MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/14/75644

DESCRIPTION	Change of use of pavement area to new outdoor seating area and associated screen
ADDRESS	The Wagon Works, 28 Station Hill, Southampton Road, Eastleigh, SO50 9FJ

SITE VISIT DATE	16/1/15			
ARE PLANS ACCURATE?		Yes		
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?		Yes		

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing the change of use of the pavement for a new seating area with a screen
SITE AREA	• 13.7m2
RESIDENTIAL DEVELOPMENT DENSITY (NET)	• NA
TOPOGRAPHY	• Slight downward slope on approaching site
TREES	• No
BOUNDARY TREATMENT	• Open
SITE CHARACTERISTICS	• The site contain a two storey public house occupying a corner plot on the junction of Southampton Road and Leigh Road • There is a large beer garden at the rear
CHARACTER OF LOCALITY	• The application site is located in the town centre • There is Eastleigh train centre opposite • Southampton Road is an extremely busy road which experiences high volume of traffic

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
ENG	No objection as long as the fencing shown on plans is in place at all times, and only in the location as shown. I have concerns that the nature of the facility will involve groups, and as such there is potential for customers to spill out onto the shared foot / cycleway which should be kept clear of such obstructions at all times. However, it is noted that railings / fencing is in place to prevent this as best it can. It is also requested that signage be provided telling customers they must remain within the fencing at all times. With this in place, it would be difficult to raise and defend an objection. Perhaps a temporary permission could be provided in order to assess whether problems arise? And indeed whether anyone actually uses it, given the facility already has a rear external area, and this location is not the most socially pleasant? The scheme indicates a minimum width of just over width of 3.5m between the carriageway edge and proposed screen, which is just about acceptable for the foot/cycle way along this section of Station Hill . So as long as all activity is purely confined within the enclosed area on tables and people are not standing around drinking on the foot/cycle way I feel unable to raise a safety objection.
HEH	The application site is in close proximity to Southampton Road, and located within an air quality managment area. Therefore the proposed seating area will be impacted by noise, dust and emissions from road vehicles. This said however, the seating area is set back from the road and the screening will provide some protection, so I am not looking to recommend any conditions. The proposed screening is made of fabric and will only provide limited protection, therefore I would suggest that the applicant look at installing a more substantial screen to provide increased protection from noise, dust and emissions to their customers.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Crime prevention officer	Little reported crime in the past two years, some anti-social behaviour is to be expected owing to the location. Recommend that the furniture is removed every night.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011) Saved policy, 59.BE
Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policy DM1**,** (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'

CHARACTER APPRAISAL AREA

NA

SPECIAL POLICY AREA

Eastleigh Town Centre

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, nature conservation, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

These will be addressed in the report.

COMMENT ON REPRESENTATIONS RECEIVED

None received

PLANNING OBLIGATION/CONSIDERATIONS

NA

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."

MATERIAL CONSIDERATIONS

Principle

The site is located within the urban edge and is bound by commercial properties. It is located within a high accessibility area and on a bus route, with relatively good pedestrian and cycle links to nearby facilities.

Saved policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including a satisfactory means of access and layout for vehicles, cyclist and pedestrians.

Impact on Character and Appearance of the Area

It is not considered there would be undue harm to the character and appearance of the area from the proposal.

Residential Amenity

There are no residential properties within the immediate vicinity, thus there is no concern regarding this matter

Highway Matters

The application is proposing a new seating area outside the public house on Southampton Road. Three tables are proposed with seating for twelve people, as well as a screen which would extend 5.7 metres in width and project 1.9 metres. The height of the screen is not known, but generally such screens are no more than 1.5 metres in height.

Head of Environmental Health have commented that the proposal would be located in an air quality management area and therefore the proposed seating will be impacted by noise, dust and emissions from road vehicles. This said however, the seating area is set back from the road and the screening will provide some protection.

There is concern with regards to the proposal in terms of highway safety. Notwithstanding the comment from the environmental health, the proposed location for the outside seating is not considered to be the most suitable location given its close proximity to the highway.

Head of Transportation and Engineering, though have not raised any objections have raised concerns about the proposal and its suitability in this location.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

It is acknowledged that the application site is within the town centre and that a number of uses exist including coffee shops which have seating outside. However within Eastleigh town centre these coffee shops are located centrally where there is a one way system for cars. The application site is however on the edge of Southampton Road which is one of the busiest roads as it is one of the main routes into and out of the town.

The premises already has a large beer garden at the rear which is able to hold a large number of customers and provides for a safe and contained environment.

The agent has said that the applicants like to offer customers a choice of where to sit. The Crime Prevention officer has confirmed that there is little reported crime or disorder directly related to the public house. It has been recommended that the furniture is removed each night by 10pm, which the applicants are happy to do.

Whilst the Local Planning Authority does not consider the location to be suitable, the comments raised by the Head of Transportation and Engineering and Crime Prevention officer does not justify a refusal of the application.

OTHER MATERIAL CONSIDERATIONS

Also of relevance Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The changes of use of the pavement for seating and the associated screen is considered on balance a suitable proposal in the town centre,in accordance with Eastleigh Borough Local Plan Review (2001-2011) saved policy, 59.BE, Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, policy DM1.