

DELEGATED OFFICER REPORT

Application Ref: F/22/93190

Site Address: Portacabin, 33 Upper Northam Road, Hedge End, Southampton, SO30 4EA

Case Officer: Summer Sharpe

Description: Renewal of temporary permission granted F/19/85210 for siting of Portakabin for use as a Dog Grooming Parlour.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - TPO within the rear garden (757-E) - Nature Conservation - Airport safeguarding zone		

Planning History?	Yes ☒	No ☐
Planning App no.	Proposal	Decision
F/16/78583	Siting of portacabin to rear for use as dog grooming parlour.	Permitted (August 2016)
F/19/85210	Siting of portacabin to rear for use as dog grooming parlour.	Permitted (July 2019)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	No objection.		
Hampshire Highways:	There is no objection to the renewal of temporary permission. This is the third such application involving the portakabin, the first being in 2016, and the Dog Grooming business has run without known incident since this time. As such, there would be no justifiable reason to refuse the permission from a highway perspective.		
Environmental Health:	There is a noise management plan in place. We see this includes for a situation if a dog is distressed. As before in 2019 we advise no objection.		

Policy:
National Planning Policy Framework
National Planning Practice Guidance
Development Plan:
<u>Eastleigh Borough Local Plan 2016-2036</u> Policies: S1 (Delivering sustainable development), DM1 (General development), DM8 (Pollution), DM13 (Transport) and DM14 (Parking).
Supplementary Planning Documents: Quality Places and Residential Parking Standards.

Site Visit	Yes ☒	No ☐
30 June 2022.		

Assessment:
<u>Site & Surroundings</u>
The application site comprises a detached bungalow situated to the north of Upper Northam Road (B3036). The property is set back from the road by hardstanding, providing

off-street parking provisions. The main subject of this application is the portakabin which is set back, beyond the rear elevation of the host dwelling, situated towards the shared western boundary with no.35 Upper Northam Road. The site also benefits from a long/ large rear garden with some trees which are covered by a TPO. The dwelling and portakabin are set away from the trees and do not appear to impact them.

The surrounding area predominantly comprises residential dwellings of a variety of sizes, styles and appearances.

Proposal

The application is seeking the renewal of temporary permission granted F/19/85210 for siting of Portakabin for use as a Dog Grooming Parlour. The portakabin is situated within the rear garden of 33 Upper Northam Road, toward the shared western boundary with no.35 Upper Northam Road. The portakabin measures approx. 7.4m in length, 2.8m in width and 2.4m in height.

Principle

The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following matters.

Further to the above, it is noted that there have been 2no. planning applications (F/16/78583 and F/19/85210) which have approved the siting and use of the portakabin, these were, however, subject to conditions. It would therefore be concluded that subject to the same conditions being applied, this application would be considered acceptable.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The application is seeking the retention of an existing portakabin and its use as a dog groomers. It was noted that the original application in 2016 would have assessed the proposals against the former Local Plan (Policy 59.BE), however the content of this Policy is largely echoed within Policy DM1 of the Adopted Local Plan. The portakabin is fairly utilitarian with regard to its appearance, however this is not necessarily considered to be harmful. Further, it is noted that this has been in situ for 6 years, and therefore its siting and appearance has been established. Therefore, and to conclude, the proposals are considered to be in accordance with the abovementioned Policy and would be considered acceptable.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents. Policy DM8 of the same Plan, stipulates that development will not be permitted if it is likely to cause loss of amenity of impact upon public health or other unacceptable environmental impacts.

Within the original application in 2016, a full assessment of the impact of the proposals upon the amenities of the neighbouring properties was undertaken. Initially the Environmental Health Officer (EHO) did have some concerns, however these were addressed, and they removed their objection. The following information was submitted to

address the EHO objection; operating hours, the number of customers/ dogs and collection point/ time which was agreed by the LPA and EHO. The case officer also thought it prudent to include the following, Condition 5 of F/16/78583, which reads: *The development hereby approved shall not be brought into use until a noise management plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall set out measures and management procedures for limiting noise associated with the dog grooming business and is to include the following details:*

- a) The process for the arrival and departure of dogs*
- b) Dealing with a distressed dog*
- c) The number of appointments per day and scheduling of the appointments*
- d) Provisions for dogs that are not being groomed but are on the site, including the location of any kennels and associated care of these dogs*
- e) The number of dogs that will be on the site at any one time, including dogs that are being groomed and held on site waiting for appointments or collections*
- f) Details of when dogs will be allowed out of the building and how these dogs are controlled when out of the building and on site.*

The agreed plan shall then be implemented in accordance with the approved details at all times.

The relevant noise management plan was submitted to and approved by the LPA this was also submitted as part of the previous application F/19/85210 whereby the EHO raised no objection. This information has, again, been submitted within this current application, the EHO has raised no objection. Therefore, subject to the noise management plan being conditioned, the continued siting and use of the portakabin is considered to be acceptable.

Further within application F/19/85210 it was noted that there was the introduction of 2no. windows on the western (side) elevation. It was concluded that a condition be imposed to ensure that the windows remain shut during operating hours. It is therefore recommended that this condition be re-imposed to ensure that the proposals would not have an adverse impact upon the amenities of the neighbouring properties, particularly to the west.

Ultimately it should be noted that the portakabin and its use as a dog groomers has been in situ for 6 years. As such, its continued use is considered to be acceptable with regard to its impact upon the amenities of the neighbouring properties. The proposals would therefore be in accordance with the abovementioned Policies.

Highway Safety & Parking

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.

Within the original application (F/16/78583) the case officer set out that there would be 2no. members of staff (one being the property owner) and a maximum of 4no. customers at any one time (2 being seen and 2 waiting). As such, 6no. vehicle parking provisions would be required on the site. The submitted plans show space for 5no. vehicles, and also provides good visibility. The shortfall of 1no. parking provision was not considered to have an adverse impact upon the highways network.

Within planning application F/19/85210 the case officer noted that the parking for the proposals remains as previously approved, whereby it was considered that there was sufficient space on the space for parking for staff and visitors.

The proposals within this application remain unchanged from the previously approved arrangement. Hampshire County Council Highways have also been consulted upon as

part of this application whereby they raised no objection, also noting that this arrangement has been in situ since 2016 and that there would be no justifiable reason for refusal with regard to highways.

Overall and to conclude, the proposals are considered to be in accordance with the abovementioned Policies and would therefore be acceptable.

Equalities Act:

Section 149 of the Equalities Act 2021 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and Local Plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and Policies, S1, DM2, and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

This application is recommended for temporary approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐