

DELEGATED OFFICER REPORT

Application Ref: F/23/95224

Site Address: 7 LEIGH ROAD, EASTLEIGH, SO50 9FG

Case Officer: Rachael Morris

Description: Change of use of ground floor from Class E to Sui Generis- massage parlour.

Particular Site Constraints?	Yes ☒	No ☐
• Eastleigh Town, District and Local Centres and Neighbourhood Parades • Primary Shopping Zone • Within the urban edge		

Planning History?	Yes ☒	No ☐
• Z/06258/002/00 - New shop front – Permit – 1977 • F/22/93718 - Proposed single storey rear extension to create 1.no 1-bed flat – Withdrawn – Oct 2022		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None		
Parish Council:	No Comment		
Environmental Health:	There being no machinery and no apparent pollution impact from provide massage service, we advise no objection.		
Hampshire Highways:	There is no objection to the proposals from a highways perspective. When comparing the two uses (existing against proposed), it is unlikely that there will be a significant change in trips to and from the site via all modes, particularly when considered in combination with elements such as linked and pass-by trips and given the town centre location. In terms of parking, there is a multitude of town centre parking within a short walk, and for sustainable journeys the site is ideally located close to rail and bus stations, as well as walking and cycle routes to the surrounding residential areas.		

Site Visit:	Yes ☒	No ☐
Details: Oct 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 E3, DM1, DM11, DM14 and DM22.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
The development is considered acceptable and complies with policies E3, DM1, DM11, DM14 and DM22 from the 2016-2036 local plan, in that:

Principle

- The development is within the urban edge where the principle of development is acceptable.
- Policy E3 states that the Borough Council will support the regeneration of Eastleigh town centre. This will include strengthening the retail circuit through seeking: development that strengthens the function of the town centre retail anchor to the north of Leigh Road; and the redevelopment of the block east of Upper Market Street, where a range of town centre uses will be acceptable including retail, financial and professional services, public sector services, cafes/restaurants, public houses, hotels, leisure uses, non-residential institutions such as galleries and exhibition halls on the ground and lower floors, with residential uses, including student accommodation, acceptable on upper floors; promoting well designed, high density mixed-use development that delivers schemes suitable for modern retailing and other town centre uses; within the core, leisure, primary and secondary shopping zones as defined on the policies map, a change of use or development will also need to meet policy DM22.
- 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, 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: the new use retains an active ground floor frontage; it does not adversely affect amenity of an area or the appearance of the frontage; and it does not have a negative impact on the provision of services or on the sustainability of a key shopping area.

Change of use

- The proposed change of use from a Class E to Sui Generis Massage Parlour accords with the policies within the local plan. The proposal would accord with policy E3 in that the function of the town centre is retained for a use in accordance with policy DM22 (Sui Generis).
- The proposed change of use would not detract from the town centre primary shopping zone and a Sui Generis massage parlour use would be appropriately placed here, utilising a currently vacant unit.
- There are no proposed external alterations with this application.

Other material considerations

- The design and layout respect the character and appearance of the locality.
- Hampshire Highways has provided a no objection and it is proposed that this retail unit would be replaced by an existing retail unit and as such there is not expected to be any additional pressure on parking from existing. In addition, the unit is in a suitable location, close to Eastleigh rail and bus station.
- 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 Environment 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 ...