

OFFICER REPORT FOR COMMITTEE

DATE: 12/02/2020

**P/19/1327/FP
MR T FERATI**

**FAREHAM NORTH WEST
AGENT: ROBERT TUTTON TOWN
PLANNING CONSULTANTS LTD**

SINGLE STOREY SIDE EXTENSION & SUBDIVISION OF EXISTING UNIT TO FORM TWO UNITS, USE OF ADDITIONAL UNIT WITHIN USE CLASS A3 (CAFÉ/RESTAURANT) & INSTALLATION OF EXTRACTOR HOOD AT REAR

1A FAREHAM PARK ROAD, FAREHAM, PO15 6LA

Report By

Susannah Emery – direct dial 01329 824526

1.0 *Introduction*

1.1 This application is reported to the Planning Committee in accordance with the Council's Scheme of Delegation due to the receipt of a representation signed by the residents from five households and the contents of this representation being contrary to the Officer recommendation.

2.0 *Site Description*

2.1 This application relates to a commercial unit which lies at the south-eastern end of a small parade of four units which lies within the urban area just outside of the Highlands Road local centre to the north side of Fareham Park Road.

2.2 The units within this parade currently include a fish and chip shop (Use Class A5), a florist (Use Class A1) and two hairdressers (Use Class A1).

3.0 *Description of Proposal*

3.1 Planning permission is sought for the erection of a single storey side extension to the south-east side of the building measuring 2.3m in width and 12.5m in depth. The extension is currently under construction having been permitted last year as an extension to the existing retail unit.

3.2 It is now proposed to subdivide the enlarged unit into two units. One unit would remain as retail (Use Class A1) but the larger unit would be used as a café/restaurant (Use Class A3). The existing shopfront would be altered to provide each unit with a separate entrance.

3.3 An extraction system would be installed within the kitchen and an extractor hood would be fitted on the roof towards the rear of the A3 unit. The extraction hood would protrude 1m above the flat roof of the unit.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS5 - Transport Strategy and Infrastructure

CS17 - High Quality Design

Adopted Development Sites and Policies

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

5.0 Relevant Planning History

5.1 The following planning history is relevant:

P/19/0972/FP Side Extension to Existing Retail (Class A1) Unit
Permission 14 October 2019

P/17/1184/VC Variation of Condition 3 (Hours of Opening) to
P/17/0508/PC: (Part 3, Class C: Change Of Use From
Shop (A1) To Cafe/Restaurant (A3)
Permission 15 November 2017

P/17/0508/PC PART 3, CLASS C: CHANGE OF USE FROM SHOP
(A1) TO CAFE/RESTAURANT (A3)
Permission 22 June 2017

6.0 Representations

6.1 One representation has been received (signed by the occupants of five households) raising the following concerns;

- The unit should not be used as a fast food outlet
- Increased smells from extractor
- Visual appearance of extractor
- Traffic congestion on Fareham Park Road
- Limited size of unit suggests no seating will be provided and this will be a fast food outlet
- Where will waste bins be stored?

7.0 Consultations

INTERNAL

Environmental Health

- 7.1 No objection subject to the kitchen ventilation and extraction system being installed in accordance with details submitted. The hours of operation should be limited as described.

8.0 Planning Considerations

- 8.1 Planning permission (P/19/0972/FP) has previously been granted in 2019 for the erection of an extension to the existing retail unit of the same proportions as now sought. The enlarged unit could subsequently be sub-divided into two units without planning permission provided there was no change of use. Therefore it is the introduction of the A3 use within one of the subdivided units which results in the need for planning permission in this instance.
- 8.2 Prior approval (P/17/1184/VC) has previously been granted in 2017 for the use of the existing retail unit as a restaurant/café (Use Class A3). Prior approval was granted subject to a restriction on opening hours to between the hours of 16.30pm-22.00pm Monday-Thursday and 16.30pm-22.30pm Friday to Saturday. Details of an extraction system to be installed were also secured.
- 8.3 The A3 Use Class includes cafés and restaurants but not a hot food takeaway which has its own specific use class (A5). There is no permitted change from an A3 use to an A5 use without planning permission being sought. The concerns of the local resident in relation to a hot food takeaway are therefore not fully relevant to the current application. The submitted plans indicate the illustrative table layout within the unit, the provision of WC facilities and the location of the refuse bins within a timber store on the site frontage which were other matters raised.
- 8.4 The hours of use sought for the café/restaurant are as follows; 12.30pm - 22:00pm Monday to Friday and 12.30pm – 22:30pm Saturdays. This excludes opening on Sundays and Bank Holidays. It is not considered that the proposed café/restaurant use would have a significant impact on the living conditions of the occupants of neighbouring properties and the principle of an A3 use at this site has previously been accepted.
- 8.5 Roadside parking is currently evident along the northern side of Fareham Park Road in front of the commercial units which restricts the two way flow of traffic at this point. It is not considered that this proposal would significantly exacerbate the existing situation. There are double yellow lines on both sides of Fareham Park Road extending down from the application site to the Highlands Road junction and it not considered that the proposal would have any adverse impact on highway safety. There is ample car parking available at the Highlands Road local centre and there is a pedestrian link between the local centre and the application site. Given the proximity of the unit to the local centre Officers are of the view that it would be unreasonable to expect on site car parking provision, although the existing dropped kerb would enable two vehicles to pull on the frontage.

- 8.6 It is not considered that the extraction hood would be overly prominent within the streetscene or that it would have an adverse impact on the appearance of the surrounding area. It is not considered that the unit would produce the level of cooking smell associated with a hot food takeaway. In addition, the roof fitted hood is designed to eject air in an upwardly directed jet which avoids contaminating the air in the vicinity of the hood. It is stated that the ejection is so affective that you could install a fresh air inlet in the immediate vicinity of the hood. No concerns have been raised by Environment Health.
- 8.7 The proposal is considered to comply with the relevant local plan policies and is considered acceptable.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be begun before within 3 years from the date of this decision notice.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.
2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - i) Site Location Plan, Site Plan, Proposed Elevations & Floor Plans – drwg No. SD-1935-101 Rev E
 - ii) Proposed Extraction System Details (Filters:Jasun Envirocare PLC, Fan: S&P, Silencer: EMTEC)
 - iii) Details of Roof Hood (dated 24 September 2009, LINDAB)REASON: To avoid any doubt over what has been permitted.
3. The premises shall not be open for customers outside the following hours: -
12.30pm - 22:00pm Mondays – Friday
12.30pm - 22.30pm Saturdays
Not at all Sundays/Bank Holidays
REASON: To protect the occupiers of the nearby residential properties from possible disturbance.
4. The development hereby permitted shall be undertaken in accordance with the submitted details of the extraction system and hood. The extraction system and hood shall be retained in this condition for the lifetime of the use unless otherwise agreed in writing with the local planning authority.
REASON: To protect the living conditions of the occupiers of the nearby residential properties.

5. There shall be no tables and chairs placed outside the front of the premises for use by customers at any time, unless otherwise agreed in writing through the submission of a separate application to the Local Planning Authority.
REASON: To protect the living conditions of occupiers of the nearby residential properties.

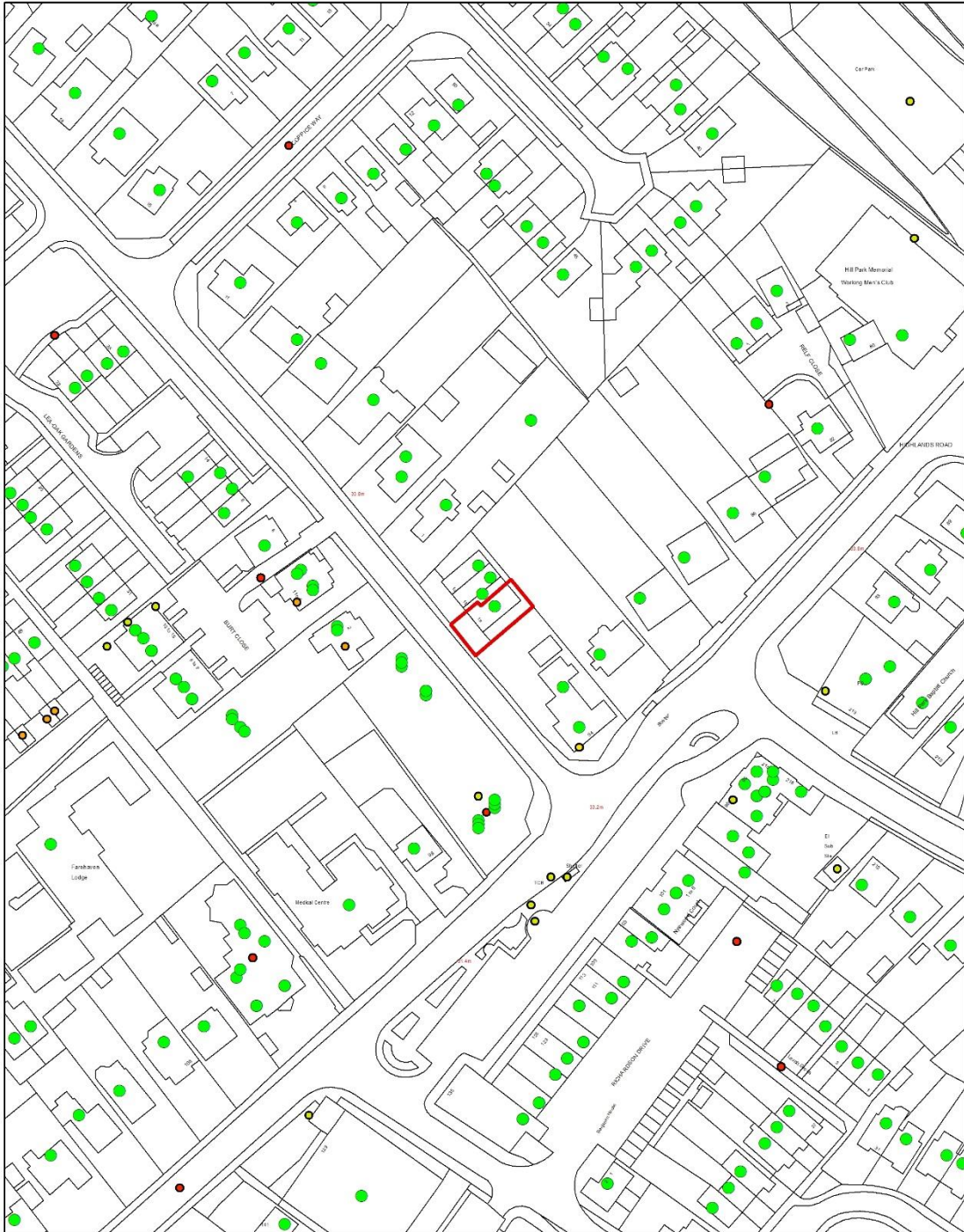
Note to applicant

All food businesses need to be registered with Environmental Health's Commercial Team a minimum of 28 days before trading.

11.0 Background Papers

FAREHAM

BOROUGH COUNCIL



1A Fareham Park Road

Scale 1:1,250



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