

DELEGATED OFFICER REPORT:**Application Ref:** F/24/97128**Site Address:** TESCO SUPERMARKET, HAMBLE LANE, BURSLEDON,
SOUTHAMPTON, SO31 8GN**Case Officer:** Clare Martin**Description:** Siting of a container with canopy for the sale of food and drink as a
takeaway (sui generis)

Particular Site Constraints?	Yes ☐	No ☒
Details:		

Planning History?	Yes ☒	No ☐
- F/05/55809 – Single storey front extension to provide 'nutri centre' (1036sqft GFA) and customer exit lobby – Permitted (March 2006) - F/04/51705 - Erection of Home Delivery Facility comprising canopy and enclosed area - Permitted (August 2004) - Z/15422/28 - Front and side extension, new sales area, storage area, coffee shop, new toilets and entrance – Refused (October 1996) - Z/15422/2 – Retail store and car park – Permitted (March 1979)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:			
Environmental Health Officer:	<u>Amenity</u> The Design and Access Statement indicates the proposed container will serve as a dedicated space for potential new tenants. It is assumed that the proposed new container will operate the same hours as the main business. We do not anticipate that the proposed container and associate activities will significantly elevate the noise levels within the area, and therefore, we have no concerns in this regard. <u>Contaminated Land</u> It is understood that the proposed contained does not involve any excavations. Ground disturbance is anticipated to be minimal. Therefore, we have no concerns on this regard. <u>Air Quality</u> The site is located within an Air Quality Management Area; however, it is not anticipated that the proposed container involves any significant increase in vehicular movements, and therefore, the impact on air quality will be negligible.		
Transport Officer (HCC):	<u>No objection</u> The application is for the proposed installation of a new container and canopy within the site of the Tesco Supermarket, Hamble Lane, Bursledon. The proposed development would be an area increase of 30.5 m2 for the takeaway sale of food and drink. There are a proposed		

	4no. new members of full-time staff. No new parking is proposed, and no parking would be lost as a result of this application. In regard to the parking quantum, this is a function for EBC as Local Parking Authority where the Case Officer may wish to ensure the parking standards are being adhered to. However, as the development would be part of the larger Tesco site, the change in parking requirements is minimal and as such there are no concerns from a highway perspective.
Bursledon Parish Council:	<u>Objection</u>, due to lack of information and clarity of purpose of the container. Concerns were raised regarding the gathering of people to use the facility and further information is required regarding the relocation of the existing cycle racks. Bursledon Parish Council reconsulted on the proposed use for the sale of food and drink, but no further comments received and 21 day consultation period has now expired.

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 10/7/24		

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 <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM11 and DM14. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals & Trees and Development

Proposal:
The planning application is to install a shipping container for the sale of food and drinks as a takeaway only. The container has a collection point, with no public access within the unit and no external siting area. The container is 30.5m2 and will be coloured blue with an external gold canopy over the order and collection area. The container will be sited next to the pedestrian ramp at the southeastern side of the Tesco store. The cycle storage will be retained in their current position.

Assessment:**Principle**

The site is located within the urban edge where the principle of development is acceptable.

Character and Appearance

The storage container will be positioned at the side of the store in a large mostly unused space next to the car park access ramp. The container is at a raised level to the car park and will be clearly visible on the approach to the store from the south.

The blue colour of the storage container will tie in with the superstore branding and its plain box like features will be somewhat broken up with the canopy and windows facing on the pedestrian walkway. Although a rather plain structure, the container will fit in with the general character of the superstore. The parking area already has other similar structures, including a car wash business operating out of a shipping container and a click and collect facility.

The car parking area of the large superstore is fairly cut off from its immediate surroundings and the proposal will not have a significant impact upon the character and appearance of the site or the wider locality.

Highways and Access

The use of the takeaway is likely to be as part of a linked trip to the superstore and so should not result in a significant additional car parking need or extra trips on the highway network. Opening hours will be restricted by condition, so the takeaway doesn't operate outside of the hours of the supermarket.

The position of the container does not block existing pedestrian access route and leaves sufficient room for customers to use the facility. The superstore has a large car park and the proposal will not impact upon the current parking provision or existing cycle storage.

Other Considerations

- The unit is not positioned close to residential properties and the proposal is not considered to have an impact upon residential amenity in terms of loss of privacy, light, outlook or noise..
- The site is on existing hard standing and there will not no impact upon protected/ propriety habitats or species and there the proposal is below the threshold for biodiversity net gain. There will be no adverse impact upon trees or other natural features worthy of retention.
- 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 ...