
Site Address:	100 Amethyst Grove, Waterloooville, PO7 8SQ		
Proposal:	Retention of outbuilding to front and its mixed use for part residential purposes and part home sweet business.		
Application No:	APP/21/00665	Expiry Date:	14/12/2021
Applicant:	Mr M Slack		
Agent:		Case Officer:	Tina Pickup
Ward:	Waterloo		

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

- 1.1 Amethyst Grove is a cul-de-sac of 1980's style terraced dwellings with numbers 90 to 100 being set at 90 degrees to the others and served by a private access taken from the head of the cul-de-sac. That access road runs south, past the side of number 102, with numbers 90 to 100 set facing the access road that opens up as a parking area at the southern end. The application site, number 100, is the last dwelling, beyond which are mature trees as part of the landscape buffer along Tempest Avenue. As part of the red lined application site, number 100 Amethyst Grove has 2 dedicated parking spaces in the frontage parking area.
- 1.2 This application is retrospective: a small, 1.7m x 4.53m x 2.33m high shed has been placed just beyond the southern kerb line of the parking area, to the front of the dwelling. Its north elevation facing the parking area is largely screened by the existing mature undergrowth of the trees above. Its western side, facing the dwelling contains the access door and a small sign advertising the sweet business operated from within.
- 1.3 The outbuilding is used for both ancillary residential purposes (the applicant has a home working desk in one corner) and as a home sweet shop business. Internally the shed is fitted out with shelves for storage of sweet jars/tubs and a making up counter. Customers have to pre-order sweet bundles that are made up for both delivery and collection. Customer collections take place on Mondays between 11:00 - 16:30; Thursdays between 11:00 and 16:30; Fridays between 13:00 and 16:30 and Saturday mornings between 09:00 and 11:30.
- 1.4 The business has down sized from a previous retail unit, due to the health needs of the applicant, and has been operating from the site since October 2020. Sweet stock is purchased via monthly trips to the wholesaler, ie there are no deliveries to the site. In terms of scale of business the applicant has provided a break down of past orders for a couple of months in the summer when the number of customer collections made in a week ranged from none to 13, with the average being 4.8 customers collecting a week.

2 Planning History

None relevant

3 Proposal

Retention of outbuilding to front and its mixed use for part residential purposes and part home sweet business.

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)
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)

Submission Version Havant Local Plan

E22	(Amenity and pollution)
DR1	(Delivery of Sustainable Development)
E1*	(High quality design)
IN3	(Transport and parking in new development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Southern Water

no objection

Environmental Health Manager

None received

Hampshire Highways

Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance and the Highway Authority will not provide detailed comments on this application.

Traffic Management Team

The Traffic Team have no adverse comment to make

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3 letters of **support** have been received:

Comment	Officer Comment
Customers collecting orders and parking do not cause us any problems; they do not stay long. The shop is not a hindrance in any form, stock is collected not delivered and it is not an eyesore being partially hidden by trees. As a local business it adds to the community and the owners are very helpful and friendly.	Noted
Lovely family run business. The building does not look out of place and matches with the surrounding houses. Very professional, quiet run business.	Noted
I'm a customer of this small business, its a great little building fits in well with the area, to be honest you barely notice it. It's great they have private parking spaces to use when collecting which they ask you to use when you order. I've not had a problem there its never busy. The owners are very friendly, we we're very happy she could continue her business from home after having to shut her shop. It's good to support a local business.	Noted

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) Traffic and parking

(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 health needs of the applicant are such that this small home business provides self-employment. It also serves the local community. As such, the business can be supported in principle, provided its operation and day to day function has no adverse impacts on either the character of the area or neighbouring amenity:

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

- 7.3 The surrounding area is entirely residential, being a fairly high density, tight-knit area. Visually the outbuilding itself is effectively a domestic shed and not inappropriate to the character of the area. It is small scale and discreet, tucked away adjacent the fence line and behind mature screening. It is unobtrusive in street scene terms. Visually it is considered appropriate to the character and appearance of the area.
- 7.4 In terms of activity, because the scale of the business as currently operated by the applicants is very modest, the comings and goings are not currently intrusive or likely to cause noise and disturbance to neighbours. With an average of 4 or 5 customer collections a week, that is similar to standard visits by friends, deliveries etc expected at a family home. The primary use of the site remains a family dwelling and the scale and nature of the current business does not unduly alter that character. In order to ensure the scale of the business remains low key, the applicant has agreed to have the "opening hours" for collection of sweets limited by condition to Mondays between 11:00 - 16:30; Thursdays between 11:00 and 16:30; Fridays between 13:00 and 16:30 and Saturday mornings between 09:00 and 11:30. Deliveries of other orders outside of these times would continue to take place, which are made by the applicant's husband in their family car.
- 7.5 Overall the design and appearance of the outbuilding and its current mixed use, is deemed appropriate in context to the character of the area and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the small scale of the business would not result in an adverse impact on the residential character of the locality.

(iii) Impact upon residential amenity

- 7.6 Because the application site is located at the southern end of a private access, customers have to pass by the frontage of neighbouring properties 90 - 98 and the side of 86 & 102, potentially harming their amenity. However, because of the low key nature of the current business, with an average of only 4.8 customer trips per week, the additional comings and goings over and above a standard family dwelling is marginal. The majority of orders are delivered by the applicants in the family car, combining trips as much as possible - which would have little impact on neighbours from noise and disturbance.

- 7.7 It is also noted that the current hours of opening for collections is limited to within the standard working day and does not encroach into the evening or Sundays. It is considered that the noise and disturbance from trips associated with the business would be very minimal and unlikely to harm neighbouring amenity. The business has been operating for a year now and it is notable that no objections have been received from the publicity of this application. It is the small scale of this home business, managed considerately by the applicants that makes it appropriate for the site. As such it is considered appropriate to make any permission personal to the applicants to ensure the nature and scale of the business would not change and become more harmful if the house were occupied by different people.
- 7.8 Consequently, it is considered that with conditions that control the scale of the business, ie personal and the hours for collections, then the regularisation of this home business will have limited and acceptable impact on the properties immediately adjacent to the application site, meeting the requirements of Policies CS16 and DM10 of the HBLP (Core Strategy).

(iv) Traffic and parking

- 7.9 The additional vehicular movements associated with this business are limited - just the customer collections within 4 sessions in the week. Otherwise both the purchase of the stock and deliveries are made in the applicants family car as combined trips wherever possible.
- 7.10 The site also benefits from dedicated parking. The red line suggests the 2 parking bays directly in front of the outbuilding belong to the applicant who only has one car and hence a space is always available for visitors. The applicant suggests 3 spaces are available, potentially by tandem parking. It is noted that trips by customers are quick for collection only, and there is space to turn a car and leave in a forward gear.
- 7.11 Overall it is considered that the area available for parking outside the outbuilding is convenient and appropriate to the scale of the business and would not result in harm to highway safety or amenity.

8 Conclusion

- 8.1 It is considered that the particular operating circumstances of this small scale home business is such that it has no demonstrable harm on the character of the area, neighbouring amenity or the highway. As a result, with appropriate conditions controlling the scale of the business, it can be supported as providing self employment to a business that serves the local area.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/21/00665 subject to the following conditions:

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

1:1250 Location Plan
1:200 Block Plan
Photos of Outbuilding with measurements

Reason: To ensure provision of a satisfactory development.

- 2 The hereby approved sweet business operating from the outbuilding shall enure for the benefit of Mrs Loren Marie Slack and Mr Martin Slack only, and shall not enure for the benefit of the land. The sweet business use hereby permitted at the site shall be discontinued on the date when Mrs Loren Marie Slack and Mr Martin Slack cease to reside at 100 Amethyst Grove.

Reason: To maintain control on the scale of the business, having due regard to neighbouring amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Customer collections from the premises shall only take place on Mondays between 11:00 and 16:30; Thursdays between 11:00 and 16:30; Fridays between 13:00 and 16:30 and Saturday mornings between 09:00 and 11:30 hours.

Reason: In the interests of the amenities of occupiers of nearby residential properties and having due regard to policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.