

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX



Havant
BOROUGH COUNCIL

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DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership: Councillor Buckley (Chairman)

Councillors Hart, Heard, Keast, Satchwell, Tarrant and Patrick

Meeting: Development Management Committee

Date: 26 November 2015

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

17 November 2015

Contact Officer: Mark Gregory 023 92446232
Email: mark.gregory@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 - 14

To approve the minutes of the Development Management Committee held on 15 October 2015.

- | | | |
|----------|--|------------------|
| 3 | Matters Arising | |
| 4 | Site Viewing Working Party Minutes | To Follow |
| | To receive the minutes of the Site Viewing Working Party held on 19 November 2015. | |
| 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 | 15 - 18 |

Part 1 - Applications Viewed by the Site Viewing Working Party

- | | | |
|-------------|--|----------------|
| 9(1) | APP/15/01025 - Unit 1 Industrial Estate, Palmers Road, Emsworth | 19 - 34 |
| | Proposal: Variation of Condition No. 1 of Planning Permission APP/14/00669 to enable continued change of use of premises from Class B1 to Class B2 use for motorcycle repairs. | |

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

- | | | |
|-------------|---|----------------|
| 9(2) | APP/15/00716 - St Johns Ambulance Station, Hulbert Road, Waterlooville | 35 - 46 |
| | Proposal: Change of use from St Johns Ambulance to community use. | |

PART B (Confidential Items - Closed to the Public)

NONE

GENERAL INFORMATION

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Internet

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Public Attendance and Participation

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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: mark.gregory@havant.gov.uk or DemocraticServicesTeam@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"

Order of Business

Please note that the agenda order will be revised so that “uncontested” items are considered prior to 6 pm. The Contact Officer for this agenda can be contacted on (023) 9244 6232) on the afternoon prior to the meeting for details of the revised order, details of which are circulated at the meeting.

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)

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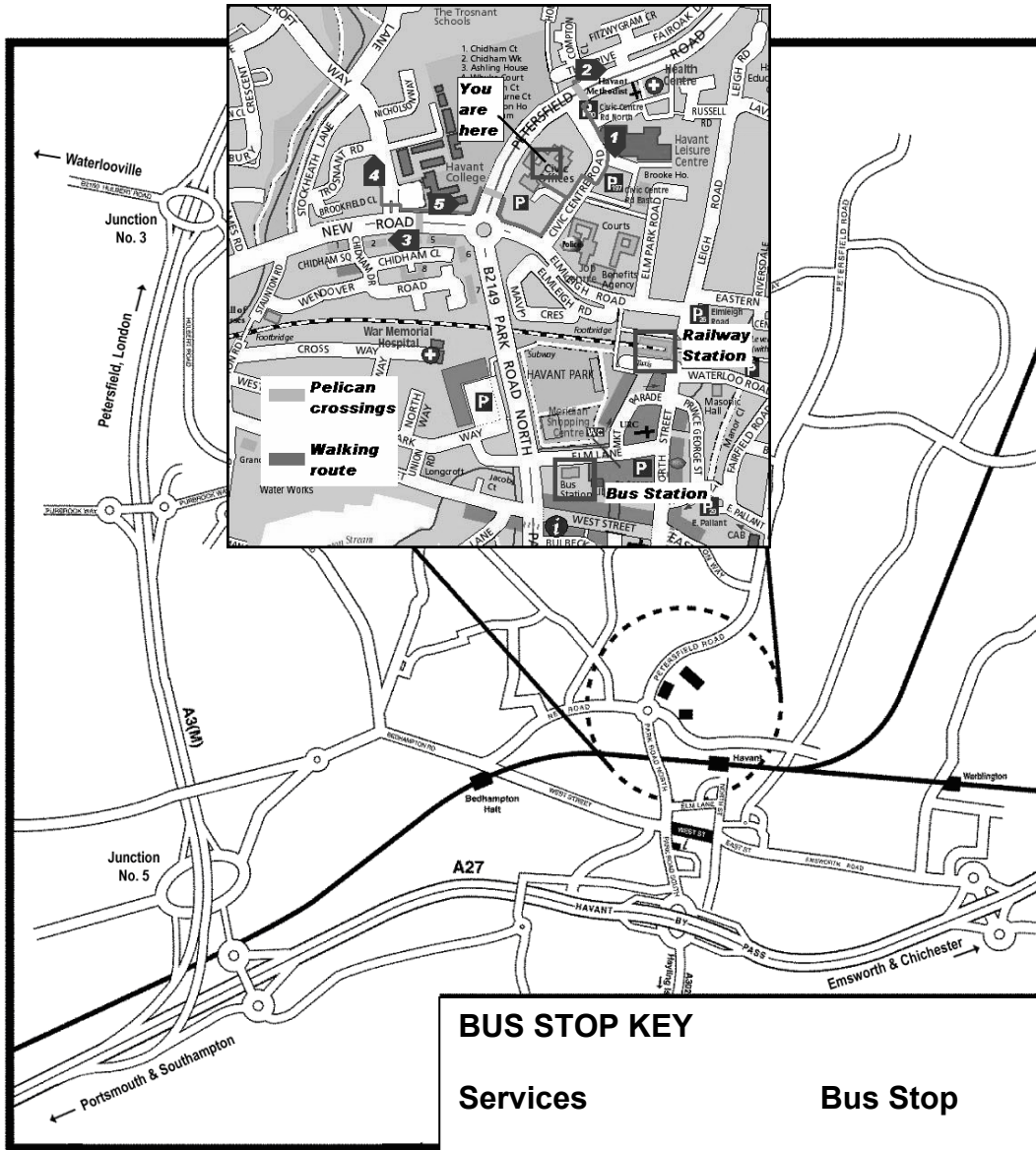
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20, 21, 39, 63	1
20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

** - 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 15 October 2015

Present

Councillor Buckley (Chairman)

Councillors Hart, Heard, Keast, Satchwell, Tarrant and Patrick

48 Apologies for Absence

There were no apologies for absence.

49 Minutes

The Minutes of the meeting of the Development Management Committee held on 3 September 2015 were agreed as a correct record and signed by the Chairman.

50 Matters Arising

There were no matters arising.

51 Declarations of Interest

There were no declarations of interests.

52 Chairman's Report

The Chairman reported that:

- (a) he had attended a meeting of the Joint West of Waterlooville Major Development Area Planning Committee that morning to determine an outline application for the construction of a new electric substation to serve the recently approved extra care and nursing homes on the Wimpey site: the application was granted permission.
- (b) an application for the development of Market Parade, Havant had been validated, and
- (c) he would be attending a RTPI conference in November.

53 Matters to be Considered for Site Viewing and Deferment

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

54 Deputations

The Committee received the following deputations/representations:

- (1) Ms Aston (objector) - Application Number APP/15/00930 – 48 Hart Plain Avenue, Waterlooville (Minute 55)
- (2) Mr Pickup (applicant's agent) – Application Number APP/15/00930 – 48 Hart Plain Avenue, Waterlooville (Minute 55)
- (3) Councillor G Shimbart (ward councillor) – Application Number APP/15/00930 – 48 Hart Plain Avenue, Waterlooville (Minute 55)
- (4) Mr Lowes (applicant's agent) – Application Number APP/15/00770 – E Block, Former BAE Systems, Elletra Avenue, Waterlooville (Minute 56)

55 APP/15/00930 - 48 Hart Plain Avenue, Waterlooville, PO8 8RX

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

Proposal: Proposed new single chalet bungalow to be constructed in the rear garden of No 48 Hart Plain Avenue. Replacement garage to be constructed at the front of the existing dwelling.

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

The Committee received supplementary information, circulated prior to the meeting, which gave details of additional representations received since the agenda was published.

The Committee was addressed by the following deputees:

- (1) Ms Aston, who considered that the amendments to the scheme did not overcome the previous reasons for refusal, objected to the proposal for the following reasons:
 - (a) the proposed development would exacerbate the existing drainage problems in the area;
 - (b) the proposal was out of character with the area;
 - (c) the proposed development by reason of its size and height in relation to the proposed garden plot, would be overbearing and result in an excessive building bulk adjacent to 3 Glenmore Gardens;
 - (d) the design was unsympathetic with dwellings in Glenmore Gardens, Hart Plain Avenue and Silvester Road;

- (e) the close proximity of the development to 3 Glenmore Gardens would have a have an adverse impact on the amenities and living conditions of the occupiers of 3 Glenmore Gardens; and
 - (f) the proposal would adversely affect wildlife habitats.
- (2) Mr Pickup, the applicant's agent, who supported the application for the following reasons:
- (g) the proposal had been amended to overcome the reasons given by the Inspector for dismissing an appeal against the refusal of Application APP/14/01078 for 2 dwellings;
 - (h) the relationship with neighbouring properties had been improved with: a reduction in the number of properties; a greater separation distance from the shared boundary and 3 Glenmore Gardens; an increase in the size of gardens on the application site; and a change to the elevation of the proposed dwelling facing 3 Glenmore Gardens;
 - (i) it was intended that the trees of value would be retained: trees lost to this development would be of little or no amenity value as viewed from offsite and of limited useful life expectancy;
 - (j) the applicant was not required to fully resolve the existing drainage problems in the locality; and
 - (k) the applicant would welcome any suggestions to encourage wildlife on the application site.
- (3) Councillor G Shimbart raised the following issues:
- (l) the changes did not sufficiently overcome the objections to the previous scheme and the occupiers of neighbouring properties in Glenmore Gardens, Hart Plain Avenue and Silvester Road would be adversely affected;
 - (m) the ecology and biodiversity surveys submitted appeared to be out of date;
 - (n) the development would exacerbate the existing drainage problem in the area; and
 - (o) the report did not accurately report the number of objections received.

Councillor Shimbart requested that if the Committee intended to grant permission, it consider amending condition 11 to impose a height limit for the first floor window in the eastern elevation.

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

- (1) representations had been received from Hart Plain Avenue (4), Silvester Road (1) and Glenmore Gardens (3);
- (2) although the Council would not encourage garages in front of the building line, the siting of the garage in this case was considered appropriate: this view was supported by the Inspector at the appeal;
- (3) the garage was not included in the reasons for refusal of the previous scheme; and
- (4) it would be difficult to enforce a condition requiring the maintenance of the hedges to provide a vision splay at the proposed access: the Development Engineer had raised no objections to the access arrangements.

The Committee discussed this application in detail together with the views raised by the deputees. The Committee noted that the financial contribution required in respect of the Solent Recreation Mitigation Project had been secured.

RESOLVED that Application APP/15/00930 be granted permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with 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 and Block Plans drwg.no 14A_067 001 rev D received 27 August 2015

Site Analysis drwg.no 14A_067 002 rev A received 27 August 2015

Existing and Proposed Site Plans drwg.no 14A_067 004 rev E received 27 August 2015

Proposed Layout drwg.no 14A_067 006 rev E received 27 August 2015

Proposed Ground Floor Layout drwg.no 14A_067 007 rev E received 27 August 2015

Proposed First Floor Layout drwg.no 14A_067 008 rev E received 27 August 2015

Comparison Site Sections drwg.no 14A_067 009 rev A received 27 August 2015

Proposed Elevation drwg.no 14A_067 010 rev E received 27 August 2015

Proposed Replacement Garage Elevations drwg.no 14A_067 012 rev A received 27 August 2015

Site Sections AA & BB as Proposed drwg.no 14A_067 011 rev B received 27 August 2015

John Shutler Tree Services Arboricultural Report dated 26 August 2015

Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

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 2012.

- 4 Measures shall be undertaken to prevent damage to existing trees throughout implementation of the development hereby approved, in accordance with the Arboricultural Report prepared by John Shutler Tree Services on 26 August 2015 and received by the Local Planning Authority on 27 August 2015. All such measures shall be undertaken and fully adhered to at all times whilst such implementation is in progress. Any such tree which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.

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 CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 5 Notwithstanding the requirements of Condition 6, a detailed Method Statement relating to Oak Tree 1 (as identified within the Arboricultural Report), inclusive of protection measures for encasing the trunk during construction works to protect it (boxed hoarding) and a schedule of arboricultural expert site supervision and monitoring when the access is being formed, shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby approved. All approved measures shall be undertaken and fully

adhered to at all times whilst development implementation is in progress. If the tree is nevertheless seriously damaged during development, it shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than Extra Heavy Standard when planted.

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 CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 6 Measures shall be undertaken to prevent harm to biodiversity throughout implementation and occupation of the development hereby approved, in accordance with the Ecological Appraisal prepared by The Ecology Co-Op Environmental Consultants on 18 September 2014 and received by the Local Planning Authority on 27 August 2015. All such measures shall be undertaken and fully adhered to at all times whilst such implementation and occupation is in progress.

Reason: To safeguard the continued health and presence of fauna and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 7 Unless otherwise agreed in writing with the Local Planning Authority, the dwelling and garage hereby permitted shall be constructed in accordance with the external facing and roofing materials as detailed within the submitted plans.

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 2012.

- 8 The development shall be constructed in accordance with the hard and soft landscaping specifications as detailed within the submitted plans. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing and soft landscaping has been completed in full accordance with that specification.

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 2012.

- 9 The development hereby permitted shall not be brought into use until the means of enclosure of the site has been installed and completed in

full accordance with the specifications as detailed within the submitted plans.

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 2012.

- 10 The development shall not be brought into use until the parking spaces and turning area shown on the approved drawings have been provided within the curtilage of the site and thereafter all of those spaces shall be kept available for such purposes.

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 2012.

- 11 The window at 1st floor level in the eastern elevation of the dwelling hereby approved shall:-
- (i) consist of at least two lights divided horizontally with only the top and middle lights capable of being opened, and shall be maintained in that condition at all times;
 - ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

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 2012.

56 APP/15/00770 - E Block, Former BAE Systems, Elettra Avenue, Waterlooville, PO7 7XS

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

Proposal: Use of the E Block building for leisure (class D2) and/or non food retails (class A1) purposes with associated car parking and other works.

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

The Committee received supplementary information, circulated prior to the meeting, which amended the recommendation set out in the report in relation to the landscaping scheme.

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

- (1) the proposals were in accordance with the Allocations Plan and supported by officers from this Council and Hampshire County Council; and
- (2) the requirements for the Section 106 agreement were being dealt with by the applicant

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

- (1) it was not within the remit of the Council to choose the developer for this site;
- (2) the development of the site as a whole was being controlled through the Allocations Plan;
- (3) it was still possible that Block E would provide a leisure use: the adjoining Major Development Area was growing and could reach a point where businesses would be interested in providing a leisure use on this site;
- (4) it was understood that the site was still leased to BAE: it was not known when this expired;
- (5) the Lidl site was not part of this application; the Lydl application complied with the Allocations Plan;
- (6) landscaping would be controlled by a condition; and
- (7) although not part of the application, it was proposed that the footpath/cycle link to the MDA would be linked to the Lidl application.

The Committee discussed this application in detail together with the views raised by the deputees. It was

RESOLVED that Application APP/15/00770 be granted permission subject to:

- (A) The completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 incorporating the following terms:
 - Travel Plan: To include implementation, monitoring and commitment to pay a monitoring fee and commuted sum to Hampshire County Council.
 - Employment and Skills Plan.

(B) The following conditions, and any others that are considered necessary (subject to such changes as the Executive Head of Planning and Economy may determine):

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with 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:

Leisure and Retail Statement ref JAL/286/36/1 dated 8 July 2015

Site Location Plan drwg.no 286/36/1_SLP05 received 27 July 2015

Transport Assessment prepared by David Tucker Associates received 27 July 2015

Proposed Mezzanine layout received 27 July 2015

Proposed Ground Floor layout received 27 July 2015

Existing Ground Floor layout received 27 July 2015

Existing Mezzanine layout received 27 July 2015

Proposed Block Plan drwg.no STP-WA-H PL 24 received 27 July 2015

Additional Traffic Information Summary of Junction Performance received 18 September 2015

Preliminary Risk Assessment for Land Contamination received 17 September 2015

Ground Investigation Report produced December 2012 received 17 September 2015

SuDS Assessment Robert Clark Associates received 17 September 2015

Reason: - To ensure provision of a satisfactory development.

- 3 Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories), home improvement products, carpets and floor coverings, fabric, furniture, soft and hard furnishings, floor coverings, household goods, homewares, decorative products, glassware, cookware, kitchen utensils, white and electrical goods, automotive and cycle parts, pet food, garden tools, arts and crafts materials, variety retailing, tents, camping, caravanning, leisure and outdoor activity equipment, or related accessories for all of the aforementioned or the provision of ancillary café facilities, unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the viability and vitality of Waterlooville town centre in particular and having due regard to policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The use of E Block for leisure and/or non food retail uses shall not commence until a plans specifying the proposed layout for all open parts of the site proposed to be hardsurfaced have been submitted to and approved in writing by the Local Planning Authority. Such plans shall include, a specification of the materials to be used, the space for the loading, unloading and parking of vehicles and cycles and for the servicing of the building. The building shall not be brought into the use(s) hereby permitted until the site has been surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of the amenities of the locality and highway safety and having due regard to policies CS16, DM13 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The use of E Block for leisure and/or non food retail uses shall not commence until a 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The use of E Block for leisure and/or non food retail uses shall not commence until a detailed acoustic report has been

submitted and approved by the Local Planning Authority. The detailed report shall assess the final use and layout of the building and noise impact of the proposed business activities and include any proposals relating to the installation of fixed noise making equipment e.g. refrigeration units, air conditioning, extract ventilation equipment, and so forth.

Reason: In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the wider character of the area, and having due regard to Policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework, March 2012.

- 7 No development shall commence on site until the following details have been submitted to and approved in writing by the Local Planning Authority in relation to site accesses:
- a) A specification of the type of construction for the roads and footpaths including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing of surface water; and
 - b) A programme for making up the roads and footpaths.

The development shall be carried out in accordance with the approved details before any part of the development is occupied unless otherwise first agreed in writing by the Local Planning Authority

Reason – To ensure that the roads and footpaths are constructed to a satisfactory standard and having due regard to policies CS20 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 In the event that soil or groundwater is encountered during groundwork that is suspected of being contaminated (including discolouration, oils, sheens that are oily, metallic or brightly coloured, foul or solvent odours, or deposits & inclusions comprising obvious waste materials), or if groundwork staff report acute symptoms (skin, eye or respiratory) suspected of being related to soil quality; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A site investigation in the vicinity of the suspected contamination, of a scale sufficient to characterise it's nature, and likely origin, extent & mobility
- 2) An appropriate assessment of the risks to all receptors that may be affected, including those off site.
- 3) Where the Risk Assessment (2) identifies potentially unacceptable risks, a Remediation Strategy that includes;
 - appropriately considered remedial objectives, and;
 - clearly defined proposals for the remediation &/or mitigation of identified risks, having due regard to sustainability
- 4) Where a remediation strategy (3) identifies actions required to remediate contamination or mitigate risks associated with the presence of contamination, a Verification Report that includes;
 - Photographic documentation of any relevant physical works, sampling/monitoring results, and any other technical or statistical information as may be required to demonstrate that Remediation Strategy objectives have been met, and where necessary;
 - Further plans for monitoring, provision for maintenance of barriers or other structures required for remediation or risk mitigation, and any relevant trigger values and contingency actions as may be required to address the identified risks (a "long-term monitoring and maintenance plan").

All assessments, works, monitoring & other actions required by (1)-(4) above shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Reason: 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, there is a low probability of the presence of contamination associated with previous R&D activities at the site that could, if present, pose a significant risk to surface waters.

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Chairman

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NON EXEMPT

HAVANT BOROUGH COUNCIL

Development Management Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE EXECUTIVE HEAD OF PLANNING AND BUILT ENVIRONMENT

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 Executive Head of Planning and Built Environment 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 Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

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

EHPBR	Executive Head of Planning and Built Environment
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 Executive Head of Planning and Built Environment, 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

Julia Potter

Executive Head of Planning and Built Environment

Jo Barden-Hernandez

Service Manager - Legal and Democratic Services

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Site Address: Unit 1 Industrial Estate, Palmers Road, Emsworth, PO10
7DH

Proposal: Variation of Condition No. 1 of Planning Permission APP/14/00669
to enable continued change of use of premises from Class B1 to Class B2 use for
motorcycle repairs.

Application No: APP/15/01025

Expiry Date: 12/11/2015

Applicant: Mr J Bailey

Team: Team 2

Agent:

Case Officer: Heather Lealan

Ward: Emsworth

Reason for Committee Consideration: At Cllr Cresswell's request

EHPE Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is located on the east side of Palmers Road, which is characterised by industrial uses. However the west side of Palmers Road is primarily residential in character and hence the area is very mixed, with 'conflicting' uses directly opposite each other.
- 1.2 Unit 1 is the most northerly industrial unit in a block of 6 units originally granted planning permission in 1981 (29347/2 refers) as light industrial units having an hours of use condition limiting the use of machinery to between 8.30am and 6pm Monday to Friday and 8am to 1pm Saturdays. The unit itself has a front elevation of part dark red brick and dark brown cladding with a large roller shutter door. There is an office with pedestrian door at the southern end of the front elevation. The unit is set back slightly from the highway having a tapered forecourt. There are double yellow lines immediately outside. The 6 units share a rear service and parking yard and this unit has 3 dedicated parking spaces - one to the front on the forecourt, one directly to the rear of the unit and one across the yard, adjacent the eastern boundary of the site.
- 1.3 The siting of the unit is such that it is directly opposite the midway point of the terrace of residential dwellings No. 4 - 16 Palmers Road. These houses have small front forecourts and rely on resident permit parking in the road in front. Immediately to the south of the terrace of dwellings are two residential garages.
- 1.4 Generally the units in the block all seem to have some sort of car repair use. The application site is already in use by 'JCB Motorcycle Services' and has been since May 2013.

2 Planning History

- 2.1 29347/2 - original planning permission for 6 industrial units granted 26/11/1981- with conditions including 5. for light industrial purposes only; 6. no goods, plant or material stored in open; 7. machinery shall only be worked between 8.30am - 6pm Mon to Fri and 8am - 1pm Saturdays

97/62652 - 2.3m gates & 2m fence to west. Permit 26/1/98.

99/63942 - first floor rear extension supported on pillars Permit 12/4/99.

APP/14/00669

Retrospective application for a change of use from B1 to B2 for motorcycle repairs. Temporary Permission granted by the Development Management Committee for 12 months ending on the 3 October 2015. Conditions were imposed restricting the use to the applicants' business only; limiting the hours during which machinery could be operated; limiting the use of the front forecourt and rear yard; and requiring internal bi-folding doors to be installed.

2.2 The planning history of the adjacent unit 2 is also relevant:

89/53421. change of use to MOT station and repairs to motor vehicles and supply and fitting of tyres and batteries. Permitted.

08/53421/001 Variation of condition 2 of Planning Permission 89/53421 to allow business to operate under Mr D Sly, Southern Tyre and Battery Service. Permit

08/53421/002 Variation of condition 3 of Planning Permission 89/53421 to allow hours of operation of business between 0800 and 1800 hours Monday to Friday and between 0800 and 1600 hours on Saturday. Not at all on Sundays or public holidays. Permit (previous condition had allowed work from 08:30) - *but for temporary period only, expired 11/4/2009*

3 Proposal

3.1 This application has been submitted to vary condition 1 of Planning Permission APP/14/00669 to enable the continued change of use of the premises from Class B1 to Class B2 for the motorcycle repair business that is operating from the site. All types of repair are carried out on bikes from basic servicing to major rebuilds, tyre replacement etc.

3.2 The effect of this application is therefore to consider if the 2014 temporary permission as granted by the Development Management Committee can be renewed without creating significant detrimental impact to the amenities of the occupiers of the adjacent neighbouring dwelling houses. If the conclusion is positive and the business, when operating in accordance with the conditions applied, is not found to be causing a significant impact then this application to vary condition 1 of the temporary permission should be permitted, as such forming a permanent authorised use for the site.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012 - especially para 123
Planning Practice Guidance, March 2014 - Noise

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)
CS2 (Employment)
CS4 (Town, District and Local Centres)
DM10 (Pollution)
DM14 (Car and Cycle Parking on Development (excluding residential))

The site lies within Emsworth District Centre boundary

Havant Borough Local Plan (Allocations), adopted July 2014

The site lies outside the AL3.1 Local Centre boundary. It backs onto, but is not within, the

AL8 Local Green Space allocation.
Policy AL1 - Presumption in Favour of Sustainable Development

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

5 Statutory and Non Statutory Consultations

Development Engineer

No adverse comments

Environmental Health Manager

No objection so long as mitigation measures as proposed within the submitted noise assessment dated 23 October 2015 and those on the amended layout of the 10/11/2015, specifically increasing the thickness of the proposed acoustic boarding, are implemented.

Economic Development

No comments

Traffic Management Team

No Comments

Crime Prevention

No Comments

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: 17

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 6 (2 in support)
(7 letters of support were submitted by the applicant with the application - these are available on line to view but have not been summarised below)

Summary:

Previous comments have been requested to be taken into account and are shown in italic font;

- (a) **Noise complaints:** *intermittent yet constant noise of revving engines; have had to keep windows closed & shout inside own lounge; unable to make phone calls, listen to radio, wear ear plugs in own home; goes on till evening (7.45pm) and until 4pm Saturdays; loud groups of men shouting above running engines; bad language & swearing.* Further representations submitted with regard to this Variation of Condition application have advised that when the applied conditions of APP/14/00669 are accorded with then the noise and amenity situation is improved, however comment is made that the conditions are being continually breached. Comment is also made that the sound proofing measures suggested at the time of the temporary consent have

not been addressed.

- (b) **Fumes & Smell:** *fumes affecting asthma*
- (c) **Outlook issues:** *Frontage a visual eye sore; 12-15 motorbikes wheeled out to forecourt daily; work carried out on forecourt & road; become meeting place for bikers and intimidating groups of men gathered round; smoking outside; workers present Sundays too. Customers continue to block the roadway and do not use the rear access.*
- (d) **Other issues:** *Fire hazard as workers smoke next to hot fuel tanks; increasing motorbike stock on site; causing stress and poor health; some bikes arrive as early as 6.30am; unsuitable use in residential area; making lives miserable; traffic generated a problem & difficult to park or pass in road; unit is too small for a B2 use. Business operation has an impact on privacy of adjacent residential properties. Impact sale of adjacent residential dwellings.*

Photographs have also been submitted

- (e) **Letters of support:** Excellent customer service and valued business in the area. Good location for customers. Suggests a prejudice towards motorcyclists rather than the operation of the business.

7 Planning Considerations

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

- (i) Principle of development
- (ii) Noise/Fumes and Amenity
- (iii) Hours of use
- (iv) Employment
- (v) Highways matters
- (vi) Other matters

(i) Principle of development

7.2 The application site relates to an existing light industrial unit within the built up area of Emsworth. The principle of development is therefore acceptable in this location, subject to detailed considerations assessing the impact of the development to establish whether it causes demonstrable harm. The consent for the existing unit is authorised as a light industrial unit (B1). However, temporary consent was granted for a B2 use, (expired October 2015). It is therefore necessary for this report to consider whether the B2 General Industrial use and the specifics of the actual business the subject of the application would be acceptable as a permanent consent in this location as an 'exception'.

(ii) Noise/Fumes and Amenity

7.3 JCB Motorcycle Services has now been operating from the site for over two years and the impact of the change of use is already known. Since the temporary consent was granted neighbours have reportedly continued to experience noise and disturbance issues. However, in the lead up to the submission of this application no request has been made to the Council's Environmental Health department to undertake noise monitoring from neighbouring dwellings. This would seem to suggest that when the applicants operate the business in accordance with the conditions under which the temporary consent was granted, the business can be operated in a manner so as to accord with the Council's

planning policy CS16 and not cause unacceptable harm to the amenity of neighbours through such matters as smell, loss of privacy and outlook, noise and overlooking.

- 7.4 However, in light of previous complaints about noise to the Planning Enforcement and Environmental Health teams and the further neighbour objections that have been made to the application the subject of this report, officers deemed it necessary to require the applicants to submit a noise assessment report to demonstrate whether the business could in practice be operated acceptably at all times. A report has been duly submitted that records that noise levels associated with the operation of the business, (most notably the revving of engines to test function), could exceed acceptable background levels and therefore on such occasions the business operation would be in conflict with the requirements of the Borough's Core Strategy policies CS16 and DM10. However, the submitted noise assessment report goes on to suggest methods of mitigation to reduce the noise to an acceptable level – specifically the undertaking of all works to motorcycles at the rear of the unit and the installation of an acoustic enclosure/room within the unit for noisy works to take place within. It is considered by the Environmental Health team that if the mitigation measures as described in the noise assessment and as detailed on the amended layout plan are implemented then the business can operate in accordance with Core Strategy policies CS16 and DM10 in terms of the impact of noise and fumes.
- 7.5 Previously, when considering general residential amenity in the context of Application APP/14/00669, the members of the Development Management Committee took into account the application site's location, (being further north than the adjacent car repair units and as such directly opposite the residential dwellings of No. 6 to 10 Palmers Road), the fact that the business deals with motorbikes rather than cars and that the application site has a forecourt of some 3 to 4m depth across its whole frontage which is used daily for the parking of customer motorbikes. The nature of the business operation in light of these factors was considered by the Committee members to be acceptable in terms of its impact on the amenities of the occupiers of the adjacent residential dwellings and a temporary consent was granted on this basis. The context for the development is not considered to have changed since the temporary consent was granted, and when considering the noise impacts of this application for permanent consent it is considered it has been demonstrated by the applicant that, if the business operates in accordance with the previously imposed planning conditions, and also implements the further mitigation measures proposed within the submitted noise report and amended plan, then the business operation would not give rise to a loss of amenity to nearby residents and as such accord with policies CS16 and DM10 of the Core Strategy.
- (iii) Hours of use
- 7.6 The original planning permission conditioned the hours of machinery operating to between 8.30am and 6pm Monday to Friday and 8am to 1pm on Saturdays. It is considered reasonable to impose a similar condition. This does not prevent staff attending the site outside these times to undertake other tasks such as catching up on paperwork or tidying up.
- (iv) Employment
- 7.7 Havant Borough Council promotes local employment opportunities and seeks to protect jobs where possible (Policy CS2) and it is considered that the business accords with this policy.
- (v) Highways matters
- 7.8 There is no formal objection from the Development Engineer, based on the fact that the County parking standards require 1 space per 45 sqm for B1 (b) and (c) uses i.e. the previous authorised use of the unit; and also 1:45 sqm for B2 uses. Therefore the B2

motorcycle repair use proposed does not trigger a different parking requirement. The highway issues reported by the neighbours and summarised in Section 6 above have been discussed with the Development Engineer, but these generally relate to the noise experienced from the use as well as the comings and goings to the unit. However as legal, road worthy vehicles using an adopted highway, the driving of a motorbike on Palmers Road itself does not cause a highway objection. Any alleged nuisance remains an amenity concern from the use of the site, rather than a highway safety issue.

(vi) Other matters

7.9 Other issues raised by neighbours relate to the general activity associated with the business and the groups of people congregating noisily outside whilst work is undertaken on motorbikes. However, it was previously considered by the members of the Development Management Committee that appropriate planning conditions could be attached to a temporary consent such to make the operation of the business acceptable in planning terms, and it is not the role of the Local Planning Authority to deal with issues of anti-social behaviour that are the role of other agencies.

8 Conclusion

8.1 Having regard to the planning history of the site, the nature of representations received in connection with this current application, and also the findings of the noise assessment report commissioned in respect of this application, it is considered that the permanent use of this site as a motorcycle repair centre can be operated in a manner that does not conflict with the requirements of policies CS16 and DM10 of the adopted Havant Borough Local Plan (Core Strategy) 2011. This is so long as the business is run in full accordance with the previous planning conditions and implements the suggested further mitigation measures within 2 months of the date of any planning consent. It is therefore recommended to grant consent to vary condition 1 of Planning Permission APP/14/00699 subject to the inclusion of all of the suggested planning conditions as listed below.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Economy be authorised to **GRANT PERMISSION** for application APP/15/01025 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 This permission shall enure for the benefit of JCB Motorcycle Services only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when JCB Motorcycle Services cease to occupy the land.

Reason: To maintain control of a wider Class B2 use of the site in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework .

3 Machinery shall only be worked between 0830 and 1800 hours Monday to

Friday and 0800 to 1300 hours Saturdays; and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The forecourt area shall be used for the parking of motorbikes and customer vehicles only. At no time shall motorbikes or other vehicles be examined or worked on within the forecourt area.

Reason: To avoid noise and activity on the forecourt in the interests of neighbouring residential amenity having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Only the rear yard area shall be used for any outside testing and examining of motorbikes.

Reason: To ensure all outside activity takes place away from residential dwellings in Palmers Road, in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework .

- 6 The recommended noise mitigation measures as proposed within the submitted Acoustic Testing Report, (section 9), and as detailed on the proposed layout plan received on the 10 November 2015, shall be implemented in full within 2 months of the date of this permission. Thereafter the business shall be operated in full accordance at all times with the mitigation measures proposed within these documents.

Reason: To provide a noise buffer in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Site Location Plan OS Licence No 100047474 received 27 July 2014
Block Plan OS Licence No 100035409 received 27 July 2014
Proposed elevations and revised layout plan detailing insulation of acoustic room received 10 November 2015
Covering letter submitted with the application received 25 September 2015
BS4142 Acoustic Testing Report prepared by Airtight & Noisecheck Acoustic Testing dated 23 October 2015 and received 4 November 2015

Reason: - To ensure provision of a satisfactory development.

Appendices:

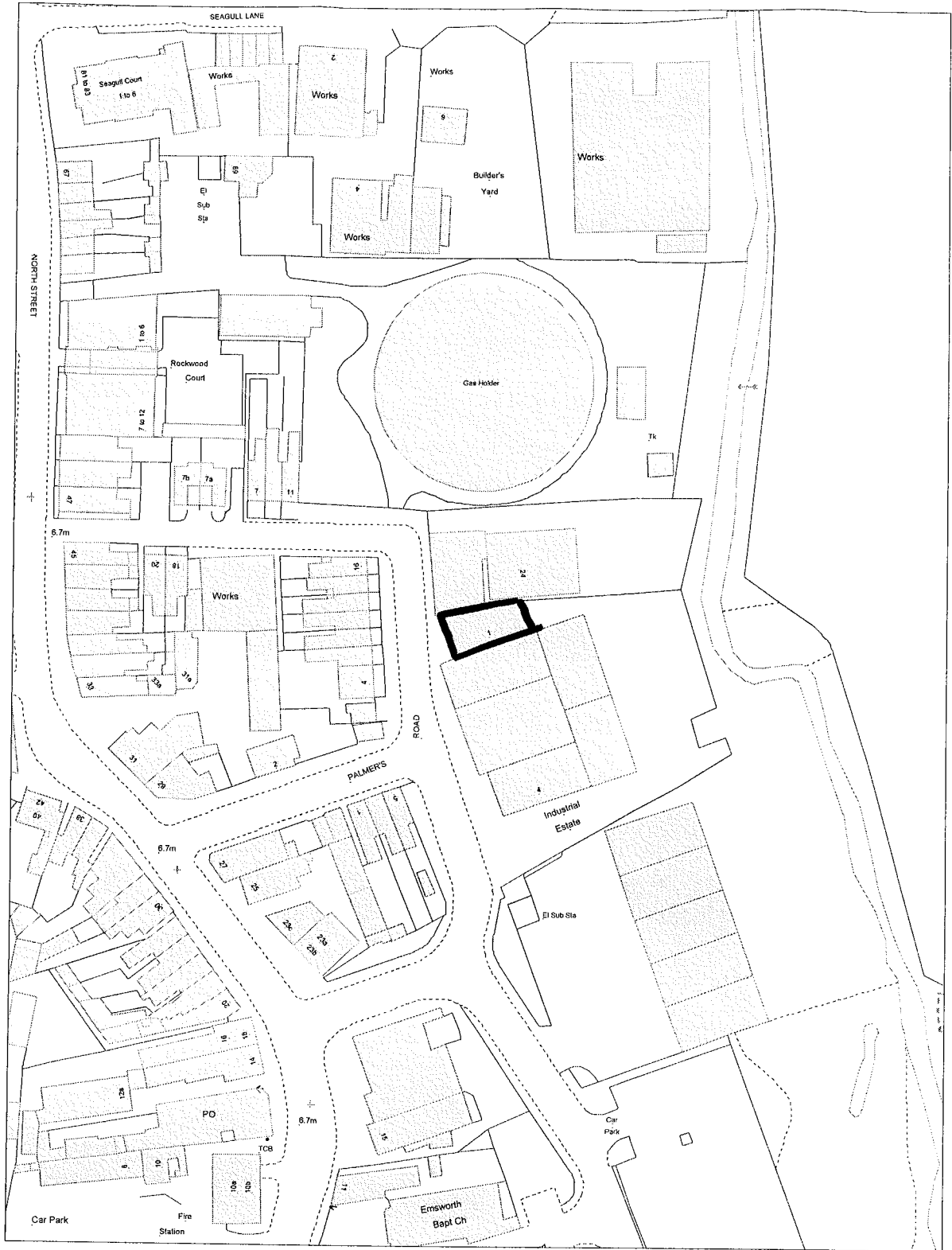
- A: Location Plan
- B: Layout
- C: Existing Elevations & Floor Plan
- D: Proposed Site Layout

Additional Documents

<http://tinyurl.com/pcxaxvb>

LOCATION PLAN

APPENDIX A



Public Service Plaza
 Civic Centre Road
 Havant
 Hampshire PO9 2AX
 tel 023 9247 4174 fax 023 9248 0263
 www.havant.gov.uk



Title:
 APP/15/01025
 Unit 1 Industrial Estate, Palmers Road
 Emsworth
 X = Objections
 / = Support
 Please note not all objections listed on plan

Drawn By:

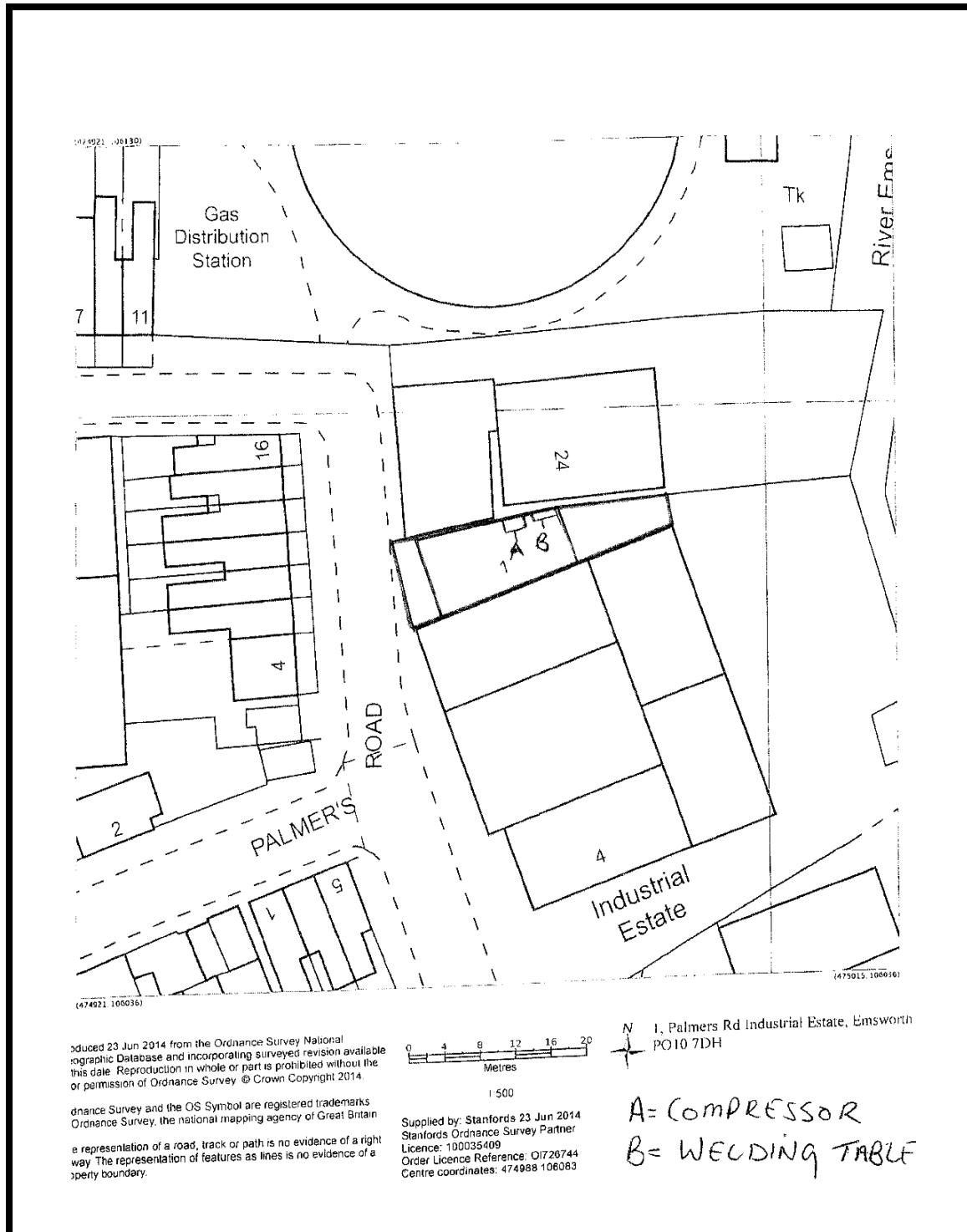
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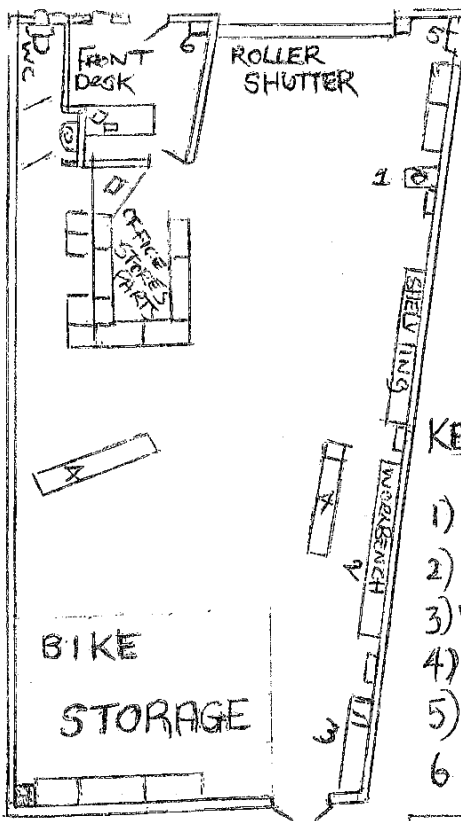
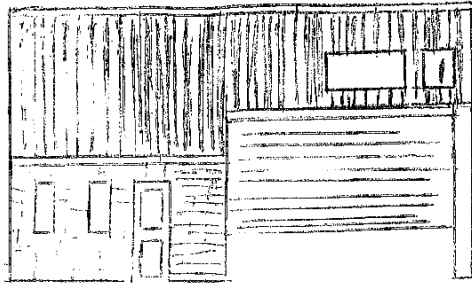
Block Plan



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Existing Front Elevation & Floor Plan

1 Palmer Rd Ind Est - EpsewORTH PO10 7DH



KEY

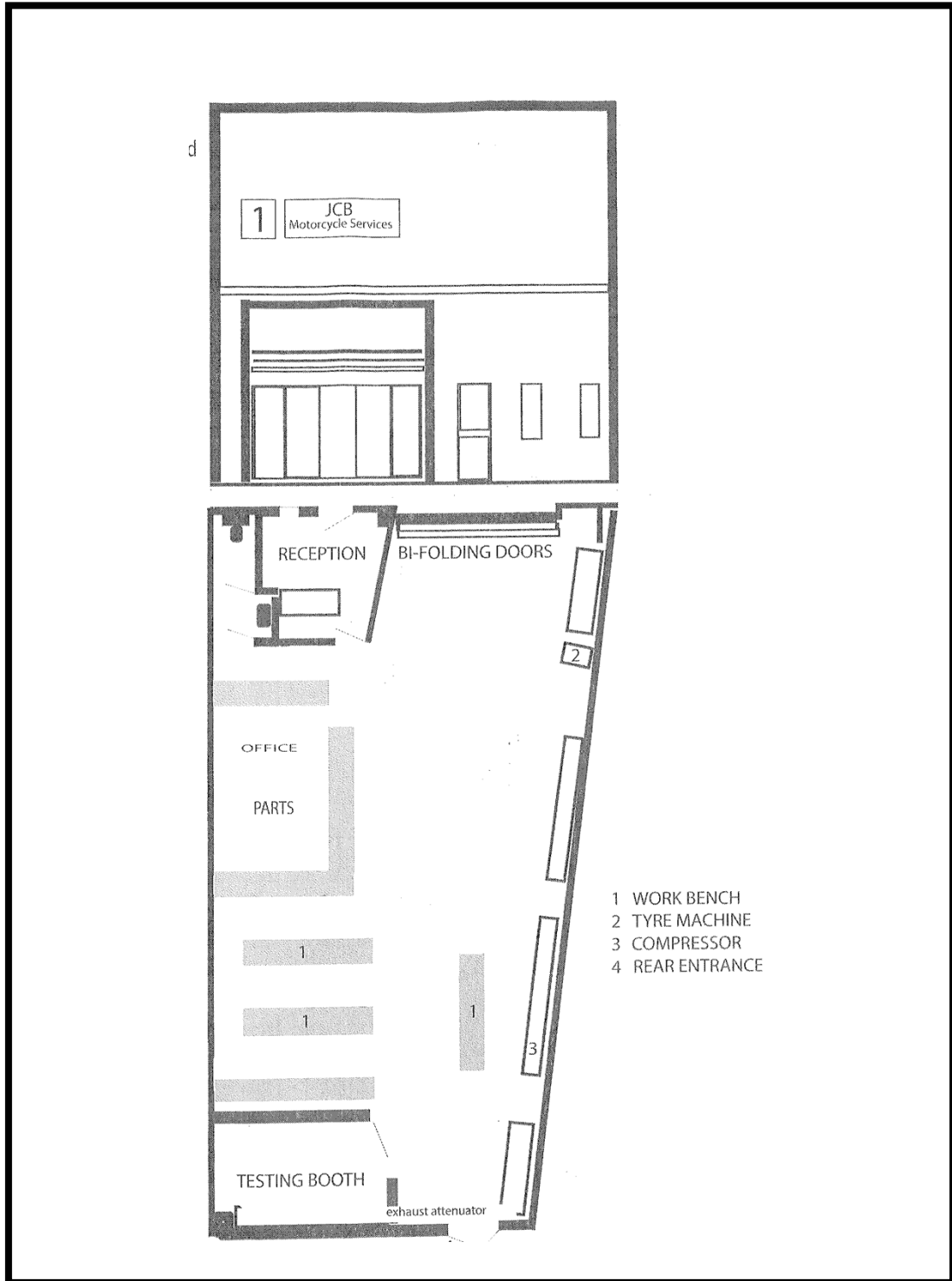
- 1) TYRE MACHINE
- 2) COMPRESSOR
- 3) WELDING
- 4) BIKE LIFTS
- 5) ELECTRIC METRE
- 6) GAS METRE

100:1
SCALE

HAVANT BOROUGH COUNCIL
DEVELOPMENT CONTROL
09 JUL 2014
RECEIVED

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PROPOSED SITE LAYOUT



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Site Address: St Johns Ambulance Station, Hulbert Road, WaterlooVille
Proposal: Change of use from St Johns Ambulance to community use.
Application No: APP/15/00716 Expiry Date: 12/10/2015
Applicant: Mrs N Conyard Team: Team 2
Agent: Case Officer: Heather Lealan
Ward: Stakes

Reason for Committee Consideration: Applicant is HBC employee

EHPE Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site address is positioned in a low lying area of land with WaterlooVille cemetery to the north and residential properties to the south. The site is adjacent to the busy Hulbert Road, although access to the site is taken from Hurstville Drive.
- 1.2 There are three main buildings on the site, with a brick built garage/store to the northern part of the site and two portacabins further to the south. A ramp with wooden railings provides access to the two portacabin buildings.
- 1.3 The boundaries to the site vary with close-boarded fencing to the south east and mature trees to the south west and north west boundaries.

2 Planning History

- 2.1 94/50048/003
Siting of portacabin for use as two classrooms, erection of double garage for two ambulances and use of former mess room as classroom/store. (Application permitted on 14/07/1994 for a temporary period expiring 31/12/1997)
- 2.2 99/50048/004
Retention of existing portacabin (to be clad in profile sheeting) for use as two classrooms, addition of prefabricated building to provide lecture hall/classroom and use of former mess room as ambulance garage for St Johns Ambulance. (Application permitted on 16/09/1999)
- 2.3 05/50048/005
A covered walkway between two existing buildings. The proposal provided a covering to the existing ramp/walkway that provided access to and between the two portacabin units in a central north west position on the site. Permitted 08/04/2005.

3 Proposal

- 3.1 Change of use from St Johns Ambulance premises (currently vacant) to community use. The application has been submitted by the HBC Communities team, with support from the Estates team, as they been approached by TS Active MTC (a non-MOD sponsored Navel Cadet Training Ship). TS Active proposes to use the land and buildings in connection with its training and recreational activities. The Estates team have been informed that if external changes to the buildings are required then a further planning application may be

necessary.

4 **Policy Considerations**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
DM10	(Pollution)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
-----	--

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Property Services Manager -

The land is the responsibility of The Cabinet. The Estates Team is supportive of this application for change of use of the land to the broader 'community use'. It will enable the land to be potentially used by an extended range of appropriate community-based occupiers rather than its current very restrictive use relating to a specific occupier who has advised that it has no requirement for this land.

Officer Comment - Note is taken that the Estates Team have been involved with the submission of the application.

Development Engineer -

No adverse comment to this application

Environmental Health Manager -

No comments

Economic Development -

No comments

Havant Area Disability Action Group -

Our group is fully supportive of NTC's. We are also conscious that this area is one of significant social deprivation, so any facility offering a suitable diversion to local youths has to be a good thing. Two questions were asked is this just the initial change of use application only. Will the Council or the group be submitting further plans? Secondly – can we reasonably assume that all such renovations will include the requirement and/or condition to ensure adequate and appropriate access which would satisfy building controls and especially part 'M' requirements. Our group exists to promote fully inclusive developments for all members of the community, and in general, the Training Ships are great supporters of members with special needs.

Officer comment - The estates team were forwarded these comments in the interests of joined up working across the Council and their response was;

TS Active are looking to renovate existing buildings (which are currently in extremely poor repair) to a usable condition. Planning permission already exists in respect of the buildings and at present there are no plans to alter them, merely to bring them back into repair. There is an existing ramp which provides disabled access to the building and (I think) there is a disabled WC, but aside from that I am unaware to what extent

the design of the existing buildings facilitate disabled access.

The application is simply for change of use at this stage. TS Active have intimated that they may at a future date wish to submit applications to extend or add to the existing buildings but there are no plans to do so at present. As such, any requirement in respect of disabled access to the buildings would need to be addressed at the time of application in order to satisfy the requirements of Building Control.

6 Community Involvement

- 6.1 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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

- (a) Our property is immediately adjacent to the site and, provided that the existing wooden fencing between us is repaired to an acceptable standard, (for our security), we would have no objection to the "Change of Use"

Officer Comment: This is a matter for the Estates Team and maintenance and not directly a consideration of the acceptability of the use. The letter has been forwarded to the Estates Team accordingly.

- 6.2 Comments on the application were also received from the Havant Area Disability Action Group as follows:

Our group is fully supportive of NTC's. We are also conscious that this area is one of significant social deprivation, so any facility offering a suitable diversion to local youths has to be a good thing. Two questions were asked is this just the initial change of use application only. Will the Council or the group be submitting further plans? Secondly – can we reasonably assume that all such renovations will include the requirement and/or condition to ensure adequate and appropriate access which would satisfy building controls and especially part 'M' requirements. Our group exists to promote fully inclusive developments for all members of the community, and in general, the Training Ships are great supporters of members with special needs.

Officer comment - The Estates Team were forwarded these comments in the interests of joined up working across the Council and their response was;

TS Active are looking to renovate existing buildings (which are currently in extremely poor repair) to a usable condition. Planning permission already exists in respect of the buildings and at present there are no plans to alter them, merely to bring them back into repair. There is an existing ramp which provides disabled access to the building and (I think) there is a disabled WC, but aside from that I am unaware to what extent the design of the existing buildings facilitate disabled access.

The application is simply for change of use at this stage. TS Active have intimated that they may at a future date wish to submit applications to extend or add to the existing buildings but there are no plans to do so at present. As such, any requirement in respect of disabled access to the buildings would need to be addressed at the time of application

in order to satisfy the requirements of Building Control.

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 streetscene
- (iii) Impact upon residential amenity

(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 control criteria. The use applied for is a community use and is not specifically attached to TS Active MTC. It is considered that this is an appropriate approach in terms of allowing flexibility within the planning system to support the site remaining in a useful and beneficial community use should TS Active MTC decide not to enter into a lease or should they terminate any such lease in the future.

(ii) Impact upon the streetscene

7.3 It is not considered that the change of use will have an impact on the street scene as there are currently no external alterations proposed. The Community Team as applicant and Estates Team as site manager have been advised by the case officer that any future changes to the external elevations of the existing buildings within the site may require planning consent.

(iii) Impact upon residential amenity

7.4 The application site has existed as a St Johns Ambulance garage and training centre for a considerable period, as the planning history attests. As such it has clearly been used in the past both for meetings and for vehicular access/storage purposes. In this context it is not considered that the change of use applied for will impact the surrounding neighbouring dwellings to a greater degree than the previous lawful use, and the absence of third party objection to the proposal would suggest that the previous use was not harmful to residential amenity. An hours of use condition is recommended to ensure that the use of the building accords with the details applied for (and in respect of which public comment has been invited).

8 Conclusion

8.1 It is considered that the application for a change of use to a community use is acceptable and is a positive step with regards to the future of the site. Therefore it is recommended that the application be permitted subject to the planning conditions listed below.

9 RECOMMENDATION:

That the Executive Head of Planning and Economy be authorised to **GRANT PERMISSION** for application APP/15/00716 subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3

years from the date on which this planning permission was granted.

Reason: To comply with 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:

Covering letter dated 30 July 2015

Photos of the site received 30 July 2015

Site Location Plan received 30 July 2015

Block Plan received 30 July 2015

Reason: - To ensure provision of a satisfactory development.

- 3 The use of the premises hereby permitted shall not commence before 09:00 hours or continue after 22:00 hours on any day.

Reason: To protect the amenities 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 2012.

Appendices

A: Location Plan

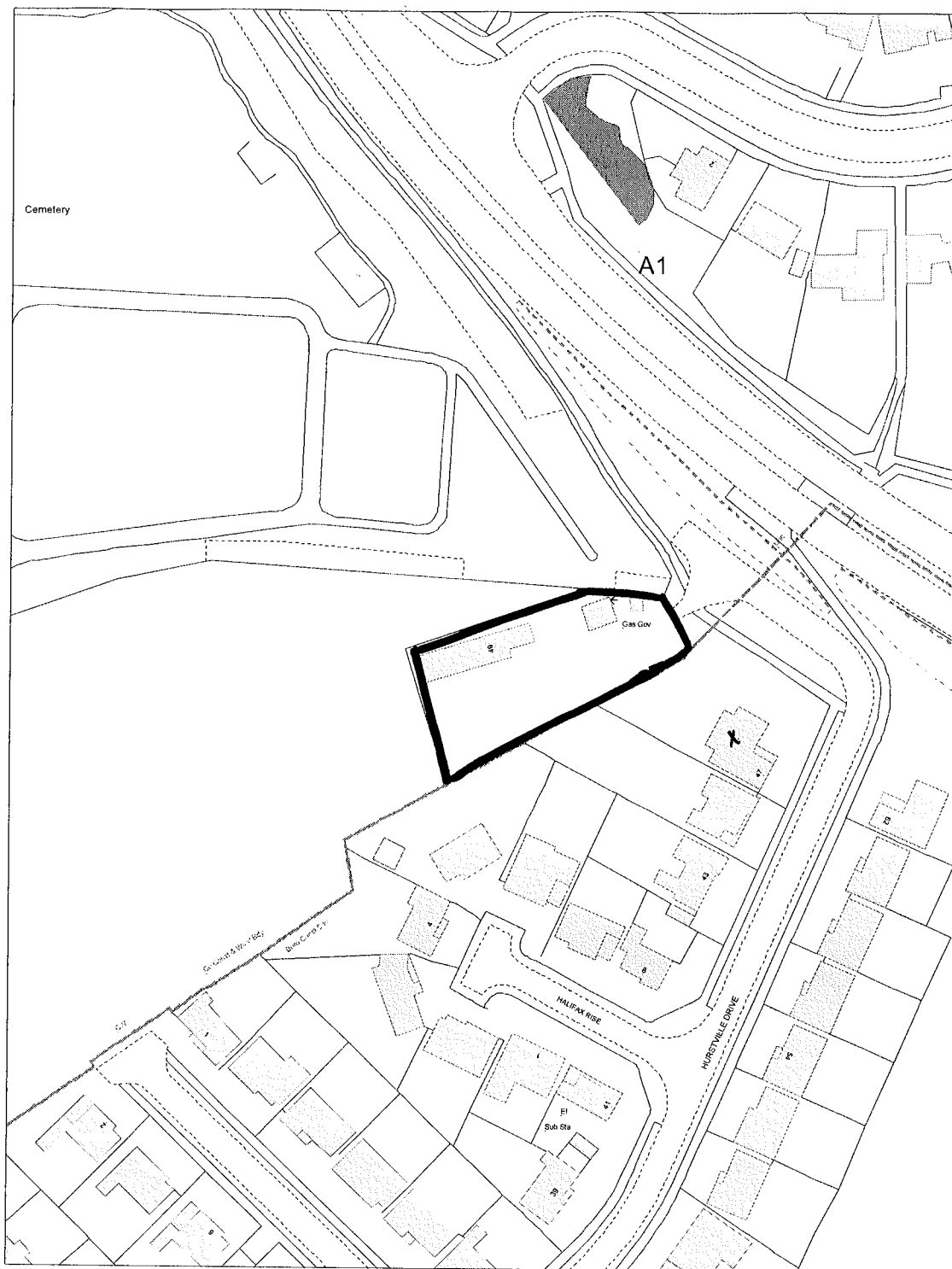
B: Block Plan

C: Photographs

Additional Documents

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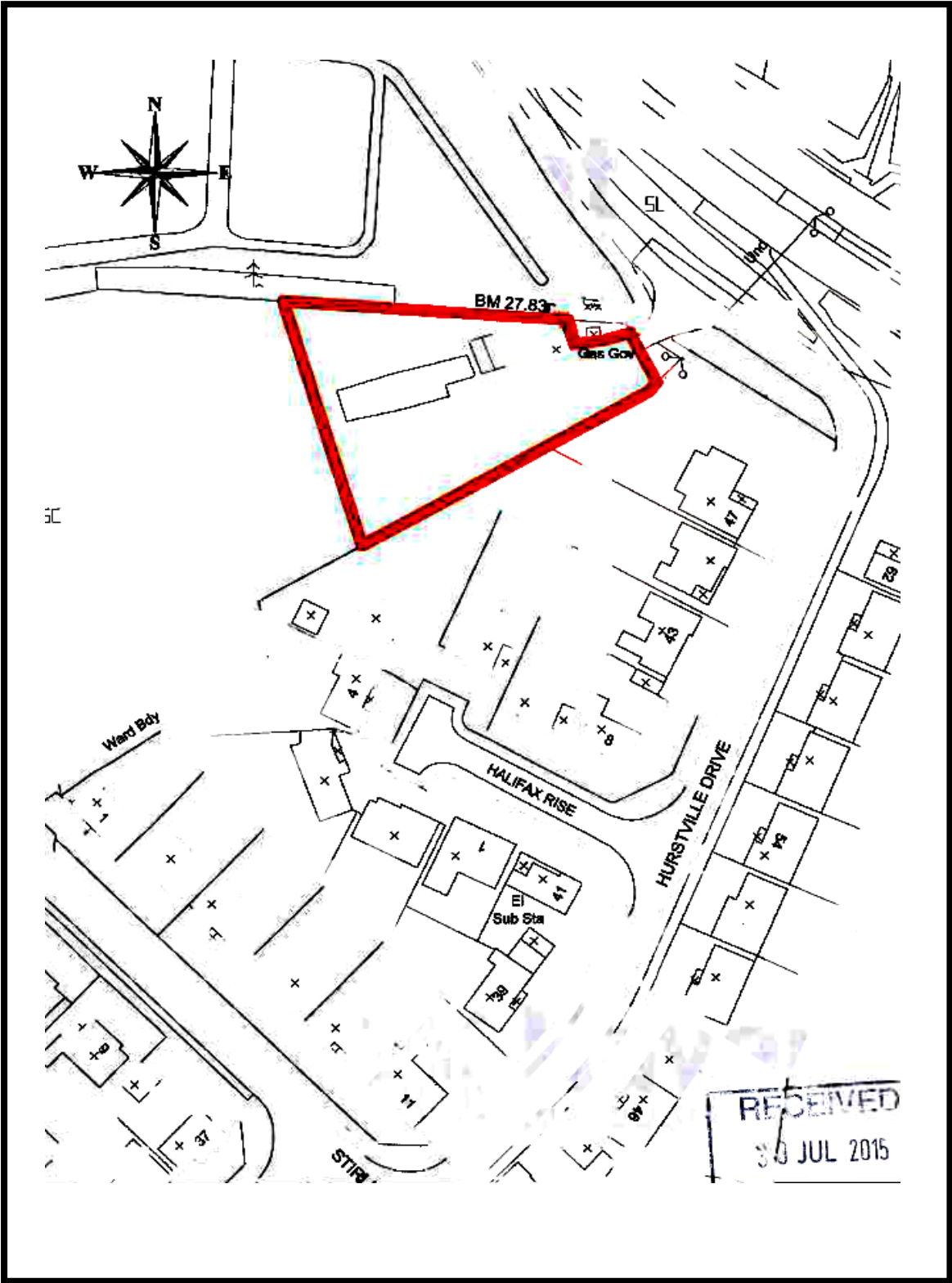
<p>Public Service Plaza Civic Centre Road Havant Hampshire PO9 2AX</p> <p>tel 023 9247 4174 fax 023 9248 0263 www.havant.gov.uk</p>	<p>Title:</p> <p>APP/15/00716 St Johns Ambulance Station, Hulbert Road X=1</p>	<p>Drawn By:</p>
		<p>Scale: 1:1250</p>
		<p>Drawing No:</p>
		<p>Cleaner, Safer, More Prosperous</p>



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BLOCK PLAN



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APPENDIX C

PHOTOS OF EXISTING
BUILDING ELEVATIONS

Garage North-East Elevation



Garage South-East Elevation



Garage South-West Elevation



Garage South-West Elevation



Garage South-West Elevation



Garage North-West Elevation



**PHOTOS OF EXISTING
BUILDING ELEVATIONS**

Port Cabins South-East Elevation



Port Cabins South-East Elevation



Port Cabins North-East Elevation



Port Cabins North-West Elevation



Port Cabins South-East Elevation



Port Cabins South-East Elevation

