

Recommendation: **GRANT PERMISSION**

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

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

Crime Prevention -Minor Apps

No comments received

Southern Water

Please find attached a plan of the sewer records showing the approximate position of a foul sewer within the site. The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

-No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer.

-No new soakaways should be located within 5m of a public sewer.

-All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came in to force on 1 st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 3030119) or www.southernwater.co.uk".

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

The planning application form makes reference to drainage using Sustainable Urban

Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme

Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Officer Comment: Informative recommended in relation to sewer connection. The line of the sewer crosses the front of the site and would not be impacted by the physical works. Given the scale of the works consultations with LLFA/PW not required.

Environmental Health

I have perused the documentation submitted with this application.

I have no adverse comments to make in regard to this application.

I would however advise the applicant that if this site were to receive approval for utilization as a cattery for 12 cats, it would still require licence approval as an animal boarding establishment and the necessary compliance with all laid down conditions that may be applied in this regard.

Officer Comment: An informative is recommended

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment as long as the parking and turning area is conditioned and it operate on the strict appointment basis (that is stated in the application) to ensure that there is never more than one clients' car on the driveway at any time.

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: 5

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: None

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
- (v) Highways and parking issues

(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. It is recognised that the site is located in a primarily residential area and therefore any commercial use needs to be appropriate to such an area and this is considered further below. Nevertheless, the principle of using this site as part of a larger planning unit for the operation of a cattery has previously been accepted under Planning Permission APP/17/00334, and this planning history is a material consideration in assessing this application.

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

The applicant has provided detailed supporting information in relation to the operation of the cattery.

There would be a total of 6 pens which can accommodate a maximum of 2 cats and a max of 6 clients cats at any one time. There is also an office/reception building.

The cattery would be operated on a strict appointment only basis such that there should not be more than one clients car in the driveway at any one time.

No areas of the houses would be set aside for business use.

There would be no additional employees.

In terms of the physical impacts from the buildings it is considered that their siting to the rear of the properties together with the modest size and height of the structures and their positions within the garden would minimise any visual impacts such that they are acceptable in the context of the mainly residential area.

The use would introduce a greater level of activity to the rear of the property with clients dropping off and picking up cats from the site. It is noted that the applicants intend to operate an appointment system such that arrivals and collections are timed to be on a one client at a time basis. It is considered that this type of operation would result in an acceptable level of activity at the site.

The impact on the character and appearance of the area is therefore considered

acceptable.

(iii) Impact upon residential amenity

With regard to the impact on residential amenity, it is considered that the revised application when taken together with the operational information supplied would help to minimise impacts beyond the site.

The closest properties are No. 203 and 205 London Road. No 203 was originally going to operate as part of a larger cattery but the latest application is for 203A only. The closest part of the proposed cattery is to the rear of this building and sited away from the main dwelling. This relationship is considered to be acceptable.

No.205 is located to the north of 203a and is set back on its plot. The proposed cattery buildings would be set off the common boundary with this property and whilst there would be some extra activity from the use including people dropping off and picking up cats this is not considered likely to cause unacceptable disturbance due to the relatively limited intensity of the use and the proposed operation as set out by the applicant.

In relation to noise the applicant has confirmed that noise is unlikely to be a significant factor and insulation to the pens will be provided to further reduce potential for noise. Providing that suitable cleaning regimes and storage is provided it is not considered that rodents or other vermin are likely to be a concern.

Overall, it is considered that subject to conditions the proposal would have a limited and acceptable impact on neighbours residential amenities. Consultation with Environmental Health has raised no objections.

Highways and parking issues

No objections have been received from the Development Engineer and parking and turning are provided on site. The operation of an appointment system should also avoid pick up/drop off issues.

8 Conclusion

In conclusion, the proposed development is considered acceptable in principle and would not result in harm to the character and appearance of the area. Subject to conditions the proposal would have an acceptable impact on neighbours amenities and on highway safety. Planning permission can therefore be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00833 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:

Location Plan Unique Plan Ref: 00345593-F625A1

Site Plan Unique Plan Ref: 00345593-F625A1

Site Plan received 25th October 2018

Parking Plan received 25th October 2018

Planning Statement received 25th October 2018

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall be operated in accordance with the details provided in the Supporting Statement received 25th October 2018 submitted in association with this planning application and as specified below unless otherwise agreed in writing by the Local Planning Authority.

In particular the following restrictions/modes of operation shall be applicable:

- A maximum number of cats at any one time shall not exceed 12;
- Drop off or collection of cats from the site by clients shall only take place by appointment with a maximum of one appointment at any one time;
- The Drop off or collection of cats from the site by clients shall only take place between Monday to Saturday inclusive and between the hours of 9.00am and 1.00pm as specified in the previous planning permission Ref: APP/17/00334 relating to this site;
- Space shall be kept available for the turning of vehicles within the site such that cars can enter and leave in a forward gear;
- No commercial vehicle deliveries of supplies for the cattery shall be made to the site;
- Cleaning and waste disposal shall take place in the manner specified in the previous planning permission Ref: APP/17/00334 relating to this site.

Reason: In the interests of the amenities of the area and neighbouring residents and to ensure adequate parking and turning facilities are available to clients using the cattery having due regard to policies CS16, CS20, DM10, DM13 and DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted shall be used only for a mixed use comprising residential and Cattery uses, and for no other purpose whatsoever. The Cattery shall only be operated by the occupants of 203a London Road Cowplain whilst resident at the premises, and no additional staff shall be employed at the premises in association with the Cattery use.

Reason: To ensure that the use has an acceptable impact on the residential amenities of adjoining residents and in the interests of highway safety having due regard to policies CS16, CS20, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No burning of cat litter, waste food or other waste associated with the cattery hereby permitted shall take place at the site.

Reason: In the interests of the amenities of nearby residents and to prevent air pollution having due regard to policies CS16 and DM10 of the Havant

Borough Local Plan (Core Strategy) 2011.

- 6 Prior to the first use of the site as a cattery commencing, details of insulation/noise reduction measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first use as a cattery and subsequently maintained in accordance with the approved details.

Reason: In the interests of the amenities of nearby residents having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.