

DELEGATED OFFICER REPORT

Application Ref: F/23/94896

Site Address: Unit D2, Hamilton Business Park, Southampton, SO30 2JR

Case Officer: Summer Sharpe

Description: Temporary Planning Permission (5years) sought for a Proposed External Plant Area, part enclosed by a 2.4m high hit-and-miss timber fencing, located within an existing car parking area. (Retrospective Application).

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Gas pipeline (west) • Airport Safeguarding Zone • HRA Screening: River, SAC, SPA & Ramsar • Existing Employment Sites – Hamilton Business Park		

Planning History	Yes ☒	No ☐
Application no.	Proposal	Decision
F/11/70040	Construction of 2no. buildings with a total floorspace of 6373sqm, for use for storage and distribution purposes (B8) or for industrial (B1 or B2) purposes, together with ancillary offices, access, parking and servicing.	Permitted (April 2012)
There have been numerous other planning applications at the site, however the above has been noted as the most relevant.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None received.		
Parish Council:	No objection.		
EBC Environmental Health:	The land locates amongst the business park and therefore use of this for powered mechanical equipment supporting the premises could be acceptable. The application says the hours of opening are not relevant but considering that background sound and the sensitivity of dwellings for fluctuates over one whole day (and night), strictly speaking they are. Information submitted with the planning application includes sound attenuating silencers for the supply and extract sides of air handling units. These are practicable solutions. For the design of noise control, the applicant could contact the neighbour enforcement team on noise limits they consider might eliminate risk of an adverse noise impact.		
HCC Highways:	No objection to the temporary (retrospective) proposals. The position of the external plant removes 6 parking spaces from the site, however 50 remain in place available for use. Given the plant is required for the current unit occupiers only, so would be removed if they left, and given only 5 employees are employed on-site, this parking quantum remains sufficient. Onwards, the loss of the parking area does not affect vehicle access or servicing requirements.		

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), DM1 (General development), DM13 (Transport), DM14 (Parking) & DM15 (Safeguarding existing employment sites).

Supplementary Planning Documents

Site Visit	Yes ☐	No ☒
No site visit has been undertaken as the application was supported by 'Photosheet Completed Compound GLW-BSL-ZZ-DR-A 1301-PL' which clearly shows the proposals and surroundings.		

Assessment:

Site & Surroundings

The application site relates to Unit D2 located within the Hamilton Business Park, situated to the north of Botley Road, which comprises industrial and commercial uses, falling within existing employment sites protected by Policy DM15 of the Local Plan. The application site itself comprises a detached building, however the subject of the application relates to a small area to the south of the building where plant machinery and an enclosure has been erected.

The immediate surroundings of the application site comprise commercial and industrial units within the Hamilton & Nelson Business Park. To the north and further east of the site are residential properties.

Proposal

The application proposes to regularise the external plant machinery and the enclosure. This is sought for a temporary timeframe of 5 years.

The plant and fencing are located to the southern elevation of the building, situated on part of the existing car park. The enclosure comprises of 2.4m hit and miss timber fencing (untreated timber). This spans a length of 16m (western elevation) from the southern elevation to the boundary's edge and spans 3m along the southern boundary. There is an array of plant equipment, most of which is concealed by the fencing. There are, however, a couple of elements which are visible, the most prominent being a silver flue which exceeds the fence height by 2.8m.

Principle

The application site falls within the urban edge, whereby the principle of development; extending/ altering such a building is considered to be acceptable, however, would be subject to the following considerations.

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 site falls within an area characterised by commercial and industrial units, therefore this type of development would not be uncharacteristic. As a result of the fencing, the majority of the plant equipment has been concealed, thus is not readily visible. It is, however, acknowledged that there is some equipment visible above the fencing. The equipment visible is utilitarian in terms of its appearance, however this is not uncharacteristic of the application site itself, or wider surroundings thus would not appear incongruous. Turning to the fencing, generally fencing/ means of subdivision in this type of area is not uncharacteristic. Whilst it is acknowledged that there are limited examples of timber (hit and miss) fencing, this would not be considered harmful. Ultimately, the proposals are considered to be in accordance with the abovementioned policy and would therefore be acceptable.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

As noted above, the application site falls within an area characterised by commercial and industrial units, therefore this type of development would not be uncharacteristic. The plant equipment and fencing are located to the southern elevation of the building, surrounded by adjoining commercial/ industrial units, thus the proposals would not have an adverse visual impact, responding appropriately to the existing use and surrounding character of the area. The nearest neighbouring amenities would not be able to readily view the proposals and therefore there would be no adverse impact in terms of the visual amenities of the neighbouring properties.

In terms of the plant equipment, noise information has been submitted by the applicant which has been reviewed by the Council's Environmental Health Officer. They have noted that the location within the business park would be acceptable. Further, the information submitted includes sound attenuating silences which is considered to be a practical solution. Limited information was provided with regard to operating hours. Following this, the agent advised upon the operating hours noting that the building is occupied throughout the week from 0800 – 1800 Monday to Friday. The HVAC unit is operational 24/7 with internal and external attenuators. Ultimately, the proposals are not considered to have an adverse impact upon the amenities of the neighbouring properties.

The proposals are therefore not considered to have an adverse impact upon the amenities of the surrounding buildings, thus would be considered acceptable in this regard.

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. Further to this, Paragraph 111 of the NPPF states that "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"

Due to the nature of the proposals the Local Highways Authority (LHA) were consulted. They raised no objection to the proposals. They did note that the siting of the external plant does impact and results in the loss of 6no. parking provisions, however, it was acknowledged that there are 50no. parking provisions which remain available for use. The plant equipment is required for the current unit occupiers only, so would be removed if they left, and given only 5 employees are employed on-site, this parking quantum remains

sufficient. The LHA also noted that the loss of parking provisions in this area does not affect vehicle access or servicing requirements. To conclude, the proposals are considered to be acceptable in this regard.

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, 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 approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐