
Site Address: 39 Mill Road, Waterlooville, PO7 7DH
Proposal: Newspaper secure storage unit and AC/refrigeration condensing unit at the rear of the retail unit at 39 Mill Road.
Application No: APP/19/00389 Expiry Date: 04/06/2019
Applicant: Mr Patel
Agent: Mr G Bramble-Stewart Case Officer: Denise Sheath
 GBS Designs
Ward: Stakes
Site Visit Date:

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application property is a ground floor, end of terrace, commercial unit situated adjacent to the junction between Mill Road to the south-west (front) and Bell Crescent to the north-west. The unit is situated within a three storey terrace block constructed from red and yellow brick with concrete roof tiles and white uPVC fenestration. A small parking area and wide pavement separates the premises from the fronting highway. The application site slopes downward from north-west to south-east such that the premises is roughly level with Mill Lane, but set down relative to Bell Crescent. The ground floor of the terrace, and that of the neighbouring terrace block to the south-east, is comprised of retail units and food outlets, whilst the upper floors provide residential accommodation. Within the wider locality development is predominantly characterised by semi-detached residential dwellings.

2 Planning History

94/55906/001 - Change of use from a class A1 to class A3 Takeaway.
PERM,10/05/1995
91/55906/000 - Change of use from Class A1 to Class A3 Hot Food Takeaway.
REF,09/10/1991
APP/18/01295 - Installation of an ATM machine PERM,23/01/2019
APP/18/01296 - Display of 1No. Internally illuminated fascia sign. PERM,23/01/2019

3 Proposal

Newspaper secure storage unit and AC/refrigeration condensing unit at the rear of the retail unit at 39 Mill Road.

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)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

It is Mr Patels intention to only operate the chiller unit from 06:00 to 22:00 for cold drinks and beers. He advises he is not wanting to install an air conditioning unit at this time.

As advised previously, the consultant has advised of a 34 dB minimum background noise level between the above times. I have advised Mr Patel to check with the supplier or consultant as to what additional mitigation measures he could employ to improve the sound pressure level, and to ensure anti-vibration mountings are used even if bolting the unit to the floor. I have also suggested, as has the consultant, that he also look to a possible quieter unit.

As he has stipulated the times he intends to operate the unit, I would suggest a condition in that regard, to run in perpetuity.

With regard to the newspaper bin, Mr Patel has confirmed the deliveries could be anywhere between 01:00 to 06:00. He is contemplating a timber constructed secure box for this purpose; I have suggested he use some form of insulation material on the leading edges, to prevent it being slammed / banged shut. Consideration should also be given to use of soft closers to prevent the aforementioned actions.

I would also ask for an informative be added as follows:

Informative:

It is also requested that the following informative be included in any positive decision notice: The granting of Planning permission, will not implicitly permit the emission of noise from commercial or other equipment on the site, nor will it supersede the general requirement of the Environmental Protection Act 1990 (as amended) not to cause statutory public, or private, nuisance. This office also reserves the right, as part of any future nuisance investigation, to require additional mitigation measures to be carried out, should it be deemed necessary, to prevent noise impact on nearby residential receptors.

Property Services Manager, Corporate Group

This property is leased to the applicant by HBC. I can confirm that under the terms of the applicants lease it will be necessary to obtain landlords consent for the alterations.

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: 14

Number of site notices: At least one site notice exists - check the number.

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

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

The proposal would see the installation of an Air Conditioning/ Refrigeration unit to the rear elevation of the property, this would be screened mainly by the side wall along the north west elevation this would be regarded as minimal changes to the existing character of the rear of the building.

The proposed secure newspaper storage unit would be placed adjacent to the proposed Air Conditioning/ Refrigeration unit to the rear of the shop unit this would be screened mainly by the side wall along the north west elevation this would be regarded as minimal changes to the existing character of the rear of the building.

(iii) Impact upon residential amenity

There are residential flats at first and second floor level above the shop unit there are other examples of residential accommodation above the shop frontages within the immediate locality. The proposed air conditioning unit will be directly below habitable rooms windows serving flat located above. Details of the base noise levels have been submitted via an acoustic report and the applicant has confirmed that the unit will not be attached to the building and will be placed upon tar floor using special designed rubber to minimise any vibration. The condensing unit will only be operational during the opening hours of the shop unit to ensure there is not any noise pollution during the night time period. 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 unit but to ensure no harm to amenity would occur requested an informative to be placed on the Decision notice to ensure if there any noise or vibration complaints that this will be mitigated at that stage.

This is to ensure the installation of the Air Conditioning/ Refrigeration unit would not unduly impact on the amenity of nearby occupiers and so comply with DM10 and CS16 of the Havant Borough Local Plan.

The secure newspaper storage unit will contain rubber strips to minimise the noise level of the opening and closing of the unit, this unit would also not be attached to the building. This aspect of the proposal was assessed by the Environmental Health team who did not object in principle to the siting of secure newspaper storage unit but to ensure no harm to amenity would occur requested an informative to be placed on the Decision notice to ensure if there any noise or vibration complaints that this will be mitigated at that stage.

This is to ensure the installation of the secure newspaper storage unit 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/19/00389 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:
Application Form - Received 09 April 2019
Design and Access Statement - Received 09 April 2019
Location Plan - Drawing No. 39 MILL RD 07 - Received 09 April 2019
Block Plan - Drawing No. 39 MILL RD 04 - Received 09 April 2019
Existing Elevations - Drawing No. 39 MILL RD 02 - Received 09 April 2019
Proposed Elevations - Drawing No. 39 MILL RD 02 - Received 09 April 2019
Existing and Proposed Floor Plans - Drawing No. 39 MILL RD 01 - Received 09 April 2019
Acoustic Report - 23 July 2019
Amended Elevation Details for secure newspaper Unit - 12 November 2019
Email from Mr Patel stating measure to prevent noise and vibration Issues - Received 26 November 2019
Reason: - To ensure provision of a satisfactory development.