

DELEGATED OFFICER REPORT:**Application Ref:** F/23/95465**Site Address:** SPARSHATTS OF BOTLEY LTD, BROAD OAK, BOTLEY,
SOUTHAMPTON, SO30 2EU**Case Officer:** Clare Martin**Description:** Retention of 1no. outbuilding within secure service yard at rear
(Retrospective Application)

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Flood Zone 2		

Planning History?	Yes ☐	No ☒
None are relevant to the current proposal		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1 letter of support (26 Cobbett Way)</u> I am happy to support this new building so long as there is not going to be more noise throughout the night As currently we are woken every night/morning between 1-3am with a "dragging" trolley like sound. Also, the waste stored in the proposed building would that be a safety hazard? <u>Local Planning Authority Response</u> • While sympathetic to the existing noise issues at the site, the proposal itself is unlikely to result in additional noise disturbance. • The outbuilding is used as eco-storage for waste products (such as oily rags, used cartons etc). The design and access statement confirms that the waste will be stored properly in accordance with the hazardous waste regulations.		
Environmental Health:	No comment as the storage of wate is not within our remit.		
Ecology:	No Objection The contents of the shed are held in containers sited on bunding. I don't think there is any additional risk to nearby Pudbrook Lake. There would be less risk to the environment compared to those containers not being contained within a shed.		
Environment Agency:	No response provided		
Parish Council:	No response provided		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out on 25/7/23		

Pre-commencement Conditions:	Yes ☐	No ☒

Legislation:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Policy:**National Planning Policy Framework
Planning Practice Guidance****Development Plan:**

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1 & DM11.

Supplementary Planning Documents:

Quality Places

Assessment:

The development is considered acceptable and complies with planning policy in that:

- The site is within the urban edge where the principle of development is acceptable.
- The proposal is for a modest single storey building with a low pitched roof in muted colours. The building is located at the back of the car park where it is not clearly visible from Brook Lane and will not impact on the mixed character and appearance of the locality.
- 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.
- There will be no adverse impact upon trees, ecology or other natural features worthy of retention.
- The proposal has resulted in the loss of three on site staff car parking spaces, which is not considered significant given the large parking area on the site.
- The building is located on an area of existing hard standing and so will not have a further impact upon flood risk.
- The building is outside of the 8m main river buffer
- There are no likely significant impacts on the SPA.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) 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, development plan and emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:		
Recommendation:	PERMIT ☒	REFUSE ☐
Comments ...		