

DELEGATED OFFICER REPORT

Application Ref:	F/26/101959
Site Address:	42 MARKET STREET, EASTLEIGH, SO50 5RA
Case Officer:	Rachael Morris
Description:	Change of use from existing retail unit (Class E) to a nail and beauty salon (Sui Generis).

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

Planning History?	Yes ☒	No ☐
• Z/37521/001/00 - Installation of New Shop Front – Permit – Jul 2001 • A/37521/002/00 - Display of Internally Illuminated Fascia & Projecting Signs – Consent – Jul 2001 • F/06/57767 - Change of use from A1 (retail) to A3 (restaurant) with replacement shop front – Refuse – Sept 2006		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	53 Archers Road. Objection (summarised). Too many nail bars and not enough retail in the town centre.		
Parish Council:	No Objection		

Site Visit:	Yes ☒	No ☐
Details: 01/10/2026		

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 - August 2026 (NPPF) The NPPF sets out the National Decision Making Policies (NDMP). The most relevant for the proposal are: • S3 (sustainable development); S4 (development within settlements); CC2 & CC3 (climate change); DP3 (well-designed places); TR3 (sustainable locations); TR4 (parking); P3 (residential amenity) and N2 (improving the natural environment). Planning Practice Guidance (PPG) This provides detailed guidance on the planning system and implementation of policies within the National Planning Policy Framework. Development Plan: The Eastleigh Borough Local Plan 2016-2036, of which the most relevant policies are:

- Strategic policies: S1 (delivering sustainable development) and S2 (approach to new development); and
- Development Management policies E3 (Eastleigh town centre); DM1(general criteria); DM11 (nature conservation) and DM14 (parking).

Supplementary Planning Documents:

These documents provide detailed guidance on specific issues within Eastleigh Borough.

- Quality Places (June 2026); Parking Standards (September 2025); Trees and Development (April 2022) and Character Area Appraisals.

Assessment:

Principle and policy

- The site is located within the urban edge, where development proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects (as set out in NDMP S4). The material considerations for the proposal are considered below.
- Policy E3 of the Development Plan requires development to promote well designed, high density mixed-use development that delivers schemes suitable for modern retailing and other town centre uses; and within the core, leisure, primary and secondary shopping zones, a change of use or development will also need to meet policy DM22.
- Policy DM22 of the Development Plan requires development to retain an active ground floor frontage; not adversely affect amenity of an area or the appearance of the frontage; and not have a negative impact on the provision of services or on the sustainability of a key shopping area. Within Eastleigh, to demonstrate the lack of a negative impact, proposals should provide proof that there is no demand for the Class E use, including evidence that the site has been marketed effectively for such a use; or over-riding community benefits from the proposed use; or evidence that the proposal will enhance the vitality and viability of the centre.

Character and Appearance

- NDMP DP3 of the NPPF and Policy DM1 of the Local Plan requires development to take full and proper account of the context of the site (including the character and appearance of the locality) 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 design and layout respect the character and appearance of the locality.
- The retail unit sits within the Primary Shopping Zone of Eastleigh Town Centre, surrounded by other Class E uses. While this proposes the loss of a Class E use, it is to be replaced with a use associated with an acceptable town centre use, bringing in people to the town centre and creating vitality.
- The unit is currently vacant, and this change of use will enable the unit to be occupied and ensure the viability of the town centre.
- The proposed change of use will also keep an active frontage and will not adversely impact the surrounding amenity of this frontage.
- Although no explicit evidence has been provided to address that there is no demand for the current Class E use, it does provide a suis generis use appropriately placed for a town centre location which is broadly supported by policy DM22.
- Overall, the change of use is in accordance with the principles laid out in policies DM22 and E3.

Residential Amenity

- NDMP P3 of the NPPF and Policy DM1 of the Local Plan requires all development to preserve the amenity of neighbouring residents and where possible enhance it to provide a high standard of amenity for existing and future occupiers.

Other Material Considerations

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 2030; (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 the reasons set out above, the benefits of the proposal are substantially outweighed by any adverse effects and so the development complies with planning policy.

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...