



Appeal Decision

Site visit made on 10 September 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2024

Appeal Ref: APP/D1780/W/24/3344476

Redbridge Business Park, Old Redbridge Road, Southampton, City of Southampton SO15 0NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rooker against the decision of Southampton City Council.
 - The application Ref is 24/00178/FUL.
 - The development proposed was described as: "Retention of Canopy."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The canopy structure appears to have been in place since 2019. I was able to see this structure during my site visit and I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises an open canopy structure and surrounding containers and hardstanding, within an industrial estate known as Redbridge Business Park, located on the edge of Southampton and accessed off Old Redbridge Road. The estate borders a railway line along its rear, with the River Test estuary beyond. The canopy is adjacent to the elevated Redbridge Causeway (A35) and opposite a smaller industrial site which is partially below the A35 road bridge. It is also near to various residential buildings and a public house along Old Redbridge Road, which passes beneath the A35 road bridge.
5. The appeal canopy is sited in close proximity to Old Redbridge Road and is visible from nearby vantage points along this route, despite some surrounding tree cover. The buildings within the industrial estate contain a notable mix in terms of size, shape and external materials. The curved roof of the canopy is not replicated by the surrounding roof forms. There is a larger and more permanent building on the estate and whilst it has a discernibly higher eaves line and a slightly higher ridge, it is set back at considerable distance away from Old Redbridge Road.
6. The appeal canopy also appears more prominent than the lower industrial building that sits more immediately to it, on the other side of the estate

entrance, as it has a greater height and a wider frontage facing Old Redbridge Road. The canopy is also significantly closer to the A35 flyover than the other buildings within Redbridge Business Park.

7. I accept that industrial estates often contain a variety of structure types, and that the A35 road bridge is higher than the canopy structure. The canopy building nonetheless forms an overly prominent and unduly dominant addition when viewed from the elevated A35 footway, and along Old Redbridge Road. Its roof material is clearly discoloured, and the weathering of this material, and the overall temporary appearance of the canopy structure, is particularly appreciable from vantage points along the elevated A35 footway. Its appearance and characteristics are clearly at odds with the more permanent buildings in the vicinity. Accordingly, and in the context of its surroundings, the canopy structure causes a significantly harmful level of visual impact. It is not a sufficiently high-quality design to be allowed on a permanent basis.
8. The canopy structure therefore causes harm to the character and appearance of the surrounding area, contrary to saved Policies SDP7 and SDP9 of the City of Southampton Local Plan Review (LPR) (2015), and Policy CS13 of the Local Development Framework Core Strategy Development Plan Document (CSDPD) (2015). These policies require, amongst other things, development to avoid material harm to the character and/or appearance of an area, respond positively and integrate with its local surroundings, and to be of high quality in terms of the quality and use of materials and architectural detailing.
9. The Council also cites conflict with LPR Policy SDP1, which has been part-replaced by CSDPD Policy CS13. The retained text requires development to not unacceptably affect the health, safety and amenity of the city and its citizens; and to contribute, where appropriate, to a complementary mix of uses. Although there is a visual impact arising from the canopy structure, that issue is governed in more detail by the other design policies referred to above. The Council's Environmental Health team raised no objection in consultation, subject to conditions, and I have no substantive evidence to demonstrate that the health and safety of surrounding residents would be unacceptably affected by the retention of the canopy. The planning history of Redbridge Business Park indicates that it already has permission for a mix of uses. I have therefore found no conflict with LPR Policy SDP1.

Other Matters

10. Interested parties have raised concerns regarding the appeal structure erected first without planning permission, and have alleged that the original operators breached planning rules on numerous occasions with the support of the landowner. However, the retrospective nature of the proposal, or any purported breach of planning legislation, has not had a bearing on my decision to dismiss the appeal. The appeal structure has been considered on its own planning merits.

Planning Balance

11. I have found harm to the character and appearance of the area, contrary to the requirements of saved Policies SDP7 and SDP9 of the LPR and Policy CS13 of the CSDPD. I therefore conclude that the appeal proposal is contrary to the development plan as a whole.

12. The appellant contends that in resolving to grant temporary planning permission in 2020 to retain the appeal structure for three years, Committee members were advised that they should view its impact as if it were permanent in nature. Although I have not been provided with the meeting minutes, the decision of the Council was to grant permission for a temporary period, that also took account of the economic benefits that arose from local employment generated by the proposal.
13. The canopy is located close to rail and transport links and is therefore a good location for a commercial site. The appellant also puts forward the long-term retention of the facility as a benefit to the area. The Council has however stated that the use of the appeal canopy for car washing has ceased, and that such a use was considered as an economic benefit, including employment creation. During my site visit, I noted that the canopy was used for storage of various items such as metal, pallets and bagged materials. However, no evidence has been provided to demonstrate the need for the existing canopy to facilitate a storage use, or any associated economic benefits. I therefore only afford limited weight to the economic benefits arising from the canopy.
14. The appellant contends that the curved canopy shape reduces its volume, size and dominance when compared to a more traditional portal frame industrial building. It is argued that any other design would still be of an industrial nature, with higher eaves and an overall harder structure, in the same location that could serve the business operation in the same manner. However, I do not have sufficient evidence to demonstrate that the appeal canopy is the least harmful way of accommodating for the current business needs of the appellant.
15. I agree with the Council's assessment that surrounding heritage assets would not be impacted. The lack of harm in this regard is however a neutral factor that neither ways in favour nor against the appeal.

Conclusion

16. For the reasons given above, the proposal conflicts with the development plan as a whole and the material considerations before me do not indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR