
Site Address:	Unit 1, Gorrion House, 9 Sea Front, Hayling Island		
Proposal:	Change of use from shop (A1) to dog grooming salon (Sui Generis).		
Application No:	APP/19/01137	Expiry Date:	31/03/2020
Applicant:	Mrs Simms		
Agent:		Case Officer:	Lesley Wells
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies on the west side of Sea Front near Beachlands Roundabout, opposite Funland Amusement Arcade. The site is a modern flat roofed, redbrick and white rendered development, comprising of 2 retail unit at ground floor with 4 levels of flats above.

Unit 1 is vacant and from the information provided has been for over 18 months. The other retail unit within this development, at the time of the site visit, was also vacant, which is reflective of a general lack of demand for such premises.

2 Planning History

02/59751/007 - Outline application for demolition of existing building and construction of 3 storey building comprising license bar/pool room, bed and breakfast accommodation and one 2 bed flat and one 1 bed flat., WD,02/12/2002
00/59751/005 - Erection of new entrance lobby, PERM,19/12/2000
00/59751/006 - Outline application for demolition of existing building and construction of a four storey building for leisure use (Including snooker and pool hall, function room) and flat., WD,19/01/2001
00/59751/004 - Variation of condition 5 of planning permission 98/59751/1 to allow premises to open to customers as follows: Sunday to Wednesday 0900 to 2300 hours. Thursday to Saturday 0900 to 0000 hours (midnight)., REF,09/10/2000
00/59751/003 - Relief of condition 5 of planning permission 98/59751/1 to allow premises to open to customers as follows: Sunday to Thursday: 0900-2300 hours Friday: 0900-0030 (Saturday) Saturday: 0900-0030 (Sunday), REF,03/05/2000
99/59751/002 - Relief of conditions 4 and 5 of planning permission 98/59751/1 such as to enable (i) the operation of sound amplifying equipment audible outside the premises (condition 4) and (ii) Variation of closing times to 0200 hours on Fridays and Saturdays, 0030 hours on Mondays to Thursdays, and 2230 hours on Sundays (condition 5), WD,21/02/2000
98/59751/001 - Change of use from restaurant with provision for amusement machine facilities to members snooker hall with licenced cafe and a separate self-contained retail shop unit., PERM,12/08/1998
94/59751/000 - Change of use from amusement arcade and restaurant to premises for the sale of food and drink (A3 use)., REF,
04/59751/008 - Demolition of existing building and construction of retail space and no. 14 flats with associated parking, cycle and refuse storage., REF,14/06/2004

06/59751/009 - Demolition of existing building and erection of 14No. 2 bedroomed apartments with 120 square metres ground floor retail area plus associated car parking. , S106,18/10/2006
09/59751/010 - Discharge of Condition No's 5, 6 & 7 of Planning Permission 06/59751/009., PERM,02/10/2009
APP/11/00203 - Application to Discharge Condition 11 of Planning Permission 06/59751/009 and for non-material change to Planning Permission 06/59751/009 relating to shopfront glazing., PERM,21/04/2011
APP/12/00936 - Request for confirmation that all conditions relating to 06/59751/009 have been complied with., PERM,23/10/2012

3 Proposal

The proposal is for a change of use of Unit 1 from retail, Class A use, to a dog grooming parlour, Sui Generis use. The proposal does not propose any external works. To accommodate this use tables, cages and a bath would be installed within the unit, together with a security gate at the entrance. The proposed opening would be 8.30 am – 6pm, Mondays to Saturdays, with approx 6 clients per day, with on average only 2 dogs at a time in the unit. The intention initially is not to employ staff, apart from 1 apprentice.

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

CS1	(Health and Wellbeing)
CS16	(High Quality Design)
CS7	(Community Support and Inclusion)
DM2	(Protection of Existing Community Facilities and Shops)
DM10	Pollution
DM14	Car & cycle Parking on Development (excluding residential)

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Councillor Clare Satchwell - Hayling East
No comment.

Councillor I Scott Hayling West
No comment.

Councillor Joanne Thomas
No comment.

Crime Prevention -Minor Apps

No comment.

Economic Development

No comment.

Environmental Health Manager, Community Group

I have no objection in principle to the proposed change of use. However the applicant mentions changing some windows to provide slatted ventilation. I recommend that they are required to provide further information on these changes in view of ensuring the acoustic integrity of the unit.

Officer note - No ventilation changes are now proposed to the windows

Hampshire Highways - No Objection

HBC will need to determine in their capacity as local parking authority that the level of parking provision proposed falls in line with adopted standards.

The proposal is unlikely to result in any significant traffic generation and it is considered that a substantial proportion of visitors would be on foot due to the location and nature of the proposal and public parking is available within the local area.

In line with the above, Highways Development Planning arises no objections to this proposal.

Planning Policy - No Objection**Planning Policy Comments**

APP/19/01137

Application No

Address

Unit 1, Gorrion House, 9 Sea Front,
Hayling Island

Development

Change of use from shop (A1) to dog
grooming salon (Sui Generis).

Case Officer

Lesley Wells

Comments By

Gill Glover

Date of Comments

26 February 2020

POLICY STATUS

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the borough form the adopted local plan. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

PRINCIPLE OF DEVELOPMENT

The development is outside of a town, district or local centre and is for the change of use of a unit from A1 to Sui Generis (Dog Grooming Salon). In such cases, Policy DM2 generally requires it to have been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community. In the case of local shops within identified local centres, the premises must be marketed for at least six months (see paragraph 10.05 of the Core Strategy supporting text).

The applicant has submitted very limited supporting information which indicates that the property has been vacant and marketed for 18 months. This has not been substantiated by evidence as set out in paragraph 10.06. Nevertheless, the Sui Generis use for a dog grooming salon would be similar to that of an A1 shop (albeit of a specialised nature) and would retain an active ground floor frontage. As such, a policy objection could not be sustained on these grounds.

Conclusion

No objection on policy grounds for the change of use from A1 to Dog Grooming Salon (Sui Generis).

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: 73

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None.	

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

- (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. The current retail use of the unit, is a community facility. Policy DM2 of Havant Borough Local Plan (Core Strategy) 2011 considers the protection of existing community facilities, which states:

"Development proposing the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where both the following criteria can be met:

1. It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.

2. The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve."

The Council's Policy Team, whilst noting the shortfall in the marketing details provided, is of the view a policy objection could not be sustained as, "...the unit has been vacant for 18 months and that this Sui Generis use as a dog grooming salon would be similar to that of an A1 shop (albeit of a specialised nature), which would retain an active ground floor frontage."

It is recognised that retailing generally on the High Street is in decline, which appears to be reflected in the lack of interest for this unit.

For the above reasons, it is considered that a policy objection to the proposal could not be sustained and that the proposal would not be contrary to Policy DM2 of Havant Borough Local Plan (Core Strategy) 2011.

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

The proposed use would only take place within the unit, with customers visiting with their dogs, between the hours of 8.30am to 6pm, Mondays to Saturdays. This has to be compared with the lawful retail use of the premises, which may operate from 7am to 11 Mondays to Sundays.

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

(iii) Impact upon residential amenity

Above the unit are flats, which are occupied.

The Environmental Health Team (EHT) has been consulted over the proposal, who had an initial query over the proposed ventilation to the windows, which has since been resolved as no ventilation changes are now proposed to the windows. Other than this query, the EHT has raised no objection to the proposal.

The use may give rise to noise and disturbance from barking. The applicant has advised that she is an experienced dog trainer and behaviourist and has the ability to stop dogs from barking. She would also be providing wooden separators in the building, so the dogs will not be able to see each other, to restrict interaction between animals.

The proposal would be similar in operation to a retail use, albeit with fewer customers per day and reduced hours of opening, which when considered in the planning balance, should be less harm to residential amenity, than if the unit was in retail use, opening for 14 hours a day. It is noted that no objections have been received to the proposal.

Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) **Parking**

No objection to the proposal has been raised by the Highway Authority (HA), who is of the view that the proposal is unlikely to give rise to significant traffic generation, with a substantial portion of visitors arriving on foot. However, the HA refers to the lack of on-site parking, which is a District matter.

In support of the proposal the applicant refers to parking in the locality and in the public Beach Road car park, from which the site may be easily accessed. The applicant also anticipates that a number of customer would walk their dogs to the unit.

For retailing (non-food and general retail – the nearest equivalent to the proposal) Havant Borough Car Parking Supplementary Planning Document (HBCPSPD) requiring 1 car parking space per 20 sqm. The floor area for the proposal would be 60 sqm, which would normally generate 3 on-site car parking spaces. One cycle space for 6 staff members is also required. Only 1 member of staff is proposed at this stage, so cycle space is not applicable

The retail unit had no allocated car parking spaces in the original planning permission, (which is reflected in this proposal), which would be likely to give rise to a greater number of customers visiting the unit by vehicles, then the proposal. It is accepted that the proposal is unlikely to give rise to significant traffic generation, that some of the dogs would be walked to the unit and that a public car park is near the site, which may be utilised.

Therefore, having full regard to the lawful use of the premises (i.e. the fall-back position) and the guidance in the HBCPSPD, the lack of on-site car parking is not considered to be determinative and in the overall planning balance the proposal would not be contrary to the aims of the HBCPSPD or Policy DM14 of the HBLP (Core Strategy).

8 Conclusion

The proposal would utilised an existing vacant premise, which would be of benefit to the area, the scale of which would have no undue impact on the character of the wider locality and neighbouring amenity and has the advantage of public car parking within the neighbourhood and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/01137 subject to the following conditions

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

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

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

Site Plan - Drawing No. 05/17/SO1
Ground Floor - Drawing No. 05/17/L01
Lock Up Shop Unit - Drawing No. 05/17/TO1
Elevations - Drawing No. 05/17/TO3
Location Plan - 1:1250@ A4
Indicative Layout - Unscaled

Reason: - To ensure provision of a satisfactory development.

- 3 The premises shall only be open for trade or business between the hours of 8.30 am to 6 pm, Mondays to Saturdays.

Reason: In the interests of the area generally and nearby residential properties in particular and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.