SURROUNDINGS

site.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/17598/00A/00	Warehouse, with ancillary offices, vehicle maintenance	Permitted May 1977
Z/17598/001/00	Ground floor extension to existing warehouse	Permitted Jan 1980

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
60 Whyteways	If the premises are operational during the hours of 9pm - 6.30am a strong objection is raised to any noise created as the building backs on to the rear of residential properties.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Regeneration and Planning Policy	No objection
Head of Housing and Environmental Health	No comments received.
Crime Prevention Design Advisor	No comments received.
Economic Development	No comment/objection.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Existing and Established Employment Area

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011):

- Supplementary Planning Document: Quality Places59.BE (design criteria) – general design criteria with which all proposals must comply
- 100.T (transport and new development) – requires developments to be well served by public transport, cycling and walking; requires measures to minimise impact of proposals; requires large generators of journeys to be located to minimise travel and provide choices of modes of transport; requires Transport Assessments where appropriate.
- 104.T (parking) – requires proposals to provide adequate off-highway parking up to the maximum standard
- 118.E (employment) – seeks to control redevelopment or change of use of existing allocated employment sites for uses other than B1, B2 or B8
- 134.TC (out-of-centre development) – requires proposals for out-of-centre uses to comply with number of criteria to protect vitality and viability of existing town centres This plan sets out the vision for the Borough in chapter 3. Point 8 states that:

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DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Revised Draft Eastleigh Borough Local Plan 2011-2029:
"…Eastleigh town centre and other district and local centres will be prosperous and thriving places serving the economic, community and cultural needs of residents and South Hampshire. Existing out-of-centre shopping facilities that serve the Borough and South Hampshire are likely to remain but will not include new retail development that threatens the other shopping centres in the Borough".

- Policy S1 – (Sustainable Development) – criteria (iii) states that to be sustainable, new development in the Borough should "…maintain and help to grow a high-performing local economy that benefits the borough, South Hampshire and the wider economy without adverse impacts on South Hampshire's city centres, the quality of the local environment or local transport networks".
- Policy S4 – Employment provision supports sustainable economic growth through new employment land allocations and by retaining and securing the regeneration of existing employment sites.
- The pre-submission Plan includes this application site within the urban edge and within an 'existing employment' area subject to policy DM12 of the Plan. This policy requires that these identified employment areas should be retained predominantly in employment use classes B1, B2 and B8 and it supports development or redevelopment for these purposes.

Other relevant policies for consideration include:

- DM1 (general criteria for new development) – seeks high design quality and sustainability
- DM2 (Environmentally Sustainable development) – all non-residential development should achieve BREEAM 'excellent' and incorporate energy efficient passive solar design principles, provision of significant proportion of energy from on-site low/zero carbon sources, connect to any existing near/adjacent low carbon local energy network unless unviable, contribute to the Council's 'allowable solutions' low carbon projects where required, use sustainable construction materials, be designed to allow flexible uses, provide post-occupancy evaluation on sustainability
- DM23 (general development criteria: transport) – proposals required to have safe and multi-modal access, contribute towards transport infrastructure, be accompanied by a Transport Assessment and be located sustainably
- DM24 (parking) – off-highway parking required, overprovision of parking spaces only where this will assist overall viability and vitality of town centre. Proposals for new car parks considered only where it is the only way to serve new development and off-site highway improvements funded where necessary

NATIONAL PLANNING POLICY GUIDANCE

The guidance in the NPPF is a material consideration which must be taken into account when determining planning applications. The NPPF sets a presumption in favour of sustainable development and the relevant sections are highlighted below;

- Paragraph 14 - sets out a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with the development plan and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless the adverse impacts of doing so would significantly outweigh the benefits.
- Paragraph 17 - sets out core planning principles. Planning should, inter alia:
  - proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
  - always seek to secure high quality design;
  - support the transition to a low carbon future;
  - encourage the effective use of land by re-using land that has been previously developed;

NATIONAL PLANNING POLICY GUIDANCE

- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

- Paragraphs 18 and 19 - define the Government's commitment to securing economic growth and to ensuring that the planning system supports sustainable growth.
- Paragraph 21 - advises that local planning authorities should identify sites for local and inward investment to match their overall strategy and to meet anticipated needs over the plan period.
- Paragraph 22, however, cautions against the long-term protection of employment sites where there is no prospect of the site being used for that purpose.
- Paragraph 34 - states that "Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised".
- Paragraph 35 - goes on to say "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people".

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to design, loss of pure employment land, impacts on amenity, and the transport network.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Comment noted and addressed below.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the guidance contained within Saved Policies 101.T and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011), Policy DM37 of the Pre-Submission Consultation Eastleigh Borough Local Plan 2011-2029, the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Levy planning obligations are usually required for such proposals. The developer has however supplied sufficient information with regard to existing, potential, and expected trip rates along with business processed that have allowed our engineers to conclude that no contributions are required.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Saved Policy 59.BE of the Local Plan and emerging Policy DM1 of the Amended Draft Eastleigh Borough Local Plan both require development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a

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satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Principle:

The most pertinent policy in the adopted Local Plan is 118.E which seeks to retain B1, B2 and B8 uses on designated employment sites unless they meet the two criterion listed, namely not affecting the employment base or resulting in land use, amenity or environmental benefits which outweigh any material harm to the employment base.

Policies contained within the emerging Local plan replicate policies of the existing plan. Policy S4 supports employment provision through new employment land allocations and by retaining and securing the regeneration of existing employment sites. Policy DM12 requires that identified employment areas should be retained predominantly in employment use classes B1, B2 and B8 and it supports development or redevelopment for these purposes. It goes on to state that 'Exceptionally, employment uses other than those in use classes B1(b), B1(c), B2 or B8 may be permitted on these sites provided they are of a similar character to use classes B1(b), B1(c), B2 or B8 in terms of provision of jobs, and they contribute significantly to the economic growth objectives of the borough and the sub-region'

This application seeks to enable the relocation of Travis Perkins from a site close to Eastleigh town centre which has an outstanding planning permission for residential redevelopment. As the applicant recognises, the business model of Travis Perkins typically falls within a sui generis use, and as such this application proposes such a use on this site.

Whilst there are some reservations about the introduction of what some might call a 'quasi-retail' (non store retailing done without conventional store based locations) use in this location, it is acknowledged that an element of B8 use will remain and that the Travis Perkins Sui Genris use does exhibit some similar characteristics to a B8 in that the use will be primarily for the storage and distribution of building materials which is aligned to a commercial Class B8 operation. Storage areas are in both internal and externally within the yard. The sui generis categorisation of builders' merchants has been long established through case law. It has been deemed that the operation of such facilities do not fall squarely within a specific use class because they include the following combination of activities:

- Internal storage;
- External storage;
- Trade counter;
- Tool hire;
- Trade collections;
- Trade direct branch deliveries; and
- Trade and cash sales.

All of the above elements make the proposed builders' merchants a sui generis use. However, when viewed generally, the storage and distribution of goods is the main operation, hence the synergy too some B8 uses.

Furthermore it is also recognised that enabling Travis Perkins to relocate to this site would lead to the redevelopment of the site close to the town centre for residential uses which will in itself be of benefit as well as bringing the site back into active use and retaining Travis Perkins as an employer within the borough. As such the application is considered to be in broad accordance with existing and emerging policies.

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In order to safeguard its future employment potential and to ensure other uses do not have a detrimental impact of the transport network (see below) a condition is recommended require the site to be returned to a pure B8 use if Travis Perkins were to ever vacate the site in the future.

Layout/Design: The building will not alter drastically from its current appearance. An existing single storey extension to the side will be removed and positions of doors/windows/shutters will change. New cladding will be provided on the front elevation in Travis Perkins trademark green. All other elevational materials (cladding/brickwork/roof) will remain the same as existing. These alterations are considered acceptable however a condition is recommended requiring details and samples of the proposed new materials to be submitted for approval, to ensure a high quality finish to the building.

It is proposed to locate a large storage area to the front of the site away from residential properties. No specific details of the type nature or means of storage have been provided however it is indicated that this storage area will be no more than 5m high. The front of the site faces onto the industrial estate where such paraphernalia associated with industrial processes/businesses are common place. The storage area will not therefore look out of place.

Visitor car parking is located close to the trade entrance and staff car parking is located both within and around the existing building. This arrangement is considered acceptable.

Transportation: The proposed use will utilize the existing highway network and existing access arrangements via Parham Drive. The site, being located on an industrial estate, is considered appropriate for heavy goods lorries and is capable of accepting deliveries of large vehicles via Parham Drive without the need to block access roads or disrupt residential properties.

As a generic use of a builders merchant with on-site sales, there is obviously potential for this to generate many customer trips and onwards the need to provide sufficient on-site parking. It is however understood that the proposed development does not generally attract general public use and so would be expected to be lower (in terms of on-site customers) when compared to companies such as B&Q, Wickes etc..

Travis Perkins is not a retail use, having an almost exclusive trade customer base, research undertaken by TRICS into the nature of retail trips has shown that around 90% of trips would already be on the surrounding roads before and after a new store is operating. If anything, it is more likely that trade customers will visit a supplier as part of a linked, pass-by or diverted trip on their way to or from the site they are working on, rather than make a single purpose trip. Additionally, a large number of trade customers would transfer to the new development if it is more convenient to go there, as opposed to other local suppliers, reducing flow on other parts of the network.

On this basis, and given the trade nature of the business both the access arrangements and the identified 42 parking spaces located both within and around the existing building are considered acceptable. This will comprise 30 no. staff car parking spaces, 10 no. customer parking spaces, 2 disabled parking spaces that will be located within the warehouse, and 4.no cycle parking spaces. A condition is recommended to ensure these areas are provided prior to occupation and retained in perpetuity.

Residential Amenity: The existing building is located on higher ground than residential properties in Whytesway. The building was originally designed and continues to be used so that

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the main activities are conducted via the front of the building fronting onto Parham Drive with only car parking areas surrounding the building and closest to residential properties. The rear of the site has substantial landscaping and tress both within the site and on the sloping bank down to Whyteways. In addition the building is completely enclosed and thus no activities overspill or windows/doors (other than emergency doors) lead from the rear of the building onto the rear parking areas. In addition the main bulk of activities, due to the nature of the proposal and the way in which it works (mainly deliveries, with pick-ups made via an internalised vehicle circulation route accessed via the front of the site) mean that it is unlikely that the proposal will affect the amenity of residential properties in Whyteways.

Not withstanding the above, conditions to control deliveries, opening hours, operation of machinery and sound amplification equipment are recommended to ensure the amenities of neighboring residential properties are not unduly disrupted by the proposed use.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

In view of the above this application is considered to comply with the requirements of saved Policy and emerging Planning Policies and is therefore recommended for approval subject to conditions.