REF. NO. F/11/69166

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Installation of new children's play equipment Shamblehurst Barn Restaurant Old Shamblehurst Lane Hedge End Southampton SO30 2RX

SITE VISIT DATE – 29/7/11

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Installation of play equipment in beer garden backing onto properties at 10 & 11 Maunsell Way. Equipment consists of one structure with steps, tunnel and slide at a floor level of 1.2m. The equipments footprint is approximately 23m2 and its overall height is 3.3m.
SITE AREA	Approximately 3300m2
TOPOGRAPHY	Relatively flat
TREES	Mature trees along side and rear boundary (none covered by a TPO).
BOUNDARY TREATMENT	Mixture of trees heading and fencing.
SITE CHARACTERISTICS	Public house with rear/ side beer garden.
CHARACTER OF LOCALITY	Predominantly residential

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/18807/016/00	Installation of childrens play equipment in garden area	Refuse 13/10/99

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hedge End Town Council	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) 30.ES & 59.BE
Supplementary Planning Guidance : Residential Amenity in the Borough of Eastleigh

PLANNING POLICY GUIDANCE / STATEMENT

PPS 1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed.

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

N/A

PLANNING OBLIGATION/CONSIDERATIONS

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"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."

Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires development to avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Residential Amenity

The play equipment will cater for families using the pub garden and noise levels are likely to intermittent rather than sustained over a long period. The play equipment is also likely to be used by the children of existing customers who already generated some amount of noise and disturbance when using the beer garden. It is unlikely that the play equipment will attract significant numbers of new customers.

The biggest concern is the siting of the play equipment, which backs onto two residential properties. Play equipment in this location has already been refused due to the likely increase in noise

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

disturbance and loss of privacy the development could cause the neighbouring residents. However, the application was determined in 1999 and there have been changes in circumstances since this time.

A new addition is the 3 Fargesia Nitida trees that have been planted along the rear boundary directly behind where the play equipment will be sited. These trees have already reached the height of the fence and when mature will effectively screen the 3.3m high play equipment from neighbours view. On balance, it is considered that this additional tree screening (along with the existing 2m high fence, various residential outbuilding and 20m long rear gardens) means that there will not be material increase in noise or loss of privacy.

Character and Appearance

The play equipment will be tucked away at the rear/ side of the site behind mature trees. It is therefore not considered to have a material impact on the character of the public house or wider locality.

The proposal is considered to comply with relevant Development Plan policies.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

CONCLUSIONS

Recommend Permit