

4 Policy Considerations

National Planning Policy Framework 2021
Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan
E1* (High quality design)

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

5 Statutory and Non Statutory Consultations

Councillor Alex Rennie
No comments received.

Councillor Richard Stone
No comments received.

Developer Services, Southern Water

Please note:

- The 375 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- No excavation, development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

- All existing infrastructure should be protected during the course of construction works. Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

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: At least one site notice exists

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) Background
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity

(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 management criteria.

(ii) Background

7.3 The storage container was first granted a temporary permission in 1996 and has been renewed on a number of occasions, albeit there is some discrepancy under permission APP/17/01095 wherein the officer report and decision notice described the proposal as a replacement of the storage container whereas all the documentation, including the application form, clearly indicated that it was a renewal of a previous permission.

7.4 Notwithstanding, as noted above, a storage container has now been in situ for some 22 years and has effectively gained permanent status.

7.5 The Planning Policy Guidance states, inter alia, that under Section 72 of the Town & Country Planning Act 1990 a local planning authority may grant planning permission for a specified temporary period only. It further advises that it will rarely be justifiable to grant a second temporary permission. To date some six effective renewals of temporary permission have been granted. The guidance further comments that further permissions can normally be granted permanently or refused if there is clear justification in doing so. However, there is no presumption that a temporary grant of planning permission will then be granted permanently.

7.6 Notwithstanding the above, the applicant has again chosen to apply for a temporary period only and the application has been advertised as such as well as consultation that has been carried out. It would be for the applicant to decide if they wished to now apply for a permanent permission bearing in mind the significant passage of time. In this instance however, it is considered that another temporary permission could be agreed as the previous temporary permission has now expired and whilst the application was submitted prior to the expiry date, the storage container no longer benefits from planning permission.

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

- 7.7 Whilst the temporary permissions were in order to enable a more permanent solution, this has not been forthcoming.
- 7.8 The storage container is not highly visible from the road and it has been previously considered that the proposal would preserve the prevailing character of the area. Whilst redevelopment has been carried out in the locality, the storage container has a limited impact on the character and appearance of the area.

(iv) Impact upon residential amenity

- 7.9 It has previously been considered that the storage container would not result in any significant adverse impact on the residential amenities of nearby properties and the situation has not changed in this regard.

8 Conclusion

- 8.1 For the reasons stated above, it is recommended that a three year temporary permission is granted for the retention of the storage container.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01235 subject to the following conditions:

- 1 This permission shall be for a limited period expiring on 21 January 2025 on or before which date the use of the land for the siting of a steel storage container shall be discontinued permanently and the site shall be restored to its previous condition unless the prior consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: The use (siting of a temporary container) is of a type not considered suitable for permanent retention having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2021.

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

LOCATION PLAN

SITE PLAN

HUT SCALE DRAWING

PHOTOMONTAGE

Reason: To ensure provision of a satisfactory development.