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My reference 048160

Direct Line

Your reference F/22/94163

Date 6 December 2022

Email eastleighdc@hants.gov.uk

Dear Ms Webb,

46 MARKET STREET, EASTLEIGH, SO50 5RB

Installation of plant/machinery for a proposed noodle restaurant

In regard to application F/22/94163, having reviewed the information contained within the application pack, it is noted that the proposed installation of plant/machinery involves the placing of apparatus (namely extractor ducting) above the highway for a section above the Regal Walk footway.

Looking at the 'Existing/Proposed Elevations and Floor Plans (RB 01)' drawing on the EBC Portal, whilst the 'Rear Elevation (Mitchell Road) as Proposed' section of the drawing shows the ducting in position, no written dimensions of height are shown to demonstrate how this will be adequately positioned not to affect pedestrians. Similarly, whilst the section of the drawing titled 'Front Elevation as Proposed' has a written measurement of height (2,500mm), unfortunately this is not to the lowest point of the ducting.

It would therefore be requested that plans are updated to show the minimum heights of any part of the apparatus that overhangs the highway accordingly. This can then be re-assessed.

Additionally, the applicants should be made aware that subsequent to any planning permission that may be forthcoming from EBC as Local Planning Authority, a secondary

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permission will be required from HCC to actually locate the apparatus above the highway.

In accordance to the Highways Act 1990, a Section 177 agreement will need to be entered into prior to the apparatus being installed and this will require additional elements such as indemnity insurance, should the apparatus fall and cause damage or injury, Traffic Management obligations whilst setting up the installation and onwards maintenance, etc. Failure to enter into the agreement will result in enforcement action and the apparatus being removed.

Yours sincerely,

Matt Grantham

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