

DELEGATED OFFICER REPORT

Application Ref: F/22/92911

Site Address: 34A HILTINGBURY ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5SS

Case Officer: Rachael Morris

Description: Change of use from insurance brokers (Class E) to ground floor hair salon (Class E) and first floor beauty salon (Class sui generis) with associated cosmetic building works, retrospective air conditioning unit to the eastern elevation and cold food takeaway.

Particular Site Constraints?	Yes ☒	No ☐
- Town, district, local centre - Shop frontage - Within the urban edge		

Planning History?	Yes ☒	No ☐
- Z/09148/002/00 - Loft conversion with dormer windows – Permit – Jul 1982 - Z/09148/003/00 - Construction of external staircase – Permit – Jul 1985 - Z/09148/004/00 - Erection of detached house & garage – Refuse – Apr 1987 - Z/09148/005/00 - Erection of house with integral garage – Refuse – Jun 1987 - Z/09148/006/00 - Change of use: of ground floor to shop for sale of hot food – Refuse – Mar 1991 - Z/09148/008/00 - Change of use of first floor to office in connection with ground floor shop – Permit – Dec 1993 - Z/09148/009/00 - Construction of rear extension – Permit - Jul 1996 - Z/09148/011/00 - Change of use from storage to office use – Permit – Aug 2002 - A/09148/010/00 - Display of 2 no. Illuminated wall mounted signs on west elevation (amended description) – Consent – Aug 2002 - F/09/64859 - Change of Use of ground floor from office (A2) to Cafe (A3) – Permit – May 2009 - F/18/83510 - Replacement shopfront – Permit – Aug 2018		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	32 Hiltingbury Road. Objection (summarised). This is a retrospective application. There are 7 full-time proposed employees on site. The opening hours are likely to be 'office hours' when adjacent businesses are also open. There may not be enough car parking. There has been the erection of an air-con unit which requires planning permission due to proximity to the boundary. There are concerns regarding the cold takeaway including food storage and food waste. 10 Hiltingbury Road. Comment. When I passed by there the other day, it was already open for business.		
Parish Council:	No Comment		
Hampshire Highways:	There is no objection to the application, subject to conditions being applied as outlined below. As outlined, the primary change of use is from an insurance broker to hair dressers, with the added benefit of a beauty salon on the first floor. Whilst there is potential for this to increase trip rates to and from the site, it would be anticipated that this would be negligible given both the size of the proposals, and when taking into account linked and pass-by trip reductions. It is also noted that the applicant has requested permission to provide a cold food takeaway, primarily for customers of the salons, but with an option to serve the general public on a small scale. If this operates as described, then highway impacts would be anticipated to be		

	minimal, however, with no specified limitations there could be concerns should the takeaway element ever become the primary business use. As such, it would be requested that a condition be put in place restricting the takeaway element as ancillary to the salon business, not to be operated either independently or as the primary business. The Case Officer may also wish to implement opening hour restrictions to ensure the takeaway is not utilised outside of Salon business hours.
Environmental Health:	While change in class is permitted, it is unclear what this may entirely comprise. For example, cold food needs cold storage and sometimes such storage has outdoor emissions from fans, compressors etc and these must comply with the Local Planning Authority's noise limit. <u>28/06/2022</u> The external noise from the air conditioning unit is 60 dB(A) (SWL) @ outside the neighbouring office (approximately 5m), the sound pressure level is $60 - 33 = 27$ dB(A) (SPL) Inside the neighbouring office with an open window, the sound pressure level is about $27 - 15 = 12$ dB(A) B8233 suggested noise limit for executive office is 35 to 40 dB(A) Pass or Fail: $12 \text{ dB(A)} < 35 \text{ dB(A)} = \text{"Pass"}$ <u>29/06/2022</u>
Ecology:	Please could you just add the following informative: This application has been flagged up as being within 50 m of a known bat roost. All bats and their roosts are protected by law in the UK. Workers must remain vigilant of the potential presence of bats, not obstruct their roosts or do anything that could cause harm to a bat. If bats or any signs of bats are found during construction, all work must stop immediately, and Natural England must be called. The Bat Conservation Trust website (https://www.bats.org.uk/) explains why bats are protected and what to do if you find a bat at https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works

Site Visit:	Yes ☒	No ☐
Details: 20/06/2022		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM11, DM13, DM14 and DM22. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The development is considered acceptable and complies with policies DM1, DM11, DM13, DM14 and DM22 in that: <u>Principle</u>

- The development is within the urban edge where the principle of development is acceptable.
- Policy DM22 states that within the ground floor of the core shopping zone, primary and secondary shopping frontages of Eastleigh town centre and the district centres and frontages of the local centres and neighbourhood parades, as defined on the policies map, a change of use or redevelopment involving the loss of a Class E use, community or leisure/cultural uses under Classes E and F; or sui generis uses including pubs, drinking establishments and hot food takeaways; must demonstrate that: a. the new use retains an active ground floor frontage; b. it does not adversely affect amenity of an area or the appearance of the frontage; and c. it does not have a negative impact on the provision of services or on the sustainability of a key shopping area.

Design, layout and proposed use

- The design of the change of use from insurance brokers (Class E) to ground floor hair salon (Class E) and first floor beauty salon (Class sui generis) with associated cosmetic building works, retrospective air conditioning unit to the eastern elevation and cold food takeaway is suited to the host dwelling in terms of its form, scale and appearance.
- The development would not be an overdevelopment of the site.
- There are 3 parking spaces to the front of the shop and parking availability in the locality. In addition, there are bus services available with a bus stop outside the shop.
- The design and layout respect the character and appearance of the locality.
- There is no proposed food preparation on site and the cold food takeaway would be solely the sale of pre-made food. Therefore, there is no proposed unacceptable odours anticipated from the site. The use of the small indoor fridge would be used and so would not cause unacceptable noise outside from the refrigeration.
- The proposed air conditioning unit has an acceptable noise level and does not appear inappropriate to the setting of a local shopping area.
- The opening hours currently are Mon & Wednesday 10:30-18:30, Tuesday 9:30-18:00, Thursday 11-20:30pm, Friday 9:30-17:30 and Saturday 8:30-16:30. Therefore, there will be a condition for opening ranging from 8:30-20:30 Mon-Sat and 10:00-16:00 on Sundays.
- The proposed would be in accordance with policy DM22 as the active shopfront to the ground floor would be maintained and a Class E use not lost. The proposed sui generis use at first floor would also be in accordance with the uses that are expected within a neighbourhood parade.
- The proposed changes to the fenestration including cladding, render and proposed window frame would not be inappropriate. Although the Tudor type appearance is also seen on the neighbouring property, there is no general uniform appearance to the parade of shops.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- This planning permission does not convey the right for the development to encroach over, under or on land, which is not within your ownership, without the consent of the landowner.
- The proposed advertisement would need to be assessed under an advert application and as such as not been assessed under this application.

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, development plan and adopted local plan policy 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 adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

Section 149 of the Equalities Act 2010 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

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...