
Site Address:	Site of The Royal British Legion Hall, Forest End, Waterloo		
Proposal:	Change of use to compound yard with 2 No. shipping containers, portacabin, replacement fencing, associated bin storage and parking for gardening / maintenance business.		
Application No:	APP/19/01111	Expiry Date:	10/02/2020
Applicant:	Mr Paliotta	Case Officer:	Bee Crawford
Agent:			
Ward:	Waterloo		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site was formally the site of The Royal British Legion Hall. This was a single storey building, which has been demolished, whilst the date of when it was demolished is unknown, it appears that this was at least a few years ago, given the overgrown state of the site prior to the submission of this planning application. The site lies at the end of cul de sac, with vehicular access ending by the entrance of this site. A shared cycle/footpath then continues towards the north, which provides links to the West of Waterloo Major Development, and Waterloo Town Centre.

The site boundaries are currently defined by 1.8metre closed boarded fencing. The site is adjacent to a community hall to the which is a single storey building. To the south and south west of the site lies two storey buildings, which are divided into flats. The block of flat to south is located approximately 20 metres from the southern boundary of the application site, with the rear courtyard are of the flats being defined by single storey amenity buildings, with the outside space being defined by hardsurfacing, which is an amenity area that is used for the drying of laundry.

2 Planning History

None relevant

3 Proposal

The proposal is for the change of use to compound yard with 2 No. shipping containers, portacabin, replacement fencing, associated bin storage and parking for the applicants gardening / maintenance business.

The applicant has outlined that the proposed portacabin, which will be 7.3m in width, 2.7m in depth with a height of 2.9m, will be used for administration purposes of the business at the start and end of the working day. The portacabin will be located in north eastern corner of the site, on the existing hardstanding and located adjacent to the side wall of the neighbouring single storey community hall. Two shipping containers are proposed to be located in the south eastern corner of the site, which will both be 6m in width, 2.4m in depth and 2.59m in height. The container are

proposed to be use for the storage of equipment and machinery, this will comprise of the lawn mowers, as the applicant has outlined that they have contracts with the Highway Authority and Local Parish Councils to maintain grass verges.

The applicant has outlined that the business has three vehicles, which will access the yard in the morning at the start of the day to pick up relevant machinery for the day. All vehicles are taken home by employees over night. It is stated that the applicant would use the site between the hours of 08.00 and 18.00 Monday to Friday and between 08.00 and 13.00 on Saturdays with no working on Sundays or Bank Holidays.

The proposed boundary treatments are retained the existing 1.8metre closed boarded fencing on the southern, eastern and northern boundaries. The proposed western boundary, which will provide access onto Forest End will comprise 1.8metre shiplap fencing with a matching gate to provide access to the site.

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)
- DM10 (Pollution)
- 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)
- AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Pre-submission Havant Borough Local Plan 2036

The Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30 January 2019 and was subsequently published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 4 February 2019 to 18 March 2019. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption.

Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced below are currently afforded some weight, dependent on the level of objection received to each individual policy during the consultation process.

The relevant planning policies of the emerging Local Plan are:

- DR1 - Delivery of Sustainable Development
- E1 - High Quality Design
- E2 - Health and wellbeing

E3 - Landscape and settlement boundaries
E22 - Amenity and pollution
C7 - Protection of existing community facilities and shops

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

5 Statutory and Non Statutory Consultations

Councillor Gwen Robinson

No response

Councillor Mike Sceal

No Objection

Councillor Peter Wade

No response

Economic Development

No response

Environmental Health Manager, Community Group

No objection in principle to the proposal to use this site as a storage facility for business related equipment and some administrative functions. I would however ask that, to ensure minimal impact on the neighbouring residential receptors who are within 15 to 20 metres from this site, the following conditions and informatives be added to any favourable decision in regard to this application:

Hampshire Highways

The proposed level of traffic generation can reasonably be accommodated on the local vehicular highway network without significantly increasing risk to highway users. I therefore confirm the Highway Authority have no objection.

Portsmouth Water Company

No objection

Property Services Manager

No response

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: 28

Number of site notices: 1_

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
We do not need more heavy duty vehicles up and down the road. There are scores of children who play around the back of the housing block. These children would be in more danger, due to heavy traffic.	Addressed in section 7.1 (iv)

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) Parking and highway safety

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

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

One of the core planning principles set out in the NPPF is to take account of the different roles and character of different areas by, amongst other matters, recognising the intrinsic character of the area. Policy CS16 of the Core Strategy set out a range of criteria that new development should be able to demonstrate in order to protect the environment and heritage of the Borough and secure high quality and appropriate developments - chief amongst these is that new development should ensure that the responds to and respects the local context of the area.

The character of the surrounding area is mixed with two storey residential properties to the south, a community building to the east, and an open field to the north, which forms part of the wider West of Waterlooville Major Development Area. Whilst the proposal would be of a different design and form to the immediate neighbouring properties to the east and south of the site, the height and bulk of the portacabin and containers are single storey in nature, and would be partially screened by the proposed boundary fencing. The proposed boundary fencing on the western elevation, adjacent to Forest End will comprise 1.8metre shiplap fencing with a matching gate to provide access to the site. Whilst the design, size and scale of the structures are not currently present in the area , the impact of the containers and portacabin would not appear overly dominant in the context of the area and is to an extent mitigated by the backdrop of the mature trees and hedging, to the north, located between the application site and the field to the north. In addition it would be read within the context of the neighbouring community building and two storey residential properties. As such

it is considered that overall the size, scale, and massing of the development would not have a significant adverse impact on the character and appearance of the immediate and surrounding area, and would not be intrusive in the street scene to justify a reason for refusal on this issue.

Overall the design and appearance of the proposal is deemed appropriate in context to the area and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity

The proposed development would be within 15 to 20 metres of the neighbouring residential receptors who are from this site, as such a full understanding of the proposed use has been sought to assess the impact on the amenities of these neighbouring properties. As has been outlined the proposal is for a storage facility for business related equipment and some administrative functions. The business related equipment for each business related vehicle is equipped with the basic equipment required for the daily work regime, additional equipment will at times need to be picked up from the above site and then returned later in the day. The applicant has advised that basic maintenance will also be carried out at the site, which will include things such as checking oil, replacing air filters, pumping up tyres with a portable electric pump. The applicant has confirmed that no equipment such as blowers, strimmers or mowers will be started up and tested on site. Only a small ride-on mower, will be run, for the purpose of loading and unloading it onto and / or off of, a trailer.

The Environmental Health officer has considered these details and has raised no objection to this application, subject to conditions to control the hours of use of the business to those that have been proposed and to control the hours of use and activity on the site, and to control any external lighting. Policy DM10 of the Core Strategy relates to pollution and indicates that development that causes pollution through noise and vibration will only be permitted where the health and safety of nearby residents is not put at risk. Policy CS16 also requires development to not cause unacceptable harm to amenity from noise. As such it is considered that subject to relevant controls of the use that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties and would comply with the NPPF and policies DM10 and CS16 of the adopted Local Plan.

(iv) Parking and highway safety

The site already has a vehicular access that served the former Royal British Legion Site. The approach roads suffers from on street parking and visibility issues for southbound cyclists from the neighbouring footpath, which is restricted by vegetation outside the application boundary which is located to the north of the site. Given the existence of the existing access together with the proposed low speed of vehicles egressing from the site, it is not considered that the development would have an adverse impact on highway safety from the access. In addition the Highway Authority have not objected to this application.

It is considered that the submitted site layout plan satisfactorily demonstrates that the car parking, and turning requirements associated with the gardening / maintenance business.

use of the site can be accommodated on the site without prejudicing highway safety.

Concern has been raised that the development would result in a safety hazard for

pedestrians. Guidance in the National Planning Policy Framework, outlines that proposals would have to have proven severe cumulative harm on the highway network, for applications to be refused. It is not considered that the proposal, with the associated highway movements along Forest End, would have a severe adverse impact on the safety or free flow of the highway network, including impact on pedestrians and as such it would be unreasonable to refuse the application on this matter.

8 **Conclusion**

When balancing the sustainable objectives of the NPPF, it is considered that the limited environmental harm expected to arise is not so sufficient as to outweigh the clear economic benefits of the proposed use. Therefore, the proposal is considered to comply with the NPPF and policies CS16 and DM10 of the adopted Local Plan and the application is recommended for conditional permission, to ensure the impact on neighbouring properties is controlled.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/01111

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 gardening / maintenance use hereby permitted shall be carried out in accordance with the following approved plans:

PROPOSED ROADSIDE ELEVATION PLAN D03 REV 0

Design and Access Statement

SITE LAYOUT PLAN TSO_EL01 REV 0

Block Plan

Location Plan D01 REV 0

PROPOSED SITE LAYOUT PLAN INCLUDING PARKING AND TURNING
D02 REV 0

SITE BOUNDARY PLAN WITH FENCINGd02

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application, the colour of the containers shall be RAL 6007 -Green, unless otherwise agreed in writing by the Local Planning Authority. Only the materials approved shall be used, in accordance with the details approved in writing by the Local Planning Authority.

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.

- 4 The gardening and maintenance shall only take place between Monday to Friday: 08.00 to 18.00 and Saturday: 08:00 to 13.00 with no operations taking place on any Sunday or Bank / Public Holiday.
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.
- 5 No mowers, strimmers, blowers, chainsaws, hedge trimmers or any other similar gardening business related equipment, shall be run or operated at this site, with the exception of the ride-on mower, when this unit is required to be loaded / off-loaded.
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.
- 6 No floodlighting or other form of external lighting scheme shall be installed on this site, unless submitted to and approved in writing by the Local Planning Authority. Such details shall include, location, height, type and direction of light sources and intensity of illumination. The development shall be carried out in accordance with the approved details. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

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.