
Site Address:	18A Elm Grove, Hayling Island, PO11 9EF		
Proposal:	Use of premises as cafe.		
Application No:	APP/15/01379	Expiry Date:	24/05/2016
Applicant:	Mr A Altunatmaz		
Agent:		Case Officer:	David Eaves
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The proposal is for a change of use of the ground floor of the premises from its original A1 retail use to a Cafe Use Class A3. It is understood that the use a Cafe has taken place for some time although the unit is understood to have been used as a Cafe for some time.

2 Planning History

APP/15/01093 - Application for Lawful Development Certificate relating to operation of the premises as a cafe. , WD,10/11/2015

3 Proposal

Use of premises as cafe.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
DM10	(Pollution)
DM2	(Protection of Existing Community Facilities and Shops)
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Economic Development

Economic Development raise no objections.

Environmental Health

Following from our discussion and to ensure that should any change to the ventilation equipment occurs in the future, would it be possible to insert within the consent a condition to that effect.

If external ventilation is to be installed, we would require specification of the unit, odour mitigation measures to be installed and a noise survey to ensure that the noise from a newly installed plant will not negatively affect nearby residents.

In term of waste disposal, the food operator has obligation under the Food safety/hygiene legislation to provide adequate means to get rid of his/her waste. This can be achieved by the operator disposing of the waste himself or by employing the services of a waste collection company.

In relation to noise to the upstairs flat, it is my believe, having discussed this issue with the developer/operator, that he and his partner will reside in that flat.

Officer Comment:

A condition is recommended in relation to the installation of additional external extract/intake/chiller equipment.

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: 5

Number of site notices: 1

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

- (i) Principle of development

The application site is situated within an urban area and within the Primary Frontage of Mengham which is itself designated as part of the District Centre.

Policy AL3 of the Allocations Plan relates to District Centres and Primary Frontages. This sets a series of tests in relation to uses as set out below:

1. Provide main town centre uses in the town, district and local centres as defined on the Policies Map, and so contribute to their vitality and viability.

The use as a Cafe is a main town centre use as a recreational use (Annex 2) PPG Ensuring the vitality of town centres.

2. Promote and enhance the primary shopping areas of the town and district centres.

The use is important in attracting people to the centre and for linked trips.

3. Retain at least 50% of the units in an unbroken run of primary frontage as defined on the Policies Map in retail (A1) use.

The primary shopping frontage is currently fully occupied and consists of 50% of the units in A1 use and 50% in non A1 retail use (including the application site use as a cafe). the policy requirement is therefore considered to be met in this case.

4. Generate pedestrian activity within the primary shopping area by being open during the day to visiting members of the public.

The use would generate pedestrian activity during the day.

5. Provide a shopfront within the primary shopping area with a well designed and appropriate display window.

The unit has windows onto the frontage with seating proposed beyond so an active frontage should be maintained.

It is considered that the proposal is acceptable in principle.

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

The building has been used as a cafe and no further external alterations are proposed. The unit is considered to complement the other units in the shopping frontage.

(iii) Impact upon residential amenity

The proposal shows no changes to external equipment and the use has previously been in operation. there are residential flats above some of the units. It is considered to be necessary to ensure that the installation of additional extracts/vents or chiller units are not installed without consent in order to ensure that the residential uses are protected from noise, vibration or fumes which could result from such installations.

(iv) Parking

The unit does not benefit from its own car parking but is located adjacent to a large public car park with two other car parks nearby. Parking is therefore adequately catered for.

8 **Conclusion**

In conclusion, the proposed development is considered acceptable in principle and would have an acceptable impact on the character of the area, residential amenities and parking.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/15/01379

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.
- 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, odour mitigation measures 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/or occupiers of neighbouring property and having due regard to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework 2012.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan Licence No. 100051661
Location/Block Plan Drawing No. 1621-101
Survey Plan Drawing No. 1621-201
Reason: - To ensure provision of a satisfactory development.