

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 (
DM14 (Car and Cycle Parking on Development (excluding residential))
DM2 (Protection of Existing Community Facilities and Shops)
DM3 (Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

DM21 (Shopfronts, Signs, Security Shutters and Advertisements)
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

Crime Prevention -Minor Apps

No response received.

Economic Development - Retail and Town Centres

Economic Development raise no objections to this proposal.

Environmental Health Manager, Community Group

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have perused the documentation provided by the applicant and have no objection in principle to the development.

Based on the close proximity of neighbouring residential properties, I would ask that the following informatives be added to any approval that may be granted.

Informative regarding Hours of Work:

You are hereby advised 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

Informative regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking

this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Informative 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.

Informative regarding light pollution:

You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties.

This is in order to protect the occupants of nearby residential dwellings from light pollution.

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment to this application.

Planning Policy

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough.

The following Policies are of particular relevance:

- ☐ CS4 – Town, District and Local Centres
- ☐ CS17 – Concentration and Distribution of Development within the Urban Area
- ☐ DM14 – Car and Cycle Parking on Development (excluding residential)
- ☐ DM21 – Shopfronts, Signs, Security Shutters and Advertisements
- ☐ AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements
- ☐ AL3 – Town, District and Local Centres
- ☐ Havant Borough Council Parking SPD (July 2016)

Principle of Development: The site lies within the urban area as defined by Policies CS17 and AL2 of the Local Plan which seek to concentrate new development within the five urban areas of the borough.

The site falls within the West Town Local Centre as defined by Policies CS4 and AL3. These policies encourage appropriate town centre development proposals which support small and independent businesses. Moreover, Policy CS4 specifically seeks to promote the vitality and viability of the identified local centres.

Local centres do not have defined primary or secondary frontages; therefore, points 3 and 4 of Policy AL3 do not apply.

Parking: Policy DM14 and the Havant Borough Parking SPD (July 2016) set out the minimum parking standards for new development in the borough. The minimum requirement is 3 car parking spaces per consulting room for a dentist surgery (table 6, page 15); therefore, 9 spaces are required for this site.

The supporting note under Table 6 states that:

“Given the broad range of uses at Health centres and the varying needs of occupants the Council will consider the parking requirements of D1 health centres on a case by case basis and will require a full assessment of individual needs to be submitted in the Design and Access Statement, Transport Assessment or other supporting information”.

The Design and Access Statement states that 5 car parking spaces will be provided at the rear of the building (paragraph 4.6). This is due to the limited land available. The proposed parking is lower than the minimum requirement; however, as the site is within a sustainable location, this may be considered appropriate in this instance.

Flooding: The site is not identified as flood zone 2 and/or 3.

Shopfronts and Signs: Policy DM21 seeks to ensure that new shopfronts and signage are not detrimental to the appearance of the individual building or the street scene. A particular consideration in the determination of this application should therefore be the design of the shopfront. It is noted that the applicant has stated in paragraph 4.5 of the Design and Access Statement that a separate application would be made for advertising signage if required.

Community Infrastructure Levy: D1 uses are not CIL liable and do not have to pay the Solent Recreation Mitigation Partnership (SRMP) contribution. Therefore, Policies CS21 and DM24 do not apply.

Recommendation: No objection.

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: 14

Number of site notices: 1

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) Principle of development
- (ii) Policy Considerations
- (iii) Appropriateness of design and impact on the character of the area
- (iv) Effect on neighbouring properties
- (v) Amenity issues
- (vi) Shopfront Design
- (vii) Highway/parking considerations

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to other development management considerations. This site is located within West Town Local Centre, as defined by Policies CS4 and AL3. These policies encourage appropriate town centre development proposals which support small and independent businesses. Furthermore, Policy CS4 specifically seeks to promote the vitality and viability of the identified local centres.

(ii) Policy Considerations

- 7.3 There would be no marketing requirement for the change of use from beauty salon (sui generis) to a dental surgery (class D1). This is because the proposal would retain an active frontage and thereby contribute to the vitality and viability of the centre in accordance with the aims and objectives of policy DM2. Furthermore, the proposed change of use would retain a form of economic development through supporting a level of employment on the site.
- 7.4 In terms of the land use principles, it is considered that the proposal would comply with policy CS4 regarding supporting small and independent businesses and encouraging mixed use development in designated centres that retain active ground floor frontages. The current proposal for a dental surgery, would be open during the day and active over the lunch time period generating pedestrian activity serving visiting members of the public.

(iii) Appropriateness of design and impact on the character of the area

- 7.5 The proposed single storey extension is attached to the rear of the property and would not be visible from the public realm. Whilst it is to be built adjacent to the northern boundary it is no higher than the existing rear addition and is of a modest size.
- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iv) Effect on neighbouring properties

- 7.7 The development is a continuation of the existing building, with a flat roof and rooflight, together with new rooflights in the existing flat roof. There are no windows in the northern or rear elevation and the new window and door to the southern elevation would face the rear yard and parking area of the premises. There is a 2.8 metre driveway between the northern boundary of the site and the southern elevation of the property at 34 Station Road and the property to the south is a retail unit with residential above.
- 7.8 Consequently, it is considered that the single storey rear extension element of the application is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(v) Amenity issues

- 7.9 It is considered that the proposed use of the building would not result in excessive noise which would result in an unacceptable disturbance for nearby residential properties. Furthermore, opening times are restricted to daytime hours, Monday to Friday only.

(vi) Shopfront Design

- 7.10 Policy DM21 of the allocations plan specifically considers shop fronts and requires that their design to be appropriate in size and scale. The proposed new shopfront is considered to be suitable and whilst it includes modest signage details, it is noted in the design and access statement that a separate application for advertisement consent will be submitted if required.

(vii) Highway/parking considerations

- 7.11 The proposal has included limited parking provision for visitors and staff and whilst it is less than the minimum requirement, the site is within a sustainable location and is considered appropriate in this instance. It is also noted that there is on street parking opposite the site.

8 Conclusion

- 8.1 Overall it is considered that the proposal for a change of use would result in a number of positive factors to the local centre and complies with all the relevant local planning policies and national planning policy. Therefore the application is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00428 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 external materials used shall be as stated in the Schedule of External Materials and Finishes revision A, dated April 2017, submitted by Jeffrey Douglas, Chartered Architect.
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.
- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as a dental surgery and for no other purposes within Class D1 of the above Use Classes Order.

Reason: To ensure that the use is appropriate within the West Town Local Centre and having due regard to Policies CS4 and DM3 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The premises shall only be open for trade or business between the hours of 0900 to 1730 Monday to Friday and not at all on Saturdays, Sundays or Bank Holidays

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Drg no. 21701/101 Location and block plan, existing ground floor plan

Drg no. 21701/102 Existing elevations plan

Drg no. 21701/103 Proposed site and parking plan

Drg no. 21701/104 Proposed floor plans

Drg no. 21701/105A Proposed elevations plan

Existing site photographs dated April 2017

Schedule of external materials and finishes rev A dated April 2017

Design and access statement dated April 2017

Reason: - To ensure provision of a satisfactory development.