REF. NO. X/15/76872

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Relief of condition 1 of planning permission F/05/54269 to allow the indoor karting centre (use class D2) to be retained on a permanent basis. Unit 3 Barton Farm Industrial Estate, Chickenhall Lane, Eastleigh, SO50 6RP

SITE VISIT DATE – 18/08/2015

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Planning permission F/05/54269 was a temporary permission for ten years following a previous ten year temporary permission. Relief of condition 1, which set out the permission's timescale, would effectively result in the approved D2 use being granted on a permanent basis.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	n/a
TREES	n/a
BOUNDARY TREATMENT	n/a
SITE CHARACTERISTICS	Unit 3 is a large industrial unit which once formed part of the former railway works and has been used for the current indoor go-karting track since 1996. As well as the track there are other ancillary facilities associated with the use but these are all internal. Externally the building still appears as an old factory/warehouse and has its own dedicated parking for staff and customer use.
CHARACTER OF LOCALITY	Barton Farm or Barton Park is a large mainly industrial area just to the east of Eastleigh Town Centre with the two being separated by the main Southampton to London railway line. Most of the site was part of the former railway works but now provides industrial accommodation for a range of businesses and some leisure uses.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/05/54269	Change of use to indoor go-karting centre (use class D2).	Temporary approval Jul 2005
Z/16246/018/00	Change of use to indoor go-karting for a temporary period of ten years.	Temporary approval Jun 1996

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received.	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	No objection. "The use does not cause any reported highway issues, and considering how long it has been located at the site, it would not be appropriate to seek transport contributions even though this application is for a permanent permission."
Head of Regeneration & Planning Policy	No comments received.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Industrial/Mixed Use Area

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 56.BE, 59.BE, 100.T & 118.E

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

Policies S4, DM1, DM12, DM23 & DM37

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Planning Obligations

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be "out-of-date". The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

Also of relevance are paragraphs 17, 19 and 23. Paragraph 17 states that one of the twelve core principles of the NPPF is that planning should "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local

NATIONAL PLANNING POLICY GUIDANCE

places that the country needs." Paragraph 19 states that "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system." Paragraph 23 states that planning "should be positive, promote competitive town centre environments and set out policies for the management and growth of centres".

Paragraph 14 of the NPPF sets out the "presumption in favour of sustainable development" in both plan-making and decision-taking.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to planning policy and the principle of that proposed, traffic and highway safety, as well as the general character and amenity of the surrounding area.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

While the granting of a permanent permission would usually result in the requirement for planning obligations, in this case towards transport works, given that the existing use has been ongoing for almost twenty years it is felt that it would be unreasonable in this instance to require contributions considering that there has been no record of any highway issues related to the use.

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."*

In this case policy issues for consideration include:

Planning Policy & Principle – Saved Policy 118.E of the adopted Local Plan relates to the redevelopment of existing employment sites for uses not normally associated with main employment uses, i.e. B1, B2 & B8. It states that these other uses will only be acceptable provided "it does not, either by itself or cumulatively with other changes on the same employment site adversely affect the employment base either by markedly reducing the potential choice of employment in the local area or by significantly reducing the range and variety of premises available for employment purposes".

Also of relevance is saved Policy 59.BE of the Local Plan which requires 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes

While the use of the unit for indoor go-karting would not fall within the usual employment uses it does currently employ over twenty members of staff both full and part time. The applicant also provides training opportunities for its staff in various related areas such as customer services, hospitality, mechanic and management. The continuation of the present use would ensure that these jobs are retained. It is also the case that the nature of the use is such that only a large industrial unit would be really be suitable to accommodate it, with nowhere else in the Borough or locally which is likely to be suitable. The present unit is also now rather old and does not necessarily meet the requirements sought by modern industrial businesses.

However, perhaps the most significant point in the application's favour is that the unit has been in continuous use as a go-karting track for almost twenty years, meaning that it would be hard to argue that its continued use would result in the loss of the usual employment floor space. That being the case, it is considered in this instance that the principle of allowing the present use to continue on a permanent basis is acceptable in principle.

Traffic & Highway Safety – As has been highlighted by the Head of Transportation and Engineering's response, there is no evidence to suggest that the present use has resulted in any traffic or highway safety issues. The unit also can provide more than adequate on-site parking for its staff and customers. As such it is not considered to conflict with any of the adopted Local Plan policies on this respect.

Character & Amenity – Given that the present use has been in operation for almost twenty years with no record of any adverse impact upon the amenity of neighbouring units/uses or the area in general, it is unlikely that allowing its continued use on a permanent basis would alter this situation. As such the application is considered to accord with the amenity elements of saved Policies 59.BE and 118.E of the adopted Local Plan, Policies DM1 and DM12 of the Submitted Local Plan, as well as the Council's 'Quality Places' SPD.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. 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

For the reasons given above the application is recommended for approval subject to updated planning conditions which were applied to the original temporary approvals.