

Recommendation: **GRANT PERMISSION**

APP/17/01358 - Application for non-material change to planning permission APP/10/00992 relating to revisions to roof plan, fenestration and second floor rear balconies. Permitted 14/02/2018.

APP/19/01260 - Variation of plans approved under extant Planning Permission APP/10/00992 (Demolition of existing shops and flats. Construction of a three storey mixed use building providing 650sqm of retail (Class A1) and 14No. flats with associated car parking (5No. spaces), cycle and bin stores), as amended by non-material amendment APP/17/01358 - variations relate to revisions to layout and external appearance of building. Permitted 24/03/2020 **and Implemented/Completed**

3 Proposal

3.1 Change of use at ground floor level to create 4No. A1 units and 1No. Class E (office) unit; revised car parking, servicing, cycle and bin stores to rear; and alterations to northern and southern elevations (retrospective application - revisions to scheme originally approved under APP/19/01260).

3.2 The key changes that have occurred during construction and are now being regularised relate to:

Internal changes on the ground floor:

- creation of 4No small retail units instead of 2 larger units, with associated additional internal shop stores, wc's, etc;
- internal formation of an office serving the residential flats above;
- enlargement of the internal cycle store;

External changes :

- slight changes to shop front detail/proportions and door configuration
- in rear/north elevation - revised ground floor entrance door & canopy; and 3 additional windows;
- revised refuse stores - siting of commercial & residential bins side by side against eastern boundary;
- reconfiguration of parking and servicing area - with provision of 10 spaces.

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

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)
CS4	()
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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: St Faiths

5 Statutory and Non Statutory Consultations

Building Control

Bin store should comply with Approved Document H 6 ref. ventilation / bin sizes / drainage wash down provisions

No other comments

Conservation Officer

The site is located in West Street in Havant Town Centre. Permission was granted in 2010 for the demolition and the erection of a 3-storey building with commercial uses on the ground floor and flats above. The development has now been built however, further changes are proposed to the subdivision of retail units and other material alterations.

The site itself is not within the conservation area boundary but is immediately adjacent to the St Faiths Conservation Area to the south west and the Black Dog Conservation Area to the west. As such, Section 72 of the LB&CA Act is relevant.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

Assessment:

The proposed changes are of such a nature that they would not affect or result in harm to the adjacent conservation areas.

Conclusion:

No objection.

Crime Prevention

None received

Economic Development

None received

Environment Agency

None received

Hampshire Highways

The Highway Authority note that planning permission was previously granted for this site under planning reference APP/19/01260 and slight amendments have been made to the previously approved scheme.

The proposed changes would not lead to a significant increase in vehicle movements and thus, would not create a detrimental impact on the wider highway network. The applicant should be made aware however that parking is a matter for Havant Borough Council to comment on as the Local Parking Authority. The Highway Authority would be satisfied with the parking arrangements subject to written confirmation from Havant Borough Council confirming this is acceptable.

Having regard to the above, the Highway Authority provide no objection to the above proposals.

Planning Policy

It is understood that this application is for amendments to the scheme approved under ref APP/19/01260. As such the principle of development, and many of the details have already been accepted.

In policy terms there is no objection to the replacement of the two large retail units with 4 smaller ones and the provision of an office to the rear. The provision of commercial provision in this form is considered appropriate in local and national planning terms.

Regeneration

No comment to make

Traffic Management

The Traffic team have no adverse comment to make

Waste Services Manager

None received

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: 49

Number of site notices: 1

Statutory advertisement: 18/02/2022

Number of representations received: 0

Comment	Officer Comment
None received	

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 and effect on St Faiths Conservation Area
- (iii) Impact upon residential amenity

(iv) Access, parking & refuse

(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. The principle of this mixed use development in this town centre site has previously been approved both in 2010 and 2019 and this application simply seeks regularisation of changes that occurred during construction, based on the intended occupiers needs. All 14 flats have been leased to a company that provide crisis/emergency housing to Local Authorities (which remains a C3 use) and they required on site office space to manage the flats. Following the pandemic the large retail spaces were difficult to rent, but there was demand from local businesses for smaller units.

7.3 The overall development remains similar to that approved - there are still 14 flats but the retail floor space has changed from 2 large units totalling 650sqm to 4 smaller units totalling 444sqm, with the office space amounting to about 85sqm. As a mixed commercial and residential development it remains appropriate for the town centre site in principle.

(ii) Impact upon the character and appearance of the area and effect on St Faiths Conservation Area

7.4 The changes to the shop fronts are very minor in scale - the size, proportion and pattern of window openings remains the same, it is simply the arrangement of entrance doors that has altered. The overall scale and character of the building as it presents to West Street and St Faiths Conservation Area remains unaltered from that previously approved under APP/19/01260. It is considered that the development would continue to preserve the setting of the Conservation Area.

7.5 To the rear the operational changes of revised entrance and windows, and reconfigured parking and service yard are also modest relative to the scale of the development. The enlarged car parking area is compatible with adjacent rear service areas and the bus station. Overall it is considered that there is no adverse impact on the character of the area.

(iii) Impact upon residential amenity

7.6 Since the scale and mass of the building has not changed, then the impacts on adjacent occupiers are also unchanged. The change in intensification of use resulting from 4 small retail units compared to 2 larger ones would also be negligible. Overall the proposal would have limited impact on neighbouring amenity and the amenity of the new residents in the flats above.

(iv) Access, parking & refuse

7.7 The internal service corridor has been redesigned to provide access to all 4 units, and widened where used by residents as well. Generally the residential access is improved compared to APP/19/01260 with enlarged hallways. By reducing the size of the retail units the size of the lorry delivery space required was also reduced enabling the car parking and service yard area to be reconfigured. Shorter lorries can still access the rear delivery bay and the on site parking provision has increased from 5 to 10 spaces. In addition the cycle store is slightly enlarged from 17 bikes to 18.

7.8 The bin stores as built are larger than as previously approved, with both the residential

and commercial stores each capable of taking 5 x 1100l bins (compared to 4 x 1100l as approved).

- 7.9 Given the sites accessible town centre location the development was approved with reduced parking standards. The as built increased parking and refuse provision would benefit occupiers of the site and continue to function appropriately. Hampshire Highways have raised no objection; therefore there is no objection on highway safety or amenity grounds.

8 Conclusion

- 8.1 This is a retrospective application seeking approval for the as-built layout. It is considered there are no adverse impacts arising from the changes made on site and as such permission is recommended with a repeat of the necessary ongoing compliance conditions from APP/19/01260.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00022 subject to the following conditions:

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

Design, Access & Flood Risk Statement by CAAD dated January 2022
1:1250 Location Plan - Drawing Number 150
Block Plan - Drawing Number 151
Previously Approved Ground Floor Plan - Drawing Number 420 Rev A
As Built Ground Floor Plan - Drawing Number 450
Previously Approved & As Built North Elevation - Drawing Number 551
Previously Approved & As Built South Elevation - Drawing Number 550
As Built Bin Store - Drawing Number 554

Reason: - To ensure provision of a satisfactory development.

- 2 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to Policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the external lighting of the site shall accord with the plans and particulars approved pursuant to Discharge of Condition application APP/13/01236 dated 23 January 2014.

Reason: To safeguard the amenities of the locality and in the interests of highway safety and having due regard to Policies CS11, CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National

Planning Policy Framework.

- 4 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to Policies DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The rear service area shall be kept clear of obstruction and be kept available for the manoeuvring of vehicles. No fencing or means of enclosure other than that shown on the approved plans shall be provided in this area without the prior written approval of the Local Planning Authority.
Reason: In the interests of highway safety and having due regard to Policies DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.