REF. NO. F/17/79842

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Change of use from mixed A1 and A3 to microbrewery (B1c) & bar (A4) with ancillary residential accommodation at first floor (C3), including minor external works. 1 Bishopstoke Road, Eastleigh, SO50 6AD

SITE VISIT DATE – 02/02/2017

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – Yes and site notice displayed

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	Flat and level.
TREES	None on or adjacent to the site.
BOUNDARY TREATMENT	Open onto Bishopstoke Road and Dutton Lane to the south and west, with two metre high wall and gates to the rear service yard.
SITE CHARACTERISTICS	Prominent corner building at the junction of Bishopstoke Road and Dutton Lane. It would appear to be around 100 years old and originally built as a commercial building with ancillary residential accommodation at first floor. It was last used as a café but has previously been used for various purposes including an off-licence. The main entrance is onto the street but there is also a rear service yard with access to a small warehouse via Dutton Lane.
CHARACTER OF LOCALITY	The site sits at one of the 'gateways' into Eastleigh town centre. To the north is residential development in the form of Victorian/Edwardian terraces, to the east is a later industrial building and offices, to the south is a bus depot and to the west are other industrial/commercial uses, as well as railway land.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/15/77317	Change of use of ground floor from A1 (retail) & A3 (café) to B2 & A3 (tyre fitting and restaurant).	Refused Jan 2016
F/15/76694	Change of use of ground floor From mixed use A1 (retail) & A3 (café) to mixed use B2 (general industrial) & A3 (café).	Withdrawn Jul 2015

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
X/13/72797	Partial relief of condition 2 of planning permission F/05/53031 to allow change of use of part 91 square metres of café A3 to retail A1 (amended description).	Approved Sept 2013
X/07/59456	Relief of condition 11 of planning permission F/05/53031 to allow for Sunday opening.	Approved May 2007
F/05/54417	Relief of condition 11 of planning permission F/05/53031 to extend the opening hours from 7.00 - 18.00.	Approved Sept 2005
F/05/53031	Change of use of ground floor shop to café with associated function room and alterations to west and south elevations.	Approved May 2005
F/04/50488	Change of use to café.	Refused Jul 2004

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Objectors	Two representations were received objecting to the application on the grounds of traffic generation and parking, together with the view that they did not feel that the site was suitable for the intended use.
Supporters	A total of nine letters of support were received highlighting that such a use would be good for the town and provide more choice for customers, as well as highlighting the quality of beer that is already produced by the applicant at the nearby Flower Pots Brewery in Cheriton.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	No objection. Site is well located close to public transport and has a cycle route and pedestrian crossing in close proximity. Parking in the area is controlled by permit and given the nature of the use it is not expected many customers would want to travel by car. Suitable parking is available for the loading and unloading of produce at the rear. More secure and sheltered cycle parking is recommended and space would appear to be available for this. Given the existing approved use compared to that proposed, it is not expected that there would be any substantial increase in trip rates and as such no transport contributions are requested.
Head of Environmental Health	No objection provided conditions are applied requiring: further details of extract and exhaust systems associated with the brewing use; that a noise assessment is submitted detailing any impact upon neighbouring residential uses and suitable mitigation if required; hours of operation for the brewing use; and linking the first floor residential accommodation to the business.
Eastleigh Business Improvement District	Provided parking will not cause an issue, this would be a welcome addition to the town.

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POLICY CONTEXT

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

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 29.ES, 31.ES, 32.ES, 59.BE, 60.BE, 100.T, 101.T, 120.E, 121.E, 134.TC, 141.TC & 142.TC

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (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' Policies DM1, DM7, DM9, DM11, DM21, DM22, DM23, DM24 & DM25

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Eastleigh (ELAC 28)
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Planning Obligations

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

Also of relevance are paragraphs 17, 19 and 23. Paragraph 17 states that one of the twelve core principles of the NPPF is that planning should "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs." Paragraph 19 states that "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system." Paragraph 23 states that planning "should be positive, promote competitive town centre environments and set out policies for the management and growth of centres".

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the relevant planning policies, the principle of that proposed, its layout, design and impact upon the street scene and character of the surrounding area, traffic, parking and highway matters, noise and odours, residential amenity and nature conservation.

COMMENT ON CONSULTATION RESPONSES

All comments are noted and recommended conditions applied where necessary.

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COMMENT ON REPRESENTATIONS RECEIVED

See below.

PLANNING OBLIGATION/CONSIDERATIONS

Following the Head of Transportation & Engineering's assessment of the application, he is of the view that the proposed use would not result in any significant increase in total trips to and from the site over and above that of the existing approved use. As such no planning obligations towards sustainable transport works/measures are considered necessary.

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."

In this case policy issues for consideration include:

Planning Policy – The application site lies within the urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant Local Plan policies and Supplementary Planning Documents. The most relevant policy in this case is saved Policy 59.BE of the Local Plan which 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 a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

Also of relevance are saved Policies 29.ES, 32.ES and 33.ES which relate to issues of noise and air pollution and ensure that there will be no unacceptable impact upon adjacent uses or upon local air quality.

Saved Policy 60.BE ensures that new development along major road and rail corridors is of a high quality.

Saved Policy 120.E relates to the redevelopment or extension of existing employment sites which lie outside of the designated industrial employment areas. The policy sets out a number of criteria which must be met if a proposal is to be considered acceptable of which numbers i. & ii. are most applicable. These state that development will only be considered acceptable if "They: i. cause no demonstrable harm to the amenities and environment of occupiers of nearby existing or proposed housing;" and "ii. do not generate traffic which would result in unacceptable traffic levels on adjoining roads or endanger other road users".

Following on from this is Policy 121.E which relates specifically to industrial/commercial development along or in the vicinity of Dutton Lane, as is intended to ensure that it will not result in any unacceptable increase in traffic, noise or loss of amenity to residential occupiers.

Saved Policy 134.TC requires that proposals for any retail, leisure, office or other town centre use outside of the defined town centre/shopping areas needs to show a demonstrable need, that there are no other suitable sites within the existing town centre area, will not undermine the vitality or

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

viability of those town centre area and that the site is sustainably located.

Saved Policies 141.TC and 142.TC relate to making use of upper floors within commercial areas and to proposals for hot food outlets, stating that such proposals will only be allowed if: i) there are no sensitive residential or other odour sensitive units which would be detrimentally affected; ii) where appropriate the proposal makes adequate and acceptable provision for neutralising odours and controlling noise; and iii) makes adequate provision for the disposal, storage and collection of waste.

Principle – The application site lies on the edge of Eastleigh town centre in an area of established mixed uses. While there are premises within the main town centre area which would be suitable for the A4 bar element of that proposed, none have sufficient space to accommodate the equipment associated with the brewing of beer. To separate the two uses onto different sites not only goes against the whole idea of a microbrewery but would also substantially increase overheads and operating costs for this small start-up business.

No.1 Bishopstoke Road with its existing small warehouse to the rear and its proximity to the town centre and public transport would certainly appear to be the perfect premises for the use proposed. The nature of the use would also appear to generally accord with the requirements of the above policies, so in principle would be acceptable provided it can be demonstrated that there will be no adverse impact upon neighbouring uses or the area in general.

Layout, Design, Street Scene & Area Character – Most of the required alterations to the building will be internal to provide a bar/restaurant fronting onto Bishopstoke Road, with the brewery and associated equipment to the rear within the warehouse. This will include a glass wall where the mash tuns and stills can be viewed from the public bar area.

Externally the facades of the building will be refurbished. This is a prominent building along one of the main routes into and out of the town centre, and one which has seen better days. However, underneath more recent unsympathetic additions to the building is a quite attractive structure, as shown by the photograph included within the submitted design and access statement. The proposals to uncover these brick details, arches and stonework, as well as embellishment of the façade with new traditional style signage and murals is welcomed and should result in a significant enhancement of the building, the street scene and visual amenity of the wider area.

To bring the building back into a use not dissimilar to its past use as a brewery off-licence seems appropriate and should help to enhance the character of the area and have a wider positive impact on the town centre as a whole.

Traffic, Parking & Highway Matters – The main concern of those objecting to the application has been on the grounds of traffic impact and parking, fearing that such a use will result in customers having nowhere to park in the evenings or taking up spaces which should be available for local residents. In addition to this are concerns that increased traffic would result in further air quality issues and pollution.

While these concerns are noted, the nature of the use is such that most customers would not travel by car, and if they do, most trips would be outside of peak periods. Microbreweries such as that proposed specialise in craft ales and beers, and appeal to a particular group of customers who are happy to travel by public transport and other none-car based means in order to enjoy that produced. This is evident from the travel survey information for customers of similar establishments in Southampton and elsewhere submitted in support of the application.

It is not expected that many customers would travel by car, and if they do most trips would be outside of peak hours. The fact that Dutton Lane is permit parking only and Bishopstoke Road has parking restrictions along its length, customer vehicles would have to make use of the public car parks in the town centre or along Chickenhall Lane a short walk away. It would therefore be hard to argue that there would be any adverse impact on local residents in this respect. There would be additional trips

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associated with the production of beer – delivery of raw materials, dispatch of the finished product, collection of waste, as well as ancillary deliveries associated with the bar activities – but the numbers a week would be very low when compared to the number of movements along Bishopstoke Road and using the Dutton Lane junction.

Overall therefore, it is not considered that the use proposed is likely to result in any traffic, parking or highway issues, a view backed up by the Head of Transportation and Engineering's response, although the suggestion of providing secure cycle parking is noted.

Noise & Odours – In terms of noise and odours there are a number of issues to consider and potential sources. Firstly, there is the brewing process and associated deliveries, etc. There is also the activities associated with the bar element of the proposal, again deliveries but also customers. Given the close proximity of residential properties to the site, including the existing flat at first floor level within the building, there is the potential for occupiers to be impacted by these activities. However, following an assessment of the application and research into similar establishments, the Head of Environmental Health is satisfied that there should be no adverse or unacceptable impact, although this is on the proviso that a number of particular restrictions and conditions are applied to any planning approval.

The brewing process on the whole would cause little disturbance in terms of noise. There are certain points where more noise would occur, such as cleaning out the mash tuns, as well as delivery and dispatch of materials and product, but these would be relatively infrequent and could reasonably be controlled through the application of an hours restriction, i.e. not allowing such activities at unsociable times. With regards to odours, again while smells may be present at particular times during the process, this would be relatively infrequent and would dissipate quickly.

Overall therefore, it is not expected that the proposed use would result in any unacceptable issues of noise and odour, which can easily be controlled through the restriction of hours and the installation of appropriate extraction and filtration equipment, details of which can be secured via condition.

Residential Amenity – No particular concerns with regards to the amenity of neighbouring properties have been raised, with any potential impact easily controlled by planning and licencing restrictions.

However, particular concern has been raised with regard stot he amenity of occupiers of the existing first floor flat within the building. The age of the building and its construction is such that there is very limited scope for sound insulation to protect occupiers from noise generated by both the brewery and bar uses. Even with significantly increased insulation there is a reasonably strong likelihood that disturbance would occur, particularly from the bar. As such it has been recommended by the Head of Environmental Health that the occupancy of this flat be restricted to staff working within the microbrewery and bar. This is considered to be an appropriate solution and one which has been accepted by the applicant. As such a condition to this effect is recommended.

Nature Conservation – It is not expected that the proposed use or any works to the building are likely to result in any nature conservation impact.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

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CONCLUSIONS

For the reasons set out above that proposed is considered to accord with the requirements of the relevant adopted Local Plan policies and supplementary planning documents. As such the application is recommended for approval subject to conditions.