

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/00504	Your Ref:	APP/19/00236
EH Case Officer Extn:	44 6677	Date:	08 April 2019
DC Case Officer:	David Eaves		
DC Case Officer Extn:	44 6549		
Application Number:	APP/19/00236		
Site Address:	54-56 Creek Road, Hayling Island		
Proposed Development:	Retrospective application for full planning permission for change of use to B2 Classic and specialist car store and restoration workshop. (to make permanent expired temporary consent for restricted B2 use)		

Observations / Comments:

I have reviewed the information submitted in support of this application, alongside the officer's report and Environmental Health consultation notes & comments in connection with the APP/16/00800 application which granted the temporary consent. I have also undertaken a generic search of our complaints system to identify any issues arising between the granting of the temporary consent, and its expiry.

Previous Comments - Physical Pollution / Contamination

It was previously noted that classic car repair has the potential for more harmful materials to be stored / handled / used at the site (than for equivalent repair of modern vehicles) due to exemptions under environmental & products regulations. However, these largely relate to refinishing applications, which the original application stated were not being undertaken at this premises, and were subsequently prohibited by condition.

Both the existing consented use, the existing (unauthorised / temporary) B2 use are considered to be potentially contaminating (low risk) - and as such, it was noted that the proposals would not materially alter the risk status of the property. No complaints (odour, pollution, nuisance, damage) were recorded following the date that the operator took possession of the premises (2014), and therefore no adverse comments were offered.

Previous Comments - Noise / Nuisance

Complaints records were checked at the time of the application, and no reports of noise affecting local residents were identified that could be construed as relating to this address.

It was acknowledged that some noise would be associated with the (existing, unauthorised &-) proposed activity, but it was also noted that the lack of complaints indicated that the operator was taking all steps to control the noise within the unit.

The reviewing officer had "little concern" with the application, but suggested restrictions on operating times and/or granting temporary use as a precautionary approach to regularising the activity.

The compressor was identified as being a principle noise source, and it was suggested that an informative be added with respect to the use of acoustic housing to reduce the noise output when in use. Although some reservations were acknowledged, it was felt that the imposing of specific conditions to restrict noise emissions would be disproportionate. This was primarily based upon the tenure / nature & scale of the business , and the fact that the unit had been operating for some time without complaint.

Current Status & Conclusions

No new complaints have been registered under Prems ID: 1055 or 22537 (54 & 56 Creek Rd., respectively; there is no Prems ID for "54-56"). A generic search has not returned any new complaint cases which could be taken to relate to this property.

I note that one objector refers to significant noise problems, but as EH has not received a complaint, no investigations have been undertaken, and I cannot therefore substantiate the allegation.

On this basis - would appear that there are no reasons to object to the making permanent of the temporary consent on the same terms. It is assumed that the restriction on operating hours, and on certain types of activity, are material to the lack of noise problems arising from this form of activity within close proximity to residential dwellings, and I would therefore recommend that the temporary conditions are transposed on to any permanent consent that Development Management are minded to grant.

Mr. Jonathan Driver
Environmental Control Officer