

DELEGATED OFFICER REPORT

Application Ref: F/24/97725

Site Address: 1D LOWER NORTHAM ROAD, HEDGE END, SOUTHAMPTON, SO30 4FN

Case Officer: David Huckfield

Description: Installation of an extraction flue to roof of existing rear extension

Particular Site Constraints?	Yes ☒	No ☐
Within the Urban Edge Within Hedge End District Centre		

Planning History?	Yes ☒	No ☐
Z/36143/001 – Change of use from Class A1 (shop) to Class A3 (hot food takeaway) – REFUSED (1999) (APPEAL DISMISSED 2000)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations	None		
Hedge End Town Council	No objection		
Environmental Health	<u>Initial Comments:</u> I have reviewed the Design and Access Statement and Proposed Plans submitted as part of the application. The main concerns on Pollution are as follows: - Visual impact: According to the Proposed Plans, the proposed flue would not be visible from Lower Northam Road. There are no concerns of this regard. - Noise impact: The site is located within a commercial/ retail setting and the nearest receptor is located approximately 35m away. It is assumed that the system will be operating from 6:30am to 10:30pm as per proposed opening hours. It is noted that the proposed system includes duct attenuators with sound absorption material, which offers a degree of mitigation of any potential noise that could potentially cause disturbances to nearby properties. However, further details of the expected noise emission from the complete extract system should be provided. - Air Quality and Odor impact: The proposed system includes the inclusion of carbon filters and Purified Air ESP 3000E units to control odours and air quality. - Complaints: It is noted that a no complaints relating the installed flue at adjacent property (1B Lower Northam) has been received. Based on the considerations above, I support the application for the installation of an extraction flue to roof of existing rear extension at 1D LOWER NORTHAM ROAD, HEDGE END, SOUTHAMPTON, SO30 4FN, upon the submission of the following information: • Details of the expected noise emission from the complete extract system. • Ongoing maintenance plans to ensure the effectiveness of odour and particulate control system.		

	<u>Comments following receipt of noise assessment:</u> I refer to the application for the installation of an extractor flue at the premises; also referencing the report Environmental Noise Consultants 16 September 2024 and comment on Environmental Noise Impact. The report demonstrates compliance on noise levels at the nearest residential receptor with the Council's standards on fixed plant and machinery. I would recommend compliance with the noise report be included in any approval.
--	---

Site Visit:	Yes ☒	No ☐
Details: A site visit was undertaken by the Case Officer to assess the proposals in context.		

Policy: The Development Plan: 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 comprises 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), DM2 (Environmentally Sustainable Development), DM3 (Adaption to Climate Change), DM8 (Pollution), DM11 (Nature Conservation), DM13 (General Development Criteria – Transport), DM14 (Parking), DM22 (Changes of Use in Retail Frontages in Eastleigh Town Centre, District Centres, Local Centres and Neighbourhood Parades). National Planning Policy and 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 development is considered to be acceptable and complies with the relevant local and national planning policy provisions for the following reasons: • The site is within the urban edge where the basic principle of development is considered to be acceptable. • The site is also situated within the designated Hedge End District Centre within the Council's adopted Local Plan. Policy DM22 of the Local Plan seeks to maintain a strong core of retail and other Class E uses within the Borough's town, district and local centres and neighbourhood parades. In this case, the works forming the subject of this application would be ancillary to a Class E use (a café/restaurant) which is proposed to operate from the premises following the closure of the fruit and vegetable shop which had previously occupied the application unit.

Accordingly, it is considered that there would be no conflict with the provisions of Policy DM22, nor would the development negatively impact upon the vitality or viability of the district centre and, indeed, it would assist in facilitating this currently vacant unit being brought back into active use.

- The equipment will be sited to the rear of the premises and the parade of shops that it forms part of. This part of the site is notably less prominent from the surrounding public realm and is an area where features such as that proposed are not entirely uncommon. The equipment is also not excessive or disproportionate in size and, taking account of these factors, it is not considered that the development would be out of keeping with or have an unacceptably adverse impact upon the character of the area.
- As extraction equipment has the potential to generate noise which in turn could result in disturbance being caused to neighbouring residential occupiers, a noise assessment has been undertaken and the subsequent report submitted to the Local Planning Authority during the course of the application process. This report considers the likely impact arising from the particular equipment to be installed having regard to the site's context and the prevailing noise conditions. The report concludes that the development would comply with the Council's standards on fixed plant and machinery at the nearest residential receptor.

The Council's Environmental Health team have reviewed the submitted information and confirmed that they are satisfied with its findings. They have therefore raised no objection to the proposals subject to the provisions of the report being adhered to. This will include a requirement for the extract equipment to not operate outside of the opening hours of the premises to protect the amenity of neighbouring occupiers, with a particular focus on the nighttime period where residents have a reasonable expectation for peace and quiet. A condition will therefore be imposed in this regard.

- As the proposed equipment will be sited on the roof of the premises, there will be no impact upon existing parking or access arrangements and there are no other highway safety concerns associated with the proposals.
- Given the nature, siting and limited extent of the works, there are no ecological concerns arising from the development proposals, with this being either on-site or in respect of off-site impacts on any protected sites.

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.

The NPPF supports economic growth and productivity with the aim of building a strong competitive economy, and Policy S2 of the Local Plan sets a target for 103,500sqm of new employment development to be provided within the borough over the plan period. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and the Council's 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.

Recommendation:

PERMIT ☒

REFUSE ☐