

May 2023



**Full Planning and Advertisement Consent Application for
the proposed change of use of Unit D, 44-54 West Street,
Havant, PO9 1PG from E use class to a betting shop (sui
generis use class)**

Planning Statement

On behalf of

Done Brothers (Cash Betting) Ltd

Prepared by

ID Planning
9 York Place
Leeds
LS1 2DS

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1. Betfred Market Research Findings Report
2. Betfred Brochure
3. Marketing Letter

1.0 Introduction, Site Context, Marketing and Planning History

Introduction

- 1.1 This Planning Statement has been prepared on behalf of Done Brothers (Cash Betting) Ltd to support the proposed change of use of Unit D, 44-54 West Street, Havant, PO9 1PG from E use class to a betting shop (sui generis use class).
- 1.2 Advertisement consent is also sought for the display of advertisements related to the proposed business.
- 1.3 The Unit is a ground floor unit and has been vacant and marketed since September 2020. The most recent planning permission for the unit was for an A1 use that now falls under the new E use class in accordance with amendments made to the Town and Country Planning (Use Classes) Order in September 2020.
- 1.4 Betfred already operate a successful Bookmaker business in Havant at 7C West Street, Havant, PO9 1EH. This is a short distance of 63 metres from the proposed change of use unit at Unit D, 44 – 54 West Street. This change of use Application seeks to facilitate a relocation of Betfred's existing bookmaker business from 7C West Street to Unit D, 44-54 West Street to a different Unit that better suits their business floorspace and layout requirements.
- 1.5 Both units are on the same street in the town centre and primary shopping frontage.
- 1.6 The proposed change of use would not increase the number of Bookmakers on West Street or in Havant town centre, nor would there be any loss of a retail unit in the primary shopping frontage.
- 1.7 The proposals also seek advertisement consent to display a new fascia sign and projecting hanging signage as shown on the submitted plans.

Marketing History

- 1.8 A letter from the Marketing Agents Holloway Iliffe and Mitchell is submitted at Appendix 3 of this Statement to detail what marketing has been undertaken of the unit.
- 1.9 The letter confirms that the unit has been vacant and actively marketed since September 2020 for a retail or other occupier. The unit has been unable to secure a viable occupier since 2020, despite efforts made by the landowner to reduce the floorspace size of the unit under a 2022 permission to try and attract a retail operator.
- 1.10 An alternative but complementary sui generis main town centre use is now proposed to bring the vacant unit back into active use.

- 1.11 The existing Betfred Unit at 7C West Street a distance of 63 metres away from the Application site, will in turn become available to retail occupiers upon Betfred's relocation. There is no loss of a retail unit and no additional Bookmakers proposed in the town centre in this regard.

Planning History

- 1.12 Units A – D at 44-54 West Street, Havant were created via a change of use planning permission on the 24th March 2022 (Ref: APP/22/00022) and comprise of four ground floor units with 14 residential flats above.
- 1.13 The description of the approved development is *“Change of use at ground floor level to create 4No. A1 units and 1No. Class E (office) unit; revised car parking, servicing, cycle and bin stores to rear; and alterations to northern and southern elevations (retrospective application - revisions to scheme originally approved under APP/19/01260).”*
- 1.14 The Officer Report for the Application states that the building was formerly two larger retail units at ground floor level totalling 650m² of floorspace which had been marketed (since 2020) but had been unable to secure an occupier. Planning permission was granted for the 2 units to be split into 4 smaller units (Units A – D) totalling 444m² of commercial floorspace with 85m² of office space.
- 1.15 The unit currently proposed for a change of use to sui generis is Unit D which has a floorspace area of 173m².
- 1.16 It is highlighted that planning permission was approved in March 2022 for the four units to have an A1 use but A1 uses were revoked in September 2020 following amendments to the Town and Country Planning Use Classes Order. A1 units now fall under a wider E use class introduced on 1st September 2020 and revokes the former use classes of A1 (shops), A2 (financial and professional including banks), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new overarching use class to provide greater flexibility for town centres to maintain their viability.
- 1.17 A marketing letter is provided at Appendix 3 of this Statement which confirms that Unit D has been marketed for a retail use since September 2020 but has remained unable to secure a viable retail or other operator. As such a complementary main town centre sui generis use is now proposed to bring the unit back into use with an active shopfront and window display.
- 1.18 Other relevant planning history for the Unit includes the following:
- APP/10/00992 - Demolition of existing shops and flats. Construction of a three-storey mixed use building providing 650sqm of retail (Class A1) and 14No. 2 bed flats with associated car parking (5No. spaces), cycle and bin stores. Permitted 25/02/2011 and implemented.

APP/13/01236 - Discharge of Conditions No's 2, 4, 5, 6, 7, 8, 10 and 15 of Planning Permission APP/10/00992. Permitted 23/01/2014 APP/17/01358 - Application for non-material change to planning permission APP/10/00992 relating to revisions to roof plan, fenestration and second floor rear balconies. Permitted 14/02/2018.

APP/19/01260 - Variation of plans approved under extant Planning Permission APP/10/00992 (Demolition of existing shops and flats. Construction of a three-storey mixed use building providing 650sqm of retail (Class A1) and 14No. flats with associated car parking (5No. spaces), cycle and bin stores), as amended by non-material amendment APP/17/01358 - variations relate to revisions to layout and external appearance of building. Permitted 24/03/2020

Site Context

- 1.19 West Street lies within the town centre of Havant. It is one of the principal shopping streets, running east-west from Park Road South to the junction of East/West/North/South Streets. The site lies on the north side of the street and its principal frontage faces south onto a pedestrianised shopping street with no vehicle access. A street market is held on West Street twice a week.
- 1.20 The Unit itself is not within a conservation area but is adjacent to the St Faiths Conservation Area to the south west. There are no listed buildings in close proximity to the site. Figures 1 and 2 below show the shopfront and internally inside the Units:

Figure 1: Shop Front Elevation onto West Street



Figure 2: The Unit internally



Planning Application Submission

- 1.21 The Application comprises of the following submission documents:
- Completed Application Forms
 - Location Plan and Existing and Proposed Layout Plan
 - Existing and Proposed Elevations Plan with Advertisement Details
 - Planning Statement and 3 x Appendices (Betfred Brochure, Market Research Findings Report and Marketing Letter)

2.0 The Proposed Development

- 2.1 The proposed development seeks a change of use of the ground floor Unit D at 44-54 West Street from E use class to a betting shop (Sui Generis use class) alongside advertisement consent for the associated signage.
- 2.2 The Unit has been vacant for a significant period of time having been marketed since September 2020.
- 2.3 Betfred already operate a successful Bookmaker business on West Street in Havant town centre at 7C West Street. This is a short distance of 63 metres from the subject change of use unit.
- 2.4 The proposed change of use seeks to facilitate a relocation of Betfred's existing business along West Street to a Unit that better suits their floorspace requirements and business needs.
- 2.5 There would not be any additional bookmakers introduced on West Street or in Havant town centre and there would be no loss of a retail unit in the primary shopping frontage as Betfred's current unit at 7C West Street would become available for occupation by a retail or other commercial operator (subject to any requisite planning permissions).
- 2.6 The relocation of Betfred's Bookmaker business would retain this service and facility in the town centre and bring a vacant unit back into active use, strengthening the town centre vitality and viability and continuing to support local employment and economic growth.
- 2.7 Betfred is the world's biggest privately-owned betting company and one of the UK's biggest privately-owned retail outlets. Licensed betting shops are regarded as being main town centre uses under Annex 2 (Glossary) of the National Planning Policy Framework (NPPF 2021) as they are defined as a leisure and entertainment use. Betting shops as a main town centre use, support the main retail function of town centres nationwide.

3.0 Planning Policy Review

3.1 The Fourth Edition of the National Planning Policy Framework (NPPF) was published in July 2021 and supersedes the previous 2012, 2018 and 2019 versions of the document. The framework sets out the Government's planning policies for England and how these are expected to be applied. The following policies are considered applicable to the proposed change of use application.

3.2 Paragraph 8 of the NPPF confirms the purpose of the planning system is to contribute to the achievement of sustainable development:

"There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **An economic role** – build a strong, responsive and competitive economy
- **A social role** – creating a high-quality built environment, with accessible local services
- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment

3.3 The proposed development comprises a main town centre use within a town centre. By bringing a long-term vacant unit back into active use, this supports the local economy including job retention, it meets a social role by retaining a Bookmaker service for residents in Havant town centre and also it meets an environmental role by providing an active shop frontage to conserve and enhance the town centre and adjacent Conservation Area.

3.4 Section 6 of the NPPF provides guidance on supporting economic development. Paragraph 80 confirms that Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

3.5 Section 7 of the NPPF provides guidance on ensuring the vitality of town centres. Paragraph 85 confirms that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

3.6 Section 16 of the NPPF provides guidance on conserving and enhancing the Historic Environment.

The Development Plan

3.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 3.8 The statutory Development Plan for Havant comprises of the Core Strategy (2011) and the Site Allocations Plan (2014). The Council are preparing a new Local Plan but it is at very early stages and carries no material weight.
- 3.9 The following Development Plan policies are considered applicable to the proposed change of use.

Havant Core Strategy (2011)

- 3.10 Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) seeks to protect and enhance the townscape of Havant town centre
- 3.11 Policy CS16 (High Quality Design) – requires good design principles for changes of use and new development.
- 3.12 Policy CS4 (Town, District and Local Centres) – states that Planning permission will be granted for appropriate town centre development proposals that:
1. Promote and enhance the Town Centre of Havant
 2. Enhance the evening economy of the town centres.
 3. Retain and enhance local markets.
 4. Support small and independent businesses.
 5. Encourage high quality, mixed-use development in designated centres that retain active ground floor frontages.

Site Allocations Plan (2014)

- 3.13 AL1 (Presumption in Favour of Sustainable Development) confirms that development proposals will be determine against the presumption in favour of sustainable development.
- 3.14 DM21 (Shopfronts, Signs, Security Shutters and Advertisements) provides design guidance for shopfronts.
- 3.15 AL3 (Town, District and Local Centres) states that Planning permission will be granted for development proposals that:
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.
 2. Promote and enhance the primary shopping areas of the town and district centres.
 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.
 4. Retain at least 25% of the units in an unbroken run of secondary frontage as defined on the Policies Map in retail (A1) use.
 5. Generate pedestrian activity within the primary shopping area by being open during the day to visiting members of the public.
 6. Provide a shopfront within the primary shopping area with a well-designed and appropriate display window.

Exceptions to parts (3) and (4) may be made to allow a change of use to non-retail if more than 25% of units in the unbroken run of frontage are vacant at the time of the application.

4.0 Planning Assessment

Impact on the Vitality and Viability of the Town Centre

- 4.1 Betfred currently operate a bookmaker business at 7C West Street, a short distance of 63 metres from the proposed change of use unit at Unit D, 44-54 West Street.
- 4.2 The proposal seeks a relocation of their existing bookmaker business within the town centre from one unit to another (both on West Street) to 7C West Street to a unit that is more modern and better suits their floorspace and business need requirements.
- 4.3 Both Betfred's existing unit and the proposed change of use unit are within the primary shopping frontage of Havant as shown on the Havant Town Centre Local Plan Policies Map (Policy CS4).
- 4.4 Relocation of Betfred's existing business would not result in any additional bookmakers being added to the town centre or the primary shopping frontage. Betfred's current unit at 7C West Street would become available for a retail occupier upon their relocation so there would be no loss of a retail unit in the town centre or primary shopping frontage.
- 4.5 A condition of Betfred's licensing is that they are required to relinquish their licensing to operate at their current unit upon relocation so there is no opportunity to run both units as bookmakers.
- 4.6 As it stands, the vacant unit on West Street does not contribute positively to enhance the town centre or primary shopping frontage. The proposed change of use would bring the unit back into active use with an open shopfront and changing window displays to support and enhance the vitality and viability of the town centre, strengthen its offering of shops and services and make a positive contribution to the built environment in accordance with Policy CS11.
- 4.7 The unit has been vacant for a significant period of time and marketed since September 2020 as detailed at Appendix 3 of this Statement. Despite works undertaken to try and attract a retail operator including reducing the size of the units, no viable interest or offers have been made to the Agents.
- 4.8 To retain the unit as it is currently is harmful to the vitality and viability of the town centre and primary shopping frontage and would not comply with national and local planning policy on supporting economic growth.
- 4.9 The proposal provides a main town centre use as defined by the NPPF as a leisure and entertainment service to complement the main retail function of the town centre and primary shopping frontage.
- 4.10 The proposal accords fully with Policy CS4 (Town, District and Local Centres) which states that planning permission will be granted for appropriate town centre

development proposals that meet a set criterion. The proposal accords with this criterion as follows:

1. The proposal promotes and enhances Havant town centre by bringing a vacant unit back into active use. Bookmakers are recognised main town centre uses that complement the main retail function. The Application facilitates a relocation of Betfred's existing bookmaker business so simply seeks to relocate an existing town centre use and business.
2. It enhances the evening economy of Havant town centre by introducing a complementary leisure and entertainment use that opens on an evening until 22:00 after most traditional retail shops have closed;
3. It retains and enhances the local market held on West Street by occupying a vacant unit that faces onto the market area;
4. It supports and maintains an existing successful business in the town centre; and
5. It encourages high quality, mixed-use development in the town centre by retaining an active ground floor frontage with the existing residential; development on the upper floors.

4.11 The proposal also accords with Policy AL3 (Town, District and Local Centres) which states that planning permission will be granted for development proposals that meet the detailed criterion. Again, the proposed change of use accords with the criterion as follows:

1. The proposal is a main town centre use in Havant town centre which positively contributes to its vitality and viability.
2. The proposal promotes and enhances the primary shopping areas of the town centre;
3. The Policy requires at least 50% of units on the primary frontage to be in an A1 use. This is detailed below further.
4. The proposal maintains footfall and provides an opportunity for linked trips to the wider town centre as well as contributing to the centre's later afternoon / evening economy when traditional retail shops are open 9-5pm, this is further detailed at Appendix 1 of this Statement which provides details of market research undertaken by Betfred.
5. The proposal provides an active shopfront with a changing window display within the primary shopping frontage.

4.12 The majority of units on the primary street frontage of West Street where the proposed change of use unit is are retained within an E use class (including the revoked A1 use class) as shown below. This is in excess of 50% therefore the proposal accords with this criterion of Policy AL3.

Occupier	Use Class
The Parchment Makers Pub	Sui Generis
Bangerz and Burgerz Diner	E
A-Z Smartphone Repairs	E
Rowans Hospice Charity Shop	E
Savers	E

Specsavers	E
Subway	E / Sui Generis
Superdrug	E
Vodafone	E
Halifax	E
Boots	E
The Works	E

- 4.13 Overall, the proposed relocation of Betfred's existing business from 7C West Street to Unit D, 44-54 West Street would improve the vitality and viability of this part of the town centre by occupying a vacant unit without unduly affecting the main retail function within the primary shopping frontage. Betfred's existing unit at 7C West Street would in turn become available to the market and available for occupation by retail operators.
- 4.14 The Applicant's existing Bookmaker business on West Street has operated for a number of years in Havant town centre and the primary shopping frontage with no known complaints of noise or anti-social behaviour. The betting shop use would be relocated to the change of use unit on West Street and is not expected to have any undue impact upon day-to-day amenity or the residential properties above the shop.
- 4.15 The principle of the change of use is demonstrably acceptable being policy compliant and would support and enhance the vitality and viability of the town centre and primary shopping frontage. The proposed change of use can therefore be fully supported.

Design

- 4.16 The proposed shopfront elevation plan demonstrates how the shop would appear from the street frontage painted in the Applicant's business colours of blue and white.
- 4.17 Advertisement consent is also sought for the display of advertisements comprising of a fascia sign and a projecting hanging sign, details of which are on the submitted plans. The signage proposed offers suitable advertisement of the business without materially altering the shopfront design or layout. In this regard, the proposal demonstrates a good standard of design in accordance with Policies CS16 and DM21.

Impact on Heritage and Conservation

- 4.18 The proposed change of use unit is not listed and is outside of a Conservation Area but is adjacent to the St Faiths Conservation Area to the south west. There are no listed buildings in close proximity to the site that would be affected by the change of use proposal. The vacant unit would be bought back into active use with an open shopfront and a changing window display alongside attractive signage which seeks to contribute positively to conserving and enhancing the character and appearance of the adjacent Conservation Area.

5.0 Conclusions

- 5.1 This Planning Statement has been prepared on behalf of Done Brothers (Cash Betting) Ltd to support the proposed change of use of Unit D, 44-54 West Street, Havant, PO9 1PG from E use class to a betting shop (sui generis use class).
- 5.2 Advertisement consent is also sought for the display of advertisements related to the proposed business.
- 5.3 The unit is on the ground floor and has been unoccupied for a period of time since September 2020 as detailed at Appendix 3 of this Statement despite being actively marketed for a retail or other operator. Efforts have been made to try and secure a retail operator including a 2022 permission to reduce the floorspace of the units to try and become more affordable and attractive to retail operators. Despite these efforts, the unit has remained vacant.
- 5.4 Betfred already operate a successful Bookmaker business in Havant at 7C West Street, Havant, PO9 1EH. This is a short distance of 63 metres from the proposed change of use unit at Unit D, 44 – 54 West Street. Both units are on the same street in the town centre and primary shopping frontage.
- 5.5 This change of use Application seeks to facilitate a relocation of Betfred's existing business from 7C West Street to Unit D, 44-54 West Street to a different Unit that better suits their business floorspace and layout requirements.
- 5.6 The proposal is fully policy compliant as detailed in Chapter 4 of this Statement and seeks to preserve and enhance the vitality and viability of the town centre and primary shopping frontage whilst conserving and enhancing the adjacent Conservation Area.
- 5.7 The proposal has a number of significant benefits deriving from it and it should be supported by the Council for the following reasons:
 - The proposal will retain Betfred's existing Bookmaker business in Havant town centre, retains employment and contributes to economic development objectives as set out in the NPPF and the Local Plan which supports economic growth, job retention and a positive approach to the determination of planning applications;
 - The unit lies within the town centre and primary shopping frontage and the use is considered to be a main town centre use as defined on the Annex 2 Glossary of the NPPF; the principle of the change of use is acceptable, and the viability and vitality of the primary shopping area is retained;
 - The proposal would not create any additional number of Bookmakers in the town centre, nor would it result in the loss of a retail unit in the town centre and primary shopping frontage as Betfred's current unit would become available on the market to accommodate a retail operator;

- The proposal will increase footfall and provides an opportunity for linked trips to the wider town centre as well as contributing to the centre's later afternoon / evening economy up to 22:00 when traditional retail shops are typically only open 9-5pm. This is further detailed at Appendix 1 of this Statement. This approach to supporting the evening economy in the town centre is supported under Policy CS4.
- Marketing evidence submitted with the Application at Appendix 3 demonstrates that despite being actively marketed for a retail use since September 2020 including efforts made to reduce the floorspace of the units to make them more affordable and attractive in 2022, no viable offers have been made and so an alternative complementary sui generis use is now proposed.

5.8 In view of the above, it is considered the proposal satisfies both national and local policy and represents a suitable and sustainable use for the long-term vacant unit.

5.9 The proposal addresses all the relevant material considerations and, in this respect, we would invite the Council to assess the application and offer its support for the proposal.

Appendices (submitted as separate documents)

1. Betfred Market Research Findings Report
2. Betfred Brochure
3. Marketing Letter