

DELEGATED OFFICER REPORT

PROPOSAL	Variation of Condition 2 of Planning Permission APP/25/00028 to allow hair salon to remain permanent use.
LOCATION:	33 St James Road, Emsworth, PO10 7DW
REFERENCE NO:	APP/26/00066
APPLICANT:	Mrs Jade Slade
APPLICATION TYPE:	Removal/variation of conditions
CONSULTATION EXPIRY DATE:	11/03/2026
APPLICATION EXPIRY DATE:	15/04/2026
WARD:	Emsworth
SUMMARY RECOMMENDATION:	Approve with conditions

1. Site Description

This application site comprises a two storey, semi detached dwellinghouse located on the north side of St James Road, Emsworth. This property has a hipped roof and has been extended at two storey height to the west side. The elevations are formed from brickwork and render. There is an area of hard standing towards the front and down the side of the property. The area is residential in character.

2. Planning History

Is there any planning history relevant to the current application?

APP/17/00251 - Two storey side and first floor rear extension. , WD,11/05/2017
APP/17/00507 - Two storey side and first floor rear extension. (Resubmission)., PERM,30/06/2017
APP/25/00028 - Erection of a garden studio in use as a hair salon. (PERM 17/04/2025)

3. Proposal

Variation of Condition 2 of Planning Permission APP/25/00028 to allow hair salon to remain permanent use.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

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

DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)
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)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)

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

5. Statutory and Non Statutory Consultations

Environment Agency

No response received

Emsworth Residents Forum

No response received

Environmental Health

Environmental Health (pollution) has no objection to the proposed variation of condition 2 which would allow for permanent use of the outbuilding as a hair salon, providing all other conditions of APP/25/00028 remain in effect.

Southern Water

Southern Water has no objections to the Variation of Condition 2.

County Highways Team

Thank you for consulting the Highway Authority on the above planning application. The Highway Authority wishes to make the following comments. This application seeks approval for the permanent installation of a temporary hair salon. The Highway Authority submitted a response to the initial application (APP/25/00028) dated 27th February 2025 in which the Highway Authority raised no objections to this proposal. It should be noted that the condition was not placed on this application because of highway-related matters. Therefore, given this proposal will not oversee any significant alterations to the approved plans, and the site has successfully functioned as intended for the past year, the Highway Authority maintains our previous view and does not raise any objections to this proposal.

Recommendations These proposals have been considered and in review are not anticipated to result in a significant impact to the safety or operation of the local highway network. Therefore, the Highway Authority have no objection to the proposals.

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
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Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 8

Material planning considerations are addressed in Section 7.

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Biodiversity Net Gain (BNG)
- (v) Parking
- (vi) Flood zone

(i) Principle of development

7.2 The application site is located within the defined urban area; therefore development is considered acceptable in principle subject to development management criteria.

7.3 Section 73 provides for the determination of applications to develop land without compliance with conditions previously attached. It only provides for the variation of conditions attached to an existing permission; it does not provide a means of varying the development permitted (other than through the imposition of new/varied conditions). Given the previous permission, the principle of the development is considered to be acceptable.

7.4 The original proposal for the outbuilding and its use as a salon was approved under application reference APP/25/00028 and a 12 month temporary use consent condition was applied at that time. Then reasoning for this is set out in the delegated report for that application. The applicant has now re-applied to remove the temporary use condition (condition 2) for the business to continue on a permanent basis at this address.

(ii) Appropriateness of design and impact on the character of the area

7.5 This proposal seeks to remove Condition 2 of Planning Permission APP/25/00028 to allow hair salon to remain permanent use as stated above. Condition 2 is specified below:

This permission for use of the outbuilding as a hair salon shall be for a limited period expiring 12 months from the date of this permission, on or before which date the use of the outbuilding as a hair salon shall be discontinued permanently and its use shall revert to purposes incidental to the enjoyment of the dwellinghouse (33 St James Road) only, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period. Reason: To enable the Local Planning Authority to review the amenity and highways impacts of the use within the residential area and having due regard to policies CS16, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7.6 There is no change to the proposal and therefore the impact on the character of the area is considered to be acceptable. The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.7 The proposal is unchanged from APP/25/00028 and therefore the assessment in the delegated report for APP/25/00028 still applies. Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Biodiversity Net Gain

7.8 This Section 73 application is not liable to BNG requirements.

(v) Parking

7.9 The reasoning for the application of the 12 month temporary condition under APP/25/00028 was due to parking concerns due to the shortfall of parking on site and surrounding on street parking. No complaints have been made in this regard in the last year and the salon appears to be functioning in a way which does not result in parking issues. Highways have also been consulted in this regard, and they have no objections to uphold to this proposal.

8 Conclusions

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Development Manager be authorised to Approve with conditions for application APP/26/00066

Conditions:

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

18 Mar 2026 BLOCK PLAN

2 Feb 2026 Proposed floor plans and elevations REV A

18 Mar 2026 NOISE MANAGEMENT PLAN HOURS OF USE

20 Jan 2026 LOCATION PLAN

16 Jan 2026 FLOOD RISK ASSESSMENT

Reason: - To ensure provision of a satisfactory development.

2 This permission for use of the outbuilding as a hair salon shall enure for the benefit of Mrs J Slade only whilst resident at 33 St James Road and shall not enure for the benefit of the land, and the use hereby permitted shall be discontinued on the date when Mrs J Slade ceases to reside at 33 St James Road.

Reason: To ensure that the business operates as set out in the application in the interests of the residential amenities of adjacent properties and in association with the occupation of 33 St James Road, having due regard to Policies CS16, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

3 The use of the outbuilding authorised by this permission shall comprise use as a hair salon only, (or as a use ancillary to the enjoyment of the dwelling as per condition 2 above) as set out in the supporting statement submitted with this application. No other uses within the same Use Class shall take place on the site.

Reason: Having regard to the particular circumstances of the case where the location is residential in character and has the potential to result in neighbour amenity and traffic issues, and having due regard to Policies CS16, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4 The hair salon hereby permitted shall only be open for trade or business on the following days and hours: Monday – Friday: 0900 hrs - 1700 hrs and Saturdays 0900 hours to 1400 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no externally vented air conditioning, plant machinery or equipment, extracts or noise generating equipment shall be installed at the premises unless otherwise agreed in writing by the Local Planning Authority.

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.

6 Each hairdressing session hereby approved shall be carried out in strict accordance with the following arrangements:

(i) There shall be a maximum of 1 client at any given time;

(ii) There shall be a maximum of one member of staff - Mrs J Slade ; A detailed register of appointments shall be kept and made available for inspection by the Local Planning Authority upon request.

(iii) A time period of 20 minutes shall be retained between the end of one appointment and the beginning of the next.

(iv) the final appointment of the day will finish no later than 1700 hours

Reason: To ensure that the level of business use is compatible with the residential area and neighbouring amenities having due regard to Policies CS16, DM10, DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

Informatives

In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

Offering a pre-application advice service, and

Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

Your application was acceptable as submitted and no further assistance was required.