REF. NO. F/14/74920

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Installation of new shopfront, 3 no. external air conditioning units, refrigeration condensor and ATM 468 Fair Oak Road Fair Oak Eastleigh SO50 7AL

SITE VISIT DATE – Application site inspected 25th September 2014.

ARE PLANS ACCURATE? – The submitted drawings and associated supporting documentation allows a comprehensive assessment of the development proposed.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? – In accordance with the Local Planning Authority's publicity on planning proposals all neighbours adjoining the application site have been consulted.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	This application follows planning permission F/13/73316 establishing the principle for the change of use from social club (D1) to convenience store (A1) including elevational alterations, car parking, service yard and alterations to access at Brooks Social Club, 468 Fair Oak Road. This submission represents appropriate modifications to the existing building to for fill its function as a retail convenience store, namely new shop front, air conditioning units, refrigeration condenser and an ATM.
SITE AREA	Then application site area is 0.02 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Not applicable.
TOPOGRAPHY	The application site is generally flat and level, as the immediately adjoining sites, although the general topography in the area slopes down gently from the north.
TREES	There are no protected trees on or surrounding the application site, although there are a number of modest trees around the site boundaries. There is also a line of conifers along the southern boundary.
BOUNDARY TREATMENT	To the northern front of the application site it is open onto Fair Oak Road with low a brick wall along the eastern side boundary, rising to a 2.0 metre high blockwork wall along the side and to the rear of the boundary. To the south is a line of conifers approximately 8.0 – 10 metres high and a 3.0 metre high hedge to the western boundary, this also includes a number of individual trees.
SITE CHARACTERISTICS	The original club building is an early 20th Century two storey building which has been significantly extended at ground floor level in the 1960s, 1970s and 1980s. To the front, side and rear is an extensive area of hardstanding used for the parking of cars. The application site sits on the edge of the identified Fair Oak village local centre with the parade of shops off Summerlands Drive just opposite the site.

REF. NO. F/14/74920

THE SITE AND ITS SURROUNDINGS

	Immediately to the east of the site is a pair of three storey blocks of flats with central parking areas, with a further development of three storeys to the east. To the west is a single storey detached dwelling with further 1960s/70s two storey house beyond. To the south is an area of public open space fronting onto the main Eastleigh Road.
CHARACTER OF LOCALITY	The application site is on the edge of a mixed use of residential, retail, commercial and community uses with the majority of the surrounding development dating back from the 1960s, 1980s and 1990s, together with the odd early 20th Century building. The historic core of the village is further along the Fair Oak Road to the west.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	It is hard to date the original building but it appears to be the first half of the 20th Century with later single storey flat roof extensions in the 1960s, 1970s and 1980s.	
F/11/69295	Erection of 2 No. 4 bed dwelling and 1 No. 3 bed dwelling to form a terrace block and 2 No. detached 3 bed dwellings with detached car ports, parking, new access and landscaping following demolition of existing social club. 468 Fair Oak Road	Application Withdrawn 31st August 2011
F/12/70696	Construction of two and three storey block of 14 No. flats with bin store, car park at rear, amenity space and altered access off Fair Oak Road following the demolition of existing social club. 468 Fair Oak Road	Grant STCs 15th February 2013
F/13/73316	Change of use from social club (D1) to convenience store (A1) including elevational alterations, car parking, service yard and alterations to access. 468 Fair Oak Road	Permit STCs 24th February 2014
F/14/74920	Installation of new shopfront, 3 no. external air conditioning units, refrigeration condensor and ATM 468 Fair Oak Road Application subject of this report.	

REF. NO. F/14/74920

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Occupier Flat 15 Linford Court,	Object on the grounds of excessive noise and positioning of AC units to the rear of the development.
470 Fair Oak Road	Japanese Knotwood has been identified on the eastern boundary of this site near to the site of the proposed refrigeration units. Request developer submit a detailed Knotweed Action Plan that clarifies how the weed will be prevented from spreading and treated as required by the Environment Agency's Code of Practice.
Occupier 466 Fair Oak Road	Objection. Property only 15 metres from proposed air conditioners and refrigeration equipment. Note developer instructed noise consultant to carry out sound level tests. Not happy only alleged point of reference was to comply with BS.414:299 and offered to be 10dB lower than existing noise levels. How would we check the existing surrounding levels once the equipment is installed and operating 24 hours per day? Will the Council pay for triple glazing so able to sleep at night if sound levels can have been proved to have increased? The proposed ATM installation will also cause additional noise when cars and motor bikes visit the ATM machine late at night and early mornings. Confusion with regard to the use of the upper level of the store. Noise report suggests first floor residential with a submitted drawing showing all upper floor windows as fully boarded. Application form does not reference water course.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Fair Oak & Horton Heath Parish Council	No objection.
Head of Housing & Environmental Health	Thank you for consulting this Service on the above application. I have reviewed the information provided by the applicant / that held by this Service and I note the following: It is proposed to make minimal alterations to the granted permission, F/13/73316. These proposals include the installation of 3 external air conditioning units and an external refrigeration condenser. The refrigeration condenser and one AC unit will operate 24 hours a day. It is understood that the rest of the units will be on timers and that their operation will be limited to match that of the stores opening hours which are 07:00-23:00. The applicant has submitted an Environmental Noise survey and plant noise impact assessment, reference RF 84724/NIA rev A; for Uplands Retail; by Noise Solutions Ltd (NSL); dated 03/06/13. This report concludes that an acoustic screen / fence is required between the AC units and the nearest residential properties (R3) in order to achieve the

REF. NO. F/14/74920

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	plant noise emission limits proposed. Considering the above I wish to make the following comments: On the basis that the acoustic fence is installed and it is confirmed that it achieves the reduction in the noise required, this Service does not object to the proposed development. I therefore recommend the following conditions / advise: The acoustic screen, as proposed within Section 7.0 of the submitted NSL report (Environmental Noise survey and plant noise impact assessment, reference RF 84724/NIA rev A; for Uplands Retail; by Noise Solutions Ltd; dated 03/06/13) is to be constructed, its effectiveness assessed and a report submitted to and agreed by the local authority. If the plant noise emission limits set out in the report (Section 5.0) have not been achieved then further mitigation work will be required to be undertaken until the limits have been achieved, validated and agreed by the local Council.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area Adjacent to Established Commercial Area.

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

Eastleigh Borough Local Plan Review (2001-2011), saved policies - 41.ES 59.BE

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

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 the development's impact on the residential amenity of neighbouring properties as well as its impact upon the street scene and character of the surrounding area.

COMMENT ON CONSULTATION RESPONSES

The observations of the Head of Housing and Environmental Health shall be considered in the Assessment of Proposal section of this report.

COMMENT ON REPRESENTATIONS RECEIVED

The grounds of objection highlighted by the third party objectors will be formally addressed in the Assessment of Proposal section of this report.

PLANNING OBLIGATION/CONSIDERATIONS

The relative minor nature of this application does not warrant contributions to mitigate the impact of the proposed development.

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 a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, and loss of outlook, noise and fumes.

This application follows planning permission F/13/73316 establishing the principle for the change of use from social club (D1) to convenience store (A1) including elevational alterations, car parking, service yard and alterations to access at Brooks Social Club, 468 Fair Oak Road. This submission represents appropriate modifications to the existing building to for fill its function as a retail convenience store, namely new shop front, air conditioning units, refrigeration condenser and an ATM. Additionally, this proposed development will not harm the visual amenities of the area due to the minor nature of the works and the hidden location of the 3 no. external air conditioning units and refrigeration condenser to the rear of the site. Accordingly, the proposal follows the trusts of the new development policies of the extant and emerging local plans requiring development to be in sympathy and respect its host environment.

In terms of the potential noise pollution impacting on the amenities currently enjoyed by occupiers of nearby residential properties. The Head of Housing and Environmental Health accepting the findings of the engaged Noise Consultant with regard to the equipment to be located to the rear of the store, subject to the acoustic scheme being provided and is effective. It should be noted the general area is of mixed uses with residential and a significant number of retail and commercial premises in the locality. This resulting in a generally busy environment with associated background noises. It is not envisaged the ATM and its users will materially increase the level of noise in the locality. The scheme again according with the new development policies of the extant and emerging local plans requiring development not to conflict with adjacent adjoining or nearby uses.

Whilst the nearby watercourse has not been formally identified in this planning application submission, the originally change of use application drew to the attention of the applicant their responsibilities for the maintenance of the watercourse. Finally the applicant has not highlighted

REF. NO. F/14/74920

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

any issues with regard Japanese knotweed.

The proposal is considered to comply with the relevant National and Local Planning Guidance.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the 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

As such the application is recommended for approval.