

Appeal by Mr A Beasley

re.

**11 Clinton Road, Waterlooville,
Hampshire PO7 6DT**

Grounds of Appeal

presented by

Robert Tutton BSc(Hons), MRTPI.

Mr Robert Tutton

Qualifications: Bachelor of Science (Honours) Degree in Town and Country Planning awarded by the University of Aston in Birmingham.
Member of the Royal Town Planning Institute since 1976.

Experience: Has worked in the town and country planning field for fifty-seven years, of which nine were spent with Portsmouth City Council (1965-74) and fifteen with Fareham Borough Council (1974-89) in several senior positions, including Chief Forward Planning Officer and Chief Development Control Officer. Has been a Town Planning Consultant in private practice since July 1989 and a Director of Robert Tutton Town Planning Consultants Ltd since January 2008.

Is familiar with the provisions of adopted planning policies for the Waterloooville area and has visited the appeal site and its environs on several occasions since first being instructed by Mr Beasley in October 2021.

TOWN AND COUNTRY PLANNING ACT 1990
Section 78

APPEAL by Mr A Beasley against the decision of **Havant Borough Council** to refuse the grant of planning permission for a *“Variation to Condition 4 of planning permission APP/20/00840, to allow the premises to operate Mondays-Fridays 0900-1800 hours and Saturdays 0900-1530 hours”* - the application relates to an outbuilding at no.11 Clinton Road that is used as a hair-and-beauty salon.

Havant Borough Council’s reference: APP/21/01247

GROUND'S OF APPEAL.

1.0 THE APPEAL SITE and its environs.

1.1 No.11 is a semi-detached chalet bungalow that stands on the northeast side of Clinton Road, 75 metres southeast of its junction with Silverdale Drive, in the northwest of Havant Borough Council’s administrative area. The application subject is a flat-roofed outbuilding (8.1m long, 3.9m wide and 2.5 metres in height) that stands in the northwest corner of the back garden; it was already in place when the appellant acquired the property in 2016 (**Appendix 1**). The (rear) boundary to the north is defined by a close-boarded fence 1.8 metres in height; the boundary to the west is a panel fence 1.6 metres in height and a hedge 1.8 metres in height stands at the common (southeast) boundary with no.13 Clinton Road.

1.2 The front one-third of the outbuilding is used for general garden storage; the other parts are used as a hair-and-beauty salon (‘the salon’) that comprises two interconnected rooms that are accessed via a doorway in the southeast elevation (ie the side that faces away from no.9 and towards no.13 Clinton Road). Use of the outbuilding for Mrs Beasley’s salon commenced in March 2016, so it had been operating for 4.5 years by the time retrospective consent was sought in September 2020. .

2.0 RELEVANT DECISION - APP/20/00840

2.1 On 14th September 2020, Mark Singleton submitted application APP/20/00840 to Havant Borough Council on behalf of Mr Andrew Beasley for the *“Change of use of section of existing rear outbuilding for hair and beauty salon on occasional basis”* at 11 Clinton Road but it came to be registered as being a *“Retrospective application for change of use of section of existing rear outbuilding for hair and beauty salon (Revised Hours of Opening: 0900-1800 (Tuesday, Wednesday, Friday) and 0900-1539 (alternate Saturdays)”*. The application was validated on 2nd October 2020.

2.2 On 9th October 2020, Chris Hirst of Hampshire Highways recorded that *“It is understood that the existing outbuilding has been operating as a hair and beauty salon for a number of years...The Highway Authority are satisfied that the low level of trip generation*

to the salon has not caused detrimental harm to the highway...It is assumed that clients utilise the driveway or on-street parking provision when visiting the salon...In their capacity as local parking authority, Havant Borough Council should confirm whether this arrangement is acceptable...The Highway Authority raise no objection to the proposal."

2.3 On 12th March 2021, Jonathan Driver of Environmental Health recorded his comments on the proposal:- *"Comings and goings of customers are only really likely to be material to EH from a nuisance perspective for entertainment venues or later-night premises (ie no concerns here)...I would expect odour & noise (from hand-held equipment eg hairdryer etc) to be the most significant potential issues but the site context doesn't give rise to any immediate concern about detriment (to) neighbours' amenity...A restriction of business hours could be prudent (eg to avoid unreasonable detriment to neighbours' amenity from noise/odour within amenity spaces – in evenings, on Sundays etc – I'd suggest restricting to 9am-6pm Mon-Fri as proposed (probably, for practical purposes, ignoring the 4 of 5 days proposal) this would also provide clear delineation between Planning Enforcement/EH jurisdiction for amenity issues arising from the dual use of the building."*

2.4 On 6th May 2021, Mark Singleton presented a revised 'Supporting Statement'; these extracts are considered germane to the consideration of this appeal:

"The applicant (owner) took possession of the property on 24 March 2016...The rear outbuilding in question was existing at the time of purchase, having been constructed by previous owners...It is noted that the applicant enquired about using the existing outbuilding prior to purchasing the property, as it was always intended that this would be used for his wife's self-employed business and a response letter was issued by Havant Borough Council Planning on 27 January 2016...This advised of options available with regards to determining the use of the outbuilding...The outbuilding was being used for a dual use of Hair and Beauty Salon plus incidental use by the occupant's family members...The use commenced from March 2016 and was unchallenged until the matter was subsequently investigated further by the Planning Enforcement Team in December 2019 following, it is understood, receiving a complaint by a nearby occupier"

"Mrs Beasley is self-employed and carries out a mobile hairdressing service to most clients, however a number of other local people visit the property to take use of the facilities provided in the salon...All clients are either friends, relatives, neighbours or recommendations from other persons...Most people using the facilities are long-standing clients and acquaintances of up to thirty years...No on-site advertising is carried out by Mrs Beasley in the matter...All visits are by appointment only, on an individual basis and will occur on selected days only as provided below

Consent for operating the business is requested to cover the following days and times:

Tuesday:	9.0am-6.0pm
Wednesday;	9.0am-6.0pm
Friday:	9.0am-6.0pm

Alternate Saturdays: 9.0am-3.30pm

Saturday reduced hours are requested to cover long-standing Special Educational Needs clients that Mrs Beasley has, who are unable to attend on other days during the week.”

“The business generates no significant noise or nuisance to nearby residents and is carried out in a very low-key manner, with no advertising displayed...It is therefore requested that consideration be given to issuing a Full Planning consent for the use of the existing rear outbuilding as a Hair and Beauty Salon in association with a self-employed business operated by Mrs Beasley, within the criteria as indicated in this statement.”

2.5 Planning permission for the hair-and-beauty salon was granted by the Officers under their delegated powers and these extracts from the Officer Report (**Appendix 2**) which led to their decision are seen to be germane to the consideration of this appeal:

“Mrs Beasley is self-employed and carries out mobile hairdressing to most clients, however a number of other local people visit the property to make use of the facilities provided in the salon...Clients are either friends, relatives or neighbours or recommendations from other persons...Most people using the facilities are long-standing clients and acquaintances of up to thirty years...All visits by appointment only on an individual basis and will occur on selected days only:- Tuesday, Wednesday and Friday 9am-6m...Alternate Saturdays 9am-3.30pm...Saturday reduced hours are requested to cover long-standing Special Educational Needs clients...All appointments are individual and no overlap of persons attending occurs...People will access the salon by the side pedestrian access to the property...Most arrive by foot but, if by car, there is unrestricted parking available in Clinton Road...Four cars can be parked on the front area, three of which are normally taken by the occupants however, during the week two cars are likely to be absent as used by occupants for their own working purposes...On Saturday, the parking space closest to the front boundary can be used by clients”.

“In terms of the business use, the supporting information states that Mrs Beasley is self employed and carries out a mobile hairdressing service and a number of local people visit the property to take use of the facilities provided in the salon...In planning terms the origin of customers to the site cannot be controlled and it is necessary to consider the level of activity at the site...The agent has confirmed the following in terms of clients visiting the property – All visits are by appointment only...All appointments are individual and no overlap of persons attending occurs.”

“In relation to noise, there are considered to be three main potential sources of disturbance - vehicular parking and maneuvering; access to and from the rear building by clients on foot; and activities taking place within the building...Environmental Health have been consulted in relation to the

application...It is not considered that the scale of parking and maneuvering would lead to an unacceptable noise impact on neighbouring residents...Subject to appropriate conditions on hours/days of use and the provision of a suitable boundary treatment, it is considered that activity associated with access to the building would be limited and acceptable.”

“No objections have been raised by Environmental Health in relation to potential smell/odour issues”.

“Overall, in relation to the impact on residential amenity, it is considered that, subject to suitable conditions limiting the days/hours of operation, the maximum number of customers in a day, no additional staff being employed and a personal consent limiting the operation of the business to the applicant and his wife, the impacts on amenity would be limited and acceptable.”

“In relation to parking, it is noted that the area to the front of no.11 is hard-surfaced and provides parking for three cars...A car parking plan has been submitted that shows four spaces (with 3 shown for owners and 1 for hairdressing business)...Under the Council’s Car Parking SPD 1 space would be required for the business use, with a 3+ bedroom house requiring maximum 2 spaces...Three spaces would therefore meet the Council’s adopted standards...It is not considered that there would be grounds to recommend refusal of planning permission, based on level of proposed use.”

“In conclusion, it is considered the use is acceptable in principle and does not result in development harmful to the character and appearance of the area...Impacts on neighbouring residents have been carefully considered and, subject to appropriate conditions, are considered acceptable...In relation to parking, it is considered that parking on site meets the Council’s parking standards and any overflow parking is likely to be limited and acceptable..

2.6 Section 4 of the Officers’ Report recorded their judgement that their decision turned on four policies (CS16, CS17, DM10 and DM14) of the Havant Borough Local Plan (Core Strategy) and two policies (AL1 and AL2) of the Allocations document; as planning permission came to be granted, all of those requirements were evidently seen to be satisfied. It was also recorded that the ‘Policy Considerations’ had included unspecified part(s) of the National Planning Policy Framework.

2.7 Planning permission APP/20/00840 was granted on 23rd August 2021 subject to seven conditions, of which four are considered particularly noteworthy:- Condition 2 limited the benefit of the consent to Mrs A Beasley; Condition 3 required the erection of a 1.8m fence on the northeast boundary; Condition 4 restricted the trading hours to 0900-1800 hours on Tuesdays, Wednesdays and Fridays and 0900-1530 hours on alternate Saturdays; and Condition 5 required that clients visit only by appointment.

3.0 PLANNING APPLICATION APP/21/01247

3.1 Planning application APP/21/01247 was submitted to Havant Borough Council by Robert Tutton Town Planning Consultants Ltd for Mr A Beasley on 1st November 2021 and it was registered the following day. Section 5 of the 1APP form described the proposal as being for “*Variations to Condition 4 of permission APP/20/00840, to allow the premises to operate Mondays-Fridays 0900-1800 hours and Saturdays 0900-1539 hours*” and invited readers to “*Refer to Planning Statement*”, extracts of which are presented here:

“Condition 4 stipulates that hair and beauty treatments may only be undertaken at the premises on three days in the week (Tuesday, Wednesday and Friday) and alternate Saturdays...The ‘Reason’ given for the restriction was “*To protect the amenities of nearby residential properties and having regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*”

“Core Strategy Policy CS16 re ‘High Quality Design’ generates a presumption in favour of permission “...*for development that is designed to a high standard, which helps to create places where people want to live, work and relax*”; it sets seven generic tests, of which criterion 1(e) appears to have been the most pertinent:- “*The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*” As Policy CS16 was acknowledged in the Officers’ Report as being a relevant ‘Policy Consideration’ and permission came to be granted, it surely follows that criterion 1(e) was seen to be satisfied; it is unclear, however, why the permitted use was considered to be acceptable on a Tuesday, Wednesday or Friday but not on a Monday or a Thursday; it is also unclear why the treatments would be found acceptable on one Saturday but not the next.”

“Core Strategy Policy DM10 re ‘Pollution’ warns that development which may cause pollution through various means will only be permitted where, *inter alia* “The health and safety existing and future users of the site or nearby occupiers and residents is not put at risk”. As Policy DM10 was acknowledged by the Officers as being a relevant ‘Policy Consideration’ and permission came to be granted, it again surely follows that criterion 1 of the policy was satisfied; it is also unclear however why the permitted use was considered to satisfy Policy DM10 on a Tuesday, Wednesday and Friday but not on a Monday or a Thursday; it is also unclear why nearby occupiers and residents would be put at risk on one Saturday but not the next.”

““The Officers’ Report on application APP/20/00840 recognised that the use of the subject outbuilding as a hair and beauty salon generated ‘Policy Considerations’ for the National Planning Policy Framework (NPPF) but did not specify which part(s) of its 75 pages were seen to be germane to their consideration of the application...In the absence of evidence to the contrary, it has been necessarily assumed that attention was being drawn to paragraph 56

of the NPPF, which states that *“Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable precise and reasonable in all other respects.”* As the use of this modest outbuilding as a hair and beauty salon was seen to **satisfy** the requirements of Core Strategy Policies CS16 and DM10 on a Tuesday, a Wednesday and a Friday (but not on a Monday or a Thursday) and on one Saturday but not the next, it is evident that Condition 4 was neither necessary nor reasonable from the outset and should be varied, to read “The hair and beauty treatment premises shall be open for trade or business on Mondays to Fridays 0900 hours to 1800 hours and Saturdays 0900 to 1530 hours.”

3.2 On 30th November 2021, ‘KRC’ of the Traffic Management Team confirmed that *“The Traffic Team have no adverse comment to make.”* On 6th December, Sophie Osborne of ‘Highways Development Planning’ wrote that, as *“...the existing outbuilding has been operating as a hair and beauty salon for a number of years...The Highway Authority are satisfied that operation of the salon at the days and times noted above will not lead to a detrimental impact on the wider highway network.”* On 14th December, Charlotte Adcock, the Pollution Team Leader at East Hampshire District Council, confirmed to the planning case officer Graham Speller that she had *“...no adverse comments to make with respect to the application to extend the hours.”*

3.3 The application was determined by the Officers under their delegated powers so no opportunity was afforded for Andrew Beasley or his agent Robert Tutton to appreciate the precise basis of their recommendation or to present a deputation in favour of the proposal to Members of the Planning Committee, The decision notice issued on 19th January gave this reason for withholding consent:

“1. The proposed variation of Condition 4 of planning permission APP/20/00840 would allow for business activity for six days a week, with all the associated comings and goings of clients. This is considered likely to give rise to a consistent level of activity, noise and disturbance for the majority of the week, which would be significantly over and above that of the extant planning permission and would be to the detriment of the living conditions of neighbouring occupiers. As such, the variation of Condition 4 would conflict with Policy CS16 1(e) of the Havant Borough (Core Strategy) 211 and the National Planning Policy Framework.”

3.4 The Officers’ Delegated Report which led to the decision has since become available for scrutiny (**Appendix 3**) and these matters are considered noteworthy:

A. The ‘Policy Considerations’ were identified as being (unspecified parts) of the National Planning Policy Framework: the Havant Borough Design Guide SPD; the Havant Borough Parking SPD and Policies CS16, CS17, DM10 and DM14 of the Havant Borough Local Plan (Core Strategy) .

B. The 'Community Involvement' was recorded as being 39 representations, of which 35 letters supported the proposal and 4 objected. The Officers commented that *"Whilst there has been a significant number of letters of support for the proposed change in hours of the business, it is apparent that the majority do not live in the vicinity and are customers of the current business."* The addresses of respondents were redacted and withheld, so it has not been possible to ascertain the precise relationship between the proposal and specific households; the efficacy of the Officers' assessment could not be tested.

C "Given the previous permission, the principle of the development/use is considered to be acceptable, albeit with conditions imposed restricting hours of operation and level of the business activity...These were previously imposed in order to seek to ensure that the use was appropriately constrained, to operate in a manner compatible with the primarily residential nature of the surroundings and residential amenity."

D. "Whilst it is understood that the hours now requested under the current application would remain the same and be extended to additional days, there would be an increased level of activity over the week as a result which is identified below. As presently conditioned, the use would allow for the following weekly use:

Week 1. Total weekly hours 33.5 hours

Week 2. Total weekly hours 27 hours.

The new days/hours requested would be:

Monday 0900 hrs to 1800 hours

Tuesday 0900 hrs to 1800 hours

Wednesdays 0900 hrs to 1800 hours

Thursdays 0900 hrs to 1800 hours

Fridays 0900 hrs to 1800 hours

Saturdays 0900 hrs to 1530 hours."

E. "This would allow 51.5 hours a week, every week. This is considered a significant change in terms of the use of the site for business activity compared to the existing operation."

F. "The previous officer report in relation to the approved proposal (APP/20/00840) commented that the outbuilding is sited to the rear of the dwelling and that any view from Clinton Road is limited by the fact that the building is set back from the road and the previous rear extension together with a gate which partially blocks any view...As such, the previous proposal for a change of use of a section of the existing rear out building for hair and beauty salon was not considered to have a harmful impact on the character and appearance of the area."

G. "The main issue is the effect that varying the condition would have on the living conditions of neighbours in respect of privacy, activity, noise and disturbance...Due to a new fence that has been erected in accordance with condition 3 imposed on application APP/20/00840 and the existence of existing vegetation screening, it is not considered that the proposal would cause unacceptable harm to the amenity of neighbours through the loss of privacy and overlooking...Whilst it is noted that the Council's Environmental Manager has no adverse comments to make regarding the application, the local planning authority needs to be satisfied before a positive recommendation could be made, that the scale of the use is such that it would not adversely impact on residential amenity."

H. "Such activity is not common in a residential area, the proposal would result in essentially a full-time business operating 6 days a week and would be a significant increase in the level of activity normally associated with a single dwelling and significantly more than currently consented,, As such, the proposal to vary the business operation would result in an increase in the amount of additional activity, noise and disturbance, to the detriment of the living conditions of neighbouring occupiers...The proposed variation of the condition restricting the days/hours of operation would represent an increase of 18 or 24.5 hours per week, which is considered significant. As currently constrained, the permission allows the neighbouring occupiers some rest bite (sic) from the activity associated with the use and was considered appropriate as a balance between the requirements of the applicant and residential amenity."

I."Policy CS16 generates a presumption in favour for permission that, among other things, does not cause unacceptable harm to the amenity of neighbours through smell. The loss of privacy, outlook, noise and overlooking...While a level of business use was considered acceptable and that the level of activity was reduced following discussions between the applicant/agent and the Council, the proposed variation of Condition 4 of planning permission APP/20/00840 would allow for business activity for six days a week with all the associated comings and goings of clients...This is considered to give rise to an unacceptable level of activity, noise and disturbance over and above that which currently takes place , to the detriment of the living conditions of neighbouring occupiers...As such, the variation of Condition 4 would conflict with Policy CS16 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework."

4.0 PLANNING POLICY

4.1 Section 38 of the Planning and Compensation Act 2004 requires an application or appeal to be determined in accordance with the relevant policies of the development plan unless material considerations indicate otherwise; an element of flexibility is provided which enables decisions to be made which may disagree with the development plan. The statutory development plan for Waterlooville comprises the **Havant Borough Local Plan**

(Core Strategy) 2011 and the Havant Borough Local Plan (Allocations) 2014.

4.2 The Havant Borough Local Plan Core Strategy (**Appendix 4**) was adopted in March 2011; its Policy CS16 is a 'coarse-grained' omnibus policy that generates a presumption in favour of development proposals that meet seven 'High Quality Design' tests. Its focus on design tells one that it is a policy intended for application to *buildings* rather than *uses*; indeed, that is probably why paragraph 7.28 of the Core Strategy states that its tests should not be applied to a proposal of less than one dwelling. As Policy CS16 1 (e) was central to Havant Borough Council's Reason for its rejection of application APP/21/01247, close attention has been given to the central test which led to the Officers' decision:

"Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design...

1. Responds to, draws inspiration from and respects local context and...

e. The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking."

4.3 Paragraphs 7.10/7.11 of the Officers' Report on application APP/21/01247 reiterated their previous finding that *"...the outbuilding is sited to the rear of the dwelling and that any view from Clinton Road is limited by the fact that the building is set back from the road and the previous rear extension, together with a gate which partially blocks any view...As such, the previous proposal for a change of use of a section of the existing rear outbuilding for hair and beauty salon was not considered to have a harmful impact on the character and appearance of the area."* It was a clear admission that the **design** of the outbuilding was not a factor in the Officers' assessment and, as 'the development' fell below the threshold set by paragraph 7.28 for 'new development' (see 4.2 above), the Officers misdirected themselves by their focus on Core Strategy Policy CS16.

4.4 Planning Condition 3 - *"Within 3 months of the date of this permission, a boundary fence with a height of 1.8m shall be erected along the north-east boundary"* - was imposed on permission APP/20/00840 *"To safeguard the amenities of the occupiers of neighbouring property"* and that requirement has been satisfied. Paragraph 7.13 of the Officers' Report on APP/21/01247 led them to the view *"...it is not considered that the proposal would cause unacceptable harm to the amenity of neighbours through the loss of privacy and overlooking"*.

4.5 Transport Planner Sophie Osborne recognised in December 2021 that *"...the existing outbuilding has been operating as a hair and beauty salon for a number of years"* and Mrs Beasley has continued to practice with the benefit of permission APP/20/00840 since August 2021. Countless opportunities have been afforded to Officers of Havant Borough Council to monitor, test and record any noises generated by Mrs Beasley in the conduct of her business but such evidence is conspicuous by its complete absence from the Officers'

Report. Pollution Team Leader Charlotte Adcock confirmed in December 2021 that she had “...no adverse comments to make with respect to the application to extend the hours” but paragraph 7.14 of the Officers’ Report showed that her advice was doubted and put aside. No issue is taken with the Planning Officers’ comment that the proposed variation in business hours would be numerically ‘significant’ but no **evidence** has been presented to demonstrate that neighbours would be disturbed by Alison Beasley’s conduct of her modest business on a Monday, Thursday or every Saturday any more than they are at present; the fear that drove the refusal of application APP/21/01247 has no foundation, so this appeal should be allowed.

5.0 NATIONAL PLANNING POLICY FRAMEWORK

5.1 The Reason for Refusal of application APP/21/01247 included the charge that the proposed variations in Mrs Beasley’s business hours would somehow conflict with the intentions of the National Planning Policy Framework (NPPF) but neither the Officers’ Report nor the decision notice make specific reference to the part(s) on which reliance is placed. Robert Tutton’s email to case officer Graham Speller at 0916 hours on 23rd June invited him to specify the part(s) of the NPPF’s 75 pages that were relied upon for the charge.

6.0 RELATED MATTER

6.1 The Officers’ Report on application APP/21/01247 recorded that 39 third party representations had been received (35 for, 4 against) but sought to play down the importance of the supportive submissions – “*Whilst there has been a significant number of letters of support for the proposed change in hours of operation of the business, it is apparent that the majority do not live in the vicinity and are customers of the current business.*” No evidence was presented to demonstrate the magnitude of ‘the majority’, the distance that they live from Clinton Road or whether they were actually customers of the current business. It is Havant Borough Council’s regrettable practice to redact the names and addresses of third parties from its web-site, so neither the geographical relationship of respondents to the application site nor the efficacy of the Officers’ contention could be tested in preparing these Grounds of Appeal. Robert Tutton has compared Havant Borough Council’s practice to other local planning authorities in South Hampshire (ie Fareham, Portsmouth) and is pursuing a formal complaint.

6.2 As the efficacy of the Officers’ assertion could not be tested, Mrs Beasley helpfully recorded the home addresses of the 14 clients that visited her during the week beginning 21st June 2022 and noted the means by which they travelled to and from her salon (**Appendix 5**). It is noteworthy that 5 of her 14 clients walked in and most of those that came by car combined their hair/beauty treatment with other activities – shopping, recreation and visiting friends.

7.0 CONCLUSION and SUBMISSION

7.1 Mrs Beasley commenced use of the pre-existing outbuilding as a salon in March 2016, so she had already been trading for 4.5 years, when retrospective consent was sought in September 2020. 4 objections were raised, with 18 representations of support. The impact of the use on the amenities of neighbours was found to be limited and acceptable..

7.2 Countless opportunities have been afforded to Officers of Havant Borough Council to monitor, test and record any noises generated by Mrs Beasley in the conduct of her business but such evidence is conspicuous by its complete absence from the Officers' Report. Pollution Team Leader Charlotte Adcock confirmed in December 2021 that she had "*...no adverse comments to make with respect to the application to extend the hours*".

7.3 Paragraph 7.28 of the adopted Core Strategy states that Policy CS16 does not apply to 'new development' of less than one dwelling or 500 square metres; the subject outbuilding has a gross external floorspace of just 31.59 square metres.

7.4 The Secretary of State for Levelling Up, Housing and Communities is respectfully requested to allow this appeal and grant planning permission for development that **accords** with the policies of the adopted development plan and no other material considerations suggest otherwise.

APPENDICES

1. Photographs.
2. Documents relating to permission APP/20/00840
3. Document relating to application APP/21/01247.
4. Havant Borough Core Strategy 2011 (extracts).
5. Salon appointments 21st - 24th June 2022.