

DELEGATED OFFICER REPORT

Application Ref: F/23/94773

Site Address: 20 MERRIELEAS CLOSE, CHANDLER'S FORD, EASTLEIGH, SO53 2FP

Case Officer: Gary Osmond

Description: Erect outbuilding for hair salon at rear

Particular Site Constraints?	Yes ☐	No ☒
- Within the urban edge - Within an established residential area		

Planning History?	Yes ☒	No ☐
H/22/93714 – Ground and first floor extension and raising of roof to front, alterations to fenestration and single storey rear extension – Approved Dec 2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Two representations have been received from the same address objecting to the proposals on the grounds of: it not being appropriate to run a business in a residential area; parking and blocking of the pavement; disturbance from customers using the side access; will require a further building within the rear garden and overdevelop the plot.		
Chandler's Ford Parish Council:	No comments received.		
Tree Officer:	No arboricultural objection and no conditions recommended.		

Site Visit:	Yes ☒	No ☐
Details: 30/05/2023 – see separate officer photographs.		

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, DM2, DM8, DM11, DM13 and DM14.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
Site & Context: The application property is a detached bungalow on a good size plot dating from 1950s/60s. It is one of a number of similar such bungalows within the street. The site topography gently drops down away from the road towards the rear boundary and there are no trees of note on the site, although there are some on adjoining land. The property has been recently extended to the rear and already has a single storey detached timber outbuilding, which is used as a home office/garden room.

Proposal:

The application seeks consent for the erection of a single storey timber outbuilding, in addition to the existing timber outbuilding, which would be used as a small hairdressing salon, to be operated by the applicant. The building itself could be constructed under permitted development if it were to be used for domestic purposes incidental to the main dwellinghouse. It is therefore just the intended use of the building as a salon which is under consideration.

Policy & Principle:

The application lies within the urban edge and within an established residential area, where the basic principle of development is acceptable. Any formal planning approval will be dependent on the nature and resulting impact of that proposed upon neighbouring occupiers, uses and the wider character of the locality, as set out by Policy DM1 of the adopted Local Plan and the guidance set out in the Council's 'Quality Places' Supplementary Planning Document.

Layout, Form, Scale & Design:

As mentioned above, were the additional outbuilding intended for domestic purposes, it is of a size which would usually fall within that allowed under permitted development (Class E). The building would be located in the bottom eastern corner of the garden and would be of a very similar size to an existing timber outbuilding which is in the opposite southern corner at the end of the garden. There is an existing concrete foundation which must previously have been used for a shed or greenhouse. The two structures would be separated by a small patio area.

Some concern has been raised that a further outbuilding within the garden would amount to an overdevelopment of the site. However, the garden is of a good size and will remain so even with the construction of a further outbuilding. Overdevelopment of the plot is not therefore a concern.

Access, Parking & Highway Matters:

Access to the salon would be via an existing gated side passage along the northern side of the property. This is bounded by a 2.0 metre high fence, given the neighbouring property to the north is on slightly higher land. This will prevent any unintentional loss of privacy to the neighbouring property.

The property already benefits from at least three off-road parking spaces on the front driveway, with scope to provide more. Some concern has been raised that this will not be able to provide sufficient parking for customers and that they will end up parking on the street. Whilst acknowledging this concern, parking is not expected to be an issue. The salon would be operated by the applicant on a pre-booked appointment basis, with just herself working. As such, the number of customers attending at any one time would be no greater than one, potentially with a family member, such as a parent bringing their child to have their hair cut. Appointment times would be arranged so that there is a 'turnaround' time between customers, thereby limiting the potential for two customers attending at once, ensuring that parking is available.

Notwithstanding the ability to park on-site, Merrielee Close is a straight and relatively wide cul-de-sac, where occasional on-street parking should not cause any concerns in relation to highway safety or neighbouring resident's access to their driveways.

In these respects, that proposed is not considered to be contrary to the requirements of Policies DM1, DM13 or DM14 of the Local Plan.

Amenity:

It is not considered that the proposed outbuilding will result in any impact upon neighbouring properties in terms of loss of privacy, light or outlook, due to the modest scale and position of the building itself. However, there is the potential for its proposed use to have some impact upon immediate neighbours and others within the street. There is no objection to the principle of operating a business from home, the issue is the nature of that

business, its scale and what impact it could have upon the amenity of neighbouring residents.

In this instance, the use – a hairdressing salon – is not considered to be an activity which is likely to cause any unwanted disturbance in terms of noise or odours. The only way such a use could potentially cause an issue is if the scale of activity and times of that activity fall outside of that which would usually be considered appropriate for what is a residential area. As discussed above, the intention is that the salon would be run and operated by the applicant herself, with no other staff employed, and would be on an appointment only basis. The salon would also only be operated during normal daytime working hours. Not only would this limit the number of customers who can attend at any one time but also the maximum number of customers who can be dealt with on any one day.

Notwithstanding the currently proposed hours of operation, conditions are recommended in relation to permitted working hours and days, together with limiting the number of staff, and linking the business to occupiers of the main dwellinghouse. Whilst greater than that requested by the applicant as part of the application, the recommended operating hours will ensure that the amenity of neighbours and the wider locality is protected, at the same time as allowing a degree of flexibility for the applicant to run her business without any overtly onerous planning restrictions.

With the conditions recommended, it is considered that the proposed salon use will not result in any unacceptable impact upon the amenity of neighbouring properties or the wider character of the locality, and that it will accord with the requirements of Policy DM1 and the 'Quality Places' SPD.

Trees & Nature Conservation:

Whilst nearby, there are no trees on or immediately adjacent to the application site which would be impacted by the proposed building. It is also the case that the building would utilise an existing concrete foundation.

In terms of nature conservation, it is not considered that the proposed building or its intended use will have any harm on local biodiversity or habitat.

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** ☐

For the reasons set out above, the application is recommended for approval subject to conditions relating to:

- Approved drawings;
- Commencement within three years;
- Materials as set out;
- Use limited to hairdresser only;
- Operator of business must be a resident of the main dwellinghouse; and
- Hours of operation.