

4 Policy Considerations

4.1 None

5 Statutory and Non Statutory Consultations

5.1 Not applicable for this type of application.

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) Whether the proposed use of up to 5% of the gross floorspace of the unit for an ancillary pet grooming/DIY dog wash facility would constitute a material change of use

7.2 The existing unit benefits from A1 use. The Land Use Gazette identifies the proposed use to be Sui Generis, however the applicant has confirmed that the proposed pet grooming/DIY dog wash facility will occupy just 5% of the available floorspace of the unit. The applicant has also confirmed that the proposal will be run by Jollyes themselves in conjunction with the retail store. No separate external access or external alterations are proposed. The pet grooming/DIY dog wash facility will only be accessible through the retail floor area and will have the same operating and servicing hours as the retail floor area/store.

7.3 Having regard to the above information it is considered that the use will be ancillary to the A1 retail unit and a Lawful Development Certificate should be issued.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/19/00051

Havant Borough Council, as Local Planning Authority, certifies that on 21 January 2019 the use described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged in red on submitted Location Plan (date stamped 15 January 2019 and titled location and site plan would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The Council is satisfied that based on the application and submitted details and on the provision that the primary use of the retail unit continues to operate as a pet shop, the proposed use of up to 46sqm of the gross internal floorspace within the existing pet shop as ancillary pet grooming/ DIY dog wash facility would not constitute a material change of use and is therefore not development as described under Section 55 of the Town and Country Planning Act 1990 (as amended). A planning application is therefore not required.

FIRST SCHEDULE:

Application for a Certificate of Lawfulness of Proposed Use pursuant to Section 192 of the Town and Country Planning Act 1990 and given the Council's reference number APP/19/00051 for use of up to 46 sqm of the gross internal floorspace within the existing retail unit as specified in the Second Schedule as ancillary pet grooming/DIY dog wash facility in accordance with the application, supporting documents and drawing with reference JPS-WLV-00 received 15 January 2019.

SECOND SCHEDULE:

This certificate relates to land at 5 Wellington Retail Park, 2 Hambledon Road, Waterloooville, PO7 7FG, as shown edged red on the submitted Location and site Plan with drawing number JPS-WLV-00 received 15 January 2019.