

Site Address: 15 Middle Park Way, Havant, PO9 4AB

Proposal: Change of use from non residential institution to mixed use comprising non residential institution and use for the siting of a storage container in rear car park to be used as a food distribution point (retrospective application).

Application Type: Full Planning Permission

Application No: APP/22/00712 Expiry Date: 13/10/2022

Applicant: Mr Khan

Agent: Case Officer: Graham Speller

Ward: Barncroft

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the western side of Middle Park Way. It is occupied by an extended semi detached bungalow that was formerly a doctors surgery but is now a community use known as The Peace Centre. The area to the rear is hardstanding for car parking which is accessed down the side of the building. To the extreme rear of the car parking area is a container used as a food bank and is the subject of this application.
- 1.2 The adjoining semi detached bungalow is a veterinary practice with hard standing to the rear for car parking.
- 1.3 The surrounding area is mixed in character comprising residential properties and the Purbrook shopping parade to the south.

2 Planning History

02/57502/005 - Construction of porch to front (east) elevation and single storey extension to side (north) and rear., PERM,14/08/2002

00/57502/004 - Erection of 1 no. 6 metre high pole mounted CCTV camera (camera PL1) to rear of site., PERM,26/02/2001

92/57502/000 - Change of use from dwelling to a doctor's surgery, PERM,03/09/1992

92/57502/001 - Single storey rear extension, rooms in roof incorporating dormers to side and rear elevations and external alterations to form extensions to proposed

Doctors' surgery, PERM,29/10/1992

92/57502/003 - Free-standing non-illuminated sign to front of site., PERM.

APP/16/00742 - Change of use from D1 (Doctor Surgery) to C3 residential dwellinghouse.. WD.22/11/2016

APP/17/00209 - Variation of Conditions of Planning Permission 95/57502/000:

Variation of Condition 3 (Hours) to 08.30 – 21.00 Mon to Sat and 8.30 - 17.00 on

Sundays; and Variation of Condition 4 (Use) of to allow more flexible use within Class D1.. PERM.22/06/2017

3 Proposal

- 3.1 Change of use from non residential institution to mixed use comprising non residential institution and use for the siting of a storage container in rear car park to be used as a food distribution point (retrospective application).
- 3.2 As noted above, the application effectively seeks planning permission to retain the food bank. Notwithstanding the hours of opening proposed in the application form, the applicant has authorised this to be amended to be only on Sundays for two hours between 2pm and 4pm.

4 Policy Considerations

National Planning Policy Framework 2021
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS16	(High Quality Design)
CS7	(Community Support and Inclusion)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5 Statutory and Non Statutory Consultations

Communities Manager

No comments received.

Councillor Pamela Crellin - Barncroft

No comments received.

Councillor Yvonne Weeks - Barncroft

No comments received.

Environmental Health Manager

This office has no adverse comments to make in regard to this application

Hampshire Highways

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following comments.

The Highway Authority have reviewed the information submitted and satisfied that the proposals will not lead to a detrimental impact on the wider highway network.

Having regard to the above, the Highway Authority provide no objections to this planning application.

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: 13

Number of site notices: At least one site notice exists

Statutory advertisement: Not applicable.

Number of representations received: 1

One letter of objection raising the following issues:

- Container is under 5 metres away from back fence
- Could have been moved to the left hand side next to the vets
- Respect work they are doing for community but thinks that the container or anything else used for the food hub should not have a detrimental effect on anyone else
- It is a massive grey eyesore
- Back windows on occasions are open and anyone can look into garden
- Anti social behaviour is high and it is only a matter of time before someone climbs on it and gets into the garden
- Bright outside light is left on
- Never had a problem when property was a doctors

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
- (iii) Impact upon residential amenity
- (iv) Highways

(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.
- 7.3 As noted above, this is a retrospective application to effectively retain a container within the car park as a food hub to help disadvantaged people as a food distribution point. It was set up during the pandemic but there is still a need for such a facility, albeit only now operating for two hours every Sunday.

(ii) Impact upon the character and appearance of the area

- 7.4 The food container is sited at the rear of the car park and is not readily visible from the public domain, albeit visible from nearby residential properties. The container is utilitarian in appearance and is not of a design and appearance that would normally be supported. However, it has a relatively small visual impact on the wider character of the area. As such, it is considered that a limited permission could be granted to allow for a more permanent solution in the future if such a facility is still required.

(iii) Impact upon residential amenity

- 7.5 As noted above, there are nearby residential properties whose back gardens back onto the container. Whilst there is some impact on the outlook from these residential properties, the container is sited off the boundary and it is not considered that it is an overbearing structure. Again, a limited permission would allow for a more permanent solution to be found in the future should there still be a requirement for such a facility.
- 7.6 The hours that were requested within the application form could have given rise to undue noise and disturbance to the adjacent residential properties adversely impacting on their residential amenities. However, the applicant has advised that opening hours for the public is only Sundays for 2 hours between 2pm and 4pm and has authorised that the proposal be amended accordingly.
- 7.7 It is considered that with such a limited amount of activity that it is not likely to result in a detrimental impact on the amenity of neighbouring properties. As such, this can be controlled by an appropriate planning condition.

(iv) Highways

- 7.8 As noted above, the Highway Authority have reviewed the information submitted and is satisfied that the proposals will not lead to a detrimental impact on the wider highway network. Whilst the container does potentially take up some of the parking area, there is sufficient remaining to serve the site.

8 Conclusion

- 8.1 The proposed development is considered appropriate and therefore recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00712 subject to the following conditions:

- 1 This permission shall be for a limited period expiring on 30/03/2024 on or before which date the storage container shall be permanently removed from the site and the land shall be restored to its original condition unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: The storage container is of a type not considered suitable for permanent retention and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.

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

SITE LOCATION PLAN 1-1250

SUPPORTING PHOTOGRAPHS

Reason: To ensure provision of a satisfactory development.

- 3 The food hub (container) shall only be open for members of the public on Sundays only between the hours of 14:00 -1600 and not any other day of the week without the grant of a further specific permission from the Borough Council.

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 2021.