

DELEGATED OFFICER REPORT:**Application Ref:** F/26/101048**Site Address:** 46 HIGH STREET, WEST END, SOUTHAMPTON, SO30 3DR**Case Officer:** Clare Martin**Description:** Change of Use of ground floor only from Shop (Class E) to Café (Class E) & Bar in the evenings (Sui Generis).

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within West End Village Centre		

Planning History?	Yes ☒	No ☐
<u>Ground Floor</u> • Z/27330 - Reconstruction of steps from forecourt to shop – Permitted (February 1984) • Z/27330/002 - Single storey rear extension to shop premises – Permitted (March 1985) <u>First Floor</u> • Z/37363 – Change of use of first floor flat to beauty salon – Permitted (January 2001) • F/11/69662 - Change of use of first floor beauty salon to offices – Permitted (December 2011) • PN/19/85571 - Prior notification of a change of use from offices professional services (Class A2) to residential (Class C3) – Approval not required (June 2019)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	Three letters of objections and two comment letters were received in connection with the planning application, raising the following points. • Impact on neighbouring uses in terms of additional noise, litter and general disturbance from customers using the premise and outside seating area. • Limited parking available to service existing shops and evening takeaways. • Previous use resulted in parking in front of the charity shop obstructing the pavement and making pedestrian movements difficult. Would like to see double yellow lines installed as part of West End improvement package. • West End High Street is well served for cafes and pubs and another is not needed. The opening of the bar will encourage further drinking. • Welcome the café. However, representation highlights issues with the attitude and behaviour of shop fitters and use of laybys for contractor parking. <u>Officer Response</u> Comments regarding the car parking and impact on neighbours (in terms of noise and litter) are noted and these are addressed within the assessment section. Parking issues connected with the previous use, contractor parking and the requirement for double yellow lines are		

	beyond the scope of the planning application. The need for an additional café/ bar, and the behaviour of contractors are not material planning considerations.
Environmental Health	I have reviewed the noise report titled 46 High Street, West End - Hatch & Barrel Ltd reference P1950-PA-ZZ-REP-01 dated 31st March 2026 from Polaris Acoustics. The report includes a noise survey undertaken between Friday 20 March 2026 and Monday 23 March 2026. The survey data has been used to establish plant noise limits in support of a future plant replacement. As I understand it, the installation or replacement of plant is not included within this application, and I therefore offer no further comments on this aspect. A separate application for the replacement of the plant will need to be submitted and should include this noise report. I accept the identified noise-sensitive receptors, including 44 High Street. <u>External Seating Area – Objection</u> The report identifies three outdoor seating clusters. However, the current application shows only the eastern outdoor seating area, adjacent to 44 High Street, comprising three tables and twelve seats. The noise report concludes that patron noise would be acceptable on the basis that the site is already subject to significant noise from the High Street. While I do not disagree with this general principle, patron noise, particularly from an outdoor seating area in close proximity to the flat above at 46A High Street, cannot be directly equated with road traffic noise. Human voices are inherently more intrusive, especially during quieter periods. In addition, the proposed eastern outdoor seating area would be located close to the adjoining building, where reflective surfaces are likely to increase reverberation and, consequently, the impact of patron noise. Although 44 High Street is a commercial premises and internal noise standards do not formally apply, I nevertheless have concerns regarding the potential impact on its occupants, particularly during the summer months when windows are likely to be open for ventilation. The introduction of an outdoor seating area at such close proximity to a workplace is likely to give rise to noise disturbance and could reasonably result in complaints. For these reasons, I object to the proposed outdoor seating area. In my view, it would have an unacceptable impact on the amenity of the flat above and would be likely to cause noise nuisance to neighbouring occupiers. Patron noise is inherently difficult to control, mitigate, and enforce. <u>Internal Noise - Comment</u> The report sets out the recommended ceiling construction required to achieve acceptable internal noise levels within the residential flat above. These measures include the use of acoustic hangers and other resilient elements to reduce flanking noise transmission. In practice, achieving this level of acoustic performance can be

	challenging in refurbishment projects and so further noise mitigation maybe required. Conditions should be imposed requiring post completion acoustic testing (to ensure the proposal meets internal noise standards), restricting hours of operation and no amplified or live music.
Highways Officer (HCC)	<u>Access</u> Updated parking and access drawings have been provided, which show that vehicle access is via a shared dual -width driveway access to the west of the western neighbour's plot. This is also acceptable and there will be no impact on the positioning of the Eurobins. <u>Parking</u> It was previously outlined that on-site car parking would be for staff only, with 3 spaces to be provided to the rear of the application site. This raised the question of where customers would park. The Case Officer has now confirmed that there is an agreement in place between the applicant and the neighbouring commercial unit that sharing of parking can take place outside of office hours. Assuming that this is a long-term arrangement, this will add an additional 8 parking spaces for customers as shown on Drawing GA-005 Site Plan Parking. Whilst the quantum of parking is for the Case Officer to assess, ensuring that the EBC Parking Standards are adhered to, the provision will ensure that any highway parking will be reduced accordingly which is welcomed, particularly given the restrictions on local car parks (ASDA and West End Parish Council) as previously outlined. In terms of the layout of the private car park, this appears acceptable with adequately sized parking spaces and aisle widths to enable the utilisation of the parking area in the way shown on submitted plans. Finally, as outlined in the previous HCC Highway consultation response, it would be recommended that an element of on-site cycle parking were also added to plans for both staff and customer utilisation, assisting sustainable travel options to and from the premises.
Parish Council:	No response

Site Visit:	Yes ☒	No ☐
Details: Carried out 1/5/26		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i>

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 (Sustainable Development);
- S2 (Promotion of New Development);
- S12 (Transport Infrastructure).

Development Management policies:

- DM1 (General Development Criteria);
- DM8 (Pollution);
- DM13 (Transport);
- DM14 (Car Parking);
- DM22 (Changes of Use within Retail Frontages)

Supplementary Planning Documents:

- Parking Standards (2025);
- Quality Places (2011);

Character of Site and Locality

The application site is a detached two storey building on the southern side of West End High Street, opposite Asda. The building fronts onto the High Street and is accessed via a ramp positioned behind an existing raised planted. To the rear of the site and neighbouring building are car parking areas, which uses the existing access alongside no.44.

The site is located within the commercial core of West End Village Centre, which is characterised by a mix of retail units, small businesses, food outlets and residential properties. The ground floor of the building was previously used as a charity shop and there is a separate flat on the first floor. To the eastern side of the site is a hairdressers with flat above (no.48) and the building to the west contains offices (no.44).

Proposal:

The scheme involves changing the former clothes shop into a café serving hot and cold drinks, light food, and offering a licensed bar in the evenings. The café can be opened at the premises without planning permission, as both the previous shop and café are within a commercial, business and service use (Class E). The only element that requires planning permission is the change of use to the bar (which is sui generis).

The existing shop front and ramped entrance has been retained and repainted. No other external alterations are proposed. The outdoor seating area at the western side of the building has also been removed from the proposal and instead this area will be used for cycle and bin storage.

Internally, the layout comprises an open plan seating area with a bar and small kitchen, storage area and toilet at the rear. The business will operate Monday to Thursday between 7am and 9pm, Friday to Saturday between 7am and 10pm Sunday between 7am and 8pm.

The proposal also includes the provision of three staff car parking spaces at the back of the property. There are a further eight parking spaces at the rear of 44B, which will be available for customer parking from 5.30pm.

Assessment:

Principle

The site is within the urban edge where the principle of development is acceptable, subject to consideration of the detailed policy requirements. The site is also within West End village centre, where the café/ bar will form part of a recognised mix of retail, leisure and community uses, which contribute to the vitality and viability of the local centres.

Character and Appearance

Policy DM1 requires development to take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.

The proposal does not include any extensions or major external alterations. The existing shop front will be retained in its current form and repainted to reflect the café/ pub use and to smarten up its appearance. Any new signage will be considered under separate advert consent.

Noise and Residential Amenity

Policy DM8 states that development will not be permitted if it is likely to cause loss of amenity, particularly in terms of noise.

On the first floor directly above the café/ bar is a residential unit and a noise impact assessment has been submitted to understand the impact upon this property. Following an objection from the Environmental Health Officer, the outdoor seating area has been removed from the proposal and so the main source of noise transfer would be through the ceiling/ floor of the building to the first floor flat.

The noise impact assessment recommends installing sound insulation between the two units to reduce noise transfer, in the form of acoustic hangers and other resilient elements. This approach has been accepted by the Environmental Health Officer, providing a condition is used to ensure post installation noise monitoring is carried out and further sound proofing installed if noise criteria are not met.

Additional conditions will be used to ensure that only background music is played at the café/ bar and the opening hours are restricted. With these conditions in place, the proposal is not considered to have an unacceptable impact upon the first-floor resident.

Highways and Car Parking

Policy DM14 requires an appropriate level of car parking be provided in accordance with the Council's parking standards SPD. Eating and drinking establishments are required to provide one space for every 5m² (seating area only), which equates to eight spaces for the proposal.

A parking plan has been provided showing three staff parking space at the rear of the site and a further eight spaces for customers behind the neighbouring offices (at no 44.B). These customer car parking spaces will be available from 5.30pm onwards once the neighbouring offices have closed and a parking agreement has been signed between the Applicant, Landlord and neighbouring Office uses (a copy of which has been provided to the council).

While on site car parking is a requirement for the bar it is recognised that the café can operate during the day without planning permission. Furthermore, the modest scale of the

café/ bar means that many customers are likely to be local residents who can walk or cycle to the premise or people already using West End High Street as a combined trip. cycle and bin storage will be provided at the western side of the building.

No objection has been raised by the Highway Officer. The proposal meets the required parking standards and is not considered to adversely impact the highway safety or flow of vehicles along West End High Street.

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 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 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, 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 ☐
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Comments ...
