
Site Address:	14 Elm Grove, Hayling Island, PO11 9EF		
Proposal:	Fit-out of vacant retail unit to Funeral Home. Works to include installation of external condensing unit to rear.		
Application No:	APP/18/00896	Expiry Date:	12/12/2018
Applicant:	Mr Jones Co-operative Funeralcare		
Agent:	Mr Harley WD Harley Ltd	Case Officer:	Rachel Ballam
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application property is a vacant unit, formerly in use as a Lloyd's Pharmacy, which occupies the ground floor of an end-of-terrace, two-storey, flat-roof building constructed from red brick. The premises currently has no signage, instead featuring a blank white fascia board above the shopfront window. A disabled access ramp with white metal railings fronts the property, leading up to the front entrance. The premises occupies a corner position fronted and flanked by the highway.
- 1.2 Development within the street is predominantly characterised by retail units at ground floor level with residential flats above. A residential flat, currently occupied, is located directly above the application property. The unit to the immediate north of the application property is currently in use as a green grocer.

2 Planning History

04/52766/001 - Installation of a disabled access ramp., PERM,30/09/2004

3 Proposal

- 3.1 The application proposes internal and external works to facilitate the use of the premises as a funeral director with mortuary. The proposed use would fall within Use Class A1, the current permitted use class for the unit. As such, no change of use is proposed as part of the present application and planning permission will not be required to use the premises as proposed. The present application therefore pertains to the proposed external alterations only.
- 3.2 The proposed external works include: a condensing unit to be positioned beneath the existing external stair case; change of paint colour of window frame, door and hand rail to west elevation from white to grey, of the fascia board from white to black and of the render from white to 'light ivory'; replacement of door to east elevation with grey coloured security door; and 5 no. high level air vents to south elevation.

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

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS4	()
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5 Statutory and Non Statutory Consultations

Economic Development - Retail and Town Centres

None received

Environmental Health Manager, Community Group

The Noise Solutions Limited plant noise impact assessment, advises that the proposed unit to be installed externally will require no additional mitigation measures, as the environmental noise survey conducted has shown that the cumulative noise from the proposed plant will meet the proposed noise criteria at all nearby receptors at all times.

Based on the above, I am satisfied that the proposed plant should cause no adverse impact on nearby residential receptors.

I would also ask that the following informatives be added if there is to be a positive decision notice:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.

Highway Authority

The redline is only around the building I would suggest it should include the area used for servicing the building.

Officer comment: *the red line was amended by the applicant in response to the above comments.*

Planning Policy

From the information given this development is considered to be an A1 undertaker's shop including mortuary. For that reason, there is no change of use as the current use class of the site at ground floor level is A1. A1 uses are supported in town centres, and no change of use is proposed.

The planning application does not include extensions or alterations to the site therefore, the standards set out in the Havant Borough Parking SPD (2016) do not apply.

No objection in principle.

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: 20

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 22

Comment	Officer Comment
No requirement for third funeral home	Not a material consideration - no change of use proposed
Site unfit for purpose	Not a material consideration - no change of use proposed
Condensing unit proposed to be sited in shared area where neighbouring residents currently store waste bins	See section 7
No parking provision for the unit; double yellow lines to highway adjacent to premises - negative impact upon highway safety	See section 7
Concern regarding noise from condensing unit - negative impact upon neighbour amenity	See section 7
Service area to the rear is a shared space visible from the public realm; no privacy for movement of bodies in or out of the premises	Not a material consideration - no change of use proposed

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) Highway safety

(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.

7.3 The proposed use of the premises as a funeral director would fall within Use Class A1, the current permitted use class for the unit. The application therefore pertains to the external alterations and additions to the building only as no change of use is proposed.

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

7.4 The proposed condensing unit would be situated to the rear of the host property beneath an existing external stairwell where it would be largely obscured from view. The unit would not appear incongruous within the context of its setting, which is predominantly commercial in nature. The proposed paintwork, replacement doors and new air vents to the side elevation would not be out-of-keeping with the host property or surrounding development.

7.5 The proposed works would not represent a significant or negative impact upon the visual amenity or character of the application site or the locality. The works are therefore considered to be in accordance with Policy CS16 of the Havant Borough Local Plan in respect of scale and design.

(iii) Impact upon residential amenity

7.6 The application property is situated directly below a residential property which is understood to be occupied. Concerns have been raised within third party objection comments that the proposed condensing unit may impact negatively upon the amenities of the first floor occupants with regards to noise. A noise report has been submitted by the applicants as part of the application; the report was reviewed by Environmental Health officers who have raised no concerns in respect of the proposed works. It is therefore expected that the condensing unit would not have a significant negative impact upon the amenities of neighbouring residents in respect of noise.

7.7 Third party objection comments have presented concern regarding the proposed position of the external condensing unit, as this area is presently jointly owned and used for the storage of waste bins belonging to neighbouring residents. The unit would be situated under the lower portion of the staircase, beneath which storage of large items would be impractical. It is further expected, given the proposed dimensions and position of the unit and the footprint of the external amenity area, that waste bins could still be adequately accommodated within the wider amenity area without the need to position them within the adjacent vehicle parking area. It is not expected, therefore,

that the proposed unit would constitute a significant negative impact upon the amenities of neighbouring properties as a result of its siting. Notwithstanding the above a grant of planning permission for the proposed condensing unit would not override the rights of any land owner to use the amenity space to which they are entitled as laid out within the relevant deeds. Use of the shared space to the rear of the application property is a civil matter between the owners of the application site and all other associated properties.

(iv) Highway safety

- 7.8 Concerns have been raised within third party objection comments regarding the potential negative impact of the proposed scheme upon highways safety. Comments cite the lack of parking provision associated with the host property and the double yellow lines on the adjacent highway. It is questioned whether this may make use of the host property as a funeral director unsuitable if additional vehicles, such as a hearse, would be required in association with this new use. However, since no change of use or extension of the application property is proposed parking provision is not a planning consideration in this specific instance; this has been supported in a consultation response submitted by Planning Policy. Notwithstanding the above the proposed condensing unit would be positioned below an existing external stair case where it would not impact upon safe use of the off street parking area to the rear of the application property or the adjacent highway.

8 Conclusion

- 8.1 The proposed works, with due regard for scale, siting and detailed design, would have limited and acceptable impact upon neighbour amenity and upon the character and appearance of the application site and its setting. The proposed works would be in accordance with relevant local and national planning policies and design guidance and are therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00896 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:

CFNH-24-101 A - Location Plan and Site Images
CFNH-24-102 A - Proposed Site Plans
CFNH-24-104 - Proposed Ground Floor Plan
CFNH-24-106 - Proposed Elevations

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

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