

**P/13/0297/FP**

**PORTCHESTER EAST**

BRIGHTBEECH PROPERTY  
LIMITED

AGENT: SAVILLS PLANNING

ERECTION OF CONVENIENCE RETAIL STORE AND ASSOCIATED ACCESS AND DELIVERY AREA, VEHICLE AND CYCLE PARKING, BIN STORAGE AND LANDSCAPING (REVISED APPLICATION)

LAND ADJACENT TO THE WICOR MILL WHITE HART LANE PORTCHESTER  
FAREHAM PO16 9AR

***Report By***

Susannah Emery Ext 2412

***Site Description***

This application relates to a site on the corner of White Hart Lane and Foxbury Grove within the urban area. The site is located to the east of the Wicor Mill Public House and has previously been used as informal local car parking. The site has been fenced off and left vacant for in excess of 18 months. The surrounding area is primarily residential although there is a car garage workshop located on the opposite corner and a row of retail units to the west of the public house. Planning permission was recently granted to demolish the building merchants on the opposite side of White Hart Lane and erect a terrace of three dwellings.

***Description of Proposal***

Planning permission is sought for the erection of a convenience retail store with a floor area of 4451 sq ft gross internal floor area (413 sq metres) and associated vehicle car parking. The building would be located within the north-west corner of the site adjacent to the Wicor Mill Pub. The building would be single storey in height with a pitched roof. The car park would provide a total of twenty spaces including two disabled bays and would extend to the south and east of the building with access from Foxbury Grove. Four cycle parking spaces would also be provided adjacent to the store entrance. A bin storage area would be provided to the rear of the store adjacent to the western boundary with the public house. Landscaping would be provided on the site where possible with the hedge on the White Hart Lane frontage retained and cut back where necessary. A 2 metre acoustic fence is proposed on the southern boundary.

Opening hours for the store are proposed to be 6am-11pm seven days a week.

***Policies***

The following policies apply to this application:

**Approved Fareham Borough Core Strategy**

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

**Fareham Borough Local Plan Review**

## S9 - New Local Shops

### ***Relevant Planning History***

Pre-application advice was given on the principle of erecting a convenience retail store in November 2012. Officers advised that in principle there would be no objection. In February 2013 an application (P/13/0004/FP) was submitted which was subsequently withdrawn as officers raised concerns regarding the design of the building and minor issues with the layout of the site.

### ***Representations***

The neighbour notification period expires on 26 April 2013. At the time of writing this report one letter had been received raising the following objections;

- The noise created by the store will be intolerable
- Noise from delivery vehicles and customers coming and going
- Potential for anti-social behaviour and litter · The store will attract people from outside the community who will not respect it
- Is there a need for this store so close to an existing Co-op?
- Something needs to be done with the car park which has hardly ever been used but a residential development would be more beneficial

Any further letters subsequently received will be reported at the committee meeting.

### ***Consultations***

Director of Planning & Environment (Highways) - Subject to the rearrangement of the pedestrian accesses, the securing of funding for a 'no parking' TRO and appropriate conditions, no highway objection would be raised.

Director of Planning & Environment (Arborist) - no objections subject to landscaping condition.

Director of Democratic & Regulatory Services (Environmental Health) - No objections to this proposal providing that the recommendations made in the noise report are followed and secured by condition.

The report proposes a design noise criteria at 1.0m from the nearest existing residential premises and this should be achieved when selecting plant. Further acoustic calculations must be made to ensure that the target levels are adhered to and if the criteria is not met then acoustic remedial works must be introduced in order to ensure compliance. The report also recommends that a 2.0m high acoustic fence, with a minimum density of 13kg/m<sup>2</sup>, be constructed on the southern and western boundaries of the proposed site.

Director of Planning & Environment (Planning Policy) - Comments awaited

Director of Planning & Environment (Urban Design) - Comments awaited

### ***Planning Considerations - Key Issues***

The main issues to be considered in the determination of this planning application are;

- Principle of Development
- Impact on Visual Amenities of Streetscene/Character of the Area
- Highways

## · Impact on Amenities of Neighbouring Residential Properties

### Principle of Development

The proposed occupant of the store is currently not being declared but this is not a material planning consideration.

Saved policy S9 of the Fareham Borough Local Plan Review relates to the provision of new local shops. It states that the provision of local shops within the urban area and in areas of new development to meet the day to day needs of the immediate locality will be permitted provided that such development is of a scale and character appropriate to its surroundings and local function.

The new store is proposed to be 413sq.m (GIA) in size, which is comparable to other large local shops around the Borough, and not significantly larger than the local shop on the other side of the Wicor Mill pub, which measures over 300sq.m in size. The existing local shop represents the only shop in south west Portchester, and as such potentially serves a wider population as well as the immediate locality. It is worth noting that the parade adjacent to the existing local shop has suffered with consistent vacancies over recent years, and that an additional local shop of an acceptable scale could act as an attraction to the parade, making the adjacent units more viable.

The National Planning Policy Framework (NPPF) does not specifically mention Local Shops, but CLG has produced a document called Parades to be Proud of: Strategies to Support Local Shops which emphasises the importance of local shopping provision in communities.

Due to the scale of the proposed development it is not considered that the proposal would have an adverse impact on retail facilities within the district and main centres as it is not designed to compete with such types of retail provision. It will provide basket shopping to meet the day to day needs of those living within close proximity.

The NPPF states that "Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan". Although this proposal is for a town centre use outside of a centre, the wording of the Borough's Local Plan is clear that Local Shops should be supported where they are of appropriate scale and character. Given that it is accepted that this shop is "local" in nature and suitable in its location, it would be counterproductive to require the applicant to provide a sequential test.

A condition is suggested to restrict the use of the store to A1 (Retail Use) limited to the sale of convenience goods as the sale of comparable goods would not be appropriate outside of the local centres.

### Impact on Visual Amenities of Streetscene/Character of the Area

A planning application for the erection of a retail store on the site with a similar footprint was withdrawn earlier this year. Officers raised concerns that the flat/mono pitched roof and largely clad building proposed would lack visual interest and would not reflect the characteristics of development within the surrounding area. The design of the building has now been amended to a more traditional form introducing a pitched roof with facing

brickwork. A limited amount of cladding would be used on the elevations to add visual interest. The siting of the store would accord with the general building line of White Hart Lane and the store would sit adjacent to the two storey brick built public house to the west. An active frontage would be presented to both White Hart Lane and Foxbury Grove with a glazed entrance on the eastern corner.

Officers are of the opinion that the proposed building is of a design and scale which would be in keeping with the character of the area and would not cause harm to the visual amenity of the streetscene.

Comments are awaited from the Council's specialist on urban design who has been heavily involved with pre-application discussions. A number of suggestions put forward to improve the scheme have been incorporated where possible.

## Highways

A detailed transport statement has been submitted with the application including discussion on site accessibility, car and cycle parking provision, access arrangements, and likely trip generation.

It is considered that a significant proportion of traffic generated by the site would be 'diverted' or 'linked' trips and therefore not new to the network. It is not anticipated that there would be any additional pressure placed upon the local road network by the development in terms of vehicular trips compared to the previous use of the site. It is suggested that the proposed convenience store would generate in the region of 177 trips throughout the day. As such it is not considered appropriate to seek a highways contribution. A legal agreement is however being sought to secure the provision of a traffic regulation order (TRO) on Foxbury Grove to stop vehicles being parked on the highway within 10 metre of the proposed access.

Concerns were raised by the Council's Highways Officer during pre-application discussions regarding the loss of parking for the public house. Whilst the site may historically have been used as car parking by patrons of the pub and other local businesses it has not been in use as such now for a considerable length of time. There have been no reported incidences of problems caused by vehicles being parked on the highway in the local area. Officers are of the opinion that a public house of this nature is likely to attract patrons from the immediate surrounding area who are likely to travel on foot and that there would therefore be limited demand for car parking which is still available on the pub frontage. It had been suggested to the applicant that the proposed store and the public house could share car parking however officers accept that this would be a problematic solution due to a difference in site ownership, conflicting trading hours and length of stay.

It is considered that adequate car parking would be provided to serve the store in accordance with Hampshire County Council (HCC) Parking Standards. For food stores the HCC guidance requires a maximum of 1 space per 14 sq metres which would equate to just under 30 spaces which in officers opinion seems excessive for a small local store. Appendix 1 of the HCC parking standards states that several local factors can influence the calculation of parking spaces required and that a reduction of parking to 75% of the required level will be acceptable in area of high accessibility. These standards also apply to all food retailers regardless of being a large supermarket or a local convenience store. Convenience stores would be more local in nature and would not necessitate the same proportion of vehicle useage or length of time for each trip as a larger supermarket.

Access to the site would be from Foxbury Grove which is subject to less traffic than White Hart Lane and is also the location of the existing access. A new crossover access would be provided approx 12 metre further to the south than the existing access to improve visibility in the direction of White Hart Lane. The Council's Highways Engineer is satisfied that delivery vehicles would be able to access the site and manoeuvre in and out without obstructing the highway. Clear pedestrian routes would be provided through the site to the store entrance with an amended plan expected in advance of the committee meeting to meet the requirements of the Highways Engineer.

#### Impact on Amenities of Neighbouring Residential Properties

A noise report has been submitted in support of the application as the proposal is likely to generate concerns from local residents regarding noise disturbance from external plant equipment and from delivery vehicles and customer use of the car park.

At this stage the precise details of all the proposed external plant is yet to be determined. The noise report recommends that a maximum noise level is set for plant which takes into account the current background noise level. All external noise generating plant will need to adhere to this maximum level when measured at 1m from the nearest affected residential dwelling in order to suitably protect the local residents from noise disturbance. Further details of the proposed plant will be secured by condition and it will need to be demonstrated that the maximum noise level will not be exceeded.

It has been demonstrated using 3D modelling software to assess noise data obtained at a similar store that the delivery noise of moving lorries and the unloading process would not have a detrimental acoustic effect on the nearest residential properties to the south of the site. The calculated levels have been assessed against BS 4142:1997 (Method for rating industrial noise affecting mixed residential and industrial area) and the levels calculated demonstrate compliance with the standard and that any complaints should be of marginal significance.

With regards to the noise arising from customers using the car park as the site has previously been used as such it is considered unlikely that this would cause a nuisance to residents. A 2m acoustic fence is proposed on the southern and western boundaries of the site to provide additional screening.

The Council's Environmental Health Officer has raised no objection to the proposal subject to securing the recommendations within the noise report by condition.

In summary it is considered that the proposal would comply with the relevant policies of the Fareham Borough Local Plan Review and the Fareham Borough Council Core Strategy and the proposal is considered acceptable subject to conditions.

#### ***Reasons For Granting Permission***

The development is acceptable taking into account the policies of the Development Plan as set out in this report. The proposal is not considered likely to result in any significant impact on the amenity of adjoining occupiers, the character of the area, or highway safety. There are no other material considerations that are judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

## ***Recommendation***

Subject to;

- i) Consideration of any further material planning considerations raised by 26 April 2013;
- ii) Receipt of an amended plan to amend pedestrian access to the site by 24 April 2013;
- iii) Comments of the Director of Planning and Environment (Urban Design);
- iv) Comments of the Director of Planning and Environment (Planning Policy);
- v) The applicant/owner first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on terms drafted by the Solicitor to the Council to secure a financial contribution of £5000 towards the provision of a TRO to prevent vehicles from being parked on Foxbury Grove. In the event that the planning obligation is not completed by the date the charging schedule is brought into effect then the community infrastructure levy will also apply.

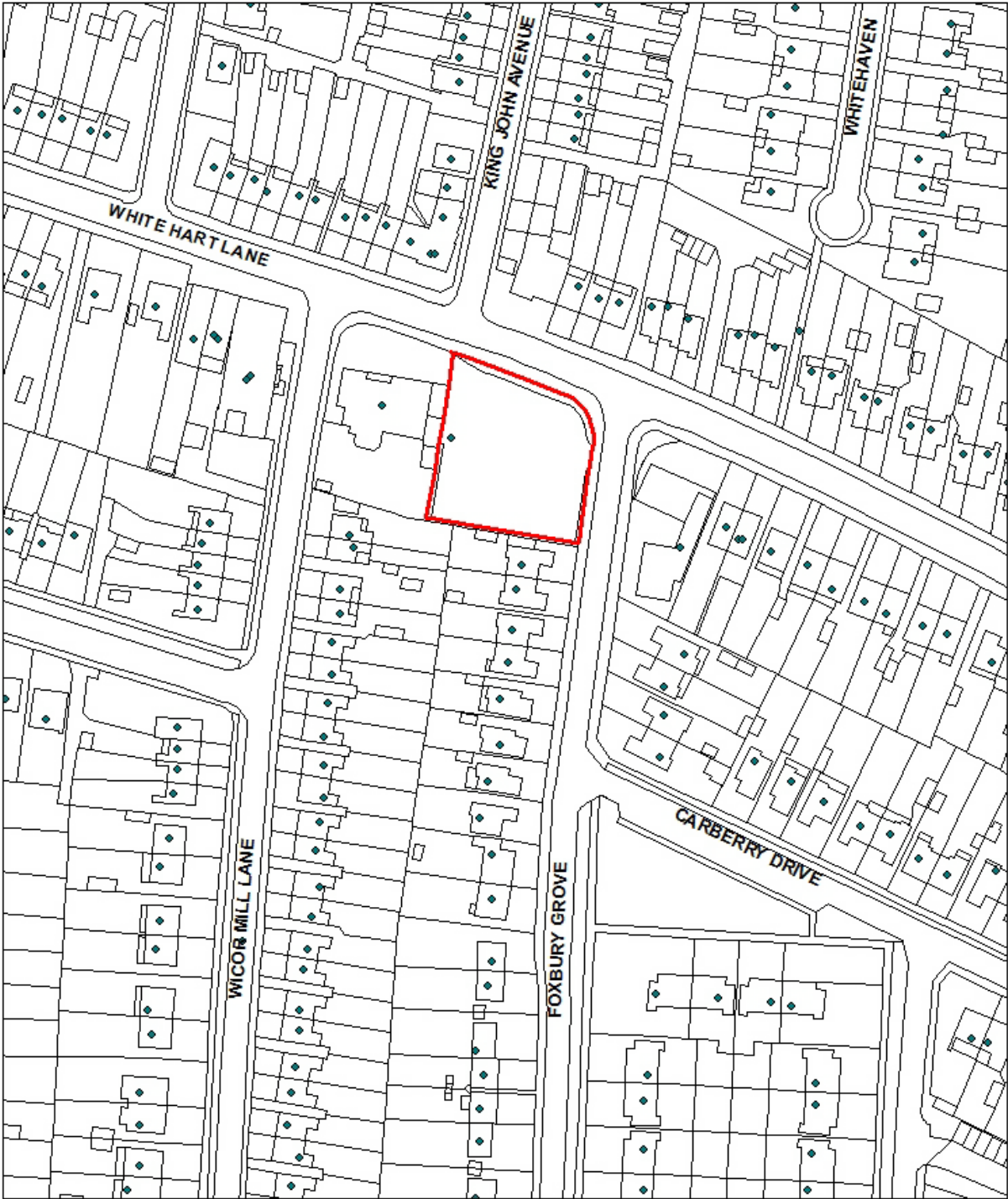
PERMISSION: Materials, Hard Surfacing Treatment, Boundary Treatment, Acoustic Fence, Details of any external plant, equipment/air conditioning units, Noise Levels of External Plant Equipment/Air Conditioning, Opening Hours 06:00-23:00, Restrict Use to Convenience Retail Store, Vehicle Access Construction, Means of Access Pedestrian/Cycles, Visibility Splays, Parking, Cycle Parking, Landscaping, Landscaping Implementation, No Mud on Road, Construction Hours, No Burning, Operatives Vehicles

## ***Background Papers***

P/13/0297/FP

# FAREHAM

## BOROUGH COUNCIL



LAND ADJ TO THE WICOR MILL  
WHITE HART LANE  
1:1250

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