

the north east and north west corner of the application site. Planning permission is now sought for these works.

4 Policy Considerations

National Planning Policy Framework 2012

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)

CS4 ()

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)

AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager

No adverse comment

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: 1

Comment	Officer Comment
Concern raised by No 40/42 North Street regarding: Description of the works Lack of information on the submitted plans. No concern with dry store and western front gate.	See section 7 This description has since been amended to be inclusive of the dry store, boundary fencing to the north and west alongside the retention of the south and north gates.

Concern with the eastern front gate as has been built excessive in bulk. The cladding has a high visual impact from the churchyard and my property. Wall is 1.8m tall but the cladding increases this to around 3 metres. It is out of keeping with the traditional flint walls surrounding the property. This could clearly be seen if elevations were included. Cladding is excessive in bulk and height and of a dark materials and it casts a shadow in our rear garden.	
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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
- (iv) Pollution

(i) Principle of development

7.2 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

7.3 The works include the installation of two gates to the front of the application site, one to the north east corner and one to the north west corner. Concern has been raised by a neighbouring dwelling that the gate to the north east has been built excessive in bulk. Following a site visit it was noted that the east gate is of a solid design in a black colour and is set back from the front elevation of the restaurant. It has been erected in this place to prevent anti-social behaviour to the side of the site which otherwise does not permit access via the side due to the orientation of the restaurant and restricted size available. Although the gate is viewable from the streetscene of North Street and is of a solid design it is not considered to appear overly dominant due to its position on the restaurant and that it is set back from the front elevation. The works are also of a height typically associated with a gate for this purpose and is of a colour that is reflected within the palette of the greater streetscene. Therefore on balance, the visual impact caused as a result to North Street is considered to be acceptable.

7.4 The gate to the front west of the application site is of an open metal design and set back from the front elevations of the neighbouring properties. This design, size and position of the gate is considered to reduce the visual dominance of the works creating an acceptable appearance in the streetscene.

7.5 Cladding has been erected to an existing boundary wall along the north and west boundary of the timber store creating a total boundary height of approximately 3m. Although this is not viewable from North Street it is from the church yard to the west of the application site. A site visit was performed to assess the visual impact caused by

the works and although it was noted that the boundary screening along the west side of the dry store was high in nature the cladding has been painted in a dark green colour and is partly screened by mature trees within the church yard along the boundary reducing its visual dominance. The cladding is also set in the far east side of the church yard away from the church and pathway which runs through it. Although concern has been raised in regards to the cladding to the west, on balance the works are considered to not result in enough visual harm to the locality to warrant the refusal of planning permission and is therefore considered to be acceptable.

- 7.6 The cladding erected to the north boundary of the dry store shares this boundary with No 40-42 and concern has been raised in regards to this. Due to its position to the north of the site the cladding at this point is less viewable from the church yard and is partly screened by hedging within the garden space of No 40-42 but as this cladding impacts the neighbours amenity this part of the application has been assessed in point 7.8.
- 7.7 The dry store itself is situated in the rear of the application site and is not viewable from North Street. Although the works are viewable from the churchyard to the west the visual dominance of the store is reduced by the erected dark green cladding and would ensure that the development does not appear significantly out of place. The works are also of a modest height at 2.7m and positioned to the far east part of the church yard which reduces this impact further. The impact caused is considered to be limited and acceptable.

(iii) Impact upon residential amenity

- 7.8 The surrounding properties that have the potential to be impacted are No 40-42 and No 32 and No 34 North Street. No 40-42 have raised concern over the proposed development and that the cladding along the shared boundary and to the north of the dry store is excessive in bulk and casts a shadow into the rear garden creating a height of 3m which is out of keeping. Following a site visit it is agreed that the cladding along the north boundary which is shared with No 40-42 is of a large height and as such does have the potential to impact the neighbouring amenity levels of the occupants when using the rear garden space. As such it has been requested that this cladding shall be removed which the agent and applicant are in agreement with. Although a decision shall be released granting permission for the development a condition shall be included to control the removal of the cladding along the north boundary wall shared with No 40-42 within a month of the decision being issued. This is considered to satisfactorily address the concern raised.
- 7.9 The removal of the cladding to the north boundary wall shall mean that the dry store is more viewable from No 40-42 and therefore the works have been assessed as to whether they would create an un-neighbourly impact. The dry store is positioned off the shared curtilage boundary with No 40-42 North Street and is flat roofed and single storey in height with the ridge of the store reducing in height from west to east. At the highest point the development is approximately 2.7m high which is considered to be a modest height that would not lead to a significant loss of light reaching No 40-42. It is noted that a two storey development is present to the south of the dry store and therefore the works at No 36-38 North Street due to their height are considered to not contribute to any significant additional impact. The works are therefore considered to result in a limited and acceptable impact.
- 7.10 The dry store is single storey in height and is situated in a corner of the application site which was otherwise used for storage. Notice has been served on No 32 North Street

as the dry store is attached to the adjacent property which is used as a store and no objection has been made. The dry store is considered to be of a proportionate size to the space in where it is situated and due to being to the north of No 32 would not lead to any shadowing, loss of light or a loss to privacy levels between the neighbouring dwelling. The works are therefore considered to result in a neighbourly impact and can be considered acceptable.

- 7.11 The works are considered to be set sufficiently away from No 34 North Street and screened sufficiently by the 1.8m brick wall and outbuildings in place between the properties resulting in an acceptable impact.

(iv) Pollution

- 7.12 A consultation with Environmental Health has been carried out due to the dry store containing food and refrigeration units. These units and food are kept in the store which is closed reducing the potential noise and smell impact. Environmental Health have raised no significant concerns in regards to the retrospective application and the works are therefore considered to not cause significant harm and can be considered to be acceptable.

8 Conclusion

- 8.1 It is considered that subject to suitable conditions to remove the cladding that has been erected along the north boundary of the dry store that planning permission can be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/18/00073 subject to the following conditions:-

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

Location and Block Plan: Drawing No CFA FULL 02

Retrospective Block Plan and Dry Store Elevations: Drawing No CFA FULL BS

Block Plan including Photographs of the site: Drawing No CFA FULL BS

Received 16.01.2018

Reason: - To ensure provision of a satisfactory development.

- 2 The cladding that has been erected along the north boundary of the dry store which is adjacent and shared with No 40-42 North Street as indicated in Retrospective Block Plan and Dry Store Elevations: Drawing No CFA FULL BS shall be removed within 1 month of the date of this planning permission and retained as such thereafter.

Reason: To accord with the terms of the application and to safeguard the amenities of neighbours and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.