

DELEGATED OFFICER REPORT

Application Ref: F/22/94163

Site Address: 46 MARKET STREET, EASTLEIGH, SO50 5RB

Case Officer: Alex Webb

Description: Installation of plant/machinery for a proposed noodle restaurant

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation - NE - SSSI Impact Risk Zones, SAC, SPA, Ramsar, River Itchen SAC Aviation safeguarding - Airport Safeguarding Zones Sewers - Foul/Surface Water		

Planning History?	Yes ☒	No ☐

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Response		
Pollution	We can consider this a suitable use of land. The consent would need to state bubble tea and not be inclusive of noodle or other odorous or fume emitting cooking for example. Condition recommended.		
Highways	No objection to the proposals from a highways perspective		

Site Visit:	Yes ☒	No ☐
04/01/2023		

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; E3 and Development Management policies DM1, DM2, DM11 DM14 and DM22.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The application site relates to an end of-terrace building located on the east side of Market Street, within the defined Eastleigh Town Centre. It is surrounded by a mixture of uses. The premises is to be used for Bubble Tea and soup-based noodles known as OISHI Ramen. Following on from the previous consultation responses, revised plans were received on 27/04/2023 for an extraction canopy. The works for which would involve mainly internal ducting and utilisation of an existing external vent used by the previous tenant (dry cleaners). The only emission is to be steam from water used in the preparation of bubble tea and soup-based noodles. The existing vent is located on rear wall of the building, where the external staircase is located. A condition is imposed to ensure that any odorous or fume emitting cooking is limited given the proximity of the building to residential development.

The development is considered acceptable and complies with policies DM1, DM11, DM14 and DM22 from the 2016-2036 local plan, in that:

- The development is within the urban edge where the principle of development is acceptable.
- The design of the vent is suited to the host building in terms of its form, scale and appearance.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.
- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The design and layout respects the character and appearance of the locality.
- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

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.

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 reduce/limit impacts on climate emissions as a result of the development or its use.

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: For reasons set out above, the application is recommended for approval.

Recommendation:	PERMIT ☒	REFUSE ☐
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Comments ...
