
Site Address: Park Lodge, 7 Park Road North, Havant, PO9 1HE
Proposal: Change of use from Class E to Sui Generis for the purpose of a Micropub/Craft Beer Taphouse. Internal alterations to include installation of a toilet for customer use.
Application Type: Change of Use
Application No: APP/24/00398
Applicant: Mrs Webb
From Beer To Eternity Limited
Expiry Date: 17/07/2024
Agent: Case Officer: Arleta Miszewska
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

Park Lodge, 7 Park Road North, Havant, PO9 1HE

2 Planning History

APP/11/01808 - Change of use from B1 (Office) to A3 (Cafe/Tea Room)., PERM,02/04/2012
APP/11/01871 - Display of 1No. non illuminated sign to elevation facing highway., PERM,02/04/2012
APP/16/01206 - Variation of Condition 3 of Planning Permission APP/11/01808 to extend the hours of trading from 0700-1900 hours to 0700-2300 hours on any day., PERM,26/01/2017
GEN/24/00729 - New premise licence, 02/07/2024

3 Proposal

Change of use from Class E to Sui Generis for the purpose of a Micropub/Craft Beer Taphouse. Internal alterations to include installation of a toilet for customer use. A provision of one car parking space, bin storage area and the use of outdoor area for sitting, with proposed opening hours, as set out in the application form, to be:

Monday - Friday: 15:00 - 22:00
Saturday: 12:00 - 22:00
Sunday/Bank Holiday: 12:00 - 18:00

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

CS4 Town, District and Local Centres

CS6 Regeneration of the Borough

CS16 High Quality Design

DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses

DM10 Pollution

Havant Borough Local Plan (Allocations) July 2014

AL3 Town, District and Local Centres

AL8 Local Green Spaces

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Building Control sent required for this work

Compliance with:

Approved Document B Fire protection and means of escape

Approved Document J Flue and heating provisions

Approved Document H Solid waste storage bin sizes

Will be dealt with under Building Regulations

Communities Manager

No response received.

Councillor Daniel Berwick

No response received.

Councillor Gillian Harris

No response received.

Councillor Phil Munday - St Faiths

No response received.

Crime Prevention -Minor Apps

No response received.

Developer Services, Southern Water

A formal application to Southern Water would be required for any new connection to the public foul sewer. Any surface water to be discharged to the public sewer should follow the discharge hierarchy set out in part H3 of the Building Regulations. The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents." A legal ownership of any sewer found during construction works will have to be ascertained before further works can commence on site.

Economic Development

No response received.

Environment Agency

No response received.

Environmental Health Manager, Community Group

The use of the kitchen is to be a low key operation; should this change at a later date to a point that could require a ducted fan driven extraction system, including odour control filtration, such a change would potentially require a separate planning application; as for the change of use application now under consideration, this office has no adverse comments to make in this regard.

Environmental Health Manager, Community Group Contaminated Land

No response received.

Environmental Services

HBC on behalf of Norse South East:

Going forward, if required, Norse do provide commercial services

Family Mosaic

No response received.

Hampshire Highways - initial response

Holding Objection. The application has a supporting statement which refers to the arrangements for deliveries. It advises that all deliveries will be made to their home address to minimise impact on the Park. There is no information regarding what will be delivered, what type of vehicles, how often those home deliveries will occur and confirmation of the receiving property to understand what impact those deliveries may have on the local network and residents. The statement also advises that there would be deliveries directly to Park Lodge during the set up stage and confirmation is sought on likely numbers, types of vehicles and how vehicle access will be gained, routed through the Park and how those vehicle movements will be managed to safeguard users of the park area including using the paths. Those delivery vehicles will be required to enter, turn and leave the site in a forward gear and confirmation that those moves can be achieved in a safe manner are required. It is advised also that there will be a requirement for a single parking space close to the Lodge for staff on days of opening, details of how that access will be managed through the park is required.

Hampshire Highways - final response

Following further information provided, the Highway Authority are satisfied that these delivery arrangements will not result in a detriment impact on the operation or safety of the local highway network; the Highway Authority are of the view that the likely vehicle movements associated with the proposal would not result in a significant impact on the operation and safety of the wider local highway network; subject to the views of the Borough Council with regards to the proposed access arrangements through the Park the Highway Authority raises no objection.

Planning Policy

The Local Plan (Core Strategy) (2011) and the Local Plan (Allocations) (2014), together with the Hampshire Minerals and Waste Plan, provide the development plan for Havant Borough. The following policies are of particular relevance to this proposal: CS4 Town, District and Local Centres; CS6 Regeneration of the Borough; DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses; DM10 Pollution; AL3 Town, District and Local Centres; AL8 Local Green Spaces. The site falls within the defined Town Centre of Havant set out in Policy CS4 and AL3 of the Core Strategy. The site had previously operated as a café under Class E use.

Policy CS4 supports development proposals that would enhance the evening economy of the town and district centres, as well as supporting small and independent businesses. The NPPF states that bars and pubs are considered main town centre uses and therefore the proposal for a micropub/taphouse is supported by Policy AL3.1 in which main town centre uses are to be provided within the town centre boundaries. Policy CS6 supports development which positively contributes to the social, economic and physical regeneration of the whole borough, particularly in Havant Town Centre.

The proposal seeks to bring an existing vacant building into use, and in principle, this would be supported.

The site partially falls within the Local Green Space designated under Policy AL8 of the Allocations Plan, which seeks to protect Local Green Space. The proposal would occupy an existing site, with the provision of two outdoor seating areas and proposed parking space on existing hardstanding within the site and therefore a loss of protected green space as a result of the proposal is not predicted.

The proposal looks to occupy a currently vacant building and in principle a sui-generis use within the designated town centre boundary is supported and considered acceptable, subject to detailed amenity considerations, with particular regard to the relationship of the proposed use to the public park and the children's play area. It is acknowledged that a use serving alcohol has the potential to create noise, pollution and disturbance. It should be noted that the proposed opening times of the taphouse have the potential to overlap with the times that users of the adjacent play area and public park are likely to occur, particularly at the weekend. The impacts of this should be considered through policies DM5 and DM10. Policy DM5 seeks to manage the impacts of food and drink uses, with criterion 6 of the policy seeking to prevent unacceptable disturbance to nearby occupiers. Whilst this criterion relates to residential properties in particular, in reaching a conclusion for the acceptability of this proposal, the impact of the proposed use on the public park and children's play area should be considered in the spirit of this policy. This is further supported by Policy DM10 criterion 1, which outlines that the health and safety of existing and future users of the site, nearby occupiers and residents is not to be put at risk.

Portsmouth Water Company

No objection, no concern over ground water contamination.

Property Services Manager

No response received.

Waste Services Manager

If required, Norse do provide commercial services.

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: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 4

Comment	Officer Comment
The health and safety considerations when there is a match in progress.	Please see below.
The implications of failing to manage the drinkers during their opening hours. There are many incidents of unruly individuals in the park of which there appears to be no resource to police and manage these disturbances.	Please see below.
The proposed application is very close to the children's play area and a micro brewery and potentially inebriated individuals in the vicinity is surely not acceptable.	Please see below.
The proposal is right next to a public thoroughfare, this in itself is not desirable.	Please see below.
A micropub/tap room will be a great additional facility to the town. In the proposed location it will bring back into use an otherwise unoccupied building, and add a vibrancy to the park area. There are tap rooms in every adjacent local authority area but currently there are none in the Havant borough, meaning that residents are taking their custom, and spending power, further afield. By their nature tap rooms offer a premium range of products that are slightly more expensive than pubs and thereby do not attract those that seek to pay the lowest price.	Please see below.

A Taproom seems an ideal use for this empty building, with easy access. My experience with Taprooms is that they can enhance an area, attracting relaxed clientele, who appreciate quality beers and ales (rather than quantity) Havant Borough needs a taproom.	Please see below.
It would be great to have a taproom within Havant Borough It seems like an ideal location and makes use of an empty building that has previously been a cafe. The venue would support a clientele that appreciate a quality beer in a suitable location.	Please see below.

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, noise and other environmental impacts
- (iii) Highways and car parking

7.2 (i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to relevant development management considerations, as set out below.

The site falls within the defined Town Centre of Havant set out in Policy CS4 and AL3 of the Core Strategy. The site had previously operated as a café under Class E use.

Policy CS4 supports development proposals that would enhance the evening economy of the town and district centres, as well as supporting small and independent businesses. The NPPF states that bars and pubs are considered main town centre uses and therefore the proposal for a micropub/taphouse is supported by Policy AL3.1 in which main town centre uses are to be provided within the town centre boundaries. Policy CS6 supports development which positively contributes to the social, economic and physical regeneration of the whole borough, particularly in Havant Town Centre.

The proposal seeks to bring an existing vacant building into use, and in principle, this would be supported.

The site partially falls within the Local Green Space designated under Policy AL8 of the Allocations Plan, which seeks to protect Local Green Space. The proposal would occupy an existing site, with the provision of two outdoor seating areas and proposed parking space on existing hardstanding within the site and therefore a loss of protected green space as a result of the proposal is not predicted.

The proposal looks to occupy a currently vacant building and in principle a sui-generis use within the designated town centre boundary is supported and considered acceptable, subject to detailed amenity considerations, with particular regard to the relationship of the proposed use to the public park and the children's play area, potential for noise, pollution and disturbance.

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

As stated above, the proposed use is classed as a town centre use. Therefore, given that the site is located within the town centre boundary, in principle, it is considered to be in keeping with the character of the area.

It is acknowledged that a use serving alcohol has the potential to create noise, pollution and disturbance. It should be noted that the proposed opening times of the taphouse have the potential to overlap with the times that users of the adjacent play area and public park are likely to occur, particularly at the weekend. In particular, Policy DM10 criterion 1 outlines that the health and safety of existing and future users of the site, nearby occupiers and residents shall not to be put at risk.

The nearest residential properties are located sufficient distance away from the site not to experience any detriment from the operation of the use, in particular, in terms of noise or other disturbance.

Environmental Health Team was consulted on this application and raised no concerns over the proposed use.

It also noted that a Licensing application has also been submitted and approved. As a part of Licensing process, bodies such as Police, Child Protection and Public Health were consulted and raised no concerns.

The Licensing application has been approved subject to conditions which, amongst other things, ensure that:

1. CCTV will be installed at the premises to observe the entrance and exit doors both inside and outside, the main bar, the seating area and any external area. Recorded footage will be retained for a minimum of 31 days and will be made available to police immediately on request when investigating allegations of offences or criminal activity;

2. No sale of alcohol to persons under the age of 18, the signs and symptoms of drunkenness, the refusal of service due to intoxication and age verification policy.

3. Only authorised staff to sell or supply alcohol following their training.

4. All public and private events or functions are subject to a written Risk Assessment that will include the date, times and nature of the event, the assessment of risk and the measures put in place to address any identified risks.

5. A minimum of two Security Industry Authority (SIA) registered Security staff will be on duty at the premises from 20:00 hours to close on any day that the premises is open beyond 00:00 (such as New Year's Eve).

6. Alcohol must be consumed within the boundaries of the premises including the beer garden unless it is otherwise specified.

7. Prominent and clear notices will be displayed at the exit to remind customers to leave quietly and to respect the neighbours. Clear guidelines and zoning for outdoor seating areas and smoking areas to minimize disruption to the surrounding area will be established.

8. ID - Challenge 25.

Planning system is not to duplicate measures controlled under other legislation, therefore, it would not be justified to impose similar controls through planning conditions. Notwithstanding this, it is considered that the proposed use, with its controls and restrictions imposed through Licensing process, does not raise concern over potential for crime and disorder, public safety or public nuisance in relation to the visitors to the premises, the users of the park and the local residents.

7.4 (iii) Highways and car parking

A holding objection has been initially raised by Hampshire Highways on the grounds of insufficient information provided, in terms of deliveries to be taking place to the applicant's home, specifically what would be delivered, what type of vehicles, how often those home deliveries would occur and confirmation of the receiving property to understand what impact those deliveries could have on the local network and residents. Moreover, information was requested to clarify the method of deliveries directly to the Park Lodge, including during the set up stage. Hampshire Highways also requested the provision of a single parking space close to the Lodge for staff on days of opening.

In response, the applicant has clarified that home deliveries would be made by transit style or smaller vehicles advised to be undertaken twice a week. Deliveries would not be made to the front of the property on West Street (A27) but to the rear of the property from a lower category highway The Downsway. The Highway Authority are satisfied that these delivery arrangements would not result in a detriment impact on the operation or safety of the local highway network.

Hampshire Highways confirmed that the works to be undertaken to the Park Lodge and during the operational periods indicate a low level of use, with management proposals to ensure vehicle speeds are managed to ensure vehicle movements including speeds to safeguard the movement of those vehicles through the Park to minimise conflicts.

One parking space would be provided adjacent to the Building.

The Highway Authority are of the view that the likely vehicle movements associated with the proposal would not result in a significant impact on the operation and safety of the wider local highway network.

It is acknowledged that the application site is located within a public park owned by Havant Borough Council. Therefore, the applicant would require a separate lease from the Council in order to be able to operate at the application site. As a part of the lease, the Council would be able to agree with the applicant the details of use of the site, including the vehicular access. The Property Service Manager was consulted on the proposal, however, no response was received. An appropriate informative to the applicant raising the awareness of the need to liaise with the Property Services team is recommended.

8 **Conclusion**

The application site is located within the urban area where development is considered acceptable in principle. The site is also located within the Havant town centre boundary where relevant policies support development which improves the vitality and viability of the centre. The proposed use is classed as a main town centre use and therefore would be in keeping with the local context. Further information has been submitted to clarify the operational impacts of the use which demonstrates no adverse harm would occur, in terms of a potential for crime and disorder, public safety or public nuisance. Finally, Hampshire Highways confirmed that the likely vehicle movements associated with the proposal would not result in a significant impact on the operation and safety of the wider local highway network. In light of the above, the application is recommended for a conditional approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00398 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 Compulsory Purchase Act 2004.

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

Location plan (1:1250)
Site plan (FB2E-04 Revision 0)
Proposed block plan, floor plans and elevations (FB2E-01 Revision 0)
Proposed ground floor plan (FB2E-02 Revision 0)
Proposed first floor plan (FB2E-03 Revision 0)
Proposed elevations (FB2E-05 Revision 0)
Business Case - Micro Pub in Havant Park (supporting statement)
Further highways information sent by e-mail dated 5 September 2024

Reason: To ensure provision of a satisfactory development.

- 3 The premises shall only be open for trade or business between the hours of :
Monday - Friday: 15:00 - 22:00
Saturday: 12:00 - 22:00
Sunday/Bank Holiday: 12:00 - 18:00

Reason: To protect the health and safety of existing and future users of the site, nearby occupiers and residents, and having due regard to policies DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.