MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/15/76011

DESCRIPTION	Installation of refrigeration plant
ADDRESS	47 High Street West End Southampton SO30 3DQ

SITE VISIT DATE	26 March 2015
ARE PLANS ACCURATE?	It is considered that sufficient information has been provided to allow for the assessment of the development proposed.
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks approval for the installation of plant on the roof of the building in order to provide refrigeration for produce within the supermarket. The plant consists of two new condensing units, one to be sited towards the High Street side of the roof and the other towards the rear (car park) side.
SITE AREA	Approximately 0.6ha.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TREES	Owing to the siting of the proposed refrigeration plant on the roof of the application premises, there will be no trees affected by the proposed development.
BOUNDARY TREATMENT	The site is fairly open onto the High Street to the front with a mixture of walls, planting and fencing surrounding certain sections of the boundaries of the supermarket's car park to the rear.
SITE CHARACTERISTICS	Existing Asda supermarket situated within West End Village Centre to the northern side of the High Street. The supermarket occupies the ground floor of the building with office uses above. There is a gated service yard to the rear of the building with a large area of car parking which serves the premises to the north.
CHARACTER OF LOCALITY	The site falls within a designated Shopping Area with this section of the High Street being made up of a mixture of commercial uses including retail stores, a public house, estate agents and a vehicle dealership. There are residential properties to the west, north and east of the supermarket site within Lower New Road and Chapel Road respectively.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/11/69103	Change of use of former social club (Class D2) to Class A1 (Retail) and amalgamation of existing foodstore to create single Class A1 unit (1151sqm of retail floorspace) with alterations to existing car parking,	PERMIT – 2011

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	landscaping and cycle storage.	
	Plus various other advertisement and minor planning consents.	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
7 Lower New Road, West End	*I notice that these units are to be placed towards the car park side of the roof which is closer to residential properties. Given the fact that they will be operating 24 hours a day, 7 days a week, I hope that the constant noise won't impact on our quality of life, particularly during the warmer weather when windows are open and more time is spent outside. There seems a never ending flow of planning applications from Asda, all of which are likely to have an impact on some people one way or the other, I trust our thoughts and quality of life will come first every time.*

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
WND	No objection
Head of Environmental Health	No objection following the receipt of the additional information requested and based on the noise assessment provided. The Head of Environmental Health did not wish to recommend any conditions.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Shopping Area

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

Eastleigh Borough Local Plan Review (2001-2011), Saved Policy 59.BE
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, Policy DM1
Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

n/a

SPECIAL POLICY AREA

The site does not fall within a designated special policy area.

NATIONAL PLANNING POLICY GUIDANCE

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of the development proposed, its layout and design, as well as its impact upon neighbouring residential amenity and the character of the area.

COMMENT ON CONSULTATION RESPONSES

The comments made are noted.

COMMENT ON REPRESENTATIONS RECEIVED

The matter of the impact of the development on the amenity of the occupiers of neighbouring residential properties is considered in the below assessment of the proposals.

PLANNING OBLIGATION/CONSIDERATIONS

There are no planning obligations requirements associated with this application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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."

Development Plan Policies:

Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) 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, have a 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.

MATERIAL CONSIDERATIONS

Principle:

The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and supplementary planning documents and guidance.

Layout, design and impact of the proposals of the street scene and area character:

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The proposals are considered to be acceptable and in compliance with Saved Policy 59.BE (i) of the adopted Eastleigh Borough Local Plan Review 2001-2011 in this respect. The plant will be appropriately positioned on the roof of the premises where there is existing plant already in situ and is fairly low-profile in terms of its height and overall scale. Whilst it will be partially visible from certain surrounding views, particularly those from a slightly longer range and on elevated relative ground levels such as at the rearmost part of the supermarket's car park, it is not considered that it would as a result have such a notable visual impact as to be harmful to the character of the area.

Residential amenity:

Saved Policy 59.BE (vii.) of the adopted Local Plan requires that development avoids unduly interfering, disturbing or conflicting with adjoining or nearby uses which includes through the generation of unacceptable levels of noise, a matter which forms the primary consideration with regards to development which includes the provision of refrigeration plant as is the case in respect of this application.

The application is accompanied by an Acoustic Consultancy Report which consists of an environmental noise survey and a noise impact assessment for the proposed additional fixed plant. The Council's Head of Environmental Health has been consulted as part of the application process and has considered the content within this report. Following the provision of additional information to accompany and clarify the findings of this, they have confirmed that they are satisfied that the noise levels associated with the plant will not be unduly excessive in their impact as to be harmful to the amenity of neighbouring uses, which includes the residential properties on the surrounding roads. On this basis, therefore, the application is deemed to accord with the above named policy requirement in respect of the matter of residential amenity.

Conclusions:

Overall, for the reasons as outlined above, the application is considered to comply with the requirements of the relevant development plan policies, associated supplementary planning guidance, and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Also of relevance 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

It is recommended that planning permission be granted.