
Site Address:	Livelink, 56a East Street, Havant		
Proposal:	Retrospective planning application for erection of a free-standing, open front, smoking shelter.		
Application No:	APP/18/01161	Expiry Date:	03/01/2019
Applicant:	Mrs Bradbury LiveLink Technology Ltd		
Agent:		Case Officer:	Denise Sheath
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is a detached, two storey office building located to the south side of East Street, immediately adjacent to Havant Arts Centre and Museum. The site is currently occupied by Livelink Technology and is located in close proximity to Havant Town Centre within the St Faith's Conservation Area. To the east of the site is the Hayling Billy Trail along with two car parks, one privately owned by Livelink and the other owned by Havant Borough Council.

2 Planning History

99/59135/005 - Notification of intention to fell two clumps of Sycamore trees on the bottom of the bank adjacent to the car park and crown raise other Sycamore trees which effect the CCTV camera adjacent to the lamp. Fell the small Sycamore tree east of the lamp. All these trees are within St Faiths Conservation Area. RNO 12/02/1999

98/59135/004 - Notification of intention to crown raise two Ash trees and a Robinia tree. On the south west boundary reduce height to 3 metres a Laurel shrubbery. All trees are within St Faith's Conservation Area. RNO 04/12/1998

96/59135/002 - Proposed surgery to 1 Bay tree, a group of Sycamores, 2 Norway Maples and 1 other Sycamore: All within St Faiths Conservation Area. RNO 03/04/1996

94/59135/000 - Notification of intention to carry out works to 9 Sycamore 1 Hawthorn, 1 Norway Maple, 1 Ash, 1 Lime, 1 Bay, 1 Holly 1 Pine, 2 Chestnut, 1 Robinia; St. Faiths Conservation Area, RNO 19/06/1994

01/59135/007 - Selectively crown thin and crown raise 9 Sycamore trees and 2 Horse Chestnut trees at Town End House, East Street within St Faiths Conservation Area., RNO 27/09/2001

APP/11/01748 - Fell 1No. Sycamore tree within Lymbourn Road Conservation Area., RNO 14/12/2011

APP/14/00140 - Remove lower boughs to the southern side if 4No. Sycamores within the curtilage of 27 Grove Road back to boundary; within Conservation Area of St Faiths., RNO 04/04/2014

APP/15/00805 - Reduce branches of Sycamore and Ash to provide clearance of 2m around 7No lamp posts; fell 1No. group of 4-8 stems of Sycamore, 1No. additional Sycamore and 3No. Ash to provide clearance of 1m around parking bays. All within Conservation Area of St Faiths., RNO,30/09/2015

APP/16/01270 - Erection of free-standing open fronted smoking shelter. PERM 21/04/2017

3 Proposal

Retrospective planning application for erection of a free-standing, open front, smoking shelter.

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

CS11 (Protecting and Enhancing the Special Environment and Heritage of
Havant Borough)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Conservation Officer, Development Control

Conservation Officer No Objection

The application site is situated within the St Faiths Conservation Area. The proposal is for the erection of a smoking shelter to the north of the property, located between the carpark entrance and the bridge adjacent to East Street.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

The site is surrounded by a mixture of period and modern buildings constructed from a diverse range of materials. The proposed structure measures 3.1 metres by 2.4 metres and is 2.4 metres tall, constructed from a green aluminium frame with clear panels to the rear and sides, with a clear curved roof similar to the entrance to McCormack House. With the various built forms in the vicinity it is not deemed that it would look out of place. Its location also ensures that it is largely not visible from public vistas.

The proposed structure is not deemed to have a detrimental impact on the setting or character of the Conservation Area.

Environmental Health Manager, Community Group

No adverse comment

Property Services Manager, Corporate Group

With reference to this application, the Estates Team does not support the proposal to install a smoking shelter at this location as it is located directly adjacent to an existing wing of the Spring Arts Centre. It is considered that it would be more appropriately

located some distance away from this building which is in regular use by the public as a performance and exhibition space.

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: 10

Number of site notices: 1.

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

As the proposed development is located within the St Faith's Conservation Area, the Council's Conservation Officer has been consulted as part of this application. The site is surrounded by a mixture of period and modern buildings constructed from a diverse range of materials and therefore in considering the various built forms within the immediate vicinity, it is considered that the proposed smoking shelter would not be out of character with the surrounding locality.

It is acknowledged that the location of the proposed smoking shelter would be sited adjacent to the west elevation of the south wing of the Spring Arts Centre that fronts the pavement on Town Hall Road. The Council's Conservation Officer has also concluded that the proposed materials will lessen the impact of the structure which would essentially have the appearance of a bus shelter, and its location ensures that it is not largely visible from the public vistas.

On the basis of all of the above, it is considered that the proposed structure would conserve the setting or character of the Conservation Area and would therefore meet the requirements of both Policy CS11 and CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity

Although there has been an objection from the Estates Department, it is deemed that the smoking shelter location is away from the public realm and can be only partially seen along Town Hall Road, it is set back enough not to invade the public realm with the smell, there are no windows along the wall which the smoking shelter is adjacent to and cannot be seen by visitors using the Spring Art Centre, the area which we currently being used as a smoking shelter is directly adjacent to the exit door along the east side of the southern wing of the arts centre which is more detrimental to the area with regard to the smells, fumes. Please note that there have been no objection from the Spring Arts Centre.

It is not considered that the proposed smoking shelter would result in any loss of light, privacy, outlook or appear overbearing to any of the adjacent residential properties or alternatively result in any additional noise and/or smell which would detrimentally impact neighbour amenity given its location in relation to its immediate surroundings.

Consequently, the proposed development would have a limited and acceptable impact on the surrounding and adjacent occupiers and is therefore considered to meet the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

The proposed development is considered to meet the requirements of Policy CS11 & CS16 of the HBLP (Core Strategy) and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/01161 subject to the following conditions

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

Application Form - Received 08 November 2018
Location Plan - Received 08 November 2018
Block Plan - Received 08 November 2018
Public and Private Access Plan - Received 08 November 2018
Smoking Shelter Plan- Received 08 November 2018

Reason: - To ensure provision of a satisfactory development.