

Recommendation: **REFUSE PERMISSION**

05/70810/000 - Conversion of integral garage to form living accommodation.,
 PERM,10/11/2005
 18/00459 - Construction of timber frame outbuilding in rear garden - PERM, 24/7/18
 APP/19/00765 - Variation of Condition 2 of planning permission APP/18/00459 to
 allow for limited use of outbuilding as Pilates studio., WD,25/09/2019

3 Proposal

The proposal is a resubmission of an application seeking a Variation of Condition 2 of planning permission APP/18/00459 (Construction of timber frame outbuilding in rear garden) to use a rear outbuilding as a Pilate studio for up to 10 hours a week on a 1-1 basis, between the hours of 9:00 - 13:00 and 17:00 - 19:00 Mondays to Fridays and 09:00 - 1300 on Saturdays. The 10 sessions would last between 45 to 60 minutes.

The supporting information outlines that parking would be available, through the existing provision at the front of the house, with clients directed to the pathway to the north, to the outbuilding in the rear garden. The proposal does not include any changes to the exterior of the building.

Condition 2 on planning permission reference APP/18/00459 stipulates:

"The outbuilding hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used for any business, commercial or industrial purposes whatsoever or as a separate unit of accommodation, without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework."

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)
DM13 (Car and Cycle Parking on Residential Development)

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

Councillor David Jenner

No comment.

Councillor E Shimbart - Hart Plain

No comment.

Councillor P Bains - Hart Plain Ward

No comment.

Environmental Health Manager, Community Group

Pilates classes as far as I am aware, are usually conducted with or without music accompaniment, dependent on the tutor.

In this particular case, it is noted that background music is used, and as such additional conditions are suggested under 4.10 of the Planning statement dated July 2019 (now October 2019). These are related to the music not being audible externally and the keeping of doors and windows closed during classes.

If the above are to be implemented as part of this resubmitted variation application, I would have no further comment to make.

Hampshire Highways - No objection

Parking is a matter for the LPA. The proposal is not likely to generate a significant amount of traffic on to the local highway network and therefore I confirm the Highway Authority have no objection to the proposal.

Traffic Management Team

The application states that there would be sufficient parking for 5 vehicles off the highway. In hindsight we believe that it would be a struggle to fit this amount of vehicles in the area indicated. Though, it would appear that on a 1-1 basis it would be probable that there would be sufficient vehicle parking.

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: 16

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 24

The following is a precise of the comments submitted.

Comment	Officer Comment
Incorrect reference in application – refers to APP/18/00459 not APP/18/00489 – should be invalidated for this reason – also defect in commencement date for development, which postdates the completion date	The proposal has been described correctly in the application form and in the description of the proposal. The commencement/completion date of the building is not relevant to the determination of the application.

Covenant in the deeds stating that the dwelling cannot be used to run a business - should be refused on the objections raised and due to the covenant - matter will be pursued as a civil matter if application is successful. Covenant to prevent conflict between commercial and residential uses – ‘so not as to create a nuisance, annoyance or inconvenience to the owners and occupiers of the Estate or any part of it’ – the proposal would impact on noise, annoyance and inconvenience.	The LPA cannot consider the imposition of a covenant on the property, as this is not a material planning consideration.
How will the 1:1 be monitored? Do third parties need to keep complaining when this increase, as this is considered to be the case? Doubts about the veracity of any records kept as to sessions held.	If permission was forthcoming, a condition would be imposed requiring a record to be kept available of when the sessions were held, which would be available for inspection by the LPA. If evidence was found of a breach of such a condition, the appropriate action would be taken by the LPA.
There is no proof of adequate sound proofing of building which is little more than a shed – installation of curtains will not prevent noise escaping – but would hide the activities taking place – since constructed doors left open when activities taking place within - confirmation too hot to work in - as to air conditioning is this in line with Environmental Health requirements? - clearly hear telephone conversations coming from the outbuilding, noise and disturbance already has an adverse effect - music and exercise noise will be worse. To compare noise emitted from this poorly constructed wooden building, with wooden walls and a thin flat, to noise from domestic activities in a fully brick built house, with a properly insulated tiled roof under the Building Regulations, is absurd. Applicant's consultant makes subjective and unsubstantiated judgment on existing noise levels in the vicinity, expressing the opinion the structure is well insulated – limited information that the building offers any significant degree of acoustic or noise control at all – flat roof will tend to act as a drum, or diaphragm, readily conveying noise	The Council's Environmental Health Officer (EHO) has been consulted on the proposal and has raised no objection, subject to conditions requiring no noise emanating from the building and that the doors and windows are shut, when the use is in operation. The EHO has not required details of insulation for the proposed use of the building for Pilates, on a 1-1 basis, as it is considered to be a low-key activity. The LPA must also have regard to the fact that the building may be used ancillary to the enjoyment of the dwelling house by the applicant, her family, friends and visitors, which may, on occasion, give rise to noise and disturbance. At the time of the Case Officer's visit, music playing within the building was not heard outside of it.

form music and calling by the instructor to the exterior- a number of demonstration videos of Pilates on the NHS website, are not accompanied by music. Officer not hearing the music outside of building, not supported by evidence	
The building itself is questionable in regard to releasing heat - no mention of insulation or whether this has been checked properly - insulation for heat, very different to acoustic insulation for noise - will not stop the egress of noise being heard from adjoined gardens during the summer months, the applicant has correctly identified the risk of excess heat – the low, flat black bitumatic roof will considerably exacerbate this problem in the summer and windows (not mentioned in the planning) and doors will be opened to protect the welfare of the occupiers and therefore, noise will disturb the surrounding properties. No additional sound proofing, or adequate air conditioning system have been provided or evidence of such insulation or air conditioning – no description of the structure or plant to vent the hot air to the exterior for it to inaudible – placement of any mechanical plant at an elevated level will inevitably increase the radius of the area at risk of suffering noise nuisance from such plant – due to the construction of the building inevitably lead to windows and doors being opened to dissipate heat - result in air conditioning being needed, resulting in noise.	The Council's EHO has been consulted on the proposal and has raised no objection, subject to conditions requiring no noise emanating from the building and that the doors and windows are shut, when the use is in operation. The EHO has not required details of air conditioning, for the proposed use of the building for Pilates, on a 1-1 basis, as it is considered to be a low-key activity. The LPA must have regard to the fact that the building may be used ancillary to the enjoyment of the dwellinghouse by the applicant, her family, friends and visitors, which on occasions, would give rise to noise and disturbance. As to the alternations to the building, in accordance with normal practice, this has been passed to the Council's Enforcement Team to investigate and take the appropriate action.
The statement lacks clarification - contradicts itself in so many areas. The main concern being about 1:1. It states about 'guests' and then later also states the phrase "classes would often compromise of a single person." Misleading application, as was the previous two – proposal set a dangerous precedent for such businesses in a wholly residential and closely packed area.	The agent has confirmed the sessions would be on a 1-1 basis and the information submitted is sufficiently detailed to determine the application. The proposal would not set a precedent, if granted, as each application has to be considered on its individual merits.

Further applications will be made to expand the business, if granted - no way to ensure that any record taken about sessions held would be correct.	
As to comments of support, they have a vested interest as mainly paying clients or colleagues and are biased – no adverse impact on these parties as they do not live next door.	The LPA cannot have regard to information provided in respect of an earlier application(s), as this is not material to the determination of this proposal, which has to be determined on its individual merits and on the information submitted. The applicant is legally entitled to submit an application seeking to vary Condition 2.
Application is confusing, contradictory and disingenuous as were the previous applications for the site. Use of a professional consultant, shows the clear intentions to pursue business aims. Prior to permission being granted for the building applicant advertised the building as a Project Training for her client - post now disappeared. Originally claimed the building was only for personal use which was misleading - concerns were raised at that time that the intention was to use the building for commercial purposes - once permission for the building was granted, two further applications submitted requesting business use.	The agent has confirmed the sessions would be on a 1-1 basis and the information submitted is sufficiently detailed to determine the application.
The application. is confusing and contradictory 34 hours are sought, for only 10-hour sessions – shows a desire to hide true extend of business. Also, confusion over how many clients would attend each session as information refers 'often comprise a single person, so at times there would be more than one. Council considered it necessary to imposed control, to restrict the commercial use of the building, when planning permission granted.	

Applicant had a Website advertising other activities at the site – not just for Pilates – variation of intensity of this application – applicant runs different activities - noisier sessions such as Zumba etc., could be held in the building to the further detriment of the neighbours/area	The agent has advised that the website is in connection with her employment, not her business, a point that has been challenged by an objector. That said, the only activity applied for is for Pilates, not other types of well being activities and the application is determined on this basis.
Proposed 10 classes a week with hours of business unacceptable in a residential area - business would operate 6 days a week, 6 hours Monday to Friday including evenings and for 4 hours on Saturday – unreasonable and would significantly impacts on our privacy and amenity and the surrounding area - such a level of use is not an incidental use. Why apply for 34 hours, and only have 10 sessions? Not a limited use – potential to grow – how long before an extension of hours is sought? This is a residential area which does not need a business like this in a back garden - plenty of nearby facilities where this could operate from – creation of a community should be in a community hall, or in the town which would then create a community - not in a back garden. There has been no consideration by the proposer for the surrounding neighbours by this inappropriate and excessive use in a closely packed residential area, who just want to enjoy their homes and not have a business run next to them. If they did, they would live next to an industrial estate - if you want to create a gym studio in a back garden then it shouldn't be in a semi-detached, closely packed houses. The building is almost the full width of the plot and a little under 30 sq m. – stand a metre above neighbouring boundary fences. Use of such a building would have a massive negative impact on the local area, with immediate impact on local parking. Object to noise which this would promote, with classes being held to 8pm and over the weekends - representation forwarded to Mr George Hollingbery (MP) for support.	See Section 7 below. Sessions would end at 7pm.

Claim that letters of objections orchestrated is ridiculous - letters sent do not support this view – request that concerned neighbours look out for a re-application – democratic right to do so - there will be visiting members of the public before, during and after classes - have an adverse impact on our private residential amenity – due to noise, proposed hours of business, potential to operate a number of different classes, some of which would generate high noise and high impact and loss of garden use to us and surrounding residents - strangers will be able to look directly into our bedroom which is primary accommodation – huge impact on privacy, the ability to enjoy our home, and unnecessary intrusion into our amenity, and wholly unneighbourly – applicant has failed to take account of neighbours' concerns.

The previous application withdrawn - applicant could see the number of objections and was aware that every surrounding property is not happy at all about this - reducing the activity is not going to get neighbours' agreement. How can this be permitted when all neighbouring properties object?

Applicant works full time – how will she be available for these sessions – clearly applicant wants to work from home – income stream from business would have to increase to replace paid employment – concerned that if permission is granted the activity would rapidly increase to become commercially viable - running a Pilates class 1:1 would not be financially viable- cost of insurance, up keep of facility itself and equipment - who runs a business that doesn't make money? Contrary to Policy CS16 – intention of policy is for clerical home working – not the importation of a commercial activity into a domestic setting, followed by the invitation of customers to attend – LPA will readily identify such differences and should lead to a

The LPA cannot have regard to how the applicant proposes to service the sessions or the viability or otherwise of the business as they are not material planning considerations. However, the application, indicates that it is the intention of the applicant to run the session.

See Section 7

rejection.

In time the number of sessions will be exceeded when everyone has forgotten the finer points of this application - how long will it just be for Pilates. Parking will then be an issue again - more noise, more guest and more strain to those directly surrounding the proposed business in regard to traffic as well as enjoyment of the area.

Agent is disregarding the main objections raised by immediate residents. It's not about Pilates or any other form of exercise, it's about the disruption and stress about to be inflicted to surrounding neighbours - and the expected future applications to greatly extend and alter the purpose and business hours within those working days, if permission granted.

No legal definition of Pilates - form of exercise can vary considerably from one provider to another – absence of definition then opens to a range of activities that may operate under this term – no positive exclusion of commercial activities such as gymnasium or fitness studio – applicant propose variation is neither enforceable , nor precise – noise from other forms of activity is likely to lead to noise nuisance.

Existing clients/guests of the applicant will not be affected by noise and disturbance - only surrounding neighbours whose amenity will be affected – clients will be able to go home and enjoy their own homes and gardens without the stress of cars and comings and goings of daily strangers.

During summer months gardens are used for normal residential living noise, children playing games, the odd family garden bbq , lawn mowers, hedge cutters , drills- a garden outbuilding is an unsuitable place for a quiet relaxing Pilates session – currently hear very little noise from neighbours and what there is acceptable in a residential area

If permission is forthcoming, a condition would be imposed restricting the use of the outbuilding to Pilates only

See Section 7 below.

– if use went forward would face constant car door slamming from clients, conversations up and down the drive, path and garden won't be welcomed day in/day out. Garden area raised and covered with artificial grass – all weather surface – undoubtedly will be used by clients in hot weather – how will the Council stop this, which have previously been held? Members of public will be able to see directly over neighbouring fences.	The applicant does not seek to use the garden for Pilates sessions. If permission was forthcoming, this would be restricted by a condition.
Lights from outbuilding both internal and external would be a cause of light pollution and impact on neighbours - shine into bedrooms – agent has been misleading in the details provided about the lights and the impact it would have on residential amenity causing concerns to neighbours.	These comments and concerns are noted, but the lights in the building, both internal and external, may be used at any time by the applicant in association with the incidental use of the building. This may give rise to the same concerns raised , over which the LPA has no control.
The application should be determined by the Development Management Committee	See Section 7 below.
Support a small business that encourages physical fitness and well being - Pilates sessions are slow paced mat based sessions with low music, often focusing on rehabilitation from injury - it's all about relaxation, rehabilitation, mindfulness and well-being and the classes/sessions would be quiet with no disruption to anyone nearby – only be a few people per session - would not be standing around chatting before or after a session, creating noise and disturbance to neighbours - a low level activity - Pilates has excellent physical and mental health benefits – helpful to the local neighbourhood and community for fitness and well being where people seek very private facilities and unable to access/attend community facilities - difficulties in securing such facilities locally – this would not be a gym full of people, but a quiet practice - a family would make more noise, then a few hours of Pilates 1:1s –the proposal should get consent.	See Section 7 below.

The applicant has years of experience and would be respectful of the surrounding neighbourhood – a lot of personal trainers use their own homes and spaces like a log cabin to support their community with their services – never seen such a lack of support. The proposal should be applauded and supported as it only serves to help people stay fit and healthy and it would be a valuable asset to the community where these kinds of spaces are hard to come by. There would only be a maximum of 10 sessions a week with clients arriving and leaving quietly during sociable hours – minimal hours.	
Excess road parking is an ongoing problem in Frogmore Lane and it is dangerous for vehicle to reverse out onto the road - vehicles already park on road junctions, verges and obscure drives - not in local residents' interest to endure more traffic. There is no way that 5 cars could fit on the driveway and why would you want this if the classes are only supposed to be 1:1? Plan not to scale. Implies more clients - more then 3 cars on the driveway, would result in on-street parking. Only enough room for one car to enter and exit driveway at one time – which is walled on either side of the entrance – result in cars parked on the highway, where space is very limited. Elaine Gardens already experiences parking problems as does Ash Copse. Only one parking space between the two houses, which if used impacts on the ability to enter/exit the property safety, due to restricted vision, plus close proximity to two road junctions – adding more cars would be dangerous. This area of Lovedean has already been subject to garden grabbing with multiple new build houses, with little/no improvements to the local infrastructure - Elaine Gardens is used by local builders to park their work vans overnight and during the day, which	See Section 7 below.

has impacted the residents from parking - adding what is nothing more than a Gym (Pilates studio), would compound the parking problems – Frogmore Lane also has similar parking problems with work/visitor parking. Those attending might not use the driveway and park on the main street causing obstruction to the road and nearby junction – parking on the drive, would still result in reversing onto the main road and could still be there in time for the next "1:1" class - spaces available shows this is to be for more than one customer.	
Parking along Frogmore Lane is fully available at times – but would request a restriction is placed to discourage Pilates members to use Ash Copse for parking, as it is already at a premium.	See Section 7 below.
The property can park 5 cars on their drive - even if a class overlaps- many residents have visitors that park out on the road on many occasions as it is not yellow lined - often work vehicle's parked for days on the street - there isn't a major problem.	

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 on the character and appearance of the area
 - (iii) Effect on neighbouring properties
 - (iv) Parking
- (i) Principle of development

- 7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The proposal is for an independent business, which is an economic use of the site, providing a service to the local community. Representations objecting and supporting the proposal have been received. A number of the objections refer to the inappropriateness of a business use in this residential area and the adverse impact such a use would have on residential amenity. Those in support, refer to the low keyed and quiet nature of the proposal, that would bring well being and health benefits to the local community. The key issue is whether the scale of the use is acceptable in terms of its impact on the character and appearance of the area and on the amenities of neighbouring properties. Regard must also be had to the fact that the building may be used for a variety of uses, which would generate noise, such as a gymnasium use for the family, which may in themselves give rise to a degree of noise and disturbance.

On researching the definition of Pilates the Collins English Dictionary states:

"a system of gentle exercise performed lying down that stretches and lengthens the muscles, designed to improve posture, flexibility, etc."

This definition is supported by other definitions of the activity, which may also involve specialised equipment. The application does not refer to specialised equipment and appears to be, in the main, mat based, with instructions given, against a background of music, which the applicant has advised "... needs to be retained at a level which allows the instructor to be heard".

The applicant is of the view this would not be heard outside of the building, which has been observed, on one occasion, by the case officer. As to the benefits or otherwise of Pilates this is not material to the determination of the application.

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

Policy AL1 in the Havant Borough Local Plan (Allocations) 2014 takes "...a positive approach [towards development] that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. (NPPF)." As set out in the explanatory text to Policy AL1, the Council prides itself on being 'open for business' and "... will seek to balance the three core elements of sustainable development; environment, social and economic issues..." in decision making, in accordance with the NPPF. However, this has to be balanced against the impact the business use would have on the character and appearance of the area, residential amenity and parking.

Many types of businesses operate from home, some of which are incidental or ancillary to the lawful use of the residential property and not subject to planning control. Other uses, because of their nature and scale, as a matter of fact and degree, amount to a material change of use, subject to planning control. Due to the imposition of Condition 2 on planning permission APP/18/00489, any level of business use in the outbuilding is subject to planning control, whether incidental in nature or otherwise.

The proposal is for the use of an existing rear outbuilding as a Pilates Studio, for up to 10 sessions a week of between 45 to 60 minutes a session on a 1-1 basis, between the hours of 9:00 - 13:00 and 17:00 - 19:00 Mondays to Fridays and 09:00 -13:00 on Saturdays, which in total covers a period of 34 hours when the Studio would be open for business purposes, albeit for only 10 hours in any week. The applicant is of the view that this level of activity is incidental to the enjoyment of the dwellinghouse, which is only restricted by Condition 2. Outside of this use the applicant has advised the outbuilding would return to a use that is incidental to the use of the dwellinghouse, which the applicant is of the view is an important material consideration. Due to the imposition of Condition 2, it is considered that little weight may be given to the claimed use that the activity would be incidental to the enjoyment of the dwellinghouse.

Whilst background music would be used during sessions the intention is to hold them behind closed doors, with the curtains drawn during these periods to prevent any potential for noise, disturbance and light spillage from within the building. A point has been raised that the building has external lighting, which is a cause for concern. However, the lighting, which is not subject to planning control, could be on at any times, not just when the building is used in association with the business.

Access to the rear outbuilding for client would be to the north-east, via an existing path, with a wooden fence 1.8 m (approx) between the two properties. This access is close to number 21 Frogmore Road to the north east. On site, car parking would be to the front of the property

Whilst some level of use may be acceptable, the scale of the proposal, which would allow for business activity in the early evenings during the week and on Saturday mornings with all the associated comings and goings, is considered to be likely to give rise to an unacceptable level of noise and disturbance to the detriment of the character of the locality, contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Effect on neighbouring properties

From objections received, which includes surrounding neighbours, there are concerns about the commercial use of the outbuilding and the noise and disturbance that would arise from such a use, which includes more vehicles visiting the site, car doors slamming, light pollution, noise and disturbance from the use of the building, clients coming and going and how this use would adversely impact on their well being, privacy and amenity, if granted. The applicant is of the view, no such issues would arise and representations of support for the proposal have been received, which refer to the low key, quiet nature of Pilates. The LPA needs to be satisfied, before a positive recommendation could be made, that the scale of the use was such that it would not adversely impact on residential amenity. The LPA also has to have regard to the fact that the building may be lawfully use for activities incidental to the enjoyment of the dwellinghouse, which would include visits from friends and family, which may give rise to noise and disturbance and loss of privacy to neighbouring properties.

The Council's EHO has not raised an objection to the proposal subject to the imposition of conditions relating to the music not being audible externally and the keeping of doors and windows closed during classes.

It has been clarified by the agent that sessions would be held with clients on a 1-1 basis, for a maximum of 10 hours per week. However, these hours would be spread over 34 hours, which includes early evenings (between 17:00 and 19:00 hours) and Saturday mornings (between 9:00 and 13:00 hours). Discussions with the applicant's agent have failed to secure a reduction in the proposed hours, to mornings and weekdays only (ie 20 hours per week), when neighbours are more likely to be going about their normal activities and may be less aware or sensitive to the proposed business use. A temporary use of one year has also been suggested, so that the impact of the proposal could be monitored. The applicant's agent, however, has advised the application should be determined as it stands and has indicated the intention to appeal to the Planning Inspectorate, if the proposal is refused.

The hours, as proposed, would result in visitors to the site, not only during week mornings, but also on Saturday mornings and early evenings, between the hours of 17:00 to 19:00 hours. Early evenings and Saturday mornings are times when neighbours are more likely to be aware of the comings and goings of clients and more sensitive to a business use operating within the locality. The proposed scale of the use, is considered to be unacceptable, which would be likely to result in noise and disturbance, in particular, during the evenings and Saturdays, over and above that associated with friends and visitors to the family, when local residents are likely to be more attuned to this activity, to the detriment of residential amenity. Greater overlooking would also be experienced due to the higher level of the site, with the associated loss of neighbour's privacy.

Policy CS16 e in Havant Borough Core Strategy requires, that:

"The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking".

Due to the hours proposed which includes early evenings and Saturday mornings, the scale of the proposal would cause unacceptable harm to the amenity of neighbours through noise, disturbance and loss of privacy and therefore is contrary to Policy CS16 of the Havant Borough Core Strategy. In accordance with guidance in the NPPF, consideration has been given to the imposition of conditions to make this unacceptable development, acceptable in planning terms. It is considered that the imposition of conditions on the proposed scale of activity would not make the development acceptable in planning terms.

(iv) Parking

The highway objections raised by third parties have been duly considered.

The Highway Authority has been consulted and raised no objection to the proposal as is unlikely to generate a significant amount of traffic on to the local highway network.

The Traffic Management Team has raised no objection on car parking grounds, but is of the view that it would be a struggle to fit 5 car parking space in the area indicated, as shown on on a scaled plan (1:250). However, due to the proposal being on a 1-1 basis, they consider that the parking provided is probably sufficient.

As to Havant's Car Parking SPD, the host dwelling has 3 bedrooms, which generates a need for 2 car parking spaces. The part time commercial use of the outbuilding would generate a need for 1 space per 10m sq. The size of the building is approximately 31.2 sq m. Therefore, 3 car parking spaces would be required for the commercial element, making a total requirements of 5 car parking spaces. Sessions would be on a 1-1 basis and therefore the car parking as shown is considered to be sufficient to accommodate the proposed use, in accordance with the Havant Car Parking SPD and Policy DM 13 of the Havant Borough Core Strategy.

8 Conclusion

- 8.1 The scale of the development is unacceptable and would be likely to result in a significant adverse impact on the amenity of neighbours, due to noise, disturbance and loss of privacy and therefore the variation of Condition 2 is recommended for refusal. As the proposal is being recommended for refusal, the matter is to be determined under the Council's Scheme of Delegation.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/19/00988 for the following reasons

- 1 Due to the hours proposed which includes early evenings and Saturday mornings, the scale of the proposal would cause unacceptable harm to the character of the locality and amenity of neighbours through noise, disturbance and loss of privacy and therefore is contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.