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Website: [www.havant.gov.uk](http://www.havant.gov.uk)

## DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

**Membership:** Councillor Buckley (Chairman)

Councillors Howard, Keast, Lloyd, Patrick, Lowe and Satchwell (Vice-Chairman)

**Meeting:** Development Management Committee

**Date:** 18 October 2018

**Time:** 5.00 pm

**Venue:** Hurstwood Room, Public Service Plaza, Civic Centre Road,  
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach  
Monitoring Officer

9 October 2018

Contact Officer: Nicholas Rogers 023 92446233  
Email: [nicholas.rogers@havant.gov.uk](mailto:nicholas.rogers@havant.gov.uk)

Page

### PART A - (Items Open for Public Attendance)

**1 Apologies for Absence**

To receive and record apologies for absence.

**2 Minutes**

1 - 12

To approve the minutes of the Development Management Committee held on 6 September 2018

**3 Matters Arising**

**4 Site Viewing Working Party Minutes To Follow**

To receive the minutes of the Site Viewing Working Party held on 11 October 2018

**5 Declarations of Interest**

To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.

**6 Chairman's Report**

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.

**7 Matters to be Considered for Site Viewing and Deferment**

The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.

**8 Deputations**

To receive requests to make a deputation to Committee.

**9 Applications for Development and Development Control Matters 13 - 16**

**Part 1 - Applications Viewed by the Site Viewing Working Party**

**9(1) APP/18/00706 - 39 West Street, Havant, PO9 1LA 17 - 48**

Proposal: Change of use from a former bank (Class A2) to a hot food takeaway (Class A5); installation of extraction/ventilation equipment and other minor external alterations.

Associated Documents - <https://tinyurl.com/y9zw5gnk>

**9(2) APP/18/00736 - Trees r/o 19 The Parchment and 20 South Street, Havant 49 - 58**

Proposal: Crown raise 1No. Lime (T1) to 8m, subject to TPO 1509 and crown reduce 1No. Beech (T2) by 3m in height and 2m from laterals, subject to TPO 0797.

Associated Documents - <https://tinyurl.com/ya7hgbeq>

## **Part 2 - Applications Submitted by Havant Borough Council or Affecting Council Owned Land**

None

## **Part 3 - All Other Applications for Development**

None

**9(3) APP/18/00449 - Aura House, New Road, Havant, PO9 1DE 59 - 78**

Proposal: 2-storey extension to existing property to create additional separate individual office space.

Associated Documents - <https://tinyurl.com/y82645gz>

## **Part 4 - Enforcement and Other Development Control Matters**

None

## **PART B (Confidential Items - Closed to the Public)**

None

## GENERAL INFORMATION

**IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 231**

### Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: [www.havant.gov.uk](http://www.havant.gov.uk). Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Nicholas Rogers* (tel no: 023 92446233) on the afternoon prior to the meeting for details of any amendments issued.

### Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 16 October 2018**. Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: [nicholas.rogers@havant.gov.uk](mailto:nicholas.rogers@havant.gov.uk) or [DemocraticServices@havant.gov.uk](mailto:DemocraticServices@havant.gov.uk)

By Post to :

Democratic Services Officer  
Havant Borough Council  
Public Service Plaza  
Civic Centre Road  
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council  
Public Service Plaza  
Civic Centre Road  
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"



# Havant

## BOROUGH COUNCIL

### PROTOCOL AT MEETINGS – RULES OF DEBATE

#### Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

#### Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the

item;

- An amendment must be voted on before the motion
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A Councillor may request that his/her vote be recorded in the minutes

## **Who To Contact If You Wish To Know The Outcome Of A Decision**

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

## **Disabled Access**

The Public Service Plaza has full access and facilities for the disabled.

## **Emergency Procedure**

Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

PLEASE EVACUATE THE BUILDING IMMEDIATELY.

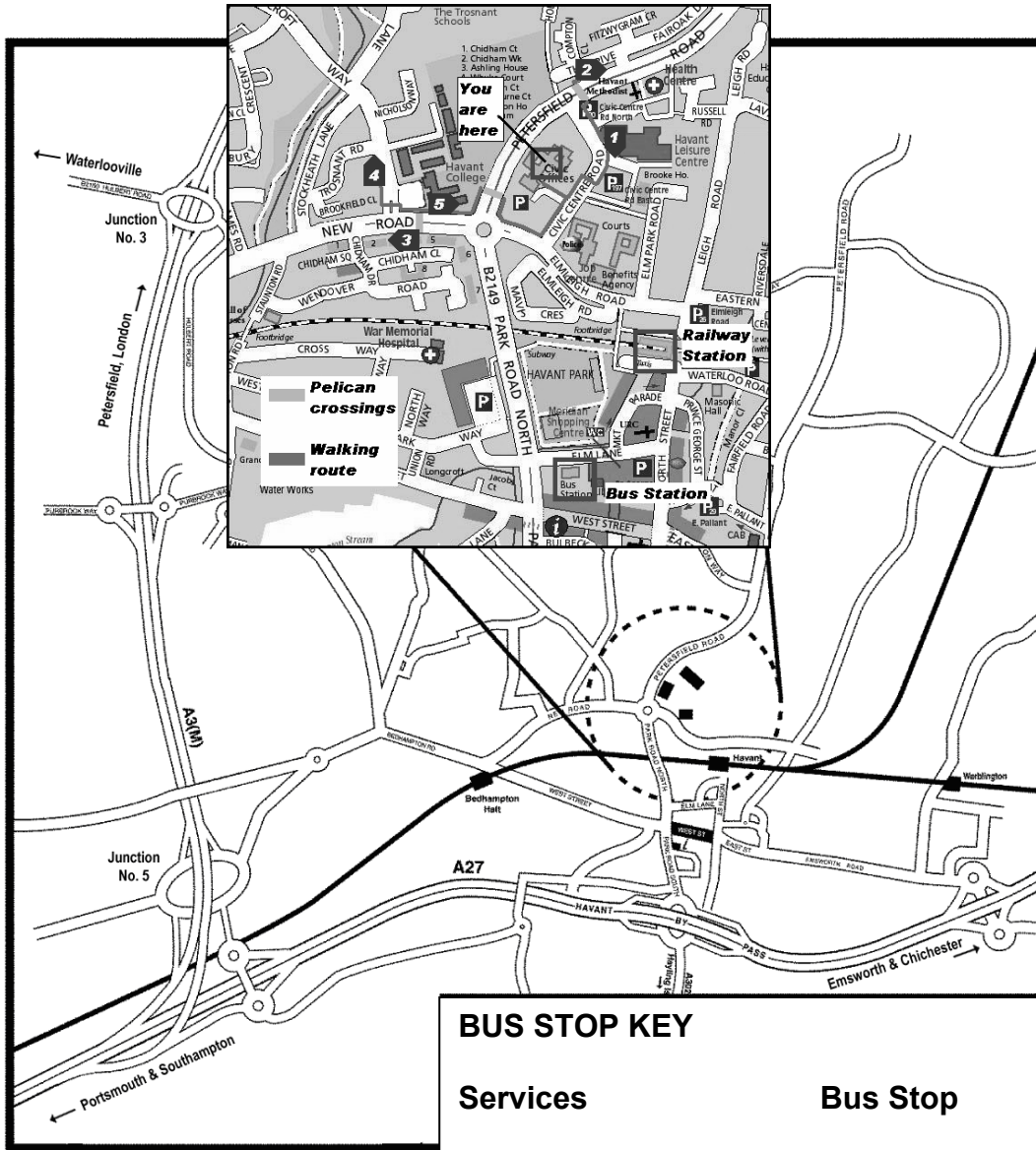
DO NOT RE-ENTER THE BUILDING UNTIL AUTHORISED TO DO SO

## **No Smoking Policy**

The Public Service Plaza operates a strict No Smoking policy in all of its offices, corridors, meeting rooms and toilets.

## **Parking**

Pay and display car parking is available in the Leisure Centre car park opposite the Civic Offices as shown on the attached plan.



**BUS STOP KEY**

Services	Bus Stop
20, 21, 39, 63	1
20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

\*\* - also stops "hail and ride" opposite Stop 1 in Civic Centre Road



**Havant**  
BOROUGH COUNCIL

Public Service Plaza  
Civic Centre Road  
Havant  
Hampshire PO9 2AX



## **HAVANT BOROUGH COUNCIL**

At a meeting of the Development Management Committee held on 6 September 2018

Present

Councillor Buckley (Chairman)

Councillors Howard, Keast, Lloyd, Lowe, Satchwell (Vice-Chairman) and Patrick

### **43 Apologies for Absence**

There were no apologies for absence.

### **44 Minutes**

The Minutes of the meeting of the Development Management Committee held on 16 August 2018 were agreed as a correct record and signed by the Chairman.

### **45 Matters Arising**

There were no matters arising.

### **46 Site Viewing Working Party Minutes**

The Minutes of the Site Viewing Working Party held on 30 August 2018 were received.

### **47 Declarations of Interest**

There were no declarations of interests.

### **48 Chairman's Report**

The Chairman reported that he attended a meeting of the Joint West of Waterlooville Planning Committee on 29 August 2018, which approved development for Phase 9B.

The Chairman also reminded members that a Local Plan Briefing would be held on 20 September 2018.

### **49 Matters to be Considered for Site Viewing and Deferment**

There were no matters to be considered for site viewing and deferment.

### **50 Deputations**

The Committee received the following deputation:

- (1) Mr Oliver (applicant's agent) – Application Number APP/18/00207 – Land adj Mandai, St Peters Road, Hayling Island (Minute 20)

**51 APP/18/00207 - Land adj Mandai, St Peters Road, Hayling Island, PO11 ORT**

(The site was viewed by the Site Viewing Working Party)

Proposal: Use of land for touring holiday/tourism caravan site and erection of utility block (resubmission)

The Committee considered the written report and recommendation of the Head of Planning to grant permission.

The Committee received supplementary information, circulated prior to the meeting, which gave details on the proposed time limits for caravans visiting the site.

During the meeting, the Committee was advised that recommendation had been amended to exclude condition 6, which duplicated details included in Condition 5.

The Committee was addressed by Mr Oliver, the applicant's agent, who supported the application for the following reasons:

- (1) in view of the extant enforcement notice, his client had to review the future of the site and considered that this proposal was the most appropriate use for the area as it would be a low-key operation which complied with the Council's tourism policies;
- (2) entry to the site would be managed to minimise the disturbance to neighbouring properties; and
- (3) alterations to the access to the site would make it more accessible.

Mr Oliver drew the Committee's attention to the fact that the site plan wrongly included land belonging to Mandai within the red line.

In response to questions raised by members of the Committee, the Mr Oliver advised that:

- (1) it was proposed that the owner would be present in the morning to guide caravan owners onto the site. Access arrangements for access when the owner was not at the site were to be finalised.

In response to questions from members of the Committee, the officers advised that:

- (a) there were eight objectors from the surrounding area;

- (b) the proposed access could accommodate the proposed caravans;
- (c) the site would be used by touring caravans. If permitted, a condition would restrict a caravan from using the site for longer than 4 weeks in a 12-month period;
- (d) as far as the Council was aware, the site would be used for leisure purposes;
- (e) the enforcement notice was not affected by this proposal; if permission was granted, the owners were still required to comply with the notice;
- (f) if the Committee was minded to grant permission, an informative could be attached to the permission advising that the permeable surface materials would be preferable; and
- (g) it was not unusual for the Council to grant a permission subject the approval of certain details at a later date.

The Committee discussed this application in detail together with the views raised by the deputees. Although one member of the Committee expressed support for the application, the majority of the Committee considered that the proposal would have: a detrimental impact on rural character and visual amenity of the area and represented an undesirable development in a rural area.

RESOLVED that Application APP/18/00207 be refused for the following reason:

- 1 The proposal represents the undesirable addition of a touring holiday/tourism caravan site in a non-urban area, for which there is no overriding justification, and which would adversely affect the character and appearance of the countryside. It is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012'

**52 APP/18/00229 - Redlands House, 38-40 Long Copse Lane, Emsworth, PO10 7UR**

Proposal: To construct 1 No. 5 bedroom dwelling with garage and associated parking.

The Committee considered the written report and recommendation of the Head of Planning.

RESOLVED that Application APP/18/00229 be granted permission subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed site access PL.130.18.SK02 REV D  
Proposed location plan and floor plans PL.130.18.01  
Proposed elevations PL130.18-02  
Proposed elevations PL130.18-06

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:
- (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
  - (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall commence until a surface water drainage strategy to reduce run off from the site and providing plans and particulars specifying the layout, depth and capacity of all surface water drains and/or sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been submitted to and approved in writing by the Local Planning Authority.

Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM10 and 25 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (The Ecology Co-op, March 2018) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 No above ground development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions.

Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No part of the development shall be occupied until facilities for the storage of solid waste have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall be maintained in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The access, car parking, turning and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The development of the site shall be carried out strictly in accordance with the submitted Arboricultural Assessment and Method Statement dated 20th July 2018 referenced 17294-AA2-AS, Plan reference 17294-BT2 and associated Site Guidance Notes with particular reference to Arboricultural Supervision (para 2.3 Arboricultural Method Statement).

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 14 No development hereby permitted shall be commenced until full details of the engineering solution for the construction of the access and parking areas in relation to retained trees have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

**53 APP/18/00230 - Redlands House, 38-40 Long Copse Lane, Emsworth, PO10 7UR**

Proposal: To construct 1 No. 4 bedroom dwelling with garage and associated parking.

The Committee considered the written report and recommendation of the Head of Planning.

The Committee was requested to consider imposing an additional condition requiring obscured glazing to be installed on the bathroom window on the east elevation of the proposed dwelling to protect the amenities of the neighbouring property.

RESOLVED that Application APP/18/00230 be granted permission subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed site plan, floor plans and elevations and location plan  
PL.130.18.-03 REV A  
Proposed garage plans PL130.18-05  
Proposed fencing PL130.18-057

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
- (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall commence until a surface water drainage strategy to reduce run off from the site and providing plans and particulars specifying the layout, depth and capacity of all surface water drains and/or sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the



completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM10 and 25 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (The Ecology Co-op, March 2018) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Local plan (Core Strategy) 2011.

- 8 No above ground development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which is otherwise removed within the first

5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No part of the development shall be occupied until facilities for the storage of solid waste have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall be maintained in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The access, car parking, turning and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The development of the site shall be carried out strictly in accordance with the submitted Arboricultural Assessment and Method Statement dated 20th July 2018 referenced 17294-AA2-AS, Plan reference 17294-BT2 and associated Site Guidance Notes with particular reference to Arboricultural Supervision (para 2.3 Arboricultural Method Statement).

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 14 No development hereby permitted shall be commenced until full details of the engineering solution for the construction of the access and parking areas in relation to retained trees have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 15 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the window in the first floor on the east elevation facing 44 Long Copse Lane shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

**The meeting commenced at 5.00 pm and concluded at 6.21 pm**

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**Chairman**

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## HAVANT BOROUGH COUNCIL

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### Development Management Committee

### APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE HEAD OF PLANNING

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#### **Applications to be determined by the Council as the Local Planning Authority**

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Head of Planning will be reported **verbally** at the meeting of the Development Management Committee.

***Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.***

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

HPS	Head of Planning Services
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

## RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

### **Implications**

#### **Resources:**

None unless detailed in attached report.

#### **Legal:**

Details set in the individual reports

**Strategy:**

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

**Risks:**

Details set out in the individual reports

**Communications:**

Details set out in the individual reports

**Background Papers:**

Individual Applications with Case Officers

Simon Jenkins  
Head of Planning

Nick Leach  
Monitoring Officer

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Lane or between numbers 16 and 24 Park Road South where it is possible to turn right into the service yard when heading south.

- 1.5 The north side of West Street includes the 19 Fourteas tea room (an A3 use) and then reverts to predominantly residential accommodation with the former Cobden Arms being converted to flats. The old Court House has also been converted to flats such that the west side of Brockhampton Lane is also residential. This area forms part of the Black Dog Conservation Area. The site is opposite, but not within this Conservation Area. There is also a residential property at No 3 Brockhampton Lane, sited to the south west of the access into the service yard, and this dwelling is located adjacent a printers at 1b and a car tyre centre. The site is therefore closely related to the residential properties on the fringe of the town centre.

## **2 Planning History**

99/64147/001 - Proposed cycle stand fronting West Street elevation, PERM,09/09/1999

99/64147/000 - 2 no. internally illuminated double sided projecting signs and internally illuminated fascia sign to east elevation. 1 no. internally illuminated projecting sign and internally illuminated fascia sign to north elevation., PERM,27/05/1999

94/56137/001 - Fire escape to rear of No. 39 West Street to serve first floor offices., PERM,

APP/10/00990 - New manually operated swing doors on east elevation. PERM,07/02/2011

APP/14/00372 - Change of use of first floor from mixed use A2 and B2 to use class D2, Withdrawn 30/05/2014

APP/15/00338 - Replacement of 1No. ATM machine., PERM,19/05/2015

APP/17/01186 - Proposed replacement of shop fronts., PERM,19/12/2017

## **3 Proposal**

- 3.1 The proposal is for the change of use of the former bank (Class A2) to a hot food takeaway (Class A5), with associated installation of extraction/ventilation equipment and other minor external alterations. The proposal is for a pizza operator and when originally submitted the proposed opening times were between 9am and 1am Sunday to Thursday and between 9am and 2am on Fridays and Saturdays. This has been amended and the current proposed hours are now between 11am and 11pm Sunday to Thursday and between 11am and midnight on Fridays and Saturdays.
- 3.2 A Noise Assessment and Waste and Operational Management Plan have also been submitted as part of the additional documents for consideration. The proposed extractor duct would be sited to the rear and would run horizontally under the external staircase and then turn vertically to a height approximately 1m above the roofline. Air conditioning and cold room compressors would also be fixed to the rear elevation; and a fresh air duct would be inserted through the north elevation (West Street). The proposal also involves the replacement of the existing timber shopfronts with aluminium frames.
- 3.3 It has subsequently been confirmed that the initial proposed user is Domino's Pizza who will be re-siting from their existing North Street premises.

## **4 Policy Considerations**

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS4	(Town, District and Local Centres)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM21	(Shopfronts, Signs, Security Shutters and Advertisements)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Adjacent Black Dog Conservation Area

## **5 Statutory and Non Statutory Consultations**

5.1 Consultation responses to the original proposal of the later night opening were as follows:

### **Conservation Officer**

The site is located outside of any conservation area and as such I have no objection to the proposals.

### **Crime Prevention**

The town centre of Havant is an area from which we receive a high level of incident reports. Incidents reported include: assault, criminal damage and anti-social behaviour. Currently the vast majority of these incidents are between 7am and midnight. It is against this background that my comments are made.

Havant Town Centre has a number of premises; public house, etc. licensed to sell alcohol. I would be concerned that a fast food outlet with opening hours later than the closing times of the licensed premises would cause those leaving the licensed premises to migrate to the fast food outlet. The gathering of people perhaps some in drink has the potential to cause significant policing issues. Consequently, I object to this application if the opening hours are later than the opening hours of the other eating establishments within the town centre.

The application site is to the West of Park Road South, within a predominately residential area, we would be concerned if those using this facility were to cause an increase in reported levels of anti-social behaviour by residents.

I do note that the design and access statement does state that home deliveries are to be made, but does not give details as to where the delivery vehicle(s) is to be parked. There are parking restrictions on the public highway and the three parking spaces are for staff use. We would be concerned if delivery vehicles caused obstruction to the public highway, whilst undertaking deliveries.

The design and access statement makes no reference to crime, nor any mitigation measures, therefore, I must conclude that crime and its mitigation has not been considered during the formulation of this proposal.

**Highways Engineer**No adverse comment

The surrounding highway is covered by double yellow and therefore the public are not allowed to park.

The existing servicing of this unit is from the rear which is private and has previously been a bank and a shop that have been historically serviced in the same way.

The lay by in front of the parade shops is not adopted highway and could be used for the pick up of takeaway orders but it's increased use would not be a reason to refuse the application with regard to highway safety.

**Economic Development**

None received

**Engineering/Drainage**

None received

**Environment Agency**No ObjectionAdvice for Applicant:

Environment Agency data shows that a main river culvert runs along the western site boundary and flows into an open channel near the rear exit of 39 West Street. The applicant is therefore likely to require an Environmental Permit for Flood Risk Activities as the applicant wants to carry out work within 8m of the Main River.

**Environmental Health**

The addition of an extraction system to serve a hot food take-away, could lead to a detrimental loss of amenity if not nuisance, to nearby residential properties due to odour and noise. In this case, it has been advised in the The Planning, Design and Access statement that this hot food take away will in effect be a pizza take-away and the extract / ventilation system will use utilise carbon filters, whilst in the Annex B proposed ventilation system document it is advised carbon filters are not to be utilized.

Based on the above I would suggest that if this application is to be viewed positively by the Local Planning Authority, that the usage as a pizza take-away only be conditioned to that effect.

Also there is no clear indication provided as to noise reductions or predictions of noise impact, especially in terms of BS4142:2014 in relation to the nearest residential receptors, relating to the proposed extract system, cold room compressor and air conditioning compressor.

In regard to the above I would suggest that a noise assessment be carried out to establish ambient background noise levels, to ensure that with equipment operating, especially late at night, that there is no impact on any nearby residential receptors, especially in Brockhampton Lane and West Street. Given the operating times that are being suggested, and that as extractors don't get turned off automatically when the shop closes, but usually continue to run whilst equipment cools down and kitchen areas are cleaned; plus cold room compressors will switch on and off 24/7 to maintain an operating temperature.

The proposed opening times of 09:00 to 01:00 Sunday to Thursday and 09:00 to 02:00 Friday and Saturday, is not I believe in line with the operating times of other nearby take-away facilities. This would then lead to the aggregation of people

in and around this particular store with the potential for anti-social behaviour and the generation of loud people noise, impacting on the nearest residential receptors.

Therefore, if the Committee were of a mind to approve this application I would ask that various conditions are imposed to control cooking odours; maintenance of extraction equipment; noise control from extractors and compressors scheme; deliveries to store only between 08:00 and 20:00; no deliveries of food to customers by motorised vehicle made after 23:00; opening and closing times for this take-away store be limited to maximum 23:00 closing and with a maximum one hour cleaning period added on to that.

Also request Informatives relating to Hours of Construction Work and Dust Control

### **Planning Policy**

#### **Principle of Development:**

The site lies within the urban area as defined by Policies CS17 and AL2 of the Local Plan which seek to concentrate new development within the five-urban areas of Havant Borough. There is, therefore, a presumption in favour of sustainable development, subject to other relevant material considerations in the development plan.

#### Havant Town Centre

The site is in Havant Town Centre as shown in Policies CS4 and AL3 (Town, District and Local Centres), but outside of the primary and secondary frontages, as such criteria 3) and 4) do not apply. These policies generally encourage appropriate main town centre uses at ground-floor which enhance the evening economy and support small and independent businesses. Please note, a definition of "main town centre uses" is found on page 68, Annex 2, of the [National Planning Policy Framework \(NPPF\) \[July 2018\]](#).

The premises have been vacant since September 2017. However, the vacancy rate for Havant Town Centre was 5.8% in October 2017 which was far lower than the national and south-east town centre vacancy averages of 9.3% and 7.2% respectively at that time.

The site is identified as part of the 'Historic Core' as defined by emerging Policy KS1 (Havant Town Centre) in the Draft HBLP 2036. Paragraph 3.14 of the Draft HBLP 2036 outlines an opportunity to move away from a reliance on retail and encourage other uses in the Historic Core such as cafes and restaurants which attract visitors and expand the evening economy. As such, the proposal would positively contribute towards criteria o) and p) of Policy KS1.

#### **Health:**

The planning system can help promote public health through the provision of environment, facilities and initiatives which enable people to live a healthy lifestyle and take responsibility of their own wellbeing. The prevention and early intervention of key health priorities (please see below) can reduce pressure on healthcare services in the future. To achieve this, it is important to encourage healthy choices and active lifestyles when considering new development.

Paragraph 91c of the NPPF (2018) sets out that planning decisions should aim to achieve healthy, inclusive and safe places which *"enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs"*.

The [National Planning Practice Guidance \(NPPG\)](#) goes further and outlines how local planning authorities (LPAs) can have regard to certain health issues. Those of relevance for this application include:

- 1) Evidence indicating high levels of obesity, deprivation and general poor health in specific locations;
- 2) Odours and noise impact; and
- 3) Refuse and litter

Regarding 1), the Havant [Healthy Borough Assessment \(November 2017\)](#) provides evidence which indicates high levels of obesity in Havant Borough. More specifically for the Borough, around one third of adults and one fifth of Year 6 children (11 years of age) were classified as obese in 2012 and 2016 respectively. In combination with this, the assessment states that addressing health inequalities and improving the health and wellbeing of Havant Borough's population, both physical and mental, are key priorities for Havant Borough and Hampshire County Councils.

The assessment acknowledges and incorporates the information and data from the [Havant Health Profile 2017](#) (produced by Public Health England) and indicates that increasing physical activity, reducing obesity and improving mental health and wellbeing (emphasis added) are important health issues, and therefore local priorities for Havant Borough.

For the above bullet points 2) and 3), please see the "Food, Drink and Entertainment Uses" sub-section below.

#### Hot Food Takeaways (Land Use Class A5):

The [National Planning Practice Guidance \(NPPG\)](#) highlights that local plan policies and supplementary planning documents, can limit the proliferation of certain use classes in identified areas, where planning permission is required.

Figure 1 of the Healthy Borough Assessment shows that Havant & Bedhampton has a high number of fast food outlets compared to the rest of Havant Borough and surrounding areas.

Paragraph 3.19 of the assessment indicates that: *"these statistics point to a justification for a policy restricting fast food outlets in Havant Town Centre"*. This is reinforced by the summary table (page 11) which indicates that one way in which planning can improve public health is to *"limit fast food takeaways in certain areas"*. Whilst emerging Policy C8 in the HBLP 2036 does not currently include a restriction on A5 uses, there is a growing body of evidence which suggests that access to takeaways is associated with obesity:

*"Greater access to takeaway outlets at home, work and on commuting routes has been associated with increased takeaway consumption [i]. There is also a tendency for fast-food outlets to cluster around schools, increasing children's access to and opportunities for purchasing energy-dense, unhealthy food [ii], [iii]. Research indicates that increased access to healthier food retail outlets is associated with increased weight status in the general population, and increased obesity and unhealthy eating behaviours among children residing in low income areas [iv], [v], [vi]. People on lower incomes or with mobility issues are more likely to be influenced by the food offer locally [vii]."*

On this basis, as indicated by page 215 of the Consultation Summary Report – the Council is considering whether to restrict the density of Land Use Class A5 as part of the Pre-Submission HBLP 2036.

However, at this stage, the Plan can only be attributed limited weight. As such it is unlikely that a policy objection could be sustained on this basis. Nevertheless, the high number of fast food outlets in Havant & Bedhampton and high levels of obesity amongst adults and children is material in the determination of this application and the applicant should consider how the use would promote healthy lifestyles accordingly.

#### **Food, Drink and Entertainment Uses:**

As the proposal is for the change of use from Land Class Use A2 to A5, Policy DM5 is of relevance. Paragraph 10.17 (page 128) of the Local Plan (Core Strategy) indicates town centre locations may be more acceptable for such uses, but makes clear that residents can still expect a certain level of amenity. Amenity considerations are considered in detail below.

#### Food Preparation and Extraction/Ventilation Equipment

Together with Policy DM5, criteria 1e) of Policy CS16 requires development to demonstrate that it “*does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking*” (emphasis added).

Section 8 of the submitted Planning, Design & Access Statement includes details of how the extract and intake ducts, as well as the compressors and plant equipment will be situated to the rear of the site. It is also noted that a fresh air intake grill is proposed on the north-side of the site’s frontage. It is recommended that the Environmental Health Team are consulted for their views accordingly.

#### Refuse and Litter

Criterion 4) of Policy DM5 which makes clear that planning permission will only be granted for the change of use to Land Use Class A5 where:

*“The development includes adequate provision for the disposal, storage and collection of refuse, including litter bins for use by customers”.*

It is recommended that details of such provision are sought from the applicant, and secured by condition as appropriate.

#### Opening Hours

Policies DM5 and DM10 are of relevance in precluding unacceptable disturbance to the occupiers of nearby residential property at times when activity would otherwise be at a relatively quiet level. In this respect, paragraph 10.19 (page 129) of the Local Plan (Core Strategy) acknowledges that existing levels of noise and activity can be lower outside primary and secondary frontages.

The proposal includes opening hours from 9am to 1am (Sunday) and 2am (Monday to Saturday). Given that nearby A3/A5 uses generally close between 10pm and midnight (weekdays and weekends) and that the site is opposite, adjacent and close to residential dwellings along West Street, Brockhampton Lane and Park Road South (above the Parchment Makers), the proposal would be likely to cause unacceptable noise disturbance.

As a result, the Planning Policy Team recommend that appropriate conditions are imposed to control the hours of opening.

#### **High Quality Design and Heritage:**

Criterion 5) of Policy CS4 encourages high quality, mixed-use development that

retains an active ground floor frontage.

Policies CS16, DM20 and DM21 are also of relevance in assessing whether the minor external alterations are of an appropriate design, given the north-east elevation is opposite the Black Dog Conservation Area. The Council's Conservation Officer should be consulted accordingly.

**Parking:**

Policy DM14 and the [Havant Borough Parking SPD](#) set out the parking standard for non-residential development in Havant Borough. The car and cycle parking requirements for eating and drinking establishments can be found on Table 8 (page 17) of the Parking SPD.

As the customer area for the proposal is 50.8 sqm, the vehicle parking requirement would be around 11 spaces; there would be a shortfall in the number of car parking spaces provided. The Parking SPD acknowledges that Havant Town Centre is the most accessible and sustainable location in Havant Borough as it provides the greatest range of alternative modes of transport. On this basis, it is considered that a deviation from the Council's vehicle parking standards may be justified.

Although a reduced requirement for vehicle parking may be justified, the applicant would still need to adhere to the minimum cycle parking/storage requirements (emphasis added).

Providing that the cycle parking/storage requirement (above) is met, it is considered that the proposal would then broadly meet the requirements of Policy DM11 given its sustainable location.

**Flooding:**

The site is in Flood Zones 2 and 3.

A site-specific Flood Risk Assessment has been included in Chapter 7 of the submitted Planning, Design and Access Statement. The assessment and its provision will need to adhere to Policy CS15, particularly criteria 3) and 6). The Lead Local Flood Authority will be able to provide further advice in this respect.

**Developer Contributions:**

As the application is for a change of use from class A2 to A5, the development would not be CIL liable and would not have to pay the Solent Recreation Mitigation Partnership (SRMP) contribution. Therefore, Policies CS21 and DM24 would not apply.

**Recommendation:**

No objection, subject to appropriate conditions to restrict opening hours and appropriate details from the applicant in respect of odours and noise, and refuse and litter to mitigate the odour and noise impacts associated with the proposal and the late-night opening times.

The high number of fast food outlets in Havant & Bedhampton and high levels of obesity amongst adults and children is material in the determination of this application. On this basis, the applicant should consider how the proposed use will promote healthy lifestyles.

- 5.2 Re-consultation of relevant consultees took place following the submission of amended hours of opening and additional documents, with the following responses received:



### **Crime Prevention**

I believe that the proposed reduction in opening hours will significantly reduce the opportunities for crime and disorder.

I still have some concerns relating to vehicle parking and the number of vehicle journeys. The proposal advises there will be 3 parking spaces and at peak times up to 8 delivery vehicles, I do wonder whether there will be sufficient parking spaces. As the parking is not restricted during the evenings it maybe that the on-street parking is taken by local residents parking overnight.

There is no right turn into West Street, when travelling South on Park Road South which may cause additional journeys along West Street.

### **Traffic Management**

This development has no associated customer parking provision despite a requirement for 10 spaces to be provided and 2 cycle spaces. The omission of this will lead to on street parking in an area that has highly restricted parking. There is a multi storey car park opposite that has limited opening hours. Any potential customers outside of these hours would congest the surrounding unrestricted streets.

If permitted then the Traffic Team would want a provision to be made for a sum no less than £5000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 3 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the local highway network.

The Traffic Team also offer to design and process a TRO for the developer, as it is anticipated that parking will be likely to occur in the surrounding area.

### **Environmental Health**

I have read the additional enclosed documentation provided by the applicant and can provide additional comments as follows:

It is noted that glass fibre filtration system is proposed and would suggest that if this application is to be viewed positively by the Local Planning Authority, **that it remains that the usage as a pizza take-away only be conditioned to that effect.**

Based on the updated Cole Jarman Environmental noise assessment and the measurements recorded, I am satisfied that if the necessary mitigation measures are implemented as recommended in this report, in relation to equipment such as extract system, fresh air intake, air conditioning unit & the cold room compressor, there should be no adverse impact on nearby residential receptors.

Access to the rear parking area by delivery drivers via the Park Road South entrance / exit, is the expected access point as per the above report, and **should be conditioned as such.**

Recommend Conditions and Informatives

### **Highways Engineer**

From a highway point of view the increase in activity is not within the peak hours and therefore it would be difficult to refuse on highway grounds; agree with Traffic Team with regard to any TRO which may need to be provided if permission is granted.

### **Planning Policy**

Have continued to move forward with emerging Local Plan 2036. Previous comments

updated in relation to **Parking**:

Policy DM14 and the [Havant Borough Parking SPD](#) set out the parking standard for non-residential development in Havant Borough. However, it is important to highlight that Paragraph 1.11 (page 5) of the Parking SPD states that:

*“The parking standards will apply to all developments for the provision of one or more residential units (gross) and all developments that result in the creation of non-residential floorspace” (emphasis added).*

As this is a change of use application, the proposal will not have to provide additional car parking unless it is proposing an extension/alteration which involves a significant increase in area. In the instance that development is providing a floorspace extension, the car and cycle parking requirements for eating and drinking establishments can be found on Table 8 (page 17) of the Parking SPD.

Notwithstanding the above, it is still heavily recommended that the applicant provides the minimum required cycle parking and storage.

## **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 15

Number of site notices: 1

Statutory advertisement: Not applicable.

6.1 Number of representations received on the original submission details:  
**42 letters** from 40 addresses, **38 letters of objection**; **3 letters of support and 1 neutral**

6.2 The **objection** issues raised can be summarised as follows:

### 6.3 Opening Hours

No other food outlets in the neighbourhood are open until one or two in the morning; Other food outlets more reasonable and none open beyond 11pm Sunday - Thursday and midnight Friday and Saturday ; except Domino which is 11.30 Sun - Thurs and 12.30 Fri & Sat; no justification for later than others and would set precedent for others seeking later opening times; Will attract drunks and anti-social behaviour

*Officer comment: See section 7 below*

### Proliferation of Fast Food Outlets

Havant already has lots of fast food outlets and 3 pizza takeaways; no need for any more; already six fast food outlets offering a wide choice within 200 metres of each other; Wetherspoons opposite McDonalds so no shortage of food outlets in this part of the town precinct; this end of town centre will soon be all food outlets; in favour of promoting family-oriented night-time economy in the centre of Havant but to do this we need family-friendly restaurants -not more take-aways that don't encourage families to spend time in Havant.

*Officer comment: Noted and see section 7 below*

### Parking and Highways

Inadequate parking; 3 spaces to rear for staff so where are customers and deliveries to

park? Spaces in West Street used regularly during day by shoppers and overnight by residents - these are not a reliable source of parking; Bulbeck multi-storey not open in the evening and charges £1.20 - closes at 9pm on Monday to Saturday and 5pm on Sundays; busy junction with nowhere to stop; junction at Brockhampton Lane is hazardous; West Street already busy, congested and suffers from speeding traffic; used as short cut from Solent Retail park; delivery mopeds will add to traffic and boy racer types; limited kerb side parking; Parking is an absolute joke, I've witnessed in the 5 years I've been here many accidents, and an actual punch up for a parking space - this fast food outlet will just cause more issues; will only increase the heavy flow of traffic, and sadly may lead to an accident one day; need to put the safety of the public first; pollution from mopeds and risk of collision in the narrow space around the site.

*Officer comment: Noted and see section 7 below*

#### Healthy Eating/Obesity

Havant has one of highest rates of obesity; recent Healthy Borough Assessment, Nov 2017 shows parts of Havant to have a high number of fast food outlets compared to other areas; enough takeaways in Havant; need healthier options; need to reduce the high levels of obesity in the borough;

*Officer comment: See section 7 below*

#### Noise and smells

Noise from delivery vehicles all night; cars pulling up; engines will be left running; scooters revving; drivers chatting; constant nauseous smell of fast food cooking;

*Officer comment: See section 7 below*

#### Litter and Rodents

Town centre already suffers from excessive litter; insufficient bins in vicinity; rats a problem and this will exacerbate rodent issue; litter impacts nearby St Faiths Conservation Area; makes Havant look filthy compared to other local towns like Petersfield, whose councils insist that fast food outlets are away from town centres; trying to keep control of the vermin is costing me £1000 a year and as a small independent business can't pay out any more money and am sure another fast food outlet will cause more vermin problems ;

*Officer comment: See section 7 below*

#### Proximity of Residential Properties

Submitted information incorrect in stating nearest residential units 45m to west in Brockhampton Lane - infact directly opposite in West Street and residential continues both sides of West Street; former pubs now converted to residential flats

*Officer comment: See section 7 below*

#### Character of West Street

Due to residential properties West Street is currently fairly quiet in evenings and overnight; the area is more residential now than it's probably ever been so why should residents be subjected to the inevitable noise pollution of an outlet such as this

*Officer comment: See section 7 below*

#### Antisocial behaviour

Will attract drunks and antisocial behaviour; intimidating behaviour; will cause disturbances; McDonalds brought with it gangs of youths - don't want to encourage more; already put up with cars damaged and the disturbance from shouting reveller's late at night; extra burden on our emergency services,

*Officer comment: See section 7 below*

#### Residential amenity

Will be harmful to quiet residential amenity; would cause unacceptable disturbance to the occupiers of nearby residential properties at times when activity in the immediate locality

would otherwise be relatively quiet; bedroom fronts onto the road, opposite the row of shops where the pizza outlet is proposed - our sleep will be disturbed as a result of the inevitable comings and goings of a fast food outlet

*Officer comment: See section 7 below*

#### Competition

Will make it difficult for other small business to survive; as a nearby business also sell pizza and proposal will clash;

*Officer comment: Competition between businesses is not a valid planning consideration*

#### Contrary to policy

Noted as being contrary to policies DM5, DM14 as well as emerging policies KS1 and C8; the NPPF identifies three components of sustainability, namely, economic, social and environmental - this application fails to contribute to the social role, namely, supporting strong, vibrant and healthy communities.

*Officer comment: See section 7 below*

#### Prime location

Unit in a prime location and should be used for shop; should encourage boutique and artisan uses; proposed use will not enhance town centre; should do better for our town; thought Havant was all about helping small business and introducing more small business, not large chains; this would be a negative addition

*Officer comment: Market forces bring forward proposed users and businesses*

#### Employment

Creation of 25 part-time jobs is hardly a selling point - these will be minimum wage, zero hours contracts jobs - great for students possibly but hardly adding the economic value that was lost when HSBC packed it in

*Officer comment: Noted*

### 6.4 In **support** of the application the following comments were made:

#### Opportunity

Would help to bring in more trade to the area; Havant needs more local businesses to create more jobs; West Street easily accessible for employees; would create more opportunities for the community

#### Residential impact

No houses nearby to be affected

### 6.5 Following the submission of the amended details and reduction in hours, re-notification took place and **3 further letters** have been received continuing to **object** for the following reasons:

Need planning departments support in making Havant a better place with healthier local population; despite amendments to opening hours still object; 6 parking spaces that are fully used day and night are insufficient and not available; lack of knowledge of site, site visit needed; errors in reports; close proximity of residential properties and lack of parking; double yellow lines or resident permits near site so no parking for customers; congestion and parking would be worse; don't believe deliveries will take place from rear as inadequate parking there too; need to lift Havant from its 'Chavant' reputation; with worst case of 30+ cars per hour for collections and up to 70 for deliveries then noise assessments cannot be accepted as only having a 'negligible' and 'minor' impact on background levels; always picking up rubbish outside my home – would council provide more bins

## **7 Planning Considerations**

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
- (i) Principle of development and policy context
  - (ii) Impact on residential amenity
  - (iii) Highways and parking considerations
  - (iv) Impact on Healthy Lifestyles
  - (v) Refuse and litter
  - (vi) Visual Impact
  - (vii) Flood risk
- (i) Principle of development and policy context
- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The NPPF 2018 supports sustainable development and sets out three objectives to achieving this, the economic, social and environmental roles. The decision must balance these aims.
- 7.3 The site is located within the defined town centre, where the NPPF requires the promotion of their long-term vitality and viability in a positive way to manage their growth and diversification. Policies CS4 and AL3 of the adopted Core Strategy and Allocations Plan are relevant which also generally support appropriate town centre uses that retain active ground floor frontages, that enhance the evening economy and support small and independent businesses. The NPPF defines main town centre uses as including restaurants, bars and pubs, nightclubs etc. Therefore, the proposed A5 takeaway use constitutes an appropriate town centre use that would provide an economic benefit to the town centre and is supported in principle.
- 7.4 The site falls outside of the primary or secondary frontage and as such there is no policy controlling the concentration of non-A1 units in such a wider town centre site. The detailed consideration of the proposal must therefore be assessed against adopted policy DM5 which specifically considers the Control of A3, A4 and A5 Food, Drink and Entertainment Uses. This policy is criteria based and aims to control the environmental problems associated with such uses. The more general policy DM10 is also relevant which seeks to protect occupiers of properties from pollution. These detailed issues will be considered in more detail below.
- 7.5 The Council is also currently preparing a new Havant Borough Local Plan 2036, but its policies have limited weight in decision-making at this stage. However emerging Policies KS1 (Havant Town Centre) and C8 (Food, Drink and Entertainment Uses) are of relevance in setting out the Council's direction of travel. Within the defined Havant Town Centre of the Draft HBLP 2016, the site lies within the 'Historic Core' where it is noted that there is an identified opportunity to move away from reliance on retail and encourage other uses such as cafes and restaurants to attract visitors and expand the evening economy. Hence the proposal would conform to this broad aim. Emerging policy C8 would replace current policy DM5 and generally repeats the criteria-based amenity protection policy.
- (ii) Impact on residential amenity
- 7.6 The application site is located adjacent retail units to its direct south and west with offices above. These all currently operate with standard daytime opening hours. However, opposite, on the north side of West Street the character is predominantly residential with dwellings and flats fronting West Street and the corner of Brockhampton Lane. There is also a residential property to the south-west of the rear service yard

access, No 3 Brockhampton Lane. Therefore, the impact of the proposed use on the amenity of the occupiers of these nearby dwellings must be considered. Such amenity issues fall under the following sub-headings:

a) Hours of Operation

- 7.7 The original proposed opening hours of 1am Sunday to Thursday and 2am Fridays and Saturdays were considered to be excessive and much later than any other use in Havant town centre. This would have resulted in late night noise and disturbance at a time when residents could expect to enjoy quieter surroundings, detrimental to neighbouring amenity. The crime prevention officer was also concerned at the late-night opening as providing a gathering place for people leaving licensed premises which had the potential for significant policing issues.
- 7.8 Accordingly the proposed opening hours have been reduced and are now proposed as between 11am and 11pm Sunday to Thursday and between 11am and midnight on Fridays and Saturdays. This now matches the closing times of the Parchment Makers opposite and is more reflective of other town centre hours. The existing Domino's in North Street is permitted to open to the public until 23:00 with trade for deliveries only until 01:00 on Fridays and Saturdays. Regard must also be had to the fact that this is a town centre site on a busy main road where background noise levels are likely to be slightly higher than more suburban areas. The residential properties in West Street and Brockhampton Lane are close to the centre and are already in compromised positions with commercial uses nearby - the level of amenity expected is therefore considered to be typically less than in more suburban locations. Given the context of the site, the proposed reduced opening hours are therefore considered more reasonable and less likely to have any additional adverse impact on nearby residents.
- 7.9 Criterion 6 of policy DM5 requires development not to cause unacceptable disturbance to the occupiers of nearby residential property at times when activity in the immediate vicinity would be otherwise be relatively quiet. In terms of opening hours, the reduced proposal would accord with the general activity level of Havant town centre and would not encroach into the quieter times. Therefore, it is considered that this criterion is met and conditions are recommended to control the hours of opening. It should be noted that it is recommended to allow opening from 09:00 rather than the requested 11:00 to enable earlier opening during standard shopping hours without the need for a variation of condition application. The condition would also only restrict opening hours and not clearing up time - it would be permissible for staff to remain on site to clean up after the unit closes to the public.

b) Noise from comings and goings

- 7.10 There is no doubt that activity around the site, with both customers and delivery staff, would increase the comings and goings to the area. The submitted Noise Assessment has considered the impact of the proposed use (both vehicles and running of air conditioning, compressor equipment) and provided data to assess the impact. It is estimated, that at its peak, the use would generate a maximum of 70 delivery trips (from the rear of the site) with a maximum of 30 customer collections (from the front) during the hour between 19:00 and 20:00.
- 7.11 The noise of the vehicles, car doors opening, mopeds, people chatting etc would all add to the noise levels in the area. The Noise Assessment has quantified this against the existing background noise levels at 2 points – one in the rear yard adjacent 3 Brockhampton Lane, and one outside 70 West Street (see map in Appendix F). The results indicate that the noise levels from deliveries in the rear would not exceed the existing background levels; and the noise from customer collections at the front would result in a negligible increase between 19:00 and midnight. The Assessment indicates

that between midnight and 01:00 the increase would be higher, 'Minor', but it must be noted that this is beyond the reduced hours sought and demonstrates the unacceptability of later night opening.

- 7.12 The Environmental Health officer has considered the submitted Noise report and confirms that if the necessary mitigation measures are implemented then there should be no adverse impact on nearby residential receptors. He also recommends that the access for delivery drivers is conditioned to the rear. It is also now known that the applicant is Domino's pizzas which is proposed to relocate from North Street. This existing premises is also under residential flats and operates without complaint. The figures above are all worst-case scenarios and demonstrate that at capacity the activity generated would not materially increase noise levels. Accordingly, the evidence suggests that the associated noise and disturbance from the deliveries and collections would not have a discernible material impact on the amenity of nearby residents. This again indicates that clause 6 of policy DM5 would be complied with, as well as Policy DM10.

c) Noise from Equipment

- 7.13 The proposal includes installation of an extractor, cold store condenser, air conditioning unit and fresh air fan. Noise mitigation measures are proposed in the form of a silencer for the fresh air fan. The cold room condenser would need to be run at all times, but other equipment would only be operational when the store is open (plus cleaning up time). The Noise Assessment indicates that the noise from the plant, measured in both locations, would fall below the existing background levels. Therefore, it is concluded that the necessary extractors etc would be able to operate without causing noise nuisance to nearby residents. This would be in accordance with criterion 1 and 2 of policy DM5 and policy DM10.

d) Odours

- 7.14 The Environmental Health officer has advised that odours from pizzas are generally less than other takeaway uses and the extractor type proposed (glass fibre filtration system) is normally adequate for pizza cooking. However, it may not suffice for other cooking smells and any frying and as such it is recommended that a condition be imposed limiting the use to a pizza take-away only to control future uses in the interests of the amenity of neighbours. The applicant has agreed to this. The extractor type proposed would therefore meet criteria 1 and 3 to mitigate against any smells from the proposed pizza use.

e) Crime and anti-social behaviour

- 7.15 The reduction in opening hours would reduce the potential for the site becoming a magnet for people leaving pubs under the influence of alcohol. The Crime Prevention Officer has confirmed that this would significantly reduce the opportunities for crime and disorder. The Operational Management Plan also confirms that unit would be fitted with CCTV cameras both inside and immediately outside the front of the unit which would help to manage any anti-social behaviour.

(iii) Highways and parking considerations

- 7.16 The application site has 3 dedicated spaces to the rear which would provide parking for staff. It is stated that delivery drivers own their own vehicles and take them home at the end of shifts. Typically, 2 to 4 drivers would operate during the day (until 6pm), increasing to 6 to 8 drivers during the busy evening period (between 6pm and 9pm) before then reverting to 2 to 4 drivers until closing time. The collection of pizzas by drivers would take place from the rear of the site. There is however no customer parking

provided. Short stay public parking is available during the day within the spaces on the south side of West Street.

- 7.17 The site is within the town centre of Havant which is the Borough's most highly accessible location. The adopted Parking SPD recognises that within the town centre, proposals may have reduced or zero standard of vehicle parking provision. Since the application is a change of use and does not involve any additional floorspace then no new additional parking spaces are required to be provided. Nevertheless, it is accepted that some customers will drive to site to collect pizzas. After 6pm the availability of the short stay spaces in West Street would be unreliable. The surface parking at Aldi/Wickes would be available and in close proximity; Bulbeck Road multi storey closes at 21:00 (Mon to Sat) and 17:00 on Sundays; and the Meridian Centre multi storey closes at 18:00 (Mon to Sat) and 16:30 on Sundays. Therefore, parking options are limited but the parking restrictions in the form of double and single yellow lines would prevent customers from legally stopping in these areas. Any obstruction caused to the highway from an illegally parked vehicle is not a planning matter but would have to be enforced under different legislation.
- 7.18 In terms of trip generation, the increase in activity is not within the highway peak hours. Park Road South is a B classified road and the main road through the town. The Highway Engineer has advised that it would be difficult to defend a highway capacity or safety reason for refusal.
- 7.19 Given the sites town centre, highly accessible and sustainable location, with existing parking restrictions to prevent dangerous parking, the Highway Engineer raises no highway objection to the proposal. The Traffic Team have suggested that the Traffic Regulation Order for the short stay spaces on West Street is amended, potentially extending the short stay waiting limit to later in the evening to cover the opening times of the proposed takeaway, before reverting to unrestricted parking. However, whilst this could assist in providing convenient parking to serve the proposal, this would be to the detriment of the highway amenity of adjacent residents who use these spaces overnight. It is likely that any TRO to amend the timing of the short stay restriction would be opposed by local residents.
- 7.20 Criterion 5 of policy DM5 requires development not to cause indiscriminate parking or traffic movements that would create hazards for traffic or pedestrians. On balance, it is considered that in this accessible location with existing appropriate parking restrictions in force, the proposed takeaway use could function without detriment to highway safety or amenity in accordance with criterion 5. Customers would have to access the site by foot or public transport, or park further away and such factors would influence a customer's choice as to whether use the outlet or not. In planning land use terms, the proposed use is a recognised main centre town use in an accessible location and it would be difficult to refuse the application on highway or parking grounds.

(iv) Impact on Healthy Lifestyles

- 7.21 There has been considerable comment made on the Borough's level of obesity and proliferation of existing takeaways and objecting to a further takeaway use in a prime location. The NPPF does set out aims to support healthy lifestyles and the supporting Planning Practice Guidance does indicate that where supported by an evidence base, policies could limit the proliferation of certain use classes. The Havant Healthy Borough Assessment (November 2017) does provide that evidence and suggests that the Borough scores significantly worse than the England average for excess weight and Havant has a high number of fast food outlets compared to other areas. However, there is as yet no adopted policy that seeks to control the number of A5 uses and whilst work is being undertaken on the Healthy Borough Statement as part of the ongoing work on the Draft Havant Borough Local Plan, it is currently too early for any emerging policy to have



significant weight in the determination of this application.

- 7.22 It is however noteworthy that it has subsequently been confirmed that the applicant for this application is Dominos who would re-site from their existing North Street site. It is not known who would subsequently occupy that lawful A5 unit, which may or may not remain in an A5 use, but potentially this is not an additional A5 use in the town centre. At this stage it is not possible to support a planning refusal based on impact on healthy lifestyles.

(v) Refuse and litter

- 7.23 Considerable concern has also been raised by residents about potential waste and litter and therefore a Waste and Operational Management Plan has been submitted outlining measures to dispose of litter appropriately. A lidded wheeled refuse bin would be located to the rear of the unit and emptied by a private waste handling company as regularly as required – likely to be twice weekly. Cardboard is compressed, bundled and recycled. Refuse collections would take place between 06:00 and 20:00 Monday to Saturdays only and this could be conditioned. For customer rubbish an internal bin would be provided within the customer waiting area. The issue of rodents as a result of rubbish is not directly a planning matter and provided the rubbish generated by the use is appropriately managed then there is no reason for an increase in rodents.

- 7.24 The Operational Management Plan also indicates that CCTV cameras will be installed both inside and immediately to the front and rear of the premises as security measures. The proposal is therefore considered to provide adequate provision for the disposal, storage and collection of refuse, in accordance with criterion 4 of policy DM5.

(vi) Visual Impact

- 7.25 Criterion 2 of policy DM5 also requires that any mitigation measures do not materially detract from the appearance of the building itself and the wider locality. The proposed extractor flue would be a significant addition to the rear elevation, extending some 8.5m under the rear fire escape and then up 4m to project approximately 1m above the roofline. This would be a galvanised metal structure that would largely be sited beneath the existing galvanised external stairs. The air conditioning and cold compressor units would also be sited on the rear elevation. Whilst not attractive, these structures are considered appropriate to the context of the existing building in a rear service yard, and it is not considered that they would be visually harmful to the building or setting of the site.
- 7.26 The proposal also includes the replacement of the existing timber shopfronts with aluminium frames. There would be no change to window sizes, stall risers etc and the simple substitution to aluminium frames is considered visually acceptable and in accordance with policy CS16.

(vii) Flood risk

- 7.27 The site lies partly within Flood Zone 3. Both the proposed takeaway use and the former bank are classified as 'less vulnerable' uses by the NPPG. Therefore, the proposed change of use would not result in the occupation of the unit by a 'more vulnerable' use. The Environment Agency has raised no objection but notes that an Environmental Permit for Flood Risk Activities may be required. An Informative can be added to this effect.

## **8 Conclusion**

- 8.1 The application site lies within the defined town centre boundary where the NPPF advises that Councils should take a positive approach to their growth, management and adaptation. The site has been vacant since September 2017 and this application represents an opportunity to bring this prominent unit back into beneficial use which

would contribute to the vitality and viability of the town centre. The submitted details meet the technical criteria of policy DM5. It is acknowledged that the change of use will have some impact on neighbouring amenity, mainly from additional comings and goings during the evenings. Adequate parking restrictions are already in place to prevent vehicles from unlawfully stopping in dangerous positions close to the site.

- 8.2 The affected residential properties in West Street and Brockhampton Lane are also located within the town centre, albeit on the fringe, where noise and activity levels are typically greater than suburban areas. The introduction of the proposed A5 use, with the reduced hours now proposed, is on balance considered not to result in any significant harm to existing levels of residential amenity, sufficient to justify a reason for refusal. It is considered that the social and economic benefits of the proposal outweigh the environmental dis-benefits of the proposal and therefore the application is recommended for conditional permission.

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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00706 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Waste and Operational Management Plan dated October 2018  
Planning, Design and Access Statement (Incorporating Flood Risk Assessment) dated July 2018 as subsequently amended  
letter by Pegasus Group dated 18th September 2018, as amended by email dated 03/10/2018 in relation to extraction filters  
Location Plan Drawing No. DB447 - LP Rev A  
Block Plan Drawing No. DB447 - BP  
Proposed Elevations Drawing No. DB447 - EL05  
Proposed Plan Drawing No. DB447 - GA04 Rev A  
Air Handling Unit Information  
Supporting Annex B Document for Proposed Ventilation System by DeltaBravo Ltd dated 19.06.18  
Baffle Filter information  
Extraction Details  
Filtration Details

**Reason:** - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall be used as a pizza takeaway only and for no other food types within Class A5 of the above Use Classes Order.

**Reason:** In the interests of amenity as the proposed extractor equipment may not be adequate for other food types, and having due regard to Policies DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the

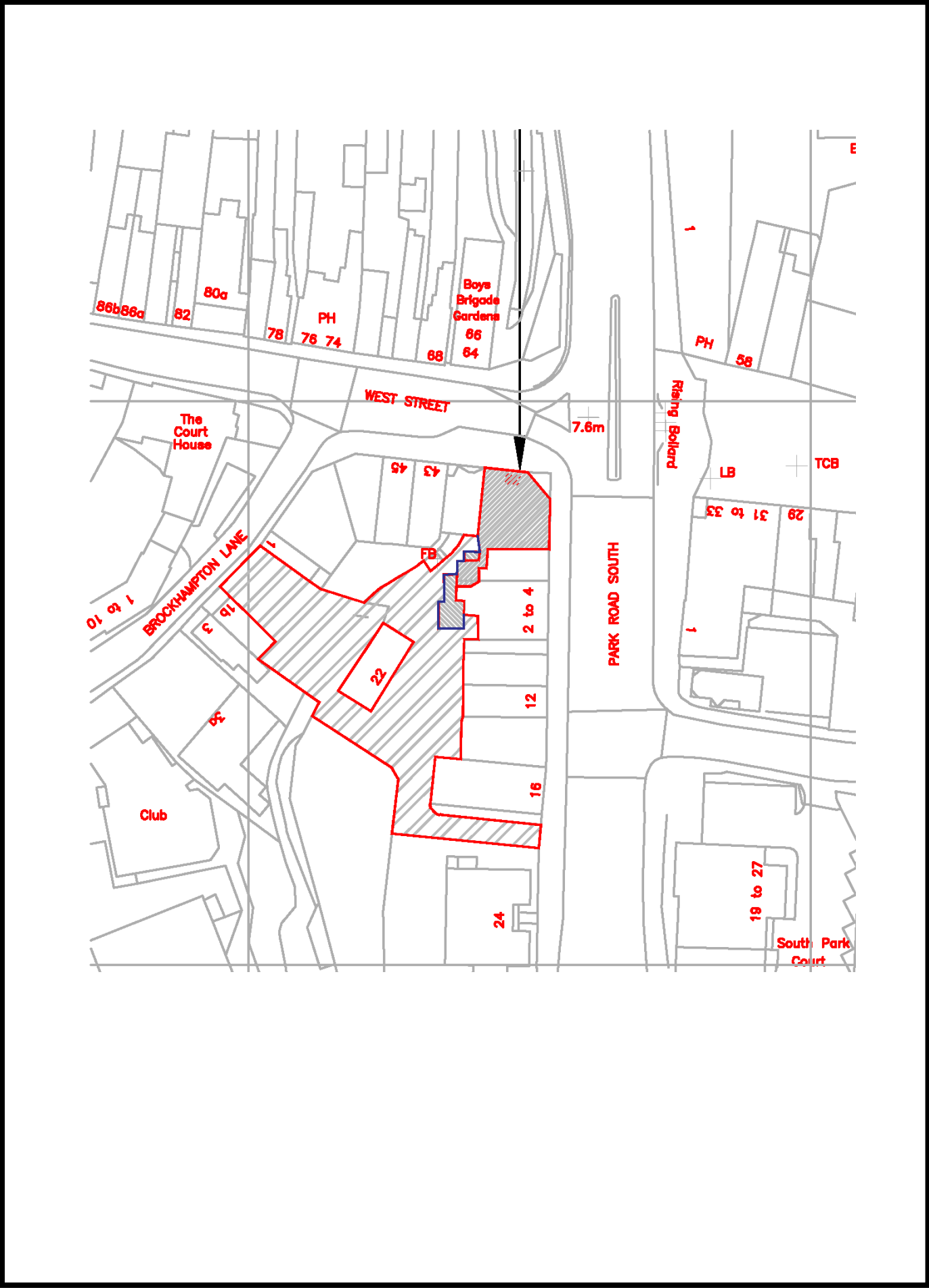
National Planning Policy Framework.

- 4 The premises shall only be open to the public for trade or business between the hours of 09:00 and 23:00 Sunday to Thursday; and between 09:00 and 24:00 (midnight) on Fridays and Saturdays. No delivery of pizzas shall take place outside these hours.  
**Reason:** To protect the amenities of nearby residential properties and having due regard to policy DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 Servicing and deliveries (other than delivery of pizzas for customers) to or from the premises shall only take place between the hours of 07:00 and 20:00 Monday to Saturdays and at no other time.  
**Reason:** In the interests of the amenities of occupiers of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 Prior to the use hereby approved being first implemented, the approved extraction equipment shall be installed and effectively operated for as long as the use continues, and shall be regularly maintained in accordance with the Annex B Document for Proposed Ventilation System by DeltaBravo Ltd dated 19.06.18. Any failure of the extraction equipment and all cooking processes shall cease until the system has been restored to full working order. Documentary evidence including receipts, invoices and copies of any service contracts in connection with the use and maintenance of the extraction equipment, shall be kept and made available for inspection at the premises by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.  
**Reason:** In the interests of amenity and to protect against cooking odours outside the premises, and having due regard to Policies DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 The noise mitigation measures detailed in the Environmental Assessment Report 18/0455/R1 2nd issue by Cole Jarman shall be fully implemented prior the hereby approved use being brought into first use. Thereafter the silencer and anti-vibration mounts and all other measures shall be maintained in full working order to the satisfaction of the Local Planning Authority.  
**Reason:** In the interests of amenity and to protect against cooking odours outside the premises, and having due regard to Policies DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

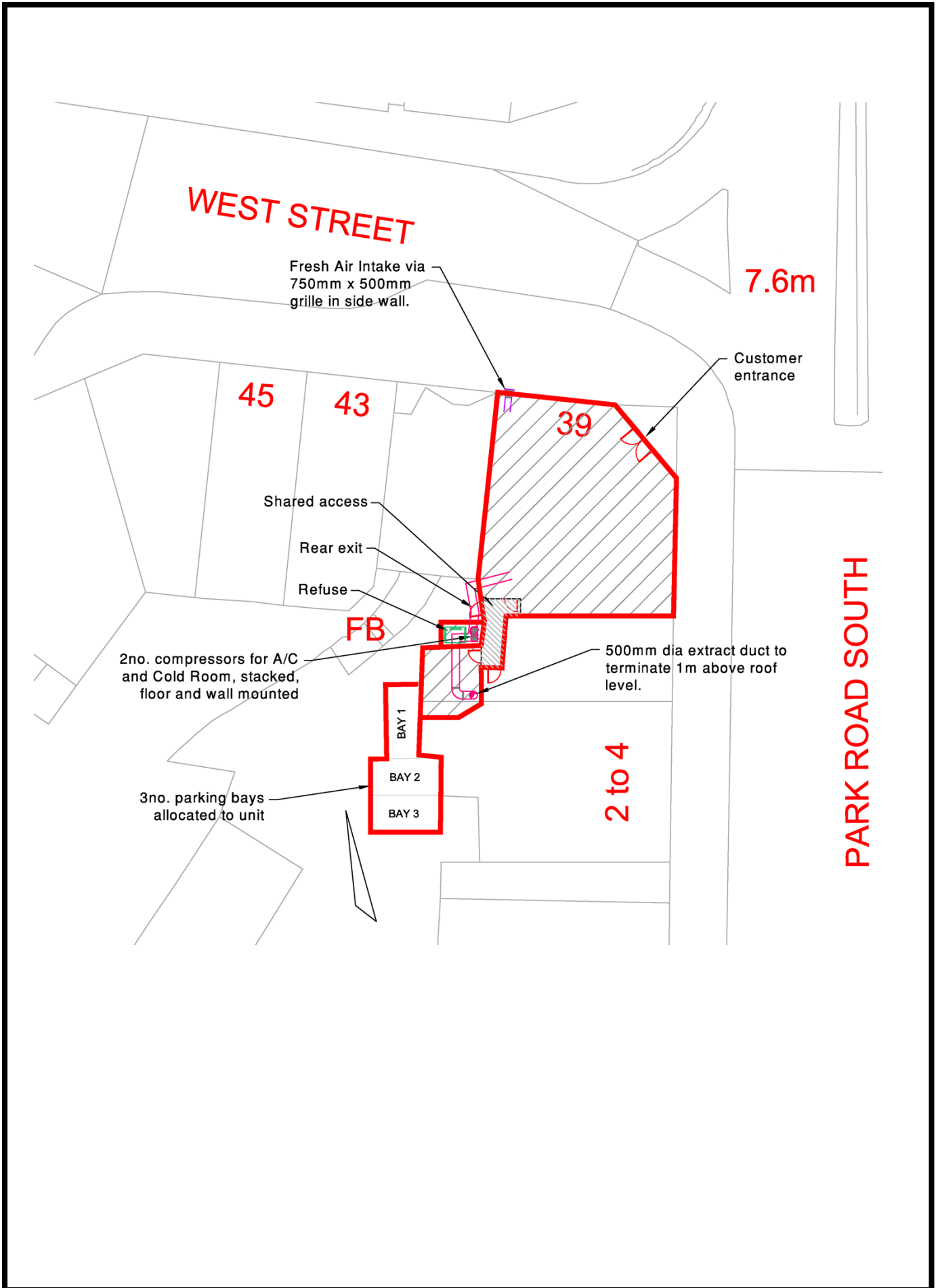
### **Appendices**

- (A) Location Plan
- (B) Block Plan
- (C) Proposed layout Plan
- (D) Proposed Front Elevations
- (E) Proposed Rear Elevations
- (F) Noise measurement locations

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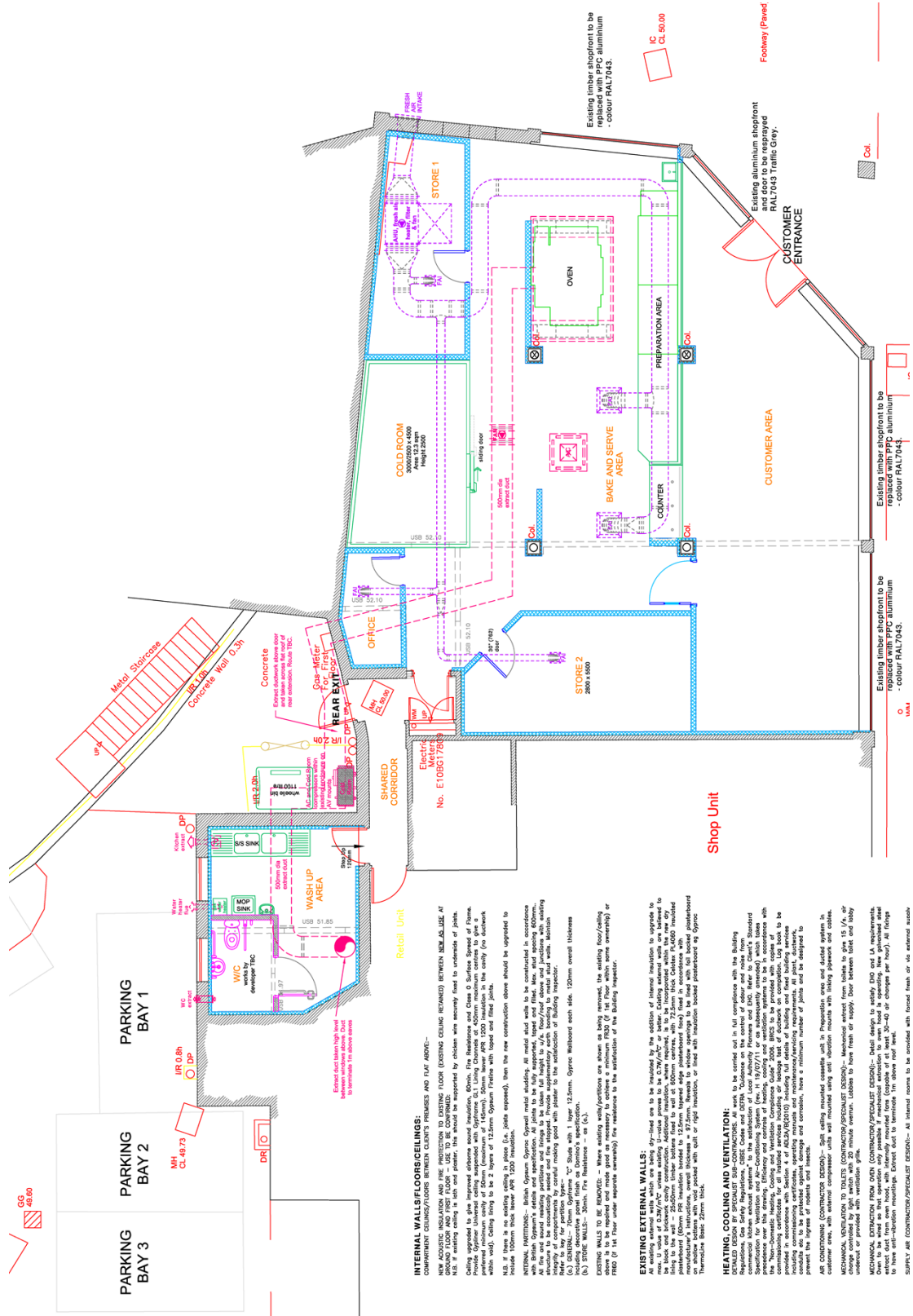


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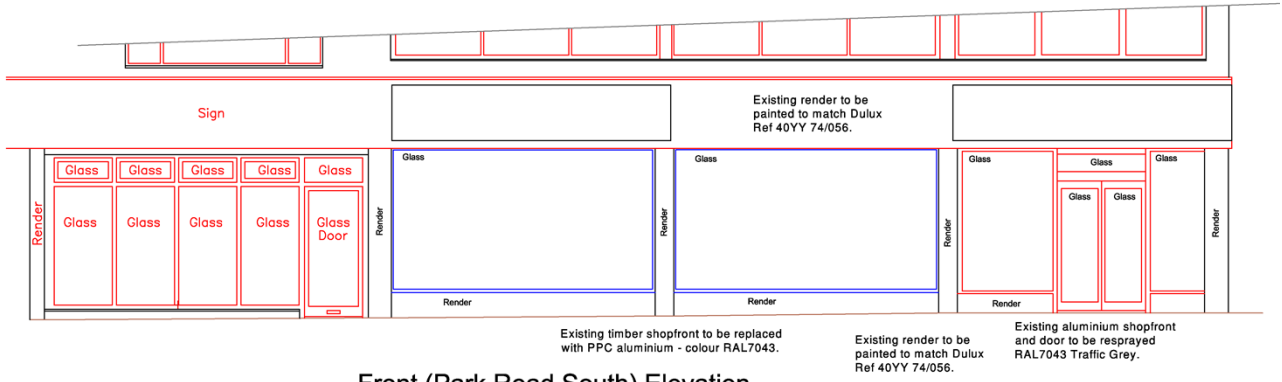


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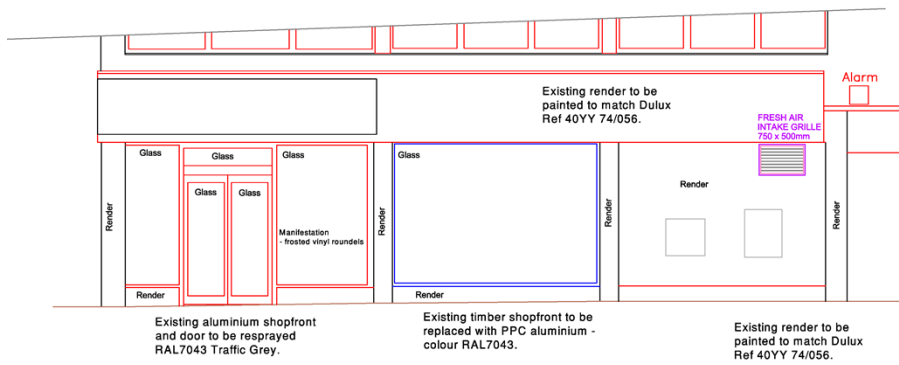


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Front (Park Road South) Elevation

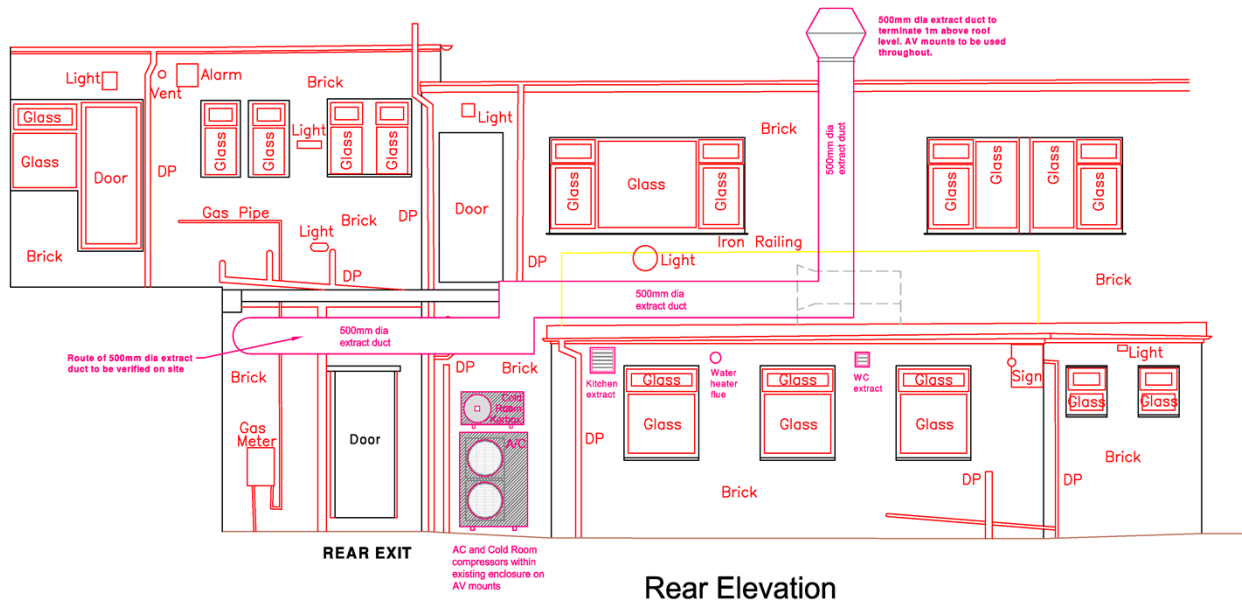
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Side (West Street) Elevation

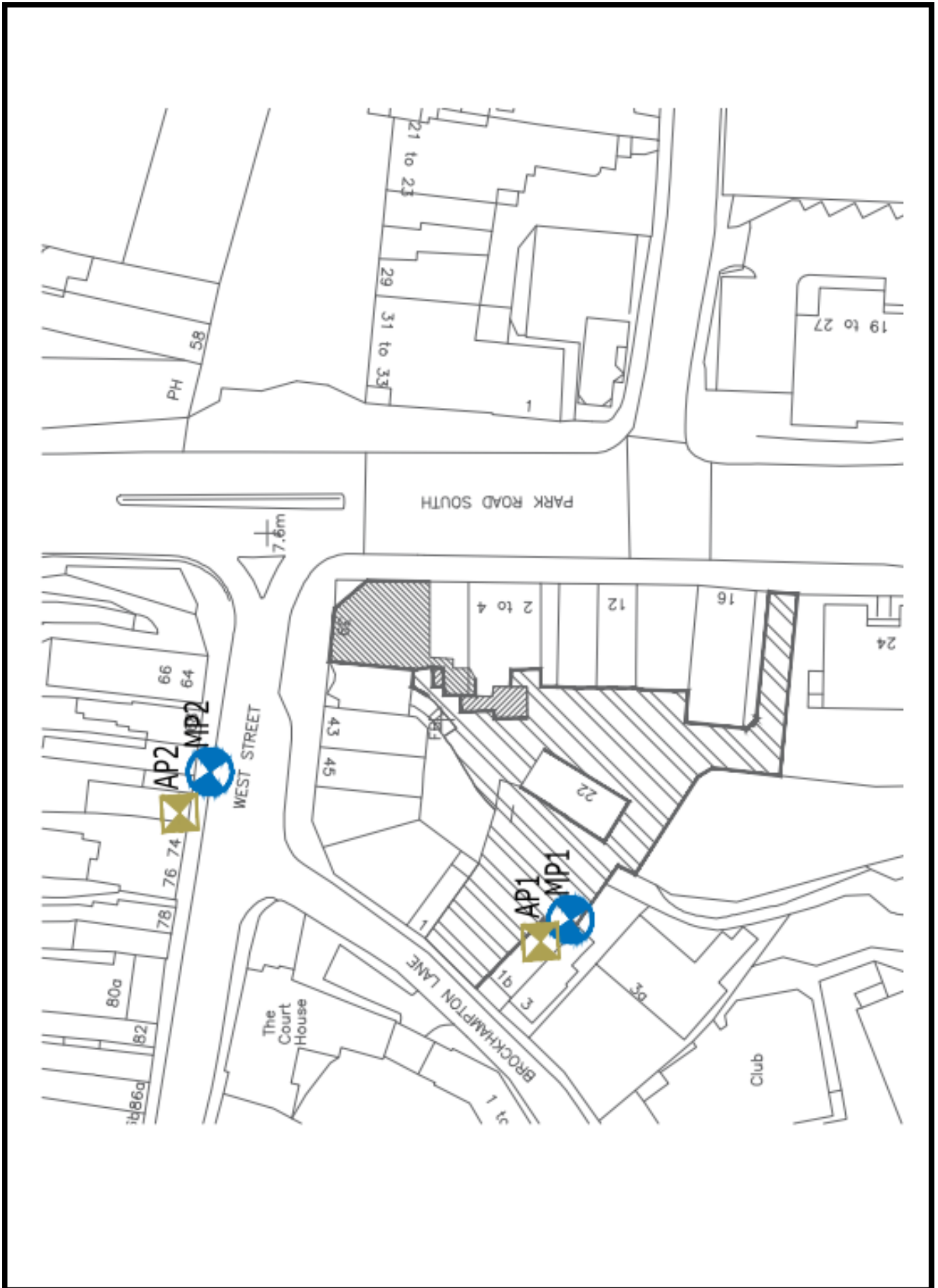
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Site Address: Trees r/o 19 The Parchment and 20 South Street, Havant,  
PO9 1HD

Proposal: Crown raise 1No. Lime (T1) to 8m, subject to TPO 1509 and crown  
reduce 1No. Beech (T2) by 3m in height and 2m from laterals, subject to TPO 0797.

Application No: APP/18/00736

Expiry Date: 26 September 2018

Applicant: Mr D Guest

Agent: Mr M Reed

Case Officer: Maria Stewart

Ward: St. Faiths

Reason for Committee Consideration: Application submitted on behalf of Councillor Guest

HNS Recommendation: **GRANT TPO CONSENT**

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## **1 Site Description**

- 1.1 The Parchment is a modern, private development located in Havant. There are a number of mature trees found throughout the development as well as younger trees planted since it was built.
- 1.2 The application proposes to prune one Lime tree which occupies a prominent location within a parking area with an overlooking aspect from both the frontage and rear of a number of properties, and with passing views from the main street scene through the entrance of the parking area.
- 1.3 The Beech which is also the subject of this application is located in a parking area further south from the Lime and near a bin store. It has a slightly more limited public amenity value but can be viewed from within the Parchment through the entrance of the parking area.

## **2 Planning History**

98/57184/005 - Remove deadwood and epicormic growth on a Lime tree (T1) subject to TPO 1509, PERM,31/03/1998

APP/13/00906 - Crown reduce 1No. Beech (T2) by 3m, subject to TPO 0979; remove epicormic growth of 1No. Lime (T1), subject to TPO 1509.,PERM,18/10/2013

98/57184/005 - Remove deadwood and epicormic growth on a Lime tree (T1) subject to TPO 1509, PERM,31/03/1998

APP/13/00906 - Crown reduce 1No. Beech (T2) by 3m, subject to TPO 0979; remove epicormic growth of 1No. Lime (T1), subject to TPO 1509., PERM,18/10/2013

## **3 Proposal**

- 3.1 This report considers the application to prune one Lime tree, which is subject of a Tree Preservation Order (TPO) 1509. The tree is a mature specimen which has been the subject of regular pruning in order to maintain a clearance of the lamp post beneath it. The branches are now encroaching on the lamp post and will be restricting the light therefore crown lifting to 8m will remove this encroachment.

- 3.2 The application also proposes works to crown reduce one Beech in height by 3m and lateral branches by 2m, subject to Tree Preservation Order 0797. The agent wishes to carry out the reduction to reduce the wind sail area of the tree.

#### **4 Policy Considerations**

##### National Guidance

National Planning Policy Framework 2012  
Tree Protection Orders: A Guide to the law and good practice 2009 and addendum 2009/2012.

Havant Borough Local Plan (Core Strategy) 2011  
DM8 (Conservation, Protection and enhancement of Existing Natural Features)

#### **5 Statutory and Non Statutory Consultations**

##### Landscape Architect

Officer raises no objection to the tree work.

#### **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at Minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 14

Number of site notices: 1

Number of representations received: 0

#### **7 Planning Considerations**

- 7.1 The main planning considerations arising from this application for works to two TPO trees are:

- (i) Amenity value and condition
- (ii) The basis for the proposed works

- (i) Amenity Value and Condition

- 7.2 The Lime tree is a mature specimen in the street scene displaying what appears normal vigour and vitality. The base is set within a rockery garden verge of the parking area. As the tree has an overlooking aspect from the frontage of a number of properties, it contributes well to the amenity of the area as well as being a long-standing feature of the landscape. The tree can be seen from the main street scene through the entrance of the parking area and can be seen from the surrounding areas.

- 7.3 The Beech is situated within the verge of a parking and bin store area at the southernmost end of The Parchment. The tree is a large mature specimen that has also been the subject of repeated pruning maintenance over the years. Large *Ganoderma* brackets are clearly visible at a height of 1 and 2m from ground level. *Ganoderma* causes white rot in the wood, and the decay usually occurs in the base and roots. It leads to cavity formation and can leave trees vulnerable to structural collapse and windthrow; however, given this, trees can often stand for a number of years as a healthy tree can respond to the fungus by creating additional wood around the decay.
- 7.4 The work that is being proposed will reduce the mechanical loading within the main canopy of the tree but it should be regularly monitored and appropriately managed if this tree is to be retained.

(ii) The Basis for Proposed Works

- 7.5 The proposed works to the Lime tree requests pruning to crown lift to give a ground clearance of 8m. The purpose of this application is for general maintenance and to reduce the interference of the tree on the public street lighting.
- 7.6 The proposed works to the Beech tree requests a crown reduction in height of 3m and lateral branches of 2m and is to reduce its wind sail area.

Summary of planning considerations

- 7.7 The works to the Lime tree as outlined in the application are considered to be at a reasonable level of cyclical management for a tree of this size and maturity. The crown lifting will have no impact on the health or amenity value of the tree and will maintain a harmonious relationship between the tree, the lamp post and the local residents.
- 7.8 The works in relation to the Beech tree are considered to be necessary to reduce the mechanical loading within the main canopy of the tree due to the presence of the bracket fungus known as *Ganoderma*.

**8 Conclusion**

- 8.1 For the reasons discussed throughout this report and summarised in 7.7-7.8 above, it is recommended that the current application be permitted.

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**RECOMMENDATIONS:**

That the Head of Neighbourhood Support be authorised to **GRANT CONSENT** for application APP/18/00736 subject to the following conditions:

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).  
**Reason:** In the interests of tree health and safety.
- 2 The tree works for which consent is hereby granted shall be carried out and completed no later than 18/10/19.  
**Reason:** To control the timing of the works.

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**Appendices:**

- (A) Site Location Plan
- (B) Photographs



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Site Address: Aura House, New Road, Havant, PO9 1DE  
Proposal: 2-storey extension to existing property to create additional separate individual office space.  
Application No: APP/18/00449 Expiry Date: 26/06/2018  
Applicant: Mr Robinson  
Agent: Mr Tomes Case Officer: David Eaves  
Tomes Architects  
Ward: Bedhampton

Reason for Committee Consideration: Application submitted on behalf of Councillor Robinson

HPS Recommendation: **GRANT PERMISSION SUBJECT TO LEGAL AGREEMENT**

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## **1 Site Description**

- 1.1 The application site is located to the south of New Road and to the north of the Portsmouth to Waterloo/Brighton railway line. Bedhampton Station and level crossing lies to the south east. To the east of the site are terraced residential dwellings.
- 1.2 The site itself comprises a roughly triangular area of land which contains two storey office accommodation. The main building when viewed from New Road has a symmetrical form with a central gable feature and projecting wings to either side. The building includes a full brick gable, brick to the ground floor and tile hanging to the first floor with a tiled roof. This is the most prominent building on the site. To the north east is an older converted building with a pitched gable roof fronting New Road which has recently been linked to the main building by a two storey addition. The linked buildings are all in office use.

## **2 Planning History**

APP/17/00972 - Proposed 2 storey office extension, with hipped, gable and portion of flat roof.

This application was considered at the Council's Development Management Committee on the 19th October 2017 and subsequently granted planning permission on the 20th October 2017. It has not to date been implemented.

APP/17/00347 - Proposed 2 storey undercroft office extension.

This application was determined at the Council's Development Management Committee on the 29th June 2017 and subsequently refused planning permission on the 30th June 2017 for the following reason:

*The proposed Office Extension would by reason of its prominent siting, design, size, height, mass and bulk have a harmful impact on the character and appearance of the area, detract from the appearance of the existing main building and represent an overdevelopment of this shallow and constricted site. The proposal would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.*

APP/16/00928 - Proposed two storey undercroft office extension.

This application was determined at the Council's Development Management Committee on the 8th December 2016 and subsequently refused planning permission on the 9th December 2016 for the following reason:

*The proposed Office Extension would by reason of its prominent siting, design, size, materials, height, mass and bulk have a harmful impact on the character and appearance of the area, detract from the appearance of the existing main building and represent an overdevelopment of this shallow and constricted site. The proposal would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.*

APP/15/00865 - Proposed new infill extension in addition to approved planning permission APP/14/01004 for two storey office block. Permitted 19/10/2015

APP/15/00723 - Variation of Condition 10 of Planning Permission APP/14/01004 relating to approved plans. Permitted 21/08/2015

APP/14/01004 - Proposed new two storey office block and car parking. Permitted 10/12/2014

### **3 Proposal**

2-storey extension to existing property to create additional separate individual office space.

### **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)

Listed Building Grade: Not applicable.  
Conservation Area: Not applicable.

### **5 Statutory and Non Statutory Consultations**

#### **Environment Agency**

No comments received

#### **Environmental Health**

No objections to this proposal

**Development Engineer**

The block plan C3297 02 REV B shows 10 park spaces and that each spaces can turn on site and enter the highway is a forward gear. This is acceptable to the Highway Authority.

**Network Rail**

No comments received

**Southern Electric**

No comments received

**6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 7

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: No comments received

**7 Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area and the existing building
- (iii) Impact on employment and business
- (iv) Impact upon residential amenity
- (v) Car parking/highway matters
- (vi) Environmental issues
- (vii) Other matters

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria. The Havant Borough Local Plan seeks to both support economic development and to protect the character and appearance of the Borough, and in doing so secure the delivery of sustainable forms of development in line with the National Planning Policy Framework (NPPF).

- (ii) Impact upon the character and appearance of the area and the existing building

7.3 The site is located in a prominent position to the south of New Road in Bedhampton and to the east of the Bedhampton Level Crossing in West Street. There are clear views of the site therefore from the south-west, west, north and north-east with the bend to New Road making the site particularly prominent to pedestrians and from vehicles approaching from the south-west. The site is also viewed from the railway line which runs

to the south of the site.

- 7.4 The site is triangular in shape and has a limited depth. In recent years as can be seen from the planning history it has been developed for commercial office use (residential uses being considered inappropriate in particular because of concerns over impacts from the adjacent railway). The commercial use of the site has been supported by the Council and this has included the conversion of existing buildings and the erection of a purpose built office building. As a result of these developments the site is now fully occupied by the office buildings and their associated car parking. The buildings have been maximised in terms of floorspace as can be seen from their design which takes the form of a 'stepped' footprint alongside the railway line to maximise the site coverage.
- 7.5 The area fronting New Road is mainly residential in character in the vicinity of the site. The most prominent building on the application site is the two storey office building which is set approximately 5.8m back from the pavement fronting New Road. This building is of domestic scale and is in proportion to the residential frontage to New Road. It is symmetrical in design with a central gable and slightly set back wings, all with pitched roofs. Tile hanging and good quality bricks help to provide an attractive appearance to the building and break up its apparent mass and bulk. To the east of this building is a less prominent two storey building set approximately 10.6m back from the pavement to New Road. This building is relatively recessive in the street scene when compared to the larger and set forward main building.
- 7.6 The Havant Borough Local Plan (Core Strategy) policy CS16 together with the Havant Borough Design Guide Supplementary Planning Document 2011 set out the Council's design criteria in relation to new development.
- 7.7 Policy CS16 states that, *Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:*

**1. Responds to, draws inspiration from and respects local context and** (amongst other matters):

*Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*

*Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths*

*and depths, materials and proportions of windows and doors;*

These criteria are considered particularly important to the consideration of the current application.

- 7.8 The current proposal is for a two storey extension to the north-eastern end of the site located between the existing office building and No.2 New Road, an end of terrace two storey dwelling. The extension would be set slightly back from the existing two-storey gable fronted original office building and would be viewed from New Road as a slightly recessive element with the front wall set slightly back and with a roof hipped back from the road elevation. The proposed materials would be brick and part tile hanging to first floor (front) and interlocking roof tiles. There would be a front dormer window, picking up on an existing frontage dormer on the building. Tile hanging is also shown to the existing rendered building front elevation to which the extension would be attached and this would match the existing main building.
- 7.9 Overall the design of the proposed extension is considered acceptable in its own right

and would draw inspiration from existing development and overall respect its local context. There are however concerns that if the development were carried out in combination with the two storey extension permitted under planning permission APP/17/00972 this would result in an overdevelopment of the site and be harmful to the character and appearance of this mainly residential area. There would also be concerns over car parking arrangements (considered separately below).

- 7.10 The applicant has confirmed that the western extension approved under APP/17/00972 will not be pursued in combination with the current application. This 'either / or' but not in combination approach will need to be secured via a S106 legal agreement and this is being pursued with the applicant. The recommendation is subject to the satisfactory completion of such a legal agreement. It is considered that the current proposal without the development of the extension to the western end of the building would have a limited and acceptable impact on the character and appearance of the area and the recommendation is made on that basis.

(iii) Impact on employment and business

- 7.11 The proposed extension would provide a modest additional office floorspace and therefore an opportunity for potential additional employment at the site.
- 7.12 The Council's Corporate Strategy seeks economic growth and environmental sustainability. Employment uses are supported by the Havant Borough Local Plan (Core Strategy) 2011. In particular policy CS2 states that *Planning permission will be granted for development proposals that (amongst other matters) Provide jobs, generate wealth or produce an economic output on existing employment sites that are not fit for current purpose*. It is however noted that in relation to offices that the plan favours *town centre locations for the provision of B1a offices and other town centre uses*. This site is not located within a town centre.
- 7.13 Whilst business use and any associated employment is a key priority of the Council this has to be balanced against the environmental impacts of the proposals (another key priority). In this case, officers consider that the employment and business opportunity provided by the development and the acceptable visual impact of the development would effectively tip the planning balance in favour of the development provided that the proposal is not developed in combination with the extension at the western end of the site.

(iv) Impact upon residential amenity

- 7.14 The proposed extension is located to the eastern end of the site and adjacent to the end of terrace two storey residential property No.2 New Lane. It is therefore important to consider the impact on this property which is the most affected dwelling as a result of the proposed development.
- 7.15 The proposed extension would be sited to the south east of No.2 and be set approximately 2.3m from the side wall of this property. The extension would have a height to ridge height of approximately 6.7m and this would match that of the building to which it would be attached and has lower eaves and ridge heights than No.2. The extension would be set well back from the frontage of No.2 and would incorporate a ground floor window on the facing elevation. Given the low boundary treatment and the fact that the window serves an office room which has another window it is considered appropriate to require that this window be obscure glazed and fixed shut or fitted with a restricted opening.
- 7.16 No.2 has a part glazed door and window and a further window facing the application site. The part glazed door and window would mainly face the application site frontage rather

than directly the extension. There was concern that the second window would face the flank wall of the extension and appears to be the only window serving a kitchen. No.2 is understood to be in the ownership of the applicant and therefore the possibility of providing an additional rear (south-east facing) window to serve this room has been explored and this window has been shown on the Block Plan. A condition is recommended to secure this and subject to this condition and the obscure glazing condition the impact on residential amenity is considered to be acceptable.

- 7.17 The development would impact light to the rear of No.2 and this has resulted in a negotiated reduction in the depth of the proposed extension. It is considered that the development as now proposed would have an acceptable impact on the rear amenity area of the adjoining residential property.

(v) Car parking/highway matters

- 7.18 The existing building and the proposed extension would require the provision of 10 car parking spaces in accordance with the Councils Parking SPD. These are indicated on the proposed block plan and the Development Engineer has raised no objection to the proposed layout which allows vehicles to park and turn on site. A condition is recommended in relation to cycle parking.

- 7.19 It is noted that this parking layout is only achieved without the development of the previous planning permission reference APP/17/00972. The recommendation is subject to a requirement for a Legal Agreement to ensure that the two developments are not implemented together.

(vi) Environmental issues

- 7.20 The site is located adjacent to the railway line and busy roads. The non-residential nature of the development means that overnight noise impacts and sleep disturbance are not concerns.

- 7.21 Given the proximity of the site to potential contaminants a planning condition in relation to contamination is also considered appropriate.

(vii) Other matters

- 7.22 As mentioned above a legal agreement is required to ensure that this development is not carried out in combination with planning permission APP/17/00972. This would ensure that whichever one of the two permissions is implemented, they would have an acceptable impact on the character and appearance of the area; would not result in overdevelopment of the site; and would be served by adequate car parking.

## **8 Conclusion**

- 8.1 In conclusion, provided it is not carried out in combination with the development approved under APP/17/00972, the current application is considered to result in a relatively limited and acceptable impact on the character and appearance of the area and would support business uses in the Borough. Subject to appropriate conditions, it is considered on balance that the impact on the residential property No.2 New Road would be acceptable.
- 8.2 The development would provide appropriate car parking and cycle parking can be secured by planning condition. Environmental and other issues are suitably addressed. Planning permission can therefore be recommended.



## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00449 subject to:

(A) the completion of a S106 Legal Agreement to ensure that this permission is a mutually exclusive alternative to planning permission APP/17/00972; and

(B) the following conditions:

1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan Drawing No. C3295-01 Rev A  
Block Plan Drawing No. C3297-02 Rev B  
Proposed Elevations Drawing No. C3297-6 Rev E  
Proposed First Floor Plan Drawing No. C3297-3 Rev E  
Proposed Ground Floor Plan Drawing No. C3297-4 Rev E

**Reason:** - To ensure provision of a satisfactory development.

3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, the building hereby permitted shall not be converted for residential occupation.

**Reason:** In the interests of the living conditions of any future occupants and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5 The car and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the extension being first brought into use and shall be retained thereafter for their intended purpose.

**Reason:** In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

6 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has undertaken an appropriate assessment and submitted remediation method

statement to the local planning authority detailing how this unsuspected contamination shall be dealt with. Written approval for the remediation method statement shall be obtained from the local planning authority prior to implementation, and the remediation shall be implemented as approved.

**Reasons:** To ensure that no contamination sources exist or remain on the application site that may pose an unacceptable risk to future site users, offsite residential land uses, buildings, potable supplies or other services having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 7 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**Reason:** In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

**Reason:** In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

**Reason:** To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as a B1(a) Office Accommodation; and for no other purposes within Class B of the above Use Classes Order.

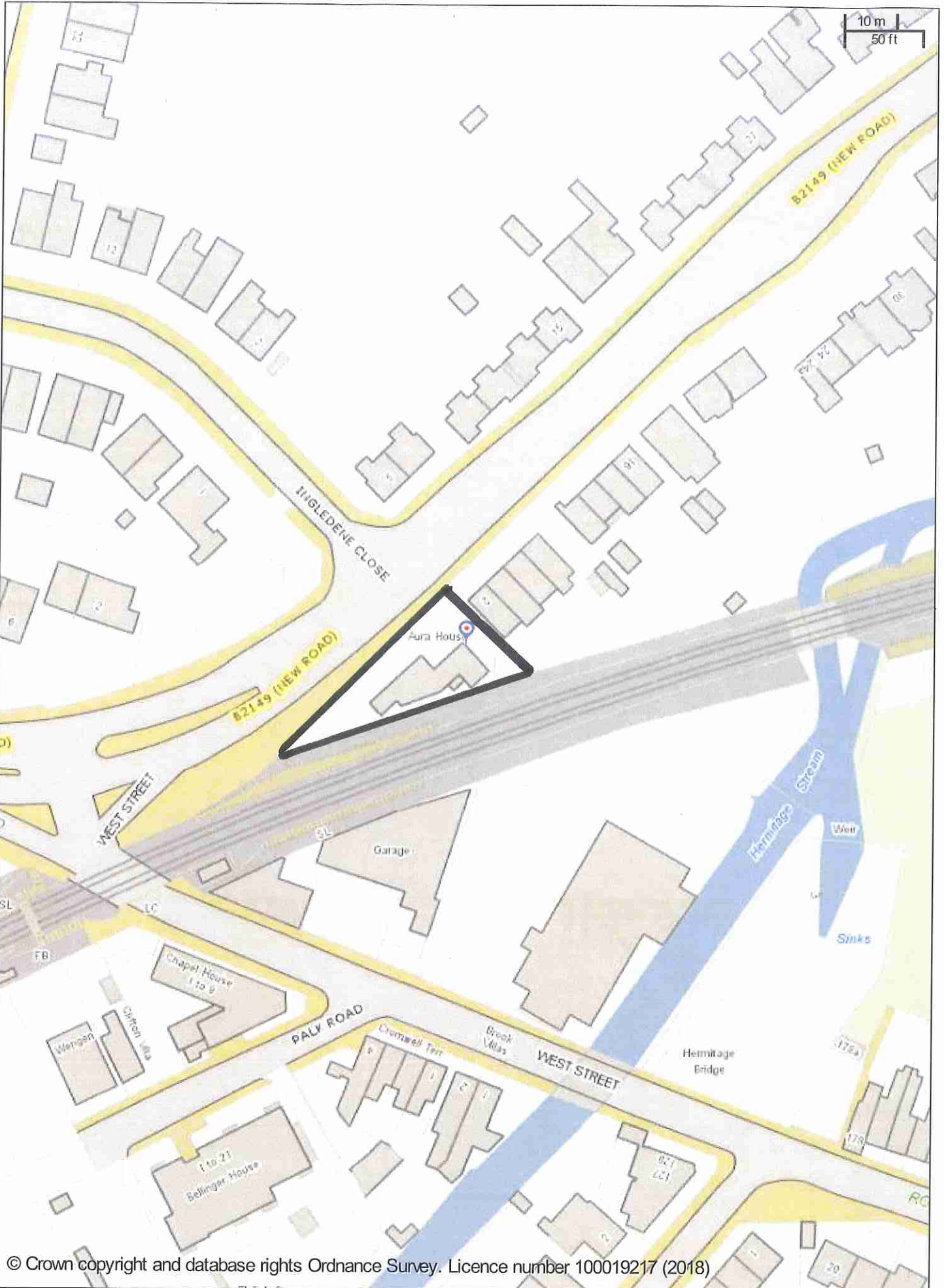
**Reason:** In the interests of amenity and highway safety and having due regard to Policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, the ground floor window in the north east elevation shall be fitted with:
- (i) non-opening lights, or opening restrictors the details of which are to be first agreed in writing with the Local Planning Authority; and
  - (ii) textured glass, which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent).
- The window shall be retained in that condition at all times thereafter.
- Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 No above ground construction works shall take place until a rear window has been installed to No.2 New Lane in the position shown on drawing no. C3297-02 Rev B.
- Reason:** In the interests of the residential amenities of the neighbouring property and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

**Appendices:**

- (A) Location Plan
- (B) Proposed Site Plan
- (C) Proposed Ground and First Floor Plans
- (D) Proposed North West and South East Elevations
- (E) Proposed North East and South West Elevations

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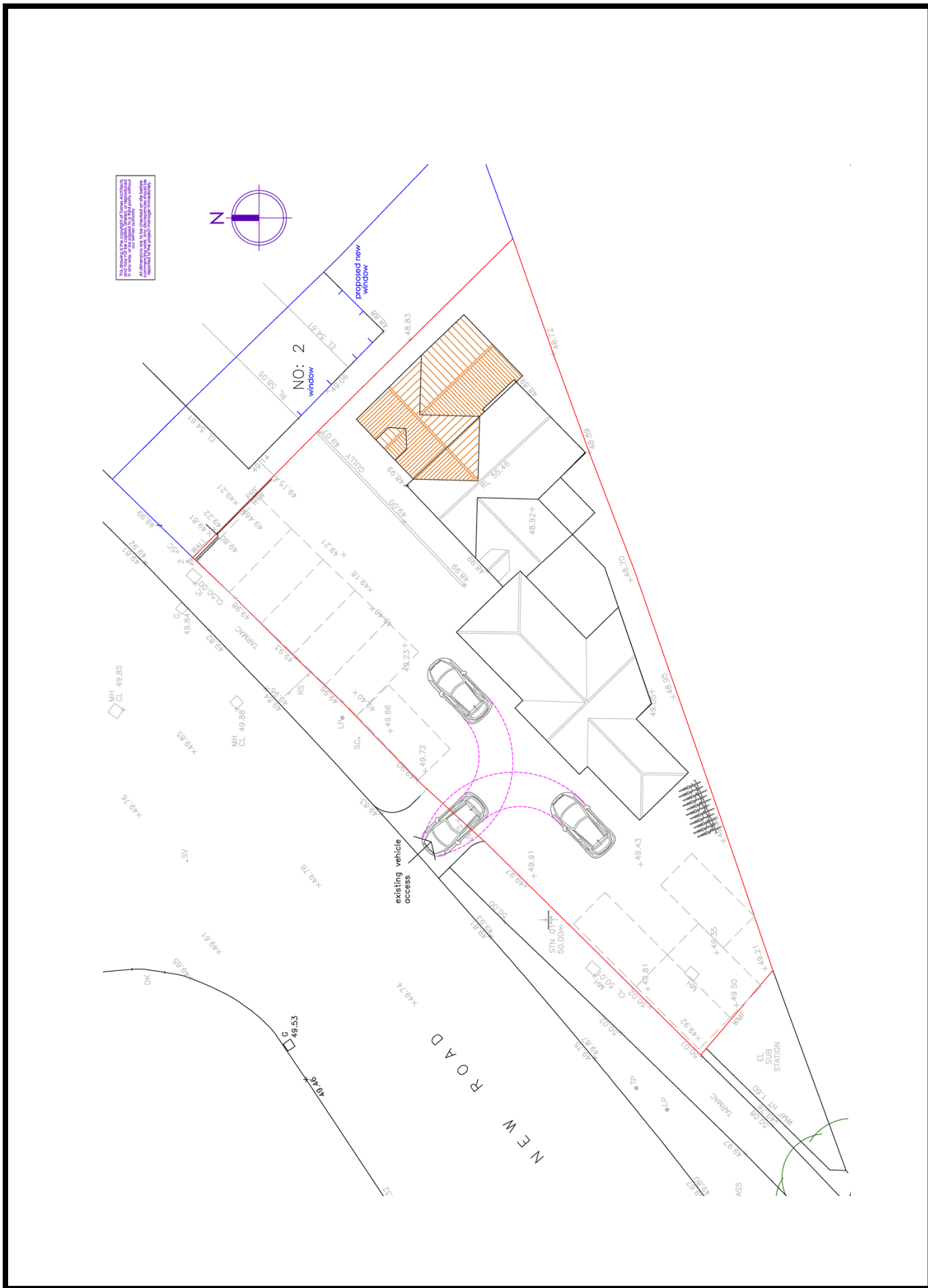
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Aura House, New Road, Havant, PO9 1DE APP/18/00449

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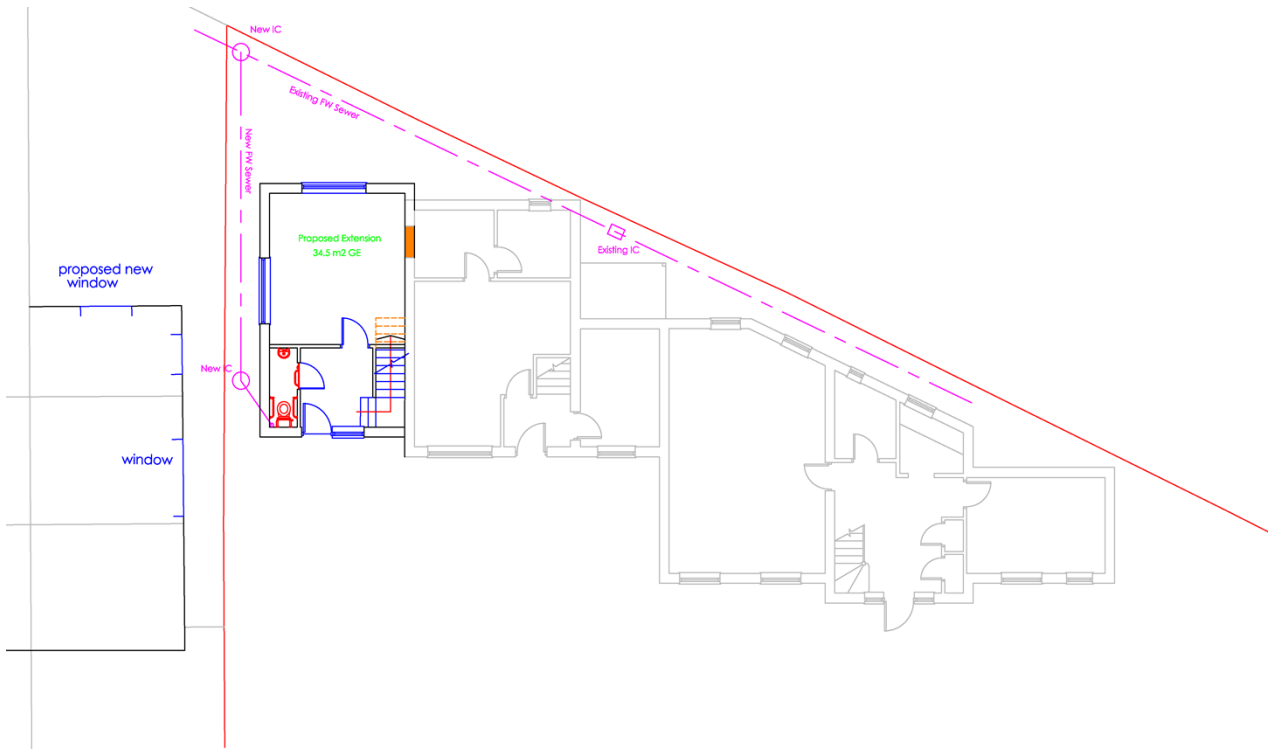
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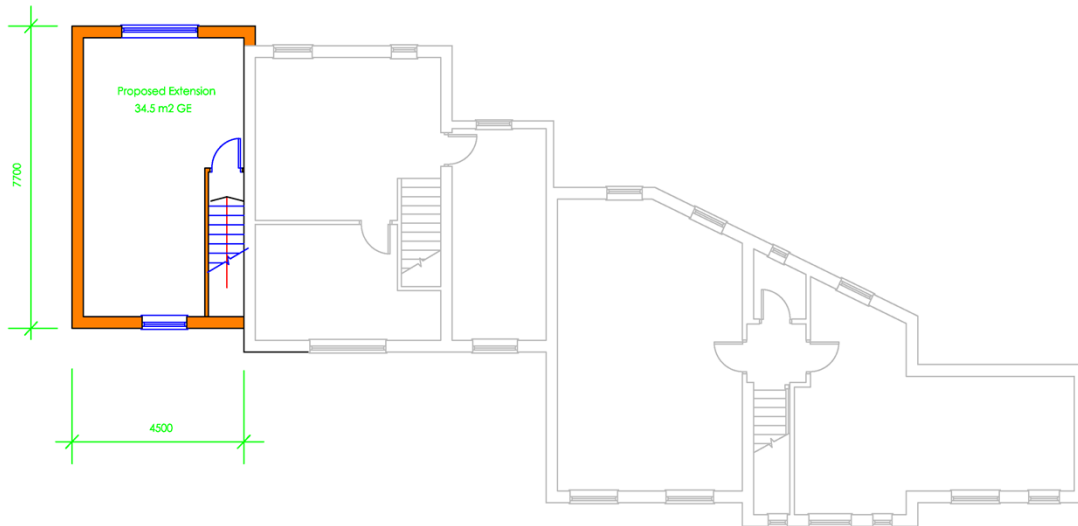


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Ground Floor Plan

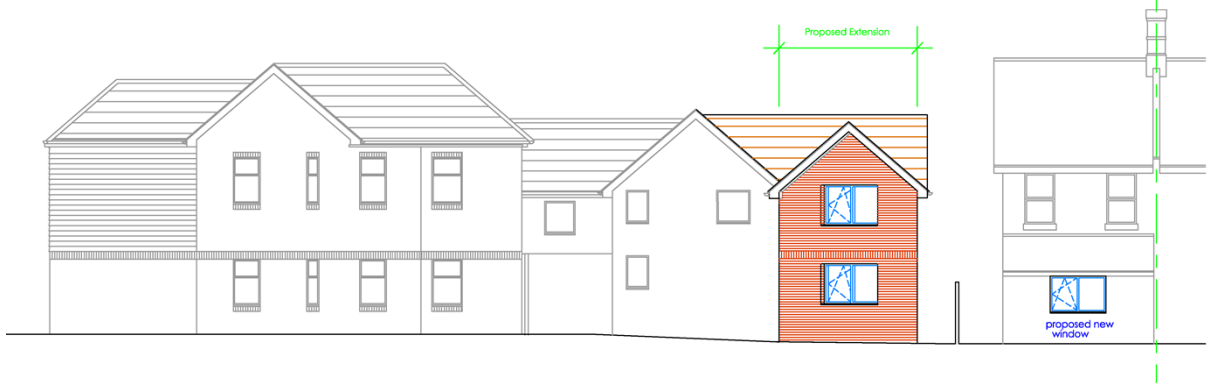


First Floor Plan

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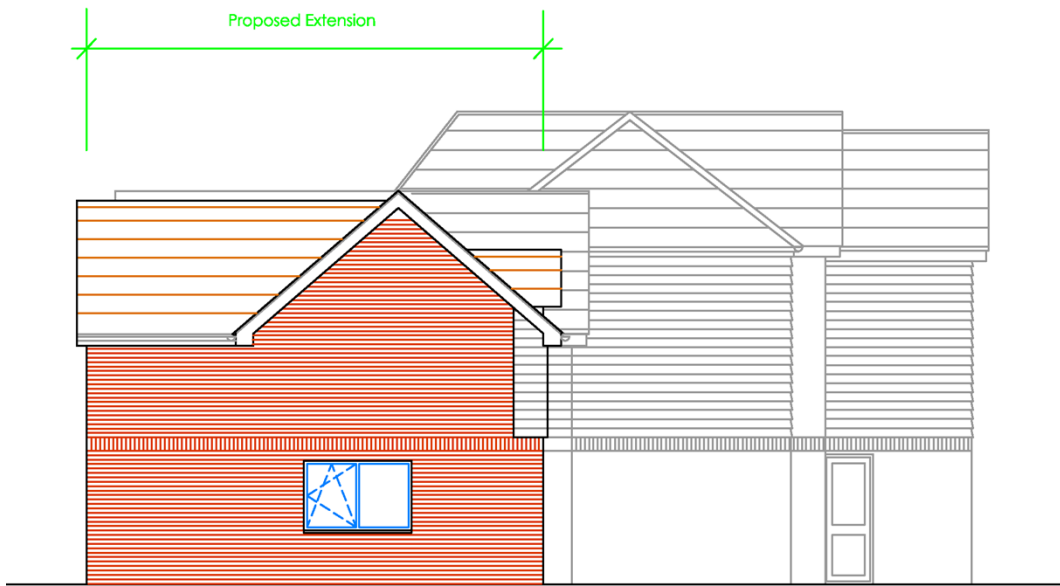


North West Elevation

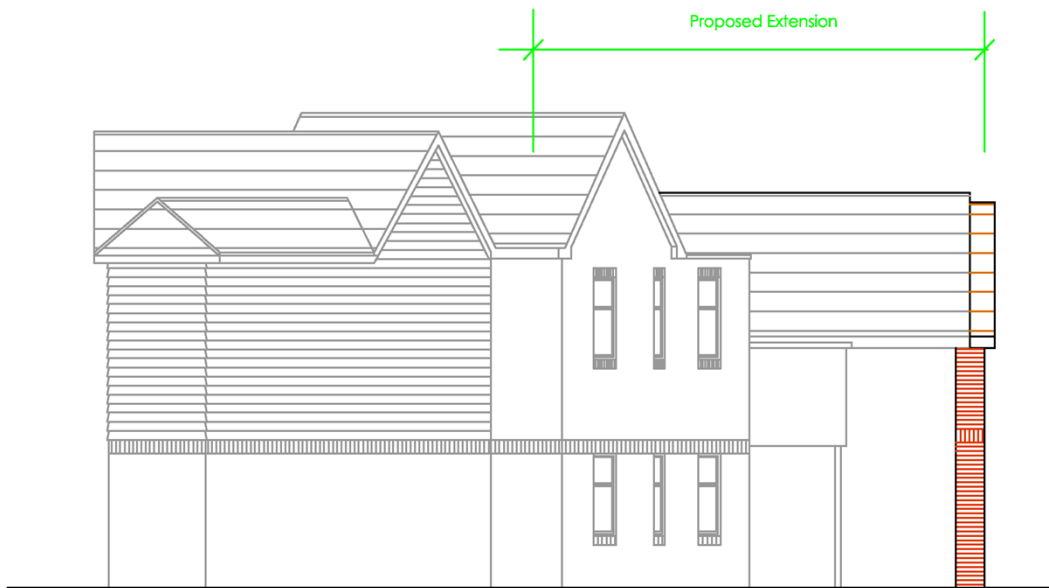


South East Elevation

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North East Elevation



South West Elevation

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