

## PLANNING COMMITTEE



Application Address	<b>D13, Dolphin Quay, The Quay, Poole, BH15 1HU</b>
Proposal	Use of Unit D13 for Storage Purposes
Application Number	APP/19/00420/C
Applicant	Marcol Industrial Poole Limited
Agent	
Date Application Valid	3 April, 2019
Decision Due Date	29 May, 2019
Extension of Time Date (if applicable)	
Ward	Poole Town
Report status	Public
Meeting date	3 October, 2019
<b>Recommendation</b>	<b>Grant in accordance with the recommendation within the report</b>
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Howell because the proposal will affect the future viability of other retail units in the immediate area.
Case Officer	Kate Robson

### **Description of Development**

1. Planning consent is sought for the use of unit D13 for storage purposes.

### **Key Issues**

2. The main considerations involved with this application are:
  - Principle of proposed use

- Impact on character and appearance of the area including heritage assets
  - Impact on neighbouring residential amenity
  - Highway safety and parking implications
3. These points will be discussed as well as other material considerations at paragraph 8 to 20 below.

## **Planning Policies**

### **Poole Local Plan (Adopted 2018)**

PP1 Presumption in favour of sustainable development  
 PP3 Poole town centre strategy  
 PP22 Retail and main town centre uses  
 PP23 Tourism and the evening / night time economy  
 PP27 Design  
 PP30 Heritage Assets  
 PP31 Poole's coast and countryside  
 PP32 Poole's important sites  
 PP35 A safe, connected and accessible transport network  
 PP38 Managing flood risk

### **Poole Quays Forum Neighbourhood Plan**

PQF1 Public Realm  
 PQF3 High Quality Design  
 PQF4 Transport network investment and sustainable travel choices  
 PQF5 Walking, cycling and public transport improvements  
 PQF10 Creating a more vibrant Quay  
 PQF11 The layout and appearance of Poole Quay

National Planning Policy Framework (February 2019)

## **Relevant Planning Applications and Appeals**

**2000 & 2001:** Planning application **99/02247/041/P** and **00/02247/043/R** granted outline and reserved matters respectively for the erection of the Dolphin Quay complex of commercial and residential accommodation.

**2006:** Planning permission **05/02247/053/F** granted consent to vary condition nos. 13 and 14 and remove condition 15 of planning permission **99/02247/041/P**, removing the requirement for the retail premises to operate as factory outlets selling discounting goods, allowing the agglomeration of certain units and imposing a condition regarding the various uses allowed.

**2013:** Planning permission **APP/13/00145/C** granted planning permission for the change of use of Units D22 and D23 from A1/A3 to a joint B1 (office and lab) and D1 (meetings rooms, training areas, library area and 'digital media base') uses.

**2017:** Planning permission **APP/17/01155/F** granted planning permission for the fitout of an existing empty retail unit into an office space at Unit D21, in association with the uses at Units D22 and D23 (all currently occupied by Lush).

Other applications for signage and advertisements on commercial units have been approved. There have also been numerous applications for internal alterations to commercial units to amalgamate units and alter their uses, as well as residential applications associated with the flats above.

### **Representations**

4. In addition to letters to neighbouring properties, site notices were posted outside the site on 11 April 2019.
5. No representations have been received from existing residents or tenants, or adjoining occupiers or tenants. Representations from other interested persons, including The Power House and Cllr Howell and Hadley, have been received, raising the following objections:
  - Proposed use is inappropriate.
  - Proposal will affect the future viability of other retail units in the immediate area.
  - Proposal will prevent the creation of a vibrant retail and café culture in this part of the Quay.
  - Against Council policies including the aim to reduce the number of cars accessing the Quay.
  - Attempts at leasing the units on appropriate terms have not been made.
  - Units would make ideal community spaces.

### **Consultations**

6. Transport Policy Manager: Supports the proposal subject to a condition restricting the use of the storage facility to existing tenants/residents only.

### **Constraints**

7. The site is located within the Poole Town Centre boundary and the Poole Quay tourism zone (but falls outside of the primary shopping area). The site is located within the Town Centre Heritage Conservation Area and the future flood risk zone.

### **Planning assessment**

#### **Site and Surroundings**

8. The application site comprises a ground floor unit, D13, which is accessed off the internal mall road. The unit is approximately 400 square metres in area. The unit has never been occupied since the building was constructed in the early 2000's and is currently boarded up. Unit D13 is authorised to be used as A1 (retail).

9. Dolphin Quay comprises a mix of uses including retail, restaurants/cafes, offices and residential on upper floors.

## **Key issues**

### Principle of proposed use

10. The application proposes the use of unit D13 for storage purposes. The applicant has advised that storage facilities (most likely a secure cage system) would be offered to existing tenants and residents, and may enhance the attractiveness of the remaining vacant units to prospective tenants.
11. The unit in question has never been occupied and is currently boarded up. It is accessed from the central mall adjacent to the stairs and toilets.
12. Whilst located within the boundary of Poole Town Centre, the site is outside of the primary shopping area. The pre-amble to Local Plan Policy PP3 outlines that retail vacancy rates are relatively high and that the market demand for new retail space has been low in recent years. Better utilisation of existing vacant space is encouraged.
13. Given the number of empty units sited across Dolphin Quay as a whole, the use of the unit for storage purposes for residents and tenants is considered a pragmatic approach and not directly contrary to Policy PP3. In the future, should all the units at Dolphin Quay be let and there is unfulfilled demand, the use of the unit as storage will not sterilise the unit. Subject to future planning permission, it could still be fitted out and used as commercial premises. Given the small scale of the units, the proposed use will not undermine the fundamental objectives of policies within the Local Plan in terms of retail or tourism.
14. Overall, the principle of the proposed use is therefore deemed acceptable.

### Impact on character and appearance of the area including heritage assets

15. The existing blue hoarding will be removed and replaced with a shop front, which can be utilised as a display window for goods or for visuals, so that views of the storage area are screened.
16. Since the unit has always been boarded up and never occupied, this will represent an improvement over the existing situation. Given the unit's location internal to the mall, the character and appearance of the Poole Town Centre Heritage Conservation Area will be preserved.

### Impact on neighbouring amenity

17. Given that the proposed storage is to be used by existing tenants/residents rather than those external to the site, the proposal will preserve the amenities of on-site and nearby residential units and will not result in noise and disturbance to the existing commercial units.

### Highway safety and parking implications

18. The purpose of the application has been clarified during the course of the application such that the description has been amended to 'Use of unit D13 for storage purposes'. A condition can be imposed ensuring the storage facilities are only used by existing tenants/residents, which will ensure the proposal does not result in a significant increase in vehicle movements to the site, as the tenants/residents are likely to be travelling to and from the development anyway. Therefore, the proposal will not result in an increase in highway safety risks. No parking implications arise from the proposal since there is no material difference in a tenant or resident loading or unloading to their commercial unit/flat or the application site.

### Summary

19. The proposed use of unit D13 for storage purposes for existing residents and tenants:
- is an appropriate use given the high vacancy rate across Dolphin Quay;
  - will preserve the character and appearance of the Poole Town Centre Heritage Conservation Area;
  - will preserve neighbour amenity;
  - will preserve highway and pedestrian safety; and
  - raises no parking implications.

### Planning balance

20. The proposal provides a use for a vacant unit that may enhance the attractiveness of the other vacant units within Dolphin Quay for prospective tenants with no identified economic, social or environmental harm.

## **RECOMMENDATION**

GRANT permission with the following conditions, which are subject to alteration/addition by the head of planning services provided any alteration/addition does not go to the core of the decision

### **Conditions**

- 1. GN150 (Time Expiry 3 Years (Standard))**
- 2. PL01 (Plans Listing)**
- 3. AA01 (Non standard Condition)**  
Prior to the use of the unit for storage, details of the shop front, along with plans for display or visuals to be changed on a regular basis, shall be submitted to and approved in writing by the Local Planning Authority. The approved shopfront shall thereafter be installed prior to first use and retained thereafter and the display or visuals shall be changed at least three times a year.

Reason -

To ensure an acceptable appearance within the Conservation Area and to promote vitality within the mall, in accordance with Policies PP3, PP27 and PP30 the Poole Local Plan adopted 2018.

**4. AA01 (Non standard Condition)**

The storage facilities hereby approved shall only be used by existing residents or commercial tenants of Dolphin Quay and by no other person whatsoever.

Reason -

To ensure the approved use does not generate additional traffic or parking demand and in accordance with Policies PP3 and PP34 of the Poole Local Plan adopted 2018