

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)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM21 (Shopfronts, Signs, Security Shutters and Advertisements)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

No objection, however, some concern with respect to potential noise issues associated with the new and existing air conditioning units being installed and relocated at the premises. In the case of an approval, a pre-commencement condition is recommended.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

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

- (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.

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

- 7.3 The proposal would see the replacement of the existing shopfront with a new entrance door and a secondary entrance for staff. The proposed main entrance would be in the same position as the existing entrance and would be the same width and height. The entrance door for staff would be set to the side of the frontage and would be smaller in scale thereby ensuring this door would not be unduly prominent within the context of the reformed shopfront. The proportion of glazing to the frontage would be comparable to existing. These alterations aligned with the installation of perforated roller shutters the front elevation, an element of the overall proposal which was granted permission under application APP/18/01031 and which would be unobtrusive and in-keeping with the security measures visible at other units within the immediate streetscene, would not have an adverse impact on the character of the retail unit or the wider area.
- 7.4 The other elements of the proposal would be limited to the rear and would face the public car park. The re-positioning of the existing air conditioning unit, the installation of an additional unit and the replacement window to the north west elevation would be regarded as minimal changes to the existing character of the rear of the building and would have no visibility from London Road.

(iii) *Impact upon residential amenity*

- 7.5 The alterations to the shopfront as the replacement of the replacement of the existing window to the north west elevation would cause no further overlooking, overshadowing or overlooking than which currently exists.
- 7.6 There are residential flats at first floor above the attached takeaway to the north and other examples of residential accommodation above the shop frontages within the immediate locality. The existing air conditioning unit directly faces habitable rooms windows serving flat located above the takeaway to the north. This unit would be repositioned along with an additional to the rear elevation and would face the open car park to the rear. This aspect of the proposal was assessed by the Environmental Health team who did not object in principle to the siting of the air conditioning units but to ensure no harm to amenity would occur requested a condition requiring the submission of detail relating to the air handling system prior to commencement of works. This condition has been agreed to by the applicant and subject to this condition, it is regarded that the positioning of the two air conditioning units to the north west elevation would not unduly impact on the amenity of nearby occupiers and so comply with DM10 and CS16 of the Havant Borough Local Plan.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have no undue impact on the character of the wider area or on neighbouring amenity and therefore would be considered to be appropriate and is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00399

(A) 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:

Sectional Elevation A-A As Existing and Proposed, Drwg No. SP1493:08 REV A;

Ground and First Floor Plan as Proposed, Drwg No. SP1493:16 REV A

South East and North West External Elevations as Proposed, Drwg No. SP1493:17 REV A;

North East and South West External Elevations as Proposed, Drwg No. SP1493:18 REV A;

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials to be used shall match in type, colour and texture those stated on the received application form.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 4 No development shall start on site until details have been submitted to and approved in writing by the Planning Authority addressing the air handling system that will be used on the site, including measured background noise levels, Leq, peak noise, tonal effects, proposed mitigation measures, and the required maintenance regime for the system. The details shall be prepared by a competent person for the purpose of assessing noise nuisance to surrounding properties and based on measured levels representative for the site. The agreed details shall be fully implemented and validation test results submitted to the Planning Authority before the use hereby approved is commenced and the equipment shall be operated and maintained in accordance with the approved details and shall be retained thereafter.

Reason - To ensure that the amenity of the area is not detrimentally affected by the use of the site and having due regard to policy DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.