

Our ref. AB2328/LPA291123

Development Control Services
Planning and Sustainability
Southampton City Council
Southampton
SO14 7LS

29th November 2023

Dear Sir/Madam,

**FULL PLANNING APPLICATION
KFC AND MCDONALD'S, OFF GREEN PARK ROAD, MILLBROOK, SOUTHAMPTON, SO16 9SH**

Please find enclosed a full planning relating to the existing KFC and McDonald's premises off Green Park Road, Millbrook, Southampton, SO16 9SH.

This full planning application, which is being submitted to Southampton City Council (the LPA) by way of the Planning Portal website, comprising the following documentation ;

- Completed planning application form.
- Completed Community Infrastructure Levy (CIL) form.
- This covering letter/supporting statement prepared by Beamish Planning Consultancy.
- Unnumbered 1:1250 scale site location plan of application site and surroundings
- Drawing no. SHK21/SK121 Revision F – proposed site plan prepared by AW Architectural Design.
- Drawing no. SHK21/SK120 Revision B – existing site plan prepared by AW Architectural Design.
- Transport Statement (dated November 2023) prepared by Motion.

The statutory planning application fee of £234, plus the Planning Portal service charge fee of £64, has been paid when submitting this application via the Planning Portal website.

Details of application site and surroundings

The application site comprises an irregular shaped area of land occupying the area between Redbridge Road (the A33) to the south, Wimpson Lane to the east and Green Park Road to the north, with the site fronting onto Millbrook Roundabout.

The site comprises 2 single storey detached buildings, shared parking areas and landscaping, and is both accessed and egressed from Green Park Road to the north. Both buildings are currently (and lawfully) in mixed usage comprises elements of both restaurant and hot food takeaway use (with neither usage element being either primary or ancillary to the other) and both buildings are served by their own 'drive-through' lanes.

The surrounding area to the north and east is predominantly residential in character, although there is a Tesco Express retail store on the opposite side of Wimpson Lane approximately 50 metres to the north-east of the application site.

There is a bus stop, served by bus services travelling eastbound, on Redbridge Road immediately beyond the south-western corner of the site, and also a bus stop, served by westbound travelling bus services, on the southern side of Millbrook Flyover.

Relevant planning history of application premises

In June 1999, the LPA granted planning permission (application ref. 990383/8725/W) for the redevelopment of a site then occupied by 'The Swan' Public House by way of the construction of a retail unit and a KFC restaurant.

Following the granting of planning application ref. 990383/8725/W, a further application (ref. 99/01046/FUL) was submitted to the LPA seeking to redevelop the same site by way of the construction of two drive-through restaurants. That further application was approved by the LPA on 12th May 2000, and a copy of that decision notice is included in this new application.

The development approved by way of the LPA's granting of planning application ref. 99/01046/FUL was subsequently implemented.

Condition 2 (approved plans) imposed upon the granting of planning application ref. 99/01046/FUL states ;

'The development hereby approved shall be implemented solely in accordance with the following plans or documents received by the Local Planning Authority ;

Drawing no. 458 PO2(c) (received 8th April 1999), CF75/Y/A/10(1), CF75/Y/A/11(1), CF75/Y/A/01(1), 458-P-11(G) and 458-P-10(D).'

Condition 9 (car park layout) imposed upon the same permission states ;

'The car parking area shown on the approved drawing shall be laid out and surfaced before the use hereby permitted commences and shall thereafter be kept clear and maintained at all times for that purpose.'

Reviewing the documentation relating to application ref. 99/01046/FUL, we note a lack of consistency in respect of the number of parking spaces proposed by way of that application. The submitted application form states 62 spaces were proposed, whereas the comments of the Highways Authority as quoted within the Officer delegated report refers to 56 spaces and also advises that the level of parking provision represented an over-provision of 5 spaces.

Reviewing the plans available on the LPA website relating to application ref. 99/01046FUL, of those listed within condition 2 only drawing no. 458-P-10(D) shows the parking layout, and the layout shown on that drawing is only of the parking layout serving the eastern (KFC) drive-thru premises, with a total of 35 car parking spaces shown on that drawing.

Drawing no. 458-P-11(G) is not available on the LPA website, and other plans available to view on the LPA website (but not specifically listed within condition 2), such as drawing no. 318/A100 F, show either 31 or 32 spaces (including 2 'grill bays', serving the western (McDonald's) drive-thru premises. Finally, drawing no. 458-P-13 A (also not specifically listed within condition 2) shows a total of 62 car parking spaces serving both premises, with that number aligning with the submitted application form.

The earliest Google Earth imagery showing the drive-through development as first constructed dates from December 2004 (as provided in paragraph 2.9 of the accompanying Transport Statement prepared by Motion) and shows a total of 58 car parking spaces, with an additional 2 restricted spaces used at that time for the storage of bins.

Development for which planning permission is sought

Planning permission (part retrospective) is sought for alterations to the existing parking layout within the application site, both to facilitate the proposed re-orientation of 2 rows of parking spaces (as highlighted on drawing no. SHK21/SK121 Revision F (proposed site plan), and to regularise a number of minor alterations within the site which have occurred over the last 19 years and which have impacted on the level of car parking provision within the site.

Those alterations comprise ;

- 1 car parking space adjacent to the KFC unit has been lost as a result of the provision of 2 blue badge spaces.
- A timber bin store enclosure has been constructed within the marked parking bays adjacent to McDonald's unit (the 2 restricted spaces referred to in paragraph 2.10 of the accompanying Transport Statement).
- A brick bin store has been constructed within the south-eastern corner of the shared car park, serving the KFC unit, resulting in the loss of 3 car parking spaces.

As demonstrated by way of accompanying drawing no. SHK21/SK120 Revision B (existing site plan), at the present time the application site incorporates 58 car parking spaces, comprising 50 standard parking spaces, 4 'large order/grill' (alternatively known as 'grill bays') and 4 blue badge spaces.

Collectively, the existing parking layout (as a result of the alterations already undertaken as set out above) and the proposed re-orientation of the two rows of parking spaces would result in the provision of a total of 54 car parking spaces serving both premises, comprising 46 standard parking spaces, 4 'large order/grill' bays and 4 blue badge spaces.

For the purposes of clarification, we would also add that this proposal was to be the subject of an application under Section 73 of the Town and Country Planning 1990 (as amended) to vary conditions 2 (approved plans) and 9 (parking layout) imposed upon the granting of implemented permission ref. 99/01046/FUL, but, following dialogue with LPA Officers after the initial submission of that application, it was agreed that it would simplify matters for the benefit of all parties if a full planning application for this proposal was submitted instead,

Planning policies and associated guidance

Having regard to the proposals for which planning permission is sought, the adopted Development Plan for the application site comprises the Core Strategy Partial Review (adopted 2015) and the saved policies in the Local Plan Review (also adopted in 2015).

At national level, the latest National Planning Policy Framework (NPPF) was published by the Government in September 2023 and streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.

The National Planning Policy Guidance (NPPG) was first published by the Government in March 2014 and is regularly updated, and also streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements, into a single document.

Planning Appraisal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, 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.

The accompanying Transport Statement prepared by Motion appraises the level of parking provision proposed by way of this planning application, and that Transport Statement has been informed by parking beat surveys undertaken on Thursday 29th June 2023 and Saturday 1st July 2023 between 06.00 and midnight.

Based upon the results of those surveys, the application site which would result from both the proposed re-orientation of two rows of car parking spaces and the changes to the car parking area which have already taken place would retain a minimum spare capacity of 14 car parking spaces during a typical weekday, and 8 car parking spaces during a typical weekend.

Accordingly, the operation of the application site (including the level of car parking) as proposed by way of this planning application would continue to not have a severe impact on the operation or safety of either the site or the local highway network and therefore the proposed variation will accord with paragraph 109 of the National Planning Policy Framework (NPPF) and policy CS 19 (Car & Cycle Parking) of the adopted Core Strategy DPD.

Consequently, this planning application should be approved and planning permission granted for both the proposed re-orientation of two rows of car parking spaces and to regularise the other alterations to the car parking layout which have taken place since the site was developed, subject to the imposition of appropriate, reasonable and necessary conditions, the content of which we look forward to discussing with the Case Officer to whom this planning application is allocated.

Should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,

