
Site Address:	Rear of 8 Chalton Crescent, Havant, PO9 4PT		
Proposal:	Construction of outbuilding to the rear garden of 8 Chalton Crescent to be used as a commercial facility for the production, storage and order fulfilment of Mead.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00099	Expiry Date:	20/04/2022
Applicant:	Mr S Martin		
Agent:		Case Officer:	Gary Christie
Ward:	Warren Park		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application relates to a 2-storey mid-terraced property located to the northern side of Chalton Crescent just to the east of its junction with Cheriton Close. The property is set back from the highway by a small front garden and benefits from an enclosed garden to the rear with shared access through an undercroft. A single-storey flat roofed rear projection mirrored by the neighbouring property to the east extends into the rear garden with a domestic shed beyond. The garden is enclosed by typical c.2 metre high timber fencing.
- 1.2 The surrounding area is predominantly residential in character with a mix of terraced and semi-detached dwellings within similar sized plots. An area of open space is located just to the south and a church is located just to the east of the site.

2 Planning History

GEN/21/00642 - Convert outbuilding for business use.

GEN/22/00036 - Licensing application

3 Proposal

- 3.1 Retrospective planning permission is sought for the construction of an outbuilding to the rear garden to be used as a commercial facility for the production, storage and order fulfilment of Mead.
- 3.2 The outbuilding has the characteristics of a robust timber domestic shed/summer house and is sited against the eastern boundary immediately to the rear of the existing rear projection. The building measures approximately 4.8 metres in width by 3 metres in depth and is topped with a dual pitched roof measuring 2 metres at the eaves and 2.6 metres at the ridge forming gables to the east and west facing elevations. Power and water is sourced directly from the dwelling.
- 3.3 The applicant has indicated that the commercial use would operate as follows:
- The premises is used to produce, store and package Mead, an alcoholic beverage made from honey;
 - The operating hours of the use would be 09:00-17:00 Monday-Saturday;

- The building would be staffed by the applicant only;
- There would be no visiting members of the public to the premises;
- Smells produced during the fermenting period are limited and contained by the structure;
- The only machinery used would be a vacuum cleaner and a vacuum sealer which would be used on limited occasions.
- The fermentation/aging cycle is 800 litres every 2-3 months.
- Each cycle will produce 600 bottles per batch with bottling taking approximately 1.5 days to complete.
- There would be approximately 4 deliveries to the site each week;
- Deliveries of the product from the site would be undertaken in part by the applicant or collected by couriers, approximately 3 per week;
- Water consumption would be approximately 800 litres for production every 2-3 months, and 150 litres for cleaning and sterilising which would discharge to the existing sewer on site.

3.4 The applicant was granted a Premises Licence on 9th February 2022 for the supply of alcohol off the premises.

3.5 Following a site visit, the application was amended from that originally submitted to include the outbuilding which requires planning permission in its own right. A replacement site notice was displayed and neighbours notified by letter.

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

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Beryl Francis

No comments received.

Councillor Pamela Crellin - Barncroft

No comments received.

Councillor Tony Denton

No comments received.

Councillor Yvonne Weeks - Barncroft

No comments received.

Developer Services, Southern Water

Approximate position of existing foul and surface water sewers within the development site provided.

Environment Agency

No comments received.

Environmental Health Manager, Community Group

No comments 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: 7

Number of site notices: 1

Statutory advertisement: Not applicable.

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
- (iii) Impact upon residential amenity

- (iv) Parking
- (v) Flood Risk
- (vi) Other matters

(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 proposal relates to the siting and commercial use of an outbuilding within the rear garden of a dwellinghouse and is not typical of the pattern of development within the surrounding area. This would not prevent such a use in principle, subject to compliance with all relevant planning policies, and in particular the protection of residential amenity.

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

- 7.3 The outbuilding is situated adjacent to the eastern boundary between a single-storey flat roofed rear projection to the dwelling and a small domestic shed. The building is of a robust timber construction and its design is typical of a domestic shed or summer house.

Whilst the structure is wider than the existing rear projection, it does not dominate the dwellinghouse or the external amenity space, and is not visible from any public locations. It does not amount to an incongruous feature within its domestic setting and relates appropriate to the recipient building and the adjoining properties. Overall, it is not considered that the outbuilding detracts from the character and appearance of the area.

(iii) Impact upon residential amenity

- 7.4 In respect of amenity, potential impacts may arise from the physical presence of the outbuilding and its subsequent use.

In terms of its physical presence, the outbuilding is positioned adjacent to the eastern boundary which is marked by a c.2m high timber fence. The eaves of the outbuilding sits level with the top of the fence although, as a result of its pitched roof design, the ridge projects approximately 0.6 metres above the fence.

To the east, the outbuilding is visible to the occupiers of No.6 Chalton Crescent above the boundary fence. However, as the roof slopes down from the ridge to the north and south, the full extent of the building's height is only visible along a short section of the boundary. As a result it is not considered that the extension results in significant harm to the amenity of the occupiers of No.6 in terms of loss of light or outlook, overbearing impact or increased sense of enclosure.

Given its limited height and separation distances to the northern and western boundaries, it is not considered that the physical presence of the building has any significant adverse impacts on the amenity of the neighbours to the north and west.

It is noted that a building to a height of 2.5 metres, used for purposes incidental to the enjoyment of the dwellinghouse rather than a commercial use as is the case here, could be constructed in the same location and with the same footprint under the provisions of the Town & Country Planning (General Permitted Development)

(England) Order 2015 (as amended).

In terms of the physical use of the outbuilding, potential impacts arise from the activities that take place within the building, comings and goings to the site including deliveries, the hours of operation, noise and pollution.

In terms of the day-to-day activities, a site visit has been undertaken to view the building and associated equipment, and the applicant has provided a summary of the range of activities and processes that take place. Whilst regard is made to the information provided by the applicant, consideration must also be given to the full range of activities and intensity that could take place should a permission be granted. However, it is considered that the physical scale of the building would largely limit any potential for intensification.

The applicant has confirmed that the site is capable of producing approximately 800 litres of alcohol every 2-3 month (a batch) with the Mead being brewed and aged within the same vessels. Each batch produces approximately 800 bottles which takes approximately 1.5 days to process. Operating hours are proposed as 09:00-17:00 Monday-Saturday, although activities outside of the brewing and bottling processes would be limited.

The building incorporates fridges, a sink, small work tables and shelving for the storage of equipment and bottles. It is highlighted that other than the applicant, there are no other employees at the site, there are no visiting members of the public and there are only a small number of deliveries to and from the site each week. Other than the fridges the only equipment that produces noise is a domestic vacuum cleaner and a vacuum sealing machine.

The brewing process has the potential to result in some smells being omitted from the building during the brewing and aging processes. In this respect regard is made to the robust construction of the building with windows and doors limited to its western elevation and the limited scale of the operation.

Overall, having regard to the operations that currently take place at the site, the potential range of activities that could take place if a permission was granted, and the limited scale of the building, it is considered that with the incorporation of appropriate planning conditions the continued use of the building for a commercial operation will not have a significant adverse impact on the amenity of adjoining occupiers. Whilst it is considered that the proposal is unlikely to result in any significant amenity impacts, legislation beyond the planning is available should any nuisance arise.

Planning conditions which are considered to be necessary and reasonable relate to: the hours of operation; the prevention of visiting members of the public; the restriction of the use of the building; and the linking of the commercial use to the occupation of No.8 as a dwellinghouse having regard to the specific nature of the use set out by the applicant and the occupier of No.8.

(iv) Parking

- 7.5 The applicant, who resides at the application site, has confirmed that there would be no other employees at the site or visiting members of the public. Batch numbers are relatively low and the number of visits for delivery or collection is not considered to be significant.

As such, it is not considered that the proposal has/will have a significant adverse impact on the surrounding highway network or parking within the area.

(v) Flood Risk

- 7.6 The application site is located within Flood Zone 3. However, having regard to the Less Vulnerable nature of the use, limited scale and location within an existing domestic garden, it is not considered that the proposal would increase the risk of flooding at the site or the surrounding area.

(vi) Other matters

- 7.7 Natural England has provided guidance advising that increased development is resulting in higher levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites. A sub-regional strategy for this issue is being developed by the Partnership for South Hampshire, Natural England, and various partners and interested parties. In the meantime, to avoid a backlog of development in the borough, with the damaging effects on housing supply, tourism and business, the Council has developed its own Position Statement and Mitigation Plan for Nutrient Neutral Development. This Position Statement sets out which types of development are likely to contribute to impacts at the designated sites and the options available for avoidance and mitigation.

As a starting point, the proposed development is located within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA. The Position Statement sets out that developments that are likely to cause a significant effect are those proposing new dwellings, other types of residential accommodation or uses that would result in additional overnight accommodation such as hotels.

In respect of commercial and other non-residential development, the Position Statement sets out that such proposals are unlikely to lead to a significant effect as it would not involve a net increase in population in the catchment. However, in some cases there would be a significant effect due to the type of operation, particularly for high water use developments and as such, proposals will need to be considered on a case-by-case basis.

As part of this application the applicant has indicated that the development would produce approximately 800 litres of alcohol from filtered tap water every 2-3 months which would be consumed off the premises. It is possible therefore, that 800 litres of waste could enter the waste water systems every 2-3 months. Furthermore, the applicant has indicated that approximately 150 litres of water would be used for cleaning and sterilising which would discharge to the existing sewer on site. Given the scale of the premises, it is not considered that the use could intensify or consume/discharge water at a significantly higher rate.

Overall, the proposed use would not result in additional overnight stays it is not considered that the commercial activity would be regarded as a high water use. The production of the alcohol is only drawing water from the catchment, and waste associated with the consumption of the alcohol would only be equivalent to or replace alcohol purchased from other sources within the area i.e. pubs, restaurants, shops etc.

The remaining processes at the site involve cleaning and sterilising. It is considered

that the levels of water use and waste associated with such activities (c.150l every 2-3months) could be regarded as De minimis and it can be concluded that the use would not have a likely significant effect on the Solent water environment or the internationally designated sites.

This forms the Council's Screening Opinion as Competent Authority under Regulation 63(1)(a) of the Habitats Regulations.

8 Conclusion

- 8.1 In conclusion, it is considered that the proposed building and associated use is acceptable in principle and does not detract from the character and appearance of the area. With the inclusion of planning conditions to limit the scope of the permission, the proposal would not result in any significant adverse impacts on the amenity of neighbouring occupiers or significantly alter the residential character of the area. The proposal would not affect the integrity of the internationally designated sites within the Solent or result in any significant highways, parking or flood risk concerns.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00099 subject to the following conditions

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

Location Plan dated 27.01.2022;
Block Plan dated 27.01.2022;
Proposed Floor Plan;
Existing Front Elevation;
Existing Rear Elevation;
Existing Side Elevation.

Reason: - To ensure provision of a satisfactory development.

- 2 (a) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any other enactment modifying or revoking these Orders with or without modification, the building hereby permitted shall be used for the production, storage and distribution of Mead operated by Mr S Martin (the applicant) whilst residing at No.8 Chalton Crescent or for purposes incidental to the use of No.8 Chalton Crescent as a dwellinghouse and for no other purpose whatsoever.

Reason: To ensure that the business operates as set out in the application in the interests of the residential amenities of adjacent residents and in association with the occupation of No.8 Chalton Crescent having due regard to policies CS16 and DM10 of the Havant

Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The use hereby permitted shall only take place between the hours set out below and shall remain permanently closed to visiting members of the public/customers:

Monday to Saturday - 09:00 hours to 17:00 hours

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.