

## DELEGATED OFFICER REPORT

**Application Ref:** F/23/96438

**Site Address:** Unit F1, Manaton Way, Hedge End, Southampton, SO30 2XW

**Case Officer:** Summer Sharpe

**Description:** Change of use from car park space to area for food trailer.

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Particular Site Constraints?</b>                                                                                                                                                   | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| <ul style="list-style-type: none"><li>- Within urban edge</li><li>- Within existing employment site</li><li>- Within an established mixed commercial/industrial/retail area</li></ul> |                                                |                                    |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------|
| <b>Planning History?</b>                                                                                                                                                                                                             | <b>Yes</b> <input type="checkbox"/> | <b>No</b> <input checked="" type="checkbox"/> |
| There have been planning applications adjacent/ nearby the site relating to car parking alterations and signage in relation to neighbouring buildings. However, there are no relevant planning applications at the application site. |                                     |                                               |

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| <b>Publicity:</b>         | <b>Letters</b> <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Site Notice</b> <input type="checkbox"/> | <b>Newspaper</b> <input type="checkbox"/> |
| Representations:          | None received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                             |                                           |
| Parish Council:           | No objection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |                                           |
| EBC Environmental Health: | No objection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                             |                                           |
| Hampshire Highways:       | No objection.<br>Historically a food trailer has been in position since at least May 2017 (google street view images), and whilst it does reduce the available parking for the adjacent Wickes DIY store by up to 4 vehicle spaces (inclusive of tow bar and bin storage areas), there have been no known issues of a parking shortage as a result.<br>In terms of additional trip rates, it would be anticipated that the majority of use would be via linked or pass-by trips, with any new additional trips that arise specifically for the food being relatively low considering the other take away offers in the immediate area, which users would likely use instead if the application were to be refused. As such, no highway implications would be anticipated. |                                             |                                           |

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| <b>Policy:</b>                                                                                                                                                                                                                                                  |
| <b>National Planning Policy Framework</b>                                                                                                                                                                                                                       |
| <b>National Planning Practice Guidance</b>                                                                                                                                                                                                                      |
| <b>Development Plan:</b>                                                                                                                                                                                                                                        |
| <u>Eastleigh Borough Local Plan 2016-2036</u><br>Policies: S1 (Delivering sustainable development), DM1 (General development), DM8 (Pollution), DM11 (Nature conservation), DM13 (Transport), DM14 (Parking) and DM15 (Safeguarding existing employment sites). |
| <b>Supplementary Planning Documents:</b><br>Quality Places; Residential Parking Standards.                                                                                                                                                                      |

|                   |                                                |                                    |
|-------------------|------------------------------------------------|------------------------------------|
| <b>Site Visit</b> | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| 11 January 2024.  |                                                |                                    |

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|--------------------------------|
| <b>Assessment:</b>             |
| <u>Site &amp; Surroundings</u> |

The application site comprises a car park serving existing industrial/ commercial units, is located to the north of Botley Road (B3035), specifically comprising 4no. vehicle parking spaces, which would facilitate the siting of the proposed hot food trailer. The surrounding car park and industrial commercial units fall within the Hedge End Retail Park, identified as an existing employment site.

To the south of the site is some vegetation, which provides some screening to Botley Road (B3035). From a desktop study it appears that there have been food trailers in situ since May 2017. However, it should be noted, that at the date of the site visit (11 January 2024) there was no hot food trailer.

### Proposal

This application proposes the change of use of 4no. car parking spaces to facilitate a hot food trailer. The proposed food trailer would be square in shape and would occupy up to 4no. parking spaces (inclusive of tow bar and bin storage areas) and would be situated to the west of Hamilton Way and north of Botley Road (B3035). The dimensions of the proposed food trailer would be as follows: length measuring 3.7m, width measuring 1.85m, and height measuring 2.80m, (inclusive of 0.3m wheels positioned below). (Additionally, there is a hitch extending to 1.6m attached to one side of the trailer).

### Principle

The application site falls within the urban edge, and an existing employment site, protected by Policy DM15. Development within the urban edge is generally acceptable, however would be subject to the following considerations set out within this report.

Expanding upon Policy DM15, this specifically relates to safeguarding existing employment sites, and encourages B2, B8 and E(g) usages. Section 2 of this Policy sets out that *employment uses other than those in use classes B2, B8 or E(g)(ii)/(iii) (but not E(a)/(b)/(c) uses or pubs, drinking establishments or hot food takeaways) may be permitted on the sites provided that: (a) they would not have a significant impact on the continued primary use of the site, (b) the existing site is causing, or could cause significant harm to highway safety or the amenities of the area or to local residents.* The proposals would result in the addition of a hot food takeaway, however this would be situated within the car park of existing industrial/ commercial units. This would therefore be an ancillary addition, and would not reduce any existing floorspace away from its encouraged use, thus would not be considered to significantly impact upon the continued primary use of the site.

### Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The proposed food trailer would have a fairly functional and utilitarian design, not dissimilar to the character of the surrounding industrial/ commercial units. The food trailer is not considered to be an excessively large size or unconventional in terms of its shape or overall design. However, and as a result of the siting, it is noted that the proposal could be visible from wider vantage points, along Botley Road (B3035). Due to its dimensions and some screening provided to the north of Botley Road (B3035) the proposal is not considered to have a harmful visual impact upon the wider surroundings.

Further, from a desktop study, it was noted that there had been a food trailer occupying the site in previous years (since May 2017, albeit not in situ at the date of a site visit). Whilst acknowledging that there had previously been a trailer in situ, from a history search this did not appear to benefit from planning permission, and would therefore not hold any significant weight.

In conclusion, the proposed food trailer, with its unobtrusive size and conventional design, is considered to be acceptable with regard to the context and surrounding industrial environment.

#### Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

Given its location within a retail park/ car park, the proposed food trailer is not considered to directly impact any residential properties, as these are situated some distance from the application site.

It is, however, noted that the hot food trailer could have an impact in terms of odour and noise. Due to the nature of the proposals, the Council's Environmental Health Officer has been consulted whereby they raised no objection to the information provided as part of this planning application. It should also be noted that Environmental Health have their own Legislation which could be enforced should there be any future concern with regard to odour and noise.

#### Highway Safety & Parking

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 108 and 109.

Due to the nature of the proposals, the Local Highways Authority (LHA) were consulted, whereby they raised no objection. It was noted that the proposed hot food trailer would occupy up to 4no. parking provisions, whilst this would reduce the parking provisions for the associated industrial/ commercial units and could potentially generate additional comings and goings, the LHA were satisfied that sufficient parking remained and any additional comings and goings would be pass-by traffic and would not result in a significant amount which would have an adverse impact upon the highway network.

It was also noted that there had been a hot food trailer previously in situ (since May 2017), however from a site visit there was no such trailer. The LHA advised that there was no known issues of a parking shortage, and therefore the proposals would not give rise to any concern of lack of parking.

As such and to conclude, the proposals are considered to be acceptable in this regard.

#### **Equalities Act:**

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.

**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 and development plan 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 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 and 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 limit impacts on climate emissions as a result of the development or its use.

**Conclusion:**

This application is recommended for approval, subject to conditions.

Recommendation:

**PERMIT** ☒

**REFUSE** ☐