

Application Number:	23/10430 Full Planning Permission
Site:	UNITS 2-4, TOTTON RETAIL PARK, 62-96 COMMERCIAL ROAD, TOTTON SO40 3AG
Development:	Installation of a drive thru lane; additional hardstanding to extend service area to form a turning circle; external alterations; use as a coffee shop
Applicant:	Metric GP Income Plus Limited C/O London Metric Property PLC
Agent:	Mr Gray
Target Date:	19/06/2023
Case Officer:	Sophie Tagg
Officer Recommendation:	Grant Subject to Conditions
Reason for Referral to Committee:	Contrary Town Council View

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Design, site layout and impact on local character and appearance
- 3) Highway safety, access and parking
- 4) Residential amenity
- 5) Ecology

2 SITE DESCRIPTION

The application relates to two existing adjacent units in Totton Retail Park, which is located within the Primary Shopping Area of Totton Town Centre.

The application site is located south of Commercial Road, east of Asda Superstore and west of Totton Railway station, with the River Test approximately 0.5km due east of the site. The surrounding area is predominantly residential with some light industrial units to the east.

The site at present occupies a prominent area on the main road through the town and currently comprises a large retail building split into a number of users, set in a tarmac white lined area with some planting beds within and on the peripheral boundaries. There are some residential properties immediately to the west and south-east of the site.

There are three existing units on the site comprising the retail foodstore Lidl (Unit 1) which will be retained, Argos (Unit 2) and Jollyes Pet Store (Unit 3).

The vehicular access point is from Commercial Road, where there is an internal access road leading round to the car park and entrance to the Units. There is a Tyre and Autocare centre situated to the east which also shares the access point from Commercial Road. The retail units which are the subject of this application are serviced by the service delivery at the northern end near Commercial Road, which is accessed through the car park. There is another service area at the southern end of the units serving Lidl, which is accessed to the south.

There is an additional pedestrian only access point available to the north of the site with direct access onto Commercial Road and bus stop. There is a zebra style crossing point within the retail park to this access.

The existing building comprises profiled metal cladding at high level and facing brick at low level with entrance canopies. The unit occupying Lidl has recently been altered, with the entrance canopies and doors removed, the addition of new entrance doors and increased glazing to the shopfronts.

3 PROPOSED DEVELOPMENT

The application proposes to alter the existing arrangements of two of the Units on the site (labelled on the existing site plan as Units 2 and 3) - namely Jollyes within Unit 3 and Argos within Unit 2.

The proposal involves the following works:

- Addition of a drive thru lane within the existing northern service area with soft landscaping proposed along the boundary with Commercial Road
- Service Area to the north to be relocated further back within the site with the addition of a turning circle to serve the two units. The access to the Service Area would be via the drive thru arrangement. The soft landscaping in the north-western corner of the site would be removed and a refuse area is proposed.
- External alterations to the two units to match the alterations made to the Lidl store which includes brick piers, additional glazing and composite cladding, the removal of the curved entrance canopies to the units, the addition of the drive by collection counter inserted into the north-eastern corner of the building, new signage (which would be subject to separate advertisement application) and 2no new pedestrian access doors into the north-west elevation of the building.
- Customer car park, hardstanding and pedestrian footpath into the site from Commercial Road to be reorganised and altered, altering the location of the zebra style crossing point within the northern part of the site. There would be a net loss of five parking spaces overall to accommodate a wider pedestrian walkway. The customer car park vehicular circulation movement would be altered with a one way system introduced.
- Height restriction barrier to prevent large vehicles entering the drive thru and the addition of an order point.
- 7 tactile crossing points and dropped kerbs proposed at these points, on the triangular island and Commercial Road central refuge to both sides of the highway pavement- 2 areas of tactile paving would be outside the application site.

The LPA have been advised that there has been pre-application discussions between the Applicant and Hampshire County Council Highways team, where it was agreed that a Transport Statement would be required to support the planning application which was inclusive of further details regarding:

- Average service time to inform drive-thru queues;
- Swept path analysis of the drive thru lane;

- A 5-year accident review;
- Trip Rates, trip generation and trip types; and
- An assessment of accessibility by walking and cycling.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10364 Install six rapid electric vehicle charging stations within the car park of Totton Retail Park. Eight existing parking spaces will become EV charging bays, along with associated equipment. Two of the six EV charging bays are to be fully accessible.	04/08/2023	Refused	Appeal Received
21/11479 Amalgamation of Units 1 & 2 to allow expansion of existing Class E(a) foodstore into a single larger unit, with associated external alterations and new plant.	12/01/2022	Granted Subject to Conditions	Decided
19/11322 External alterations to the existing retail units and external customer car park	20/07/2020	Granted Subject to Conditions	Decided
06/88794 Extension to existing mezzanine floor	21/11/2006	Granted Subject to Conditions	Decided
06/88430 Mezzanine floors; fire exit	12/09/2006	Granted Subject to Conditions	Decided
98/NFDC/63477 External alterations/service yard & parking/fencing/l'scpg	01/06/1998	Granted Subject to Conditions	Decided
97/NFDC/61334 Alts to access/form service yard/parking/external alts :	12/11/1997	Granted Subject to Conditions	Decided
95/NFDC/57194 Alterations to form sub-division of existing unit	08/09/1995	Granted	Decided
NFDC/84/27684 Retail warehouse, greenhouse and tyre fitting centre with construction of parking facilities and access (existing buildings to be demolished).	16/08/1985	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC2: Safe and sustainable travel
 Policy ECON1: Employment land and development
 Policy ECON5: Retail development and other main town centre uses
 Policy ECON6: Primary, secondary and local shopping frontages
 Policy ENV3: Design quality and local distinctiveness
 Policy ENV4: Landscape character and quality
 Policy IMPL2: Development standards
 Policy STR1: Achieving Sustainable Development
 Policy STR6: Sustainable economic growth

Local Plan Part 2: Sites and Development Management 2014

DM14: Primary Shopping Frontage

TOT15: Totton town centre opportunity sites
TOT17: Environmental and transport improvements in Totton town centre

Supplementary Planning Guidance And Documents

SPD - Parking Standards
SPG - Totton Town Centre - Urban Design Framework

6 PARISH / TOWN COUNCIL COMMENTS

Totton & Eling Town Council: recommend REFUSAL

Comments on original plans

The additional jobs created would be a positive for the town. However, there is an established Costa Coffee in very close proximity and nearby McDonalds drive thru. Whilst it is appreciated this is an existing retail park, given its location, within an existing parking area, this isn't an ideal setting for a drive thru. It is felt the site is appropriate in its current form; this proposed addition would be over-intensification of the site. With regards to the HGV turning circle, it was felt this may not be an adequate turning space for large lorries; furthermore, this would impact upon nearby existing residential properties. The main areas of concern would be the increase in traffic movements and potential traffic queues, safety of pedestrians accessing the car park and potential impact on nearby residents in terms of noise and pollution.

Comments on amended plans

The inclusion of the tactile paving and restrictive height barrier are welcomed but the amendments do not address the fundamental problems raised in our previous consultation response. With regards to the deliveries, if these were to be undertaken outside of store opening times this could impact on the enjoyment of nearby residential properties. The main areas of concern remain the increase in traffic movements and potential traffic queues, safety of pedestrians accessing the car park and potential impact on nearby residents in terms of noise and pollution.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Pollution)

No objection to the opening hours of the unit from 06:00 to 23:00 hours based on the information detailed within the Dragonfly Noise Impact Assessment Report which indicates that recommended guideline internal noise levels in the nearest sensitive receptor can be met based on the assessment criteria detailed in the Assessment.

No objection to the proposed servicing hours 08.00 – 19.00 hours

Subject to condition relating to the following:

The combined noise rating level (L_{A,r},Tr) of plant and equipment on the site shall not exceed the background level 41dB (L_{A90}) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019

Environmental Health (Contaminated Land)

No concern with this application.

HCC Countryside Services

Totton and Eling Footpath 17 to the south is unaffected by the proposals. We therefore have no objection.

HCC Highways

No objection subject to conditions relating to the following:

1. The detailed design of the proposed pedestrian crossing including the specification needs to be approved in writing by the Local Planning Authority; and the proposed pedestrian crossing should be constructed and completed prior to first use of the proposed development.
2. A Service Management Plan is required which allows the deliveries and servicing to take place during opening hours of drive thru.

9 REPRESENTATIONS RECEIVED

10 letters of objections received from local residents:

- Impact on highway safety, particularly the entrance from Commercial Road and within the car park
- Increased traffic congestion
- Increased noise disturbance, dust and fumes
- No need for another coffee shop or drive thru
- The proposal would lead to increased antisocial behaviour
- Loss of the trees within the service delivery area - help with noise reduction.

10 PLANNING ASSESSMENT

Principle of Development

The site is located within the Primary Shopping Area and does not result in the loss of any existing units and can therefore be considered accordant with the provisions of Local Plan policies ECON1, ECON5 & ECON6. In particular, Policy ECON6 (Primary, secondary and local shopping frontages) seeks to avoid unacceptable change(s) in the retail character of the shopping frontage as a whole and to avoid the loss of occupied retail shops (or service uses) that provide for everyday community needs. The proposed Unit 4 will be occupied by a coffee shop which will serve customers via the drive thru lane proposed and also provide seating inside the unit.

The site also forms one of the areas subject to Policy TOT15: Totton town centre opportunity sites, in which Totton Retail Park Servicing Area is recognised as a development opportunity for retail/office/entertainment use.

It is of note that the existing building when originally given consent (under planning reference NFDC/84/27684) was one single retail warehouse building, later subdivided into smaller retail units.

Design, site layout and impact on local character and appearance of area

The proposed alterations to the external façade of the Units would provide a more cohesive building, with the external alterations matching the adjoining Lidl store in appearance. The additional glazing would provide more natural surveillance from within the units and improve the building's appearance, reducing its warehouse type character.

The proposed addition of the drive thru lane would result in a material change to the character of the site. However, it is proposed to be located on an existing area of hardstanding that is currently used for servicing and deliveries. There would be the introduction of a barrier, an order point and raised kerbs and paving to define the drive thru lane. But alongside this additional paraphernalia associated within the drive thru, there is also a submitted landscaping plan which proposes additional soft landscaping along the site's northern edge that will improve the site's appearance when viewed from Commercial Road and from within the site. A condition is recommended to ensure that the planting is as per the landscaping plan submitted. The pedestrian crossing within the site would be moved further to the east, with the addition of a dog leg to the pedestrian pathway from Commercial Road and the loss of 2no parking spaces to increase the pedestrian hardstanding in front of Unit 4. The boundary treatment to the north around the service area is not clear from the plans, and therefore further details have been requested via a planning condition to ensure that this is appropriate.

Overall, whilst intensifying the use in this location, it is considered the proposals would not adversely affect the existing character of the immediate or wider surrounding area to warrant refusal of the application.

Highway safety, access and parking

The site comprises a busy area with multiple traffic movements in and out of the car park as well as service deliveries. The revised car parking arrangement, with a one way system, is considered to be a safer arrangement, and the net loss of 5 spaces is considered to be acceptable to accommodate the proposed alterations to the car park and pedestrian pathways. On the basis of the parking accumulation survey data submitted within the submitted Transport Statement - which notes that during the peak use of the site there would typically be an accumulation of 77 parked vehicles (thereby leaving plenty of capacity) - it is considered that the existing level of car parking provision across the wider car park would be sufficient for the operational demands of the drive-thru redevelopment.

The Transport Statement that has been submitted within the application describes that the average waiting times at the drive-thru lane would be 31 seconds at the order point and 129 seconds at collection point. The Highway Authority consider this estimation is too optimistic. However, even when using a longer waiting time of 3 minutes 30 seconds for a more robust assessment, the queuing at the drive thru lane would be 3 cars at most. As there is space for 4 cars to queue at the drive thru lane, it is therefore not considered that the proposed development would be likely to result in queuing back onto the parking area. Additionally, a height restriction barrier is proposed at the entrance to the drive thru, at the request of the Highway Authority to ensure that the lane is not utilised by large vehicles.

Vehicle swept path tracking for a private car has been provided and is considered acceptable by the Highway Authority.

Having regard to the servicing arrangements to the 2 units, the Applicant indicates that there will be a maximum of 1 HGV per day to the Units and this will be undertaken between the hours of 08:00am and 07:00pm as existing, which are the hours of use set by a condition that was imposed under an earlier 1997 planning permission, with no use to take place outside of those times. The HGVs would use the turning circle proposed to ensure that they are able to enter and exit the site in a forward gear. Tracking for delivery/servicing has been provided for a maximum 16.5t articulated vehicle. The tracking is considered to be broadly acceptable, although it is noted that the access manoeuvre would infringe upon the drive-thru lane and collection point. A condition is therefore recommended, requiring that a Service

Management Plan be agreed to ensure the acceptable operation of service deliveries, given that the servicing will be undertaken during operational hours.

The Highway Authority have raised no objection to the plans, which have been amended to accommodate their request for tactile paving to be introduced to the triangular island and the central refuge on Commercial Road (outside of the application site) , which is considered necessary to improve walking and cycling access to the proposed development. Because the Highway Authority require works to be undertaken that are outside of the application site, there will be a need for a Grampian style condition, precluding commencement of development / occupation until relevant details have been agreed and the approved off-site works have been implemented. All proposed crossing points will need to be audited by a Stage 1 Road Safety Audit by a Hampshire Council approved Road Safety Audit Auditor. There will be a need for the Applicant to enter into a Section 278 Agreement with the Local Highway Authority, as the works relate to direct highway improvements.

The servicing arrangements for the Lidl store would remain as is from the southern end of the building.

Paragraph 111 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Officers are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network.

The comments from the Town Council and local residents are noted regarding highway safety, increased traffic movements and congestion. However, given that the Highway Authority have raised no objection to the development, it is considered that there is no reason to refuse the application on highway safety grounds.

Residential amenity

The application site is bounded on the north and western sides by existing residential development. There is existing vegetation on the northern boundary within the northern corner which will be removed, and a Noise Impact Assessment has assessed the impact on nearby residents on this basis. The proposal seeks to limit the hours of operation of the drive thru and coffee shop to between the hours of 06:00hrs and 23:00hrs, which is considered to be acceptable based on the Noise Impact Assessment submitted by the Applicant. This Assessment confirms that recommended guidelines on internal noise levels at the nearest sensitive receptor can be met based on relevant criteria. The conclusions of the Noise Impact Assessment are accepted by the Council's Environmental Health Officer.

The applicants are willing to accept a restriction on deliveries to between the hours of 08:00am to 07:00pm on any day. As set out above, this would be as per the existing arrangements, and it is anticipated that only 1no HGV would use the service area per day.

The Council's Environmental Health officer has assessed the proposals and raises no objection, subject to conditions in respect of the timing of deliveries, the submission of a Construction Environmental Management Plan (CEMP) and noise levels as per the Noise Impact Assessment - i.e. that the combined noise rating level (L_{Ar},Tr) of plant and equipment on the site shall not exceed the background level 41dB (LA₉₀) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019.

In these respects, it is considered that subject to the imposition of conditions, the proposed development would not result in undue impacts in respect of the amenity of adjoining residential occupiers.

Ecology

The application relates to the use of the existing retail commercial buildings, and a proportionate view should be taken for applications with regard to the need for any biodiversity enhancement on site. In this case, the nature and extent of the proposals are such as not to warrant any specific enhancements.

11 CONCLUSION / PLANNING BALANCE

The proposal constitutes an appropriate and sustainable form of development that will preserve an existing town centre shopping use without detriment to the character of the surrounding area or to the amenity of adjoining residents. In these respects, the proposal is considered accordant with local plan policy and national planning policy guidance, subject to the conditions suggested.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

11501 E101 Rev A
11501 E102 Rev A
11501 L001 Rev A
11501 P002 Rev D
11501 P003 Rev A
11501 P004 Rev A
5174.01 Rev A
11501 P001 Rev

Reason: To ensure satisfactory provision of the development.

3. No deliveries or collections associated with the units / the approved development shall take place other than between the hours of 08:00am to 07:00pm on any day.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of building works. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Within one month of the commencement of development, details of the treatment of the boundaries of the site, as shown on the approved site plan, shall be submitted to the Local Planning Authority for its written approval. The means of enclosure shall thereafter be implemented in full accordance with the details thus approved before the drive thru facility hereby approved is first brought into use.

Reason: To ensure that the development takes place in an appropriate way, in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park

6. The combined noise rating level (L_A,Tr) of plant and equipment on the site shall not exceed the background level 41dB (L_A90) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

7. No activity shall take place on the site in connection with the approved use of the Units and the drive thru other than between the hours of 06:00hrs and 23:00hrs Monday-Sunday.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

8. No development shall take place until the detailed scheme of proposed highway improvements, including the specification of the tactile paving at the pedestrian crossing points, as shown on the revised plan 11501 P002 Rev D, have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority. The drive thru shall not start to operate unless and until the approved highway improvements have been constructed and completed in accordance with the approved specification.

Reason: In the interests of highway safety.

9. Prior to the commencement of development, a Service Management Transport Plan for the drive thru lane and the servicing and deliveries to the site, including details of the provision and operation of the turning circle, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and continue to operate at all times in full accordance with the approved details.

Reason: In the interests of highway safety.

10. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To protect the amenity of nearby residents.

11. Prior to construction (including demolition) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

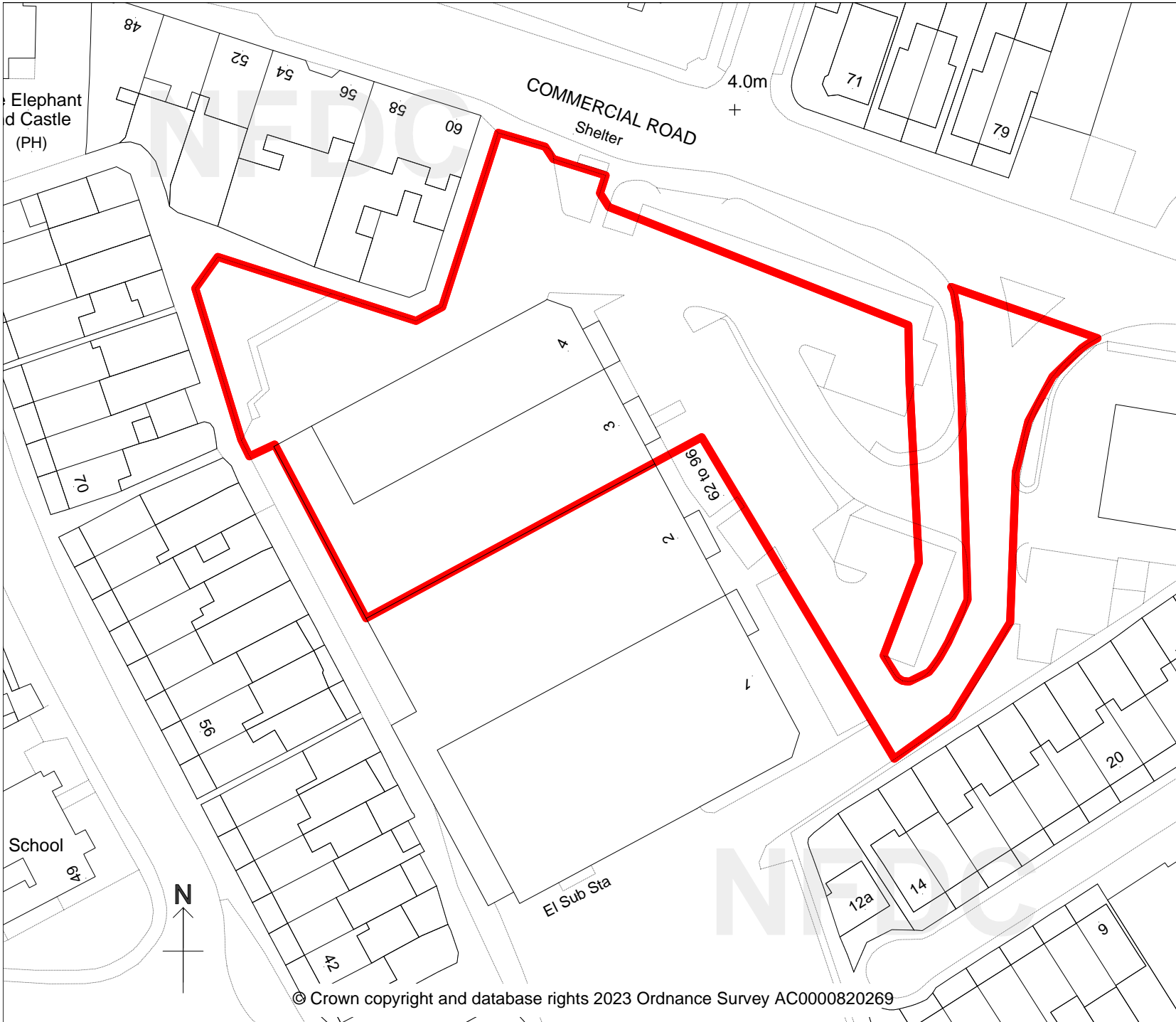
The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CEMP so approved.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on residential amenity [and highway safety] and in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy.

Further Information:

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New Forest

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PLANNING COMMITTEE

November 2023

Units 2-4
Totton Retail Park
62-96 Commercial Road
23/10430

Scale 1:750

N.B. If printing this plan from
the internet, it will not be to
scale.