

Recommendation: **GRANT PERMISSION**

- 3.1 Retrospective application for change of use of section of existing rear outbuilding for hair and beauty salon. (Revised Hours of Opening: 09:00-18:00 (Tuesday, Wednesday, Friday) and 09:00-15:30 (alternate Saturdays))
- 3.2 The application includes further details in relation to the proposed operation of the business going forward this is summarised below:

- The front third of the outbuilding is used for garden storage
- The salon is accessed by a side door
- The salon consists of two interconnected rooms
- The building is also used by members of the family for ancillary social purposes evenings and at weekends (this has not been possible in recent times)
- 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, neighbours or recommendations from other persons. Most people using the facilities are long standing clients and acquaintances of up to thirty years

Officer Comment: *The application is for business use, clientele cannot be restricted to these categories of clients and the application has been assessed on this basis.*

- No on site advertising is carried out
- All visits by appointment only on an individual basis and will occur on selected days only:
Tuesday, Wednesday and Friday 9am-6pm
Alternate Saturdays 9am - 3.30pm
- Saturday reduced hours are requested to cover long standing Special Educational Needs Clients

Officer Comment: *The application is for business use, clientele cannot be restricted to this category of clients on Saturdays and the application has been assessed on this basis.*

- 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 - Also if necessary space for parking a clients car can be accommodated to the front garden area as this has already been created fully for accommodating vehicles
- Four cars can be parked to 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

Officer Comment: *Parking is considered in Part 7 of this report*

- The business generates no significant noise or nuisance to nearby residents and is carried out in a low key manner

Officer Comment: *Impacts on neighbours are considered in Part 7*

3.3 Part 19 of the application form states that there would be one member of part time staff understood to be Mrs Beasley

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)

Havant Borough Pre Submission Local Plan 2036

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor David Jenner

No comments were received

Councillor E Shimbart - Hart Plain

No comments were received

Councillor P Bains - Hart Plain Ward

No comments were received

Environmental Health

Further Comments

I agree with Jonathans comments below. Following on from those, I would add that any noise related complaints impacting on amenity, that might potentially be received in the future would likely be investigated in terms of legislation available to us.

Having read the Planning statement and looking at the plans, there is no indication that any air moving equipment e.g. air conditioners have been provided or are intended to be provided, which could potentially be a mechanical noise source, which could require mitigation. I would assume that if this application were to be approved, that any such equipment that the applicant may want to install in future for the business, would require a further application, which we would likely comment on at that time.

Officer Comment: *Environmental Health Officer was advised that there is an existing air con system in place and a condition is recommended in relation to any additional noise generating equipment. - Environmental Health confirmed acceptance of proposed condition*

Original Comments

Comings & goings of customers are only really likely to be material to EH from a nuisance perspective for entertainment venues or late-night premises (i.e. no concerns here). I would expect odour & noise (from hand-held equipment, e.g. hairdryer etc.) to be the most significant potential issues, but the site context doesn't give rise to any immediate concern about detriment neighbour's amenity. Having looked at the site plans, I don't think we need to seek further detail on extraction / fenestration.

A restriction of business hours could be prudent (e.g. 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.

Other legislation is in place to cover the use of Hair & Beauty products (e.g. H&S, trading standards), and also in relation to waste. Essentially, waste from the area of the dwelling that has changed use would be 'non-household' waste, and would be regulated accordingly. NPPF Para. 183 applies, and given likely volumes I'd not expect the waste storage requirements to be material as a planning matter – I'd regard the technical class of waste (and how it is managed) to be a regulatory matter (that we can disregard for planning purposes).

Hampshire Highways

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.

Traffic Management, East Hampshire District Council

No adverse comments.

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: 6

Number of site notices: One.

Statutory advertisement: Not applicable.

Number of representations received: 4 Representations of Objection; 18 Representations of Support (19 Names) and 2 Neutral Representations (4 names) received.

Comment	Officer Comment
Objections	
Parking/Access	
On number of occasions partner and I unable to get out of driveway due to cars parked in front of our house and No.11 Quite a lot of residents in house and on top clients that go to and from property block access. We have a lot of elderly neighbours who need medical care in the street making it very difficult for emergency	Parking is considered in Part 7. It should be noted that the current building has been operated without restriction by planning conditions.

services to get through. Having this building built it will increase clients which means more blockage on the roads access Concern over parking in road and access by utility vehicles Had to turn around my car and go around block to access own driveway due to inconsiderate parking - also parked on verge and partially across peoples driveways. Only happened since hairdressing started up. Once around 5.30pm car partially across my drive - allegedly linked to customer Most customers arrive by car and not on foot as stated. Parking on verge and on dropped kerb to No.11. Difficult to get my vehicle out. On several occasions had to park over 100m from house - need access to driveway for disabled wife. On several occasions when vehicle parked across my driveway have been verbally abused. Statement says ample parking but household have 5 vehicles. Photo sent of vehicle parked blocking pavement there over four ours so customers parked in road. Pollution When wind blowing in certain direction can smell hairdressing products from garden When multiple customers they sit in garden with dye on hair sometimes vaping and smoking causing extra smells. Smells from products can be pungent some days and I don't particularly want to be in garden then. Don't use the bottom of our garden where we have a seating area because of the noise and smell when the hairdressing is going on. Noise/Neighbour impacts Can hear customers and their children Multiple customers at same time, not just one at a time. Full blown business working any time in morning until gone 10pm especially around Christmas period. Noise from hairdressing customers arriving and departing by vehicles and accessing up driveway next to our bungalow. Keep blinds and windows closed on that side now because of noise and for privacy. Have been woken a few weeks ago by customer arriving on Saturday at about 7.50am. Unit right on our boundary - seriously affected by noise from customers and their children especially in holidays and after school.	No new building is proposed Access for emergency and utility vehicles considered in part 7. The proposal has been considered by Environmental Health who raise no objection to the use. The impact on the area is considered in part 7 Noise and activity are considered in part 7
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Suitability for Business Use Been going on for last 4 years and steadily getting worse. Was a quiet friendly residential street that should not house a business unit. Concern over history of unauthorised use. Even if operated from 9 until 6, 4 days a week, there could still be up to 9 customers arriving / departing every day she is working there and in small residential street this is an unacceptable level of activity. Other Matters State they don't advertise - but advertising brochure and business Facebook page. Times/days advertised don't match those stated. States adhering to covid restrictions now with one customer at a time - but sure once restrictions lifted will go back to intolerable level. All people supporting application can sit in their gardens in peace and quiet but my friend and his wife have to sit with their noise and smells. Have sat in friends garden on many occasions and witnessed it myself this application must be rejected.	The previous use of the building has been unregulated by planning conditions. The current application is recommended to be controlled in accordance with the applicants submitted details of operation.
Support	
Service Provided Alison cuts hair of severely autistic son - provides appropriate service and environment not available elsewhere. Support revised application. Medical problems - I now get my hair done regularly and this has helped me build my confidence immensely. If the salon had to close this would affect my anxiety levels and confidence. Follows covid requirements to high standard My hairdresser for 25+years. Always maintained a well run small business from home. Conscientious lady, very considerate to her customers. I would love this to continue as it is walking distance from my home. Known Alison for 15 years can't cope with hairdressers salons as they make me very nervous. If not approved would cause me upset and anxiety. Customer for many years - autistic daughter - site within walking distance of my house service not available elsewhere. Caring and patient with her disabled and elderly clients. Having a small local business within walking distance is great for this community Considerate to neighbours and customers including elderly who cannot drive anymore.	Comments noted

Lifeline for many elderly and disabled residents of this area of Waterloooville.

My wife and I have followed the owner from when she worked in our local hairdressers to her own business premises. We would be devastated if her application was not approved.

Professional environment and a pleasurable experience. She is an asset to the community providing a lifeline to people like myself who are too anxious in these times to enter a busy salon.

Ideal environment for all ages - less intimidating for young and old and for those who can't travel far.

She has worked from home in two previous addresses and I've never heard of any problems or issues.

Salon a calm and tranquil place to relax in.

I champion efforts applicants have taken to ensure local community continue to have a convenient, safe and discreet hair and beauty service during and after these uncertain times that we find ourselves in.

The impact to myself and others would be detrimental should operation at the property not be allowed to continue- we have become dependent on applicant, not just for hair and beauty services but for social aspect too. Being able to offer Saturday appointments means that nephew with special needs can maintain regime during the week.

Impact on character and appearance of Area

Building discreet it cannot be seen from outside the property - I presumed it was a family summerhouse in the back garden.

Conversion of garage a great asset to business whilst causing no disruption to look or use of main property or other properties.

I've often spent time with Alison in her salon when I'm not having my hair done as it's also used for socialising.

Business is discreet which has no impact on the residential road.

Impact on neighbours/Parking

Alison and her family are the people who are always aware of their neighbours and surroundings.

Works on own - customers are small in number so if they drive there is parking on driveway. See no reason for application to be declined.

She always ensures considerate parking by clients suggesting parking in the driveway.

I don't really see any problems with parking as there is always space on her driveway as she only ever has one client at a time.

Little or no impact upon the surrounding residential houses.

People that visit park on the drive way and do not cause congestion within the street. I have never experienced any problems caused by this business. You may expect a level of noise or smells from a small business but I can give assurance that there are none generated that could ever be complained of. With the applicant at home, it is reassuring and provides ideal social solution, not just for myself but for our surrounding neighbours should we require? A number of us residents utilise and are grateful to the applicant in many ways Quite a lot of traffic and parking comes from other households. On occasions had to squeeze through cars parked on both sides of the road. Cars unrelated to business - most households have more than two cars - same problem in any street. Whenever I book an appointment for my hair to be cut Alison instructs me to park on her driveway. I do not understand that people are complaining about odours and noise - when I have an appointment I cannot tell whether she is in the salon or not until I open the door. Plenty of parking in the drive which does not impinge on any one else. Local authorities should support and encourage small businesses to thrive, especially where it has no adverse impact to local residents. Opening hours are correct. and Monday and Thursdays she can actually go out to her clients houses. Other Matters Intimidation attempts to sway my comments and object are not welcome and unnecessary. The premises used was previously used as a mechanics garage.	See part 7 below
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Neural Comment (Two representations 4 names)	
I am happy for the salon to remain, if all clients park on the front of the property and not in the road. There are enough parking problems in the road on a normal day, residents who own more than one car who have to park on the road. When you come home from work and you have to park in another road is not ideal. It mentions hairdressers and beauty salon, does this mean there will be staff as well as the owner? As residents of the street we have no objections to the business as we are aware it has been running for a number of years. Alison and Andrew are lovely neighbours.	Parking is considered in Part 7 of this report. The applicant has confirmed that there would be 1 member of staff and a condition is recommended to control this.

Our only concern is the parking of clients on the street as they have at times parked across our driveway and we have encountered some rude comments from them. When the clients park on their driveway this means that the cars belonging to the people that live there then have to park on the street, so it doesn't really solve the problem.	
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As long as parking remains fair, we have no objections and wish them all the best.	
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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) Other matters

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. In this case the proposal involves a business use within a converted outbuilding located in a residential area and therefore it is important to consider the impacts of the use on the amenities of nearby residents together with the other matters considered below.

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

No. 11 Clinton Road is a semi-detached bungalow which has been extended with dormer windows to front and rear together with a single storey rear extension. To the front the site is hardsurfaced with a brick set driveway and gravel to the remainder of the front garden area. There is a side access to the rear garden adjacent to No.9. This leads to a rear outbuilding which is flat roofed and timber clad and divided into three rooms/areas. On the south-east elevation there is a part glazed door accessing two of the rooms used as hair and beauty Salon (rooms 1 and 2) together with a window also serving room 2. These two rooms are linked by an internal door.

To the south-west side there are timber access doors to an area used for storage and marked on the plans as external garden store. The outbuilding is shown as 8.1m long x 3.9m width and is approximately 2.5m high and has been in place for a number of years (the applicants agent advises that the outbuilding existed at the time of the applicants purchase of the site in 2016). As such, the current application relates to a change in use only.

The outbuilding is sited to the rear of the dwelling and 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.

It is not considered that the proposal would have a harmful impact on the character and appearance of the area. Impacts on residential amenity and parking are considered below.

(iii) Impact upon residential amenity

The main impacts from the proposed development in terms of neighbour amenity are considered to relate to the following aspects:

Levels of Activity; Days and Hours of the use; Noise; Pollution issues

Levels of Activity

The building is divided between general garden storage and the business use as shown on the floor plan. The business area has also been used by members of the family for ancillary social purposes in evening and weekends (although less so in recent times due to Covid related issues).

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. It is stated that *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.* 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. At the time of the officers site visit there was no advertising on site, although advertising by other means is normally more relevant to businesses of this kind and details of other advertising have been provided by a third party.

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.

Days and Hours of Use

Consent is sought for the following days/times:

Tuesday 9.00am -6pm

Wednesday 9.00am - 6pm

Friday 9.00am-6pm

Alternative Saturdays 9.00am to 3.30pm

The agent states that *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.* It should however be noted that if permission is granted it is not considered reasonable or necessary to restrict clients in terms of their requirements on Saturdays.

Noise

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.

With regard to vehicles parking and leaving the site, it is noted that visits will be by appointment only and that Mrs Beasley will be the only member of staff. This limits the number of vehicular movements in one day whether parking on site or on road. The hours and days of business activity would also be limited as set out above. It is not considered that the scale of parking and maneuvering vehicles would lead to an unacceptable noise impact on neighbouring residents.

The access to the rear outbuilding is via a pedestrian walkway to the north-west side of the property adjacent to No.9 Clinton Road. No.9 is a bungalow which is set off the common boundary by approximately 2.3m with a driveway leading to a rear garage set nearest to the application property. No.9 has two windows facing back towards the application property and the site boundary is marked by a fence ranging in height with a lower section to the front part of the common boundary and rising to 2m further back between the two dwellings. Environmental Health have commented on the comings and goings to the business stating: *Comings & goings of customers are only really likely to be material to EH from a nuisance perspective for entertainment venues or late-night premises (i.e. no concerns here).*

Given the concerns raised in relation to impact on windows and privacy, it is considered appropriate to ensure that the fence to the common boundary be conditioned to ensure that it is a minimum 1.8m high from the front of No.9 to the front of the application site out building. A condition to this effect is recommended. 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.

Concern has been raised about clients sitting in the garden, however given the relatively restricted use, it is not considered that such activity would be of a scale that would result in an unacceptable relationship to neighbouring residential properties.

In terms of activity taking place in the building the part glazed door and window face south-east towards the retained garden of the application property and beyond to No.13 Clinton Road (the attached neighbouring property). There is a tall boundary hedge to this property and given the set off it is considered that any noise from the use of the building would be limited and acceptable. In relation to equipment it is noted that there is an existing ground mounted air con unit on site, however there have been no objections on noise grounds to this unit. As there is potential disturbance from the installation of any additional equipment a condition is recommended to ensure that any additional noise generating equipment would require consent.

Properties to the rear of the site in Silverdale Drive are set beyond a close boarded fence with a distance of approximately 18m from the outbuilding to No.98. It is not considered that there are any significant noise impacts to this property.

Pollution issues

Concern has been raised in relation to smell from products being used at the business. Environmental Health have stated: *Other legislation is in place to cover the use of Hair & Beauty products (e.g. H&S, trading standards), and also in relation to waste.* 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.

(iv) Parking

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). It is noted that the visitor space would restrict access to two of the owners vehicle spaces, however, with careful management in relation to the owners own parking it is likely that this space will be available on many occasions. On other occasions it is likely that there will be an element of parking on Clinton Road. Under the Councils 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 Councils adopted standards.

Clinton Road itself whilst relatively narrow does have unrestricted parking and this can take place on either side of the road (but not opposite each other) whilst allowing vehicles to pass. The residential properties in the road generally have access to off street parking. Whilst concern has been expressed with regard to incidents of inappropriate parking there is no evidence that Clinton Road is unable to accommodate a limited degree of on street parking which would result from the restricted operation of the business proposed working within the parameters of the recommended planning conditions.

It is not considered that there would be grounds to recommended refusal of planning permission based on level of proposed use.

(v) Other matters

Concern has been raised in relation to access by emergency vehicles along Clinton Road. As stated above appropriate parking on Clinton Road would allow vehicles to pass. If illegal parking takes place this is a matter for the appropriate enforcement authorities.

Issues of alleged intimidation and antisocial behavior are not a matter for the consideration of the planning application and if appropriate should be raised with the appropriate law enforcement authorities.

8 Conclusion

In conclusion, it is considered that 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 Councils parking standards and any overflow parking is likely to be limited and acceptable.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00840 subject to the following conditions:

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

Location Plan OS Mastermap 1250/2500/100000

Site and Floor Plan Job No. 06/20

Car Parking Plan

Supporting Statement Revised 6th May 2021

Reason: - To ensure provision of a satisfactory development.

- 2 This permission shall enure for the benefit of Mrs A Beasley only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Mrs A Beasley ceases to reside at 11 Clinton Road.

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 11 Clinton Road having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 from a position adjacent to the front wall of No.9 Clinton Road to the outbuilding the subject of this change of use. The fence shall thereafter be retained and maintained.

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

- 4 The hair and beauty treatment premises shall only be open for trade or business on the following days and hours:

Tuesdays 09:00 hrs to 18.00 hours;

Wednesdays 09:00 hrs to 18.00 hours;

Fridays 09:00 hrs to 18.00 hours;

Alternate Saturdays: 09:00 hours to 15:30 hours

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

- 5 The business use hereby permitted shall operate within the following criteria:

Clients shall visit the premises by appointment only;

There shall be a maximum of 5 appointments on any one day;

Each appointment will be for a maximum of 3 people arriving together;

There shall be one member of staff - Mrs A. Beasley;
A detailed register of appointments shall be kept and available for inspection by the Local Planning Authority upon request.

Reason: To ensure that the level of business use is compatible with the residential area and neighbouring amenities having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) no additional externally vented air conditioning, extracts or noise generating equipment shall be installed at the premises.

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

- 7 The rooms within the existing outbuilding annotated 'Hair and Beauty Salon Room 1' and 'Hair and Beauty Salon Room 2' on the plans hereby approved shall be used either for a hair and beauty salon operated by Mrs A Beasley only; or for purposes incidental to the use of 11 Clinton Road as a dwellinghouse only.

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