

DELEGATED OFFICER REPORT

Application Ref: F/24/97134

Site Address: 103 Bournemouth Road, Chandlers Ford, Eastleigh, SO53 3ZJ

Case Officer: David Huckfield

Description: Proposed new ATM within existing aperture, proposed new light, proposed new camera.

Relevant Site Constraints?	Yes ☒	No ☐
Within the Urban Edge Within Air Quality Management Area		

Planning History?	Yes ☒	No ☐
F/04/52618 – Change of use of existing external areas to vehicle sales – REFUSED (31/01/2005) F/05/53828 – Change of use to parking for rental cars including car valeting and landscaping – PERMIT (26/05/2005) F/06/58827 – Change of use from office (B1a) to beauty salon (sui generis) (first floor) – PERMIT (01/03/2007) F/07/60557 – Change of use to beauty salon (sui generis) and holistic therapy training centre (D1) (first floor) – PERMIT (24/08/2007) F/19/85629 – Demolition of building and construction of 3-storey block of flats – REFUSED (11/12/2020) – DISMISSED ON APPEAL (07/01/2022) F/21/91827 – Change of use from Dry Cleaners (Sui Generis) to Restaurant/ Café (Class E) and Drinking Establishment (Sui Generis) – WITHDRAWN (07/09/2022) F/22/94159 – Single storey extension to existing commercial building (Use Class E, excluding E(b), (d), (g)ii, iii and (f)), including new refuse and cycle storage (amended description) – PERMIT (03/07/2023)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations: 2 letters of representation have been received in relation to the planning application with the following comments being made: <u>12 Thirlstone Firs, Chandlers Ford:</u> I am commenting to view my objection to the planning application for a Tesco store at the junction of Leigh Rd/Bournemouth Rd, Chandlers Ford. That junction is already dangerous with the set of lights as you approach from Asda, and those at the top of Castle Lane (where we live). Many a time we've had near misses with drivers going straight through the Asda lights when the Castle Lane lights are green. I can only see things being much worse if you were to add a busy convenience store. The dry cleaners previously wasn't that busy and had much shorter business hours. When the garage had a shop on the other corner, the entrance/exit was totally different, and wasn't sited opposite another access road and the traffic lights. Has the road layout been thought of in this planning? I'm aware the flats planned were turned down due to access/parking so why is a shop with people coming and going 8am-midnight every day, any better. <u>17 Meadow Grove, Chandlers Ford:</u> The illumination of the ATM should not be excessive in glare or a distraction to road users.			

The light should be shielded so as to not allow high intensity glare visible from the highway.

This will have significant impact in conjunction with any other high intensity lighting that will be installed around the site.

Response to representations:

Whilst the comments of the occupier of 12 Thirlstane Grove are noted, the current application relates only to the proposed provision of an ATM and associated security camera and light. The principle of the use, along with the extension to the store and access and parking arrangements have already been considered as part of a previous application (F/22/94159) and deemed to be acceptable by the Local Planning Authority following consultation with the Highway Authority (Hampshire County Council).

The matters raised by the occupier of 17 Meadow Grove in respect of the proposed lighting and its associated impacts are considered in the below assessment of the proposals.

Chandlers Ford Parish Council	No comments received
HCC Highways	In regard to application F/24/97134, having reviewed the information contained within the application pack, there is no objection to the proposals from a highway perspective. There is however a lack of specific detail in regard to the light proposed to be located above the ATM, and as such, whilst it is not envisaged that this would be an issue due to its location, it would be requested that the following condition is applied, should the Case Officer be minded to approve the application. AMOUNT OF ILLUMINATION The illumination of the consented sign(s) shall be no greater than 600 candela per square metres and no light source shall be visible from the highway. Reason: In the interests of highway safety/amenity.
Hampshire Police – Crime Prevention Design Advisor	No comments received

Site Visit:

Yes ☒

No ☐

A site visit was undertaken by the Case Officer to review the proposals in context.

Policy:

Legislative Background:

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan is comprised of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering Sustainable Development), DM1 (General Criteria for New Development), DM11 (Nature Conservation), DM13 (General Development Criteria – Transport), DM14 (Parking).

Other material considerations:**National Planning Policy/Guidance:**

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and, as set out within paragraph 224, the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:

The proposals are considered to be acceptable and in compliance with the relevant local and national planning policy provisions for the following reasons:

- The site lies within the urban edge where the basic principle of development is considered to be acceptable.
- The application building is in the process of being extended and converted into a general convenience store (Tesco Express) where the presence of ATMs is not uncommon.
- The proposed ATM and accompanying camera and security light in this case are of an appropriate design and, owing to their nature, are of a limited size and modest scale. Their siting, on the southern elevation of the premises facing the car park, is also acceptable and, as a result of these factors, it is considered that the development will have minimal impact upon the visual appearance of the building, as well as upon the character of the street scene.
- There are no significant highway safety concerns and no objection has been raised to the application by the Highway Authority. The positioning of the ATM will not impede access to or use of the car park, with a suitable footway area to the frontage of the ATM being provided to allow for customer usage without impeding pedestrian movements for those entering or leaving the store. Details of the light to be installed have been provided, with the luminance levels being within the limit set by the Highway Authority and a condition will be imposed to this effect.
- With regards to crime prevention considerations, the ATM will be positioned such that it will be visible from the main entrance to the store, the public highway, as well as the premises' car parking area. The site is in a prominent location close to a well-used and well-lit public highway (Bournemouth Road) and thereby will benefit from natural surveillance provided by pedestrians and motorists passing through the area (including those that will be stationary at the adjacent traffic lights), as well as by customers using the store itself.

Whilst the convenience store is likely to be open into the evening, given the site location it is anticipated that regular pedestrian, customer and vehicular activity would continue during this period. ATMs provide a valuable service to local communities and the combination of the aforementioned multi-faceted natural surveillance and the security measures which are proposed as part of the application (incorporating lighting and a security camera which will directly overlook the ATM) will, as far as practicable, reduce the vulnerability of the ATM and the people using it, and thereby should act as a deterrent against criminal activity.

- The proposals, due to their nature and siting relative to the nearest residential properties, will not unacceptably impact upon the amenity of their residents in terms of loss of light, privacy or outlook, nor will the proposals be unduly overbearing. The level of customer movements associated with the use of the ATM

is not anticipated to result in undue disturbance for neighbouring occupiers and, indeed, are likely to be substantively indistinguishable from the customer movements associated with the main store. The light proposed will be angled downwards and will be fitted with a cowl to minimise light spillage which, when considered in the context of its position as well as that of the site itself along a busy public highway, would not be deemed to be unduly intrusive for neighbouring residents.

- Due to the nature of the development proposed and its limited scale, there are considered to be no likely significant impacts on either local or European designated sites for nature conservation.

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 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. 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.

Recommendation:

PERMIT ☒

REFUSE ☐