



Planning & Retail Statement

Proposed Lidl Foodstore, Land adjacent to B&Q, Purbrook Way, Havant, PO9 3QJ

December 2020

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Documents

Document 1:	Site Location Plan
Document 2:	Retail Catchment Plan
Document 3:	Sequential Test Appraisal Sheets
Document 4:	CGI's and Landscape Plan

1. Introduction

1.1 This Planning and Retail Statement ('PRS') has been prepared by Simply Planning Limited (SPL), on behalf of Lidl, and in support of a full planning application to provide a new Lidl foodstore on land adjacent to B&Q, Purbrook Way, Havant, PO9 3QJ. A site location plan has been provided at **Document 1**.

1.2 The development provides a new Lidl foodstore totalling c.1,899m² (GIA) with a net internal sales area of c.1,256m², together with parking for in the region of 132 vehicles. The full description of development is as follows:

"Erection of retail foodstore with associated car parking, access, landscaping and engineering works."

1.3 The application proposals will contribute towards improving consumer choice, competition and accessibility to retail services within the identified catchment. The proposals are in accordance with the Government's agenda for delivering sustainable growth and will result in significant job creating development.

1.4 The success of this planning application is, therefore, paramount if the development and its wider economic benefits are to be realised. Such benefits include:

- A multi-million-pound investment in Havant Borough.
- The creation of up to 40 full and part time new jobs.
- The sustainable development of an idle development site.
- Increased sustainable food shopping patterns.
- A reduction in the travel costs of residents accessing comparable discounted food retailing.
- Choice, competition and price competitiveness in food shopping for local residents.

1.5 Finally, in the context of this initial overview, it is relevant that:

- Lidl is contractually committed to the scheme. They have every intention of delivering the proposal following a successful planning application.
- Lidl have been seeking additional representation within Havant, to complement their existing portfolio, for many years. This is the only suitable site that they have identified, that is genuinely available and which is capable of providing a store that meets their operational needs.
- Lidl remain committed to their existing stores within Havant Borough (including stores at Leigh Park, Waterlooville and Cowplain).
- The proposal is grounded in commercial reality, fully costed and deliverable. If granted consent by Spring 2021 the store can be constructed and trading by the early part of 2022.
- The scheme is also fully funded which, in the current retail and economic climate, should not be underestimated.
- The proposal may act as a catalyst for future investment. It may serve to attract people and businesses alike to this wider location and will have inevitable economic spin-offs.
- There is a substantial oversupply of employment land within Havant. It is in this context that the loss of a nominal amount of future allocated employment land should be judged.

- 1.6 This supporting planning statement has been prepared to assess the application proposals against the relevant provisions of the Statutory Development Plan, together with other material guidance, including the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). In retail terms, the application site is considered out-of-centre. The NPPF (paragraphs 86 and 87) state that a sequential test should be applied where ‘town centre’ uses (such as retail) are proposed outside existing centres. The matter of the sequential test is addressed within Section 6. Consistent with the guidance contained within the NPPF, there is no requirement to undertake a Retail Impact Assessment (RIA).
- 1.7 This PRS explains the background to the scheme and justifies why planning consent ought to be granted. It is supported by the following suite of technical documents:

Document Title	Author
Design and Access Statement	One Design
FRA/Drainage Strategy	Mayer Brown
Noise Assessment	Acoustics Consultants Ltd
Air Quality Technical Note	RPS
Preliminary Ecological Appraisal	RPS
Tree Survey and Arboricultural Impact Assessment	RPS
Transport Assessment and Travel Plan	Mayer Brown
Sustainability Statement	Hoare Lea
Archaeological DBA	Groundworks Archaeology
Phase 1 Contaminated Land Study and Phase 2 Intrusive Investigation	Ramada
Statement of Community Involvement	Simply Planning Limited
Utilities Statement	Poole Dick
Proposed Lighting Design	Signify

- 1.8 A full comprehensive architectural drawing package also forms part of the submission. This includes the following drawings:

Drawing No.	Title	Scale
AD-100	Location Plan	1:1250@A3
AD-110	Proposed Site Plan	1:1250@A1
AD-111	Proposed Ground Floor Plan	1:100@A1
AD-112	Proposed Roof Plan	1:100@A1
AD-113	Proposed Elevations	1:100@A1
AD-114	Proposed Site Plan (Boundary Treatments)	1:1250@A1
AD-115	Proposed Site Plan Finishes	1:1250@A1

Drawing No.	Title	Scale
AD-116	Proposed Landscape Design and Specification	1:250@A1
AD-117	Proposed Site Plan (Topo Overlap)	1:1250@A1

- 1.9 The above documents should be read alongside this PRS. Together, they set the context in which the application proposals should be considered.
- 1.10 In short, these proposals represent a unique opportunity for Havant. They deliver tangible investment and job creating development on an idle site, located within the confines of the defined urban area adjacent to existing retail facilities. As we go on to show, the application site is the only realistic site capable of accommodating such investment. In these unprecedentedly challenging times, the investment of Lidl must be welcomed.
- 1.11 The proposals also have overwhelming public support, as demonstrated through the Statement of Community Involvement. Given there are no technical, or amenity issues, raised by the proposal, the scheme is wholly deserving of planning consent.
- 1.12 In terms of the remaining structure of this report:
- **Section 2** explains the factual background to the proposals, including describing the site and surrounding area.
 - **Section 3** explains Lidl's retail offer.
 - **Section 4** considers the applicable planning policy context at the national, strategic, and local level.
 - **Section 5** reviews the employment land supply within Havant and makes the economic case for the scheme in light of the emerging Development Plan allocation.
 - **Section 6** considers retail matters, namely the sequential approach.
 - **Section 7** provides an overview of main planning considerations including principle of development.
 - **Section 8** summarises the planning balance associated with the scheme.

2. Factual Background

Site and Surrounding Area

- 2.1 The application site is located to the north of Purbrook Way, close to the junction with the A3(M), on the western edge of Havant.
- 2.2 The site sits to the west of the existing B&Q. It benefits from direct access from Purbrook Way. In retail terms the application site is considered out-of-centre. The nearest defined centre to the site is Middle Park Way Local Centre.
- 2.3 The application site totals c.3.2 acres (c.1.27 hectares). This includes land within the ownership of highways and part of the private access road that currently serves B&Q. It comprises largely overgrown scrubland with scattered trees around the perimeter; limited areas of grass are present towards the north of the site. The site is undeveloped and is of limited amenity value. The southern part of the site comprises made ground. The site is bound by Purbrook Way to the south, whilst the access road and car park for the adjacent B&Q surrounds the site to the northwest and east respectively.



- 2.4 In terms of topography, the levels of the site fall from north-west to south-east with ground levels ranging between 42.90m AOD and 36.20m AOD. The site is within Flood Zone 1 and, therein, is at a low risk of flooding.
- 2.5 The application site is not subject to any site-specific policy designations, other than it is identified as part of the built development area.
- 2.6 The main site constraint relates to the presence of a single tree, protected by a Tree Preservation Order (TPO). This tree is centrally located within the site.
- 2.7 There are no statutory designated sites within 2km of the application site. The site is of limited ecological amenity value.
- 2.8 In terms of the wider surrounding area alongside the B&Q, an Asda Supercentre (out-of-centre) is situated to the south of the site, together with other roadside retail occupiers and a range of commercial/quasi-retail uses which occupy Larchwood Business Park. The surrounding area is urban in character, although north of the site is Neville's Park Wood.

Planning History

- 2.9 There is limited planning history (available with the public domain) associated with the application site. An earlier outline application (Ref. 96/57759/001), proposing the erection of a new retail warehouse (1,150m²) on land referred to as '*adjacent to the existing B&Q*' was withdrawn in 1996. It is assumed that this relates to the application site.
- 2.10 Whilst there is limited planning history associated directly with the application site, it is important, in the context of the application proposals, to have regard to several planning applications in the immediate locality.
- 2.11 First, an outline application (Ref. APP/20/00441) with all matters reserved save access for a residential scheme of up to 120 dwellings on land to the west of Hulbert Road, was submitted to the Authority in June 2020 (validated August 2020). The application site incorporates land to the north of the application site (bound by the A3(M) and Hulbert Road). The application is currently awaiting determination.
- 2.12 Secondly, a hybrid planning application (Ref. APP/19/01101) comprising a full planning application for the erection of 130 dwellings with the creation of a new access onto College Road and outline planning for up to 650 dwellings, community and nursery facility (Use Class D1 and D2), retail unit (Use Class A1), public open space, landscaping and associated works and infrastructure is also currently awaiting determination. The application is considered consistent with an emerging planning policy allocation and is located a short distance from the application site.
- 2.13 These applications show that the immediate area is subject to development pressures and planned residential growth, particularly in the form of the College Road proposal. It is, in part, in the context of such growth aspirations that proposals for additional service infrastructure, such as discount food retail provision, should be considered.

The Application Proposals

- 2.14 The application proposals seek full planning permission for a c.1,256m² (net sales) Lidl foodstore (plus warehouse and ancillary floorspace including staff welfare facilities, offices and back of house accommodation etc), alongside a new vehicle access provided via a priority junction and via the existing unclassified road to the west of the site. The proposals will deliver a total of 132 car parking spaces.
- 2.15 The proposed store has been positioned on the eastern part of the site which, owing to the shape of the application site, is the most logical and efficient orientation. It also allows for the store to be set back from the highway. The main customer entrance lobby will be located on the south western corner of the building, close to the dedicated pedestrian access proposed from Purbrook Way. The southern and western areas of the site are to be customer car parking with vehicle access proposed from the existing B&Q service access road. Servicing and deliveries will take place on the northern boundary of the site.
- 2.16 The development proposals will provide a new priority junction arrangement from the existing private access road that runs along the western edge of the site for use by customers, staff and delivery vehicles. The proposed access arrangement is considered, in further detail, within the accompanying Transport Statement, prepared by Mayer Brown. However, the proposed arrangement will provide a 9m wide access carriageway with appropriate kerb radii to facilitate vehicular access, with a 6m radii to the north and 10m radii to the south due to the angled alignment of the access. The site access is located c.55m north of the entry/exit points to/from the adjacent Purbrook Way roundabout.

- 2.17 Pedestrian access to the site will be provided directly from Purbrook Way with pedestrian walkway/crossing facilities provided within the site. The pedestrian access has been separated from the main vehicle access to the site to avoid unnecessary conflicts. A pedestrian access from Purbrook Way (through land within the control of highways) is the most appropriate pedestrian access solution, having regard to natural desire lines and existing public transport connections on Purbrook Way.
- 2.18 The detailed design philosophy underpinning both the proposed layout and form of the foodstore is explained, in greater detail, within the accompany Design and Access Statement. The layout has been determined through an appropriate analysis of the site's context and characteristics, together with the operational needs of the retailer.
- 2.19 The development will result in the loss of 1no. TPO'd Tree which is located in a central position on the site. However, the site affords significant opportunity for landscape enhancement. A detailed landscape strategy has been provided as part of the application submission and has been informed by the need to provide suitable tree reprovion. The proposed landscape strategy not only replaces but increases significantly both the amenity and arboricultural value of the site.
- 2.20 Owing to the topography of the application site, together with evidence obtained from the geo-technical investigation, the proposals will also necessitate a significant and costly regrading of the site.
- 2.21 The removal of such made ground will enable at grade access with Purbrook Way to be achieved. Accordingly, regrading of the site will require a co-ordinated approach to engineering in the form of structural/retaining walls, etc. These are shown on the application drawings.

3. The Lidl Business Model

- 3.1 This section of the statement provides an overview of the Lidl retail operation, including position of the company within the UK retail market, alongside its distinguishable trading characteristics.

Position within the Market

- 3.2 Lidl and Schwarz Grocery Wholesale was originally founded in Germany in the 1930's. Since this time, the company has diversified into hypermarkets under the trading name 'Kaufland' and discount foodstores known as Lidl. Today the Schwarz Group is one of the largest grocery retailers in Europe.
- 3.3 The first Lidl stores opened in Germany in 1973. By the 1980s, Lidl had become a household name. In the early 1990s Lidl began to expand throughout Europe and now has more than 11,000 stores in 28 countries.
- 3.4 Lidl commenced trading in the UK in November 1994. Since that time the retailer has grown to become a substantial presence in the convenience retail market. Research from Kantar (October 2020) suggests Lidl has a 6.1% share of the UK grocery market.
- 3.5 The increasing popularity of the discount retailers is well-known and documented. Indeed, Lidl is firmly established in the UK, operating more than 850 stores. Its market share is increasing and the Company is continuing to invest in the expansion of its store network through a planned programme of growth.

Discount Market

- 3.6 The Lidl philosophy is centred on simplicity and maximum efficiency at every stage of the business, from supplier to customer. This enables the company to sell high quality own branded products at the lowest possible prices. It is this format that has resulted in Lidl being classified by retail research company Verdict (now Global Data) as a 'deep' or 'hard' discounter.
- 3.7 The 'deep discount' sector includes primarily Lidl and Aldi. 'Deep discounters' concentrate on selling a limited range of primarily own branded goods at extremely competitive prices. They are, therefore, distinct from the mainstream convenience retailers such as Tesco, Asda, Sainsbury's and Morrisons. Research from Kantar (April 2019) expects the discounters to control c.15% of the food and grocery market by 2023. The discounters have, in part, enticed customers through lower prices than the 'big four'.
- 3.8 Lidl can offer high quality products at low prices due to extensive bulk purchasing. This enables the company to achieve significant economies of scale. Other factors that enable Lidl to offer consistently low prices include the format of its stores and the approach taken to both the display and sale of products.
- 3.9 The fact that Lidl provides a distinct offer to the main convenience retailers was recognised by the Competition Commission in its 2008 'Grocery Market Investigation'. The Glossary to the Investigation Report refers to Lidl as a 'Limited Assortment Discounter', or 'LAD'. This is defined as:

"Limited Assortment Discounters (i.e. grocery retailers offering noticeably lower prices than a conventional supermarket but which stock a limited range of products)."

- 3.10 Further reference is made to LAD stores at paragraph 3.3 (Page 30) of the investigation:

"Limited Assortment Discounters carry a limited range of grocery products and base their retail offer on selling those products at very competitive prices. The three major LADs in the UK are Aldi, Lidl and Netto. Each...carries in the region of 1,000 to 1,400 product lines in stores ranging from 500m² to 1,400m² (stores

of a similar size operated by a large grocery retailer generally carry about 5,000 products). Aldi, in large part, carries own label goods while both Lidl and Netto carry larger volumes of branded goods”.

- 3.11 Paragraph 4.80 (page 70) of the investigation goes on to say that due to the limited number of products carried by LADs they are not close substitutes for other foodstores of a comparable size (i.e. they are different):

“The limited number of products carried by LADs stores mean that these stores are not close substitutes for similarly-sized stores operated by CGL (Co-Op), M&S, Sainsbury’s, Somerfield and Tesco. In particular, we note that Aldi, Lidl and Netto stores typically sell fewer than 1,000 products. In comparison, large grocery retailers generally sell around 5,000 to 10,000 products in stores in the same size range as those operated by LADs (i.e. 500 to 1,400m²). The results of our entry analysis also show that Aldi, Lidl and Netto stores are not close substitutes for the stores of large grocery retailers”.

- 3.12 The findings of the Competition Commission’s 2008 investigation, therefore, confirm that Lidl operates a particular business model which sets it apart from other main food retailers (with the exception of Aldi). This distinction is highly relevant to the consideration of its foodstore proposals against the well-established retail policy tests (i.e. sequential and retail impact).
- 3.13 It is acknowledged that this report is now over 10 years old. However, its description of the LAD business model remains sound, albeit Netto no longer trades in the UK; the size of Lidl and Aldi stores has increased to some extent; and the number of product lines sold has also increased to c.2,500. Nonetheless, the clear points of differentiation between the LAD operators, the main grocers (Tesco, Asda, Sainsbury’s, Waitrose and Morrisons) and general convenience stores remains clear and identifiable.
- 3.14 The Commission, Inspectors and Secretary of State have expressly recognised that LAD foodstores offer benefits of quality and value. Lidl sells a limited number of product lines, and all its business practices are aimed at driving down cost so that it can continue to provide exceptional value for money. Lidl currently sell no more than 2,500 product lines, whereas the main grocers (including Tesco) will sell upwards of 20,000 and as many as 40,000 within their larger format stores. Furthermore, the number of value lines that these retailers’ stock is limited.

Limited Product Range

- 3.15 Aside from the difference in pricing from the main convenience retailers, a key characteristic of the Lidl business model, as highlighted within the Competition Commission’s findings, is that Lidl carry a limited range of primarily own brand products.
- 3.16 Lidl aim to keep the shopping experience as simple as possible for its customers. Consequently, Lidl operates a ‘no frills’ policy by avoiding unnecessary packaging and presentation, including adopting an efficient store fit-out. Again, such measures all help to keep the cost of products low.
- 3.17 Non-food items are also limited to around 20% of floorspace. The non-food offer is also predominately focused on household cleaning and health and beauty products, for example. Lidl stores do receive a twice weekly delivery of non-food ‘specials’, which can range from garden equipment and small items of furniture to flat screen TVs. These are also sourced on a large scale and at competitive prices. These items are provided on a ‘when it’s gone, it’s gone’ basis and, owing to the limited and constantly changing offer, the potential for impact upon other comparison retailers is negligible. Put simply, there is no standard, or constant, comparison goods range that is offered in store.

Retail Offer

3.18 Lidl stores also differ from other convenience retailers by not offering any of the following ancillary products/services:

- Butchers counter
- Pharmacy
- Fishmonger
- Dry-cleaning services
- Post Office service
- Financial products
- Photography processing
- Cafe/Restaurant
- Cigarettes and tobacco products

3.19 The above product ranges and services are not offered in Lidl stores as they do not fit with their core retail concept. This is one further way in which Lidl differs from mainstream and more traditional town centre retailers. The larger food retailers have all been through a considerable process of diversification over the past decade or so. Many offer all of the above services as a 'one stop' destination for their customers (for example, Asda Bedhampton offer Click and Collect, pharmacy, opticians, café and travel money bureau services). To the contrary, Lidl have always operated as a complementary retailer. A significant proportion of their customers visit other retailers to fulfil their needs and the general overlap with conventional supermarkets and town centres is limited.

3.20 As a consequence of the Lidl business model, its customers tend to purchase part of their main grocery shop (i.e. basic staples) in store, taking advantage of the low prices, but then visit other retailers in order to purchase more specialist items. This, combined with the fact that Lidl does not offer the products and services listed above, means that Lidl stores largely complement that of existing retail provision.

3.21 Customers also no longer assume that the quality of the goods sold by LAD operators must be low to achieve cheap prices. Indeed, Lidl is able to offer very competitive prices whilst keeping the quality of its goods extremely high. In their report on the UK Food and Grocery Market (July 2018) Global Data acknowledge that *'Lidl has put significant effort into deconstructing the stereotypical view of low quality at discounters'*. Lidl achieves high quality, yet low prices, through a combination of the following:

- Tremendous buying power as a result of the scale of its operations across Europe.
- A concentration of own brands which avoids passing on the cost of brand name marketing to the customer.
- Its decision to stock a much more limited product range than others, concentrating on goods that form a very high proportion of the weekly food shopping needs of most households.
- Efficient operating systems.
- Simple product display and stock handling procedures.

Trading Hours

3.22 The typical trading hours for Lidl stores are also (generally) more limited than the main convenience retailers, as well as smaller independent (convenience) operators. Lidl trade for a core period of between 07.00 – 22.00 Monday to Saturday (inclusive of Bank Holidays) and 10.00-16.00 or 11.00-17.00 on Sundays.

Store Format

- 3.23 Lidl has an established store format which is integral to the success of its business model. For example, the preferred store size that is required by Lidl for its operational requirements is c.2,178m² gross internal area (GIA). The size of the proposed store for Purbrook is c.1,899m² gross internal area (GIA) which falls below Lidl's standard operating format.
- 3.24 A single level store is fundamental to the retailer and allows for pallets to be easily moved directly from the delivery bay into the sales area. Such operational efficiencies cannot be achieved in the same way in smaller or multi-level stores, resulting in the need to break pallets down and stack products directly onto the shelves. This serves to increase staff costs and ultimately product prices. Put simply, any compromise on the operational efficiencies of a Lidl store means it is increasingly difficult for Lidl to pass resultant cost savings on to their customers.
- 3.25 In addition, Lidl's store format has been purposefully designed to provide mobility impaired customers, the elderly and those with small children, sufficient circulation space to move around the store. Also, by placing bulky products on the sales floor, Lidl ensure easy access to these items for all customers.
- 3.26 With regard to store format, it has previously been recognised by the Secretary of State and Planning Inspectors that a single level retail operation is essential to the Lidl business model and that, consequently, 'disaggregation' (breaking stores down into convenience and comparison elements) cannot be achieved without the benefits of the discount format being lost. In this respect, in relation to a Lidl scheme in Oxford (APP/G3110/A/04/1171310L05/1195688), the Inspector noted (paragraph 82) the following:
- "The fact that Lidl only sell a limited range of goods means there is no realistic scope for disaggregation. Lidl stores cannot be broken down into constituent parts..."***
- 3.27 Such matters are an important consideration in the context of the application proposals and application of the sequential test.

Local Catchment

- 3.28 The locational strategy for Lidl is for siting stores within urban areas. Lidl, as with other Limited Assortment Discount (LAD) stores, typically trade from a very localised catchment within urban areas of dense population. A 4 to 5 minute drive-time is typical for such store's primary trading catchment. Due to the limited range of goods offered, many customers will use the stores for staple products (often by basket shop only) and do not travel significant distance to shop. This also means that such stores rely on convenient, visible and accessible locations such as busy transport routes.
- 3.29 Put simply, many customers use Lidl stores in order to purchase part of their main food grocery shop (i.e. basic staples), taking advantage of the low prices but then proceed to visit other retailers to purchase more specialist items. In addition, many Lidl customers also continue to visit smaller independent convenience stores closer to their home for top-up/basket shopping (i.e. buying a pint of milk or a loaf of bread), alongside using services that are not provided by Lidl (e.g. dry cleaning, Post Office, etc.).

Employment Opportunities

- 3.30 The proposed Lidl store at Purbrook would employ in the region of 40 staff (in store) (full and part time positions). Lidl also has a policy of employing local people from all backgrounds to work in their stores. Lidl is an equal opportunities employer with a strong social inclusion policy. The following extract has been taken from Lidl's employee handbook, which describes the company's equal opportunities position:

“Lidl is an equal opportunities employer. We wish to ensure that employees are treated, trained and promoted, and job applicants are selected on the basis of their respective skills, talents, performance and experience, without reference to their sex, marital status, race, colour, nationality, ethnic origin or disability. Whilst the company strives to realise these principles, it is your responsibility to ensure that they are applied in practice. We will not tolerate any form of harassment and we will seek to ensure that your working environment is free from prejudice. Harassment at work is unlawful.”

- 3.31 Lidl offer many different career paths and opportunities for wider progression. These include managerial and administrative positions, in addition to positions such as store assistants and cashiers. The company also runs comprehensive management development and training programmes, enhancing the skills of staff and maximising staff retention.
- 3.32 In terms of employment when setting up a new store, Lidl may bring in a manager from another store that already has links with the area. This is vital to provide the necessary experience and leadership during the training period of the new store staff. It is then the responsibility of the store manager and area manager to recruit and train the necessary numbers of staff, prior to the store opening. Staff are recruited from the local community using a variety of methods, including local newspaper advertisements, Job Centre advertisements and open days.
- 3.33 An important part of the job creating benefits of the proposal is also the quality of the employment ‘offer’. Accordingly, a number of social and economic benefits will ensue.
- 3.34 Lidl also invest heavily in the training and continued development of their staff. They encourage and train individuals, giving them the opportunity to work in different parts of the business and to gain important new skills. Lidl also have a dedicated in-house training department who work on nationwide training initiatives to facilitate easier access for individuals to access their specific training requirements.
- 3.35 Furthermore, in recent years, Lidl’s 48-week undergraduate placement programme was a finalist in the NCNE National Placement and Internship awards. Lidl also rank 15th in the Times top 100 graduate employers.
- 3.36 In addition, Lidl was one of the first retailers to pledge the new living wage rate in 2019, increasing the pay of more than 17,000 employees. In November this year, Lidl announced further pay rises for over 20,000 of its UK staff. The move will bring it into line with the increases announced by the Living Wage Foundation on 9th November in its ‘real living wage’ thresholds. It is the sixth year in a row that Lidl has increased hourly wages.
- 3.37 Lidl’s loyalty to staff is one of the retailer’s most recognisable qualities. There are excellent opportunities for progression within the business and highly competitive employment packages available. Team rewards and employee discount incentives are also provided to staff. Lidl encourage enrichment on all levels, personal and professional and, in this regard, introduced a sabbatical scheme allowing staff to take up to 3 months off to pursue individual interests. Such flexibility is unrivalled in the retail sector.
- 3.38 Lidl also have a policy of employing locally to ensure that each store reflects the local area/identity. The value of the employment opportunities generated should not be underestimated. They are real jobs with genuine opportunities for progression and which will be made available to the local population. The level of job creation is significant and there would be a tangible positive impact on local employment.

Deliveries and Servicing

- 3.39 Lidl are mindful of the need to minimise any disturbance to neighbouring residents, businesses, and landowners. To assist in achieving this, each store has between two and three dedicated deliveries per day. This provides all of the necessary products for the store.

- 3.40 New stores also feature graded ramps in the delivery bay and manual dock levellers, negating the need for noisy scissor or tail lifts. The total unloading time for deliveries is 45-60 minutes. That said, given the commercial context of the application site, there are no residential amenity concerns associated with the application proposals.

Sustainability Measures

- 3.41 Lidl implement a variety of measures to minimise the environmental impact of its stores and to contribute towards wider sustainability objectives. These include for example:
- A commitment to renewable energy including installation of photovoltaic panels (where appropriate).
 - Limiting deliveries per day. Delivery vehicles are used to remove waste from the store on their return journey to the distribution centre where the waste/recyclable material is sorted and managed carefully. This helps to reduce vehicle trips and emissions.
 - Lidl leads the sector in terms of recycling and waste to landfill reduction by recycling all paper/cardboard and plastic waste produced by the store.
 - Lidl stores use a manual dock leveller for deliveries, reducing noise emissions and energy use.
 - All Lidl stores are fitted with a 'Building Management System' incorporating movement sensors, Lux metres and thermostatic controls. This ensures that the back of house areas of the store are only lit when people are using them and that external lighting is only used when required, and that the temperatures of the various areas within the store are maintained at the correct levels. Energy efficient LED lighting is used and lighting within the sales area is cutback to one third (before and after trading hours).
 - Water consumption is carefully monitored, and flow control devices and water metres are fitted in all stores (including mixer taps, dual flush toilets, flow metres and leak detection).
 - Car park lighting is designed with light fittings carefully specified to keep light spill to an absolute minimum.
- 3.42 With regards to sustainability, the proposals have been designed to achieve a BREEAM 'Very Good' rating and are accompanied by a Sustainability and BREEAM Pre-Assessment, as prepared by Hoare Lea.
- 3.43 Lidl also produce and implement Travel Plans, as a means of promoting sustainable transport choices. Accordingly, a Travel Plan has been prepared by Mayer Brown and is also submitted in support of the application.

Secure by Design and the Disability Discrimination Act

- 3.44 Lidl design their stores and sites to minimise anti-social behaviour and crime. For example, they provide open and well-lit schemes to deter criminal activity. Lidl also install CCTV to ensure the safety of staff, customers, and property as standard.
- 3.45 Lidl provides its customers with disabled car parking spaces that comply with the latest DDA Regulations, ensuring mobility impaired, or wheelchair bound customers, can safely and conveniently manoeuvre throughout the site. Lidl car parks are firmly designed with the customer in mind to ensure that cars can pass easily into and around the car park. Disabled and parent and child spaces are also positioned near to the store entrance. Car parking bays and access roads are also larger than standard, as a further means of increasing convenience for customers.

Summary

- 3.46 Overall, the key trading characteristics that distinguish Lidl from its mainstream convenience competitors and smaller independent retailers can be summarised as follows:
1. **A restricted number of product lines** – Lidl is not a one stop shop. It sells a limited range of predominately own branded goods, with customers seen to visit other stores (including town centres and independents) for a wider choice of branded goods and products.
 2. **A complementary retail offer** – Lidl provides a complementary retail offer. A limited range of comparison goods are also sold. The constantly changing nature of ‘non-food specials’ ensures that any impact on other retailers is not constant and is, indeed, limited. Nor do Lidl offer the range of services as often provided by the mainstream retailers.
 3. **Small store size and localised catchment** – Lidl stores do not draw customers from a wide area. Their stores are intended to serve a localised catchment.
 4. **Uniform Layouts** – Lidl require standard internal layouts to ensure compatibility with Lidl’s efficient delivery and stock handling procedures and ability to stock the standard product lines to meet customer needs and minimise costs.
- 3.47 Collectively, the above help to ensure that the trading impacts of a new Lidl store, upon existing retailers and centres is limited.

4. Planning Policy

- 4.1 This section outlines the principle national and development plan policies, relevant to the determination of the application.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for the application site comprises the following:
- Havant Borough Core Strategy (2011).
 - Havant Borough Local Plan Allocations (2014).
- 4.3 The National Planning Policy Framework (NPPF) and practice guidance is an important material consideration.

National Planning Policy Framework (NPPF)

- 4.4 In February 2019, the Government issued a revised National Planning Policy Framework (NPPF). The document carries significant weight in the decision-making process.
- 4.5 The NPPF retains the ‘presumption in favour of sustainable development’, yet adopts the following revised wording:

“Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date Development Plan without delay; or***
- d) where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or***
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”***

- 4.6 Paragraph 8 explains that there are three overarching objectives to achieving sustainable development:

- “a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;***
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and***

- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”**

- 4.7 The application proposals perform an important social and economic role. They will result in economic and job creating development on an idle site within the defined built-up area of Havant. They will also deliver an enhanced and additional discount food retail offer. This, in turn, will enable more sustainable and efficient shopping trips and deliver net additional employment benefits to the Borough of Havant. The proposals represent an initial investment of over £8M in the locality on a site which has not, or ever looked like, coming forward for any other form of economic generating development. Such key benefits cannot be underestimated and receive strong support within the NPPF.
- 4.8 In accordance with the NPPF planning consent should only be refused if the impacts of the development significantly and demonstrably outweigh its benefits (our emphasis). There are no impacts of such weight that would warrant refusing consent to the application. It is a scheme which accords with the relevant policies of the Development Plan.
- 4.9 Paragraph 80 of the NPPF acknowledges 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. Paragraph 82 of the NPPF comments that planning policies and decisions should recognise and address the specific locational requirements of different sectors. The application site is a logical development site for a retail led proposal. Supporting and facilitating economic development assumes further importance, in this unprecedented and highly challenging economic climate.
- 4.10 The retail policies of the NPPF are included at Chapter 7. These include the requirements to undertake a sequential test and, above a certain trigger threshold, a Retail Impact Assessment (RIA).
- 4.11 The sequential approach to site selection for main town centre uses is set out in paragraphs 86 and 87. In retail terms, the application site is out-of-centre.
- 4.12 The sequential approach is well known but requires (paragraph 86):

“Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out-of-centre sites be considered.”

- 4.13 Paragraph 87 continues:

“When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.”

- 4.14 A full sequential approach has been undertaken in support of the proposals and is outlined at Section 6.
- 4.15 Paragraph 89 of the NPPF deals with retail impact considerations. It requires evidence on retail impact to be provided for retail and leisure proposals, which are outside of a town centre and not in accordance with an up-to-date plan. The paragraph continues to explain that such impact assessments will be required for proposals that involve 2,500m², or more, gross floorspace, or any other locally set threshold. There is no locally set threshold in Havant either in the existing, or emerging Development Plan. The scale of the

application falls below the national threshold for undertaking a retail impact assessment. Accordingly, there is no policy requirement to produce a Retail Impact Assessment.

4.16 Paragraph 89 of the NPPF outlines that an assessment, when required, should include a consideration of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre, or centres, in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

4.17 Paragraph 90 of the NPPF is clear that, in instances where an application fails to satisfy the sequential test, or is likely to have a significant adverse impact on one, or more, of the considerations in paragraph 89, it should be refused.

4.18 In retail terms, the application proposals are in accordance with the broad objectives of the NPPF.

4.19 We say this for the following reasons:

- The proposal delivers sustainable economic development on an existing idle site, of direct benefit to local residents.
- The proposal provides sustainable economic development in a location which is to benefit from significant population growth.
- The proposals provide a complementary retail use which is fully consistent with the quasi retail/commercial 'offer' of the immediate locality.
- The proposals bring forward sustainable economic development, on a site which has no ecological or economic value. It is a logical site for the development proposed.
- The proposals will create in the region of 40 full and part time net additional jobs for Havant – the majority of which will be taken by the local population.
- The proposals may act as a catalyst for further investment at this location.
- The proposals are accessible by both public and private transport (as evidenced within the submitted Transport Assessment, prepared by Mayer Brown).
- The proposals will result in efficiency and sustainability gains by delivering a form of discounted food retail in a manner that complements existing provision.
- The application site is not subject to any site-specific policy designations within the adopted Development Plan, precluding its delivery for food retail purposes.

Practice Guidance

4.20 The Government's Practice Guidance (March 2014) accompanies the updated NPPF. Paragraph 008 defines the purpose of the sequential test as follows:

"The sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out-of-centre locations, with preference for accessible sites which are

well connected to the town centre. It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision taking.”

4.21 Paragraph 015 of the Practice Guidance concerns retail impact. It states the following:

“The impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible.”

4.22 The advice of the Practice Guidance is important with regards to these proposals. Namely:

- There are no site-specific policy designations applicable to the application site.
- The site is, however, identified as an employment/commercial development opportunity through the Council’s emerging Local Plan. Its suitability for development is, therefore, acknowledged.
- The location of the application site is critical to the operational and market requirements of the proposal. Put simply, it is a proposal which needs to be located at this site, to serve its intended catchment.
- The site provides direct access to and visual prominence from the strategic highway network including both Purbrook Way and the A3(M).
- There are synergy and co-locating benefits between the proposal and adjoining retail occupiers (including, for example, the adjacent B&Q warehouse and Asda foodstore).
- In terms of application of the sequential test, locating the development at another location (i.e. within Havant or Waterlooville Town Centre) would not meet the operational needs of the end user (falling outside the intended catchment) and, in commercial terms, would prove unviable.

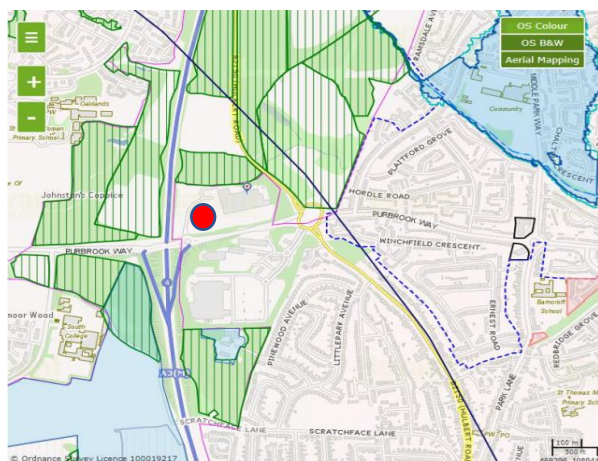
Development Plan

4.23 The Statutory Development Plan for the application site comprises the Havant Borough Core Strategy (2011), alongside the Havant Borough Local Plan (Allocations) (July 2014).

4.24 In terms of site-specific designations, the adopted Proposals Map indicates that the application site is:

- Within the Urban Area (indicated by the pink line) as defined by Policies CS17 and AL2 of the Local Plan
- Located to the south of a Site of Importance for Nature Conservation (SINC), Hulbert Road Meadow.

4.25 An extract of the Proposals Map is provided below (application site indicated by ●)



Havant Borough Core Strategy (2011)

- 4.26 Havant Borough Core Strategy was adopted in March 2011. It establishes the strategic policies for the Borough and covers a plan period to 2026.
- 4.27 In contextualising the Borough, in the introductory paragraphs, the plan notes:
- Unemployment levels have, historically, been higher than the rest of Hampshire.
 - There are high levels of commuting in and out of the Borough with lower skilled residents commuting out and higher skilled people commuting in; and
 - With specific reference to Leigh Park (which includes the electoral wards of Barncroft, Battins, Bond Fields and Warren Park) it notes that:
 - The population of Leigh Park has a relatively young age structure.
 - Leigh Park District Centre has a particularly high vacancy rate and rent values are low (in comparison with the rest of the Borough).
 - Other shopping needs are met through smaller local centres and shops elsewhere in Leigh Park.
 - Asda (Bedhampton) is acknowledged to attract a significant proportion of local retail spend.
 - There remains a significant skills gap between the skills of the local population and the jobs available in the sub region.
 - Leigh Park has some of the most deprived wards in England.
 - The key opportunity for Leigh Park is to deliver regeneration.
 - The provision of new employment opportunities to the area will be critical.
 - With regards to Waterlooville (west of A3(M)) the following is noted:
 - The age structure of this area is relatively mixed.
 - Waterlooville Town Centre is performing well.
 - A major development area is planned directly to the West of Waterlooville.
 - The A3(M) provides a physical separation between the Waterlooville area and the rest of the Borough.
- 4.28 **Policy CS1 (Health and Wellbeing)** supports development which improves the education and life chances for young adults especially by facilitating access into employment; and those which address barriers to employment for economically inactive people.
- 4.29 **Policy CS3 (Skills and Employability)** states that planning permission will be granted for development proposals that raise skill levels and increase employability. The supporting text (paragraph 3.28) notes that raising the skills levels of the existing and potential workforce of the Borough is a key economic driver for promoting Havant Borough's economy. The supporting text also notes that there are intense pockets of skills deprivation with the Borough with over 40% of the working age population of Leigh Park wards not having any qualifications. Accordingly, support is actively given to proposals that raise the skill levels and employability of young people helping them into work, education, or training.

- 4.30 **Policy CS4 (Town, District and Local Centres)** identifies the Boroughs main town centres as being Havant and Waterlooville. Leigh Park is identified as a District Centre whilst Purbrook is classed as a Local Centre.
- 4.31 Policy CS4 seeks to promote the vitality and viability of the identified centres consistent with Government Guidance. The supporting text to the policy (Paragraph 3.39) notes that *‘all applications for the development of town centre uses and in particular new retail floorspace outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all other relevant tests as set out in current government policies’*.
- 4.32 Paragraph 3.40 continues by acknowledging that the boundaries for all the designated centres named in Policy CS4 (as shown on the Proposals Map) will be identified in the Development Delivery (Allocations) Plan, together with primary shopping areas and primary and secondary frontages.
- 4.33 **Policy CS8 (Community Safety)** supports development that engrains community safety into the development process; provides well-lit footpaths, cycleways and roads (provided it does not adversely affect designated habitats or the landscape); and maximises opportunities for natural surveillance through good design.
- 4.34 **Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of the Havant Borough)** seeks to protect and, where possible, enhance statutory and non-statutory designated landscape, habitats, and features of biological, hydrological or geological interest. Protection is given to wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species to respond to the impacts of climate change by making appropriate provision for habitat adaptation.
- 4.35 **Policy CS14 (Efficient Use of Resources)** requires non-residential development over (500m²) to meet BREEAM ‘very-good’, unless proven to be financially, or technically, unviable.
- 4.36 **Policy CS15 (Flood and Coastal Erosion Risk)** states that development in areas at risk of flooding will only be permitted where:
1. It meets the sequential and exception test (where required).
 2. The site is located in a low hazard area as defined in the Strategic Flood Risk Assessment.
 3. A site-specific flood risk assessment demonstrates that the development will be safe, including the access, without increasing flood risk elsewhere and the specific requirements of the site.
 4. Appropriate flood warning and evacuation plans are in place.
 5. New site drainage systems are designed taking into account events which exceed the normal design standard.
- 4.37 All new development is required to ensure that there is no net increase in surface water runoff, with a priority given to SuDS. The application proposals are supported by a detailed Flood Risk Assessment as prepared by Mayer Brown.
- 4.38 **Policy CS16 (High Quality Design)** states that planning permission will be granted for development that is designed to a high standard which helps to create places where people want to live, work, and relax. The policy notes that development proposals should respond to and respect local context, create a high-quality public realm, be inclusive and accessible for all users and mitigate any negative environmental impacts through sustainable design and construction methods.
- 4.39 **Policy CS17 (Concentration and Distribution of Development within the Urban Areas)** states that

development will be permitted that makes the most effective use of land in the Borough by granting planning permission that:

1. Concentrates new housing, employment, retail, leisure, and other development within the five urban areas of Havant, Leigh Park, Waterlooville, Emsworth and Hayling Island, as shown on the Proposals Map.
2. Prioritises development on previously developed land, including redundant, derelict, or underused land and buildings in the urban area.
3. Broadly distributes the new housing and employment development in the five areas of the Borough as indicated on the Spatial Distribution Map.

4.40 In accordance with Policy CS17, the priority for locating new development is, clearly, within the existing urban area, where there are existing facilities to use and new development would have least impact on the range of highly protected biodiversity designations.

4.41 **Policy CS19 (Effective Provision of Infrastructure)** states that development shall be permitted where it makes the most effective use of existing infrastructure, including opportunities for co-location of facilities.

4.42 **Policy CS20 (Transport and Access Strategy)** is supportive of development that does not increase congestion and promotes the better use of existing transport networks. Development should also improve accessibility to goods, services and employment. Transport management measures should be implemented to ensure the safe and efficient operation of the strategic and local road network.

4.43 The Development Management Policies are set out at Chapter 10 of the Core Strategy. The most relevant, in the context of the application proposals, are considered below.

4.44 **Policy DM3 (Protection of Existing Employment and Tourism Sites)** notes that the change of use or development of land or premises currently, or last, used for B use class employment purposes to non-B use class employment will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for B use class purposes. In instances where it is clearly demonstrated that the site is no longer suitable for B use class purposes, other types of economic development should be considered in the first instance. These uses will be expected to provide employment opportunities of similar quality and quantity as those which previously existed.

4.45 **Policy DM6 (Coordination of Development)** states that proposals will only be permitted where they do not undermine the future development of adjacent sites. The supporting text (Paragraph 10.20) notes that the use of urban land should be maximised and carefully planned to ensure the development potential of future sites is not compromised. It continues by recognising that it is important that the most effective use is made of urban land and to ensure allocated sites can be delivered. Improvements and regeneration opportunities within urban areas will be accommodated through the efficient use of land.

4.46 **Policy DM8 (Conservation, Protection and Enhancement of Existing Natural Features)** seeks to protect and enhance local habitats and landscape distinctiveness.

4.47 **Policy DM10 (Pollution)** addresses development which would give rise to pollution of water, air or soil through means including noise, smell, dust, light, and vibration. The policy prescribes a number of criteria which developments are expected to meet. These include protecting the health and safety of users and neighbours; whilst keeping external light to a minimum.

- 4.48 **Policy DM11 (Planning for More Sustainable Travel)** seeks to ensure that every opportunity is taken to increase integration of sustainable travel modes and availability of non-motorised modes, through the adoption of a number of measures including requiring safe and secure vehicular and cycle parking.
- 4.49 **Policy DM12 (Mitigating the Impacts of Travel)** requires new development to mitigate their travel impact, including the environmental impacts of travel (such as noise, air, and visual pollution) and impacts of amenity, health and climate change. A transport assessment and travel plan should be submitted alongside any planning application for major development proposals, or where a proposal is likely to have significant transport implications. A comprehensive Transport Assessment (including Travel Plan) has been prepared by Mayer Brown and is submitted in support of the application proposals. This is considered in further detail at Section 7.
- 4.50 **Policy DM14 (Car and Cycle Parking on Development (excluding residential))** requires parking for cars, motorcycles and cycles in accordance with the relevant adopted standards.

Havant Borough Local Plan (Allocations)

- 4.51 Havant Borough Local Plan (Allocations) was adopted in July 2014 and follows on from the Havant Borough Local Plan (Core Strategy). The Allocations Plan replaced those remaining saved policies for the Havant Borough District Wide Local Plan. The relevant policies, in the context of the development proposals, are considered below.
- 4.52 **Policy AL1 (Presumption in Favour of Sustainable Development)** is reflective of the NPPF and notes that the Council are to work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. In accordance with the Guidance contained within the NPPF, planning applications that accord with the policies in the Local Plan are to be approved without delay, unless material considerations indicate otherwise.
- 4.53 The supporting text to the policy (Paragraph 2.03) recognises that Havant Borough Council prides itself on being 'open for business'. The presumption in favour of sustainable development is an important theme within the Allocations Plan.
- 4.54 **Policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)** states that the urban area boundaries for Emsworth, Havant and Bedhampton, Hayling Island, Leigh Park and Waterlooville are defined on the Policies Map. The principle of concentrating development within the five urban areas of the Borough is established in Policy CS17 of the Core Strategy. The supporting text to Policy AL2 notes that concentrating development within the boundaries of the respective urban areas is a key component of sustainable development.
- 4.55 **Policy AL3 (Town, District and Local Centres)** establishes a town centre first approach to retail development, as a means of supporting vitality and viability.
- 4.56 Section 7 of the Allocations Document introduces the site-specific designations for Leigh Park. There are no site-specific policies that relate to the application site within the adopted Havant Borough Local Plan.
- 4.57 **Policy DM17 (Contaminated Land)** states that planning permission will be granted for development on, or near, contaminated land where an appropriate investigation of potential risks has been undertaken and identified risks can be mitigated. In instances where risks are identified, the necessary remediation measures to be undertaken by the development must take full account of the intended use and ensure that it does not have a negative effect on human health, groundwater or the wider environment.

- 4.58 **Policy DM18 (Protecting New Development from Pollution)** recognises that planning permission will be granted for development provided that projected levels of air, noise, vibration, light, water or other pollution do not have a significant impact on the amenity of future occupiers, or users, of the proposed development. This policy complements Policy DM10 of the Core Strategy. It is intended to control the adverse effects which could occur because of the inappropriate location of new development.

Emerging Local Plan 2036

- 4.59 At this stage limited weight can be afforded to the emerging Local Plan.
- 4.60 Since approval of the Pre-Submission Local Plan (2019), external factors and continuing discussions with statutory stakeholders has led to officers considering several proposed amendments to the Emerging Plan. Some of these changes require either new or substantially revised policies.
- 4.61 The amendments to the Local Plan were considered (and agreed) by Cabinet on 1st July 2020 and by Full Council on the 9th September 2020. A consultation on the proposed changes is taking place from 3rd November until 17th December 2020. Examination of the Local Plan is scheduled for next year with adoption anticipated towards the end of 2021.
- 4.62 In the Cabinet Report, addressing the changes to the Local Plan, paragraph 3.7 noted the following:

“The Government have since published changes to the planning system, in particular the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which comes into force on the 1st September 2020 and significantly amends the Town and Country Planning (Use Classes) Order 1987 (as amended). These amendments necessitate changes to the text of the Local Plan where use classes are referred to, focussed on town centre policies. For reasons of pragmatism, it is proposed that such changes are undertaken through agreement with the Cabinet Lead (see recommendation iv) prior to the start of the consultation. Those changes would retain the overall approach of the Pre-Submission Local Plan, within the scope of the Government’s changes.”

- 4.63 It continues:

“The Government has also proposed large scale changes to the Planning System through the White Paper Planning for the Future. The proposals are currently out to consultation and the existing system remains in force until any replacement primary and secondary legislation, together with a replacement NPPF, are approved by the Government and come into force. The changes proposed to the planning system are substantial and would change the nature of Local Plans and the development management process.

It is proposed that the Council continue to progress the emerging Havant Borough Local Plan to submission, examination and adoption. The White Paper recognises that a number of Local Planning Authorities, such as Havant Borough Council, are in the advanced stages of plan-making and that this should not be hampered. Transitional arrangements are proposed to that effect. If the Council progresses in a timely manner, as is proposed in the Local Development Scheme, it would be possible to comply with the transitional arrangements.”

- 4.64 In terms of the emerging Local Plan, the following policies are of note.
- 4.65 Policy DR1 **(Delivering Sustainable Development in Havant Borough)** acknowledges that the Local Plan seeks to make provision for the delivery of about 10,593 net new homes and about 104,214 net m² of employment floorspace (Classes B1, B2 and B8) in Havant Borough between 2016 and 2037. The policy reaffirms that the Council are to plan positively and collaboratively to achieve high quality, sustainable development that meets the Borough’s diverse needs for the future and that the Council has a clear ‘open

for business' approach. Planning applications that accord with policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. The Council is also committed to working proactively with applicants to jointly find solutions which mean that proposals for sustainable development can be approved.

- 4.66 Commenting on the need for employment development, paragraphs 2.50 and 2.51 note the following:

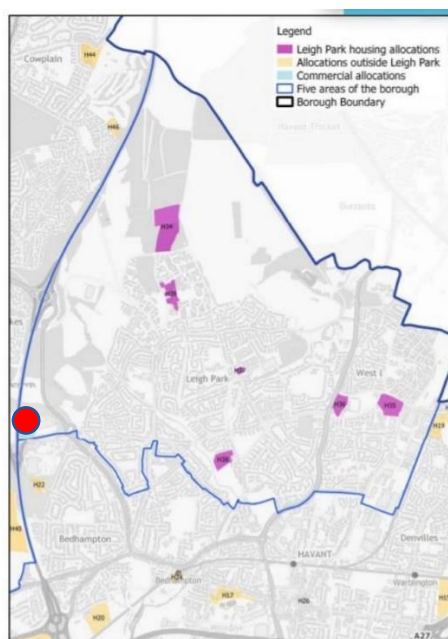
“The PfSH Economic and Employment Land Evidence Base Paper prepared by GL Hearn provides a high-level assessment of where growth could be located based on ‘trend based labour demand forecasts at a sub-regional level. Significantly, however, this did not take into account employment land supply and the availability of supply. The Business Needs, Site Assessment and Employment Land Study identifies a need for an employment floorspace requirement of 86,919sqm over the plan period. This provides a more realistic assessment of the Borough’s employment land supply, having regard to realistic deliverable employment floorspace and past take up trends.

The supply and availability of industrial stock both within the Borough and the wider Solent sub-region has continued to decline in recent years. This is largely due to increasing occupier demand with relatively limited speculative development activity despite the availability of employment land for development. It is, therefore, important that the Council continues to monitor the supply of land, taking into account local business needs and the need for economic growth.”

- 4.67 Emerging Policy IN3 **(Transport and Parking)** states that development proposals are to be permitted provided that the site is designed so that safe and suitable access to the site is provided, sustainable modes of travel are encouraged, the site layout priorities the safe and convenient movement of pedestrians and cyclists within the site and provision is made for appropriate parking.
- 4.68 Emerging Policy E1 **(High Quality Design)** seeks to encourage a high standard of design by ensuring development proposals demonstrate an appreciation of local context etc. Policy E3 (Landscape and Settlement Boundaries) states that planning permission will be granted for development which contributes positively to local identity and distinctiveness of landscape and settlements whilst respecting and complementing the local landscape.
- 4.69 Emerging Policy E12 **(Efficient Use of Resources and Low Carbon Design)** places a requirement for non-residential development over (1,000m²) to achieve a BREEAM ‘Excellent’ rating, unless doing so would undermine the viability of the development.
- 4.70 Emerging Policy E14 **(The Local Ecological Network)** states that all development in Havant Borough is expected to protect, conserve and enhance the Borough’s Local Ecological Network and that planning permission will only be granted where the development results in biodiversity net gain, the development avoids the fragmentation of the Local Ecological Network and the applicant has identified and assessed the level of ecological value of the site through adequate and proportionate information and any matters arising have been addressed through an appropriate avoidance or mitigation plan. Policy E15 (Protected Species) notes that development proposals which are likely to affect protected species, and/or their supporting habitats, must undertake appropriate surveys to establish their presence/likely absence. Proposals should, in the first instance, avoid an impact on a protected species. If this is not possible proposals should mitigate and compensate accordingly.
- 4.71 Policy E18 **(Trees, Hedgerows and Woodland)** acknowledges that development affecting trees, hedgerows and woodlands will only be permitted where it reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, protects existing trees and hedgerows during and after the construction process and does not result in the loss, or deterioration of, ancient woodland and ancient or

veteran trees. The Council are to refuse planning permission for proposals that threaten the retention of important trees, hedgerows, and woodland, unless the need for, and benefits of development in that location clearly outweigh the impact of the proposal. The provision of new trees is expected as part of new development proposals.

- 4.72 Emerging Policy E19 (**Management of Flood Risk**) notes that all development on sites over one hectare in size and located within Flood Zone 1 and all proposals for new development for new developments located in Flood Zones 2 and 3, now or in the future, must be accompanied by a site-specific Flood Risk Assessment. The policy notes that climate change mapping for South Hampshire was published as part of the PUSH-wide Strategic Flood Risk Assessment and whilst this may be used as the starting point in considering future flood risk, in some instances, the Environment Agency may advise that more up to date information is available. Emerging Policy E20 relates to drainage infrastructure in new development. It outlines an expectation that adopted drainage design reduces run-off rates, assesses the drainage needs of the development, in full, and over its lifetime and, where appropriate, incorporates SUDs.
- 4.73 Emerging Policy E22 (**Amenity and Pollution**) states that development proposals are only to be permitted where projected levels of noise, odour, vibration, light, water or air pollution do not have a likely significant negative effect on the amenity of existing and future uses of the site. Emerging Policy E23 (**Air Quality**) outlines the need for major development proposals to not result in a significant deterioration of current air quality. Emerging Policy E24 (**Contamination**) requires proposals to undertake an appropriate risk assessment.
- 4.74 Emerging Policy C6 (**Local Centres, Local Shops and Services**) prescribes the Borough's local centres and, in the context of the application proposals, notes that main town centre uses will only be permitted outside the designated town, district and local centres where it has been demonstrated that there are no other sequentially preferable sites within or on the edge of the Borough's designated town, district or local centres. Paragraph 7.69 notes that proposals outside designated town, district, and local centres for 2,500m² or more, will need to provide a Retail Impact Assessment (RIA).
- 4.75 Within the emerging Local Plan, the application site forms part of Development Allocation C11: Land at Hulbert Road – as shown in the extract of the Proposals Map below. Through Policy C11 the land is considered appropriate for employment purposes (Classes B1, B2 and B8). The implications of emerging Policy C11 are considered in the following section (application site indicated by ●).



Conclusions on Planning Policy

4.76 The proposed development is considered to adhere to the policies of the statutory Development Plan. We say this for the following reasons:

- The application site falls within the defined urban area of Havant and in a location where development is to be focused through Policy CS17 and AL2.
- The site is not subject to any site-specific policy designations within the adopted Development Plan.
- Development Plan policies actively encourage the effective use of land within the urban area.
- The application site is a logical site for additional food retail provision, having regard to existing representation and planned population growth.
- The proposals will meet a recognised need for additional convenience retail provision.
- The proposals are wholly consistent with the immediate area, an established out-of-centre shopping destination.
- The application site benefits from excellent accessibility to the strategic road network.
- The proposals will not, in any way, have a significant impact upon any defined centres owing to the limited catchment and commitment of the applicant to their existing stores. Put simply, the need for development is entirely site specific (having regard to Lidl's existing representation at Leigh Park, Waterlooville and Cowplain).
- The proposals have clear qualitative benefits for the local population and Havant generally.
- The proposals deliver clear economic benefit to Havant, by way of additional job creating development. They are wholly consistent with Core Strategy Policies CS1 and CS3.
- The proposals are wholly appropriate for the site and will have no detriment by way of residential amenity.
- The proposed scale of development is entirely appropriate for the specific location and intended catchment.
- The suitability of the site for development is acknowledged though the emerging Local Plan (Policy C11). A retail proposal is the most realistic prospect of realising any job creating development at this specific location for the foreseeable future.
- The proposals will have no detrimental impact on the local highway network with traffic movements imperceptible compared to the current scenario. They accord with Policy CS20 and Policy DM12.
- The proposals give rise to no residential amenity concerns, are appropriate from a food risk perspective and can result in a biodiversity net gain.
- The proposals meet policies relating to sustainability and efficiency of resources and have been designed to meet BREEAM 'Very Good' in accordance with Policy CS14.

4.77 Subject to demonstrating compliance with the established retail tests; namely sequential and retail impact, the proposals are acceptable, in principle, from a planning policy perspective.

4.78 Having regard to the emerging employment allocation for the site, we consider the matter of employment land within the following section.

5. Employment Land Considerations

- 5.1 There is no, in principle, policy objection to the application proposals subject to compliance with the key retail tests, namely sequential and retail impact. The site falls within the confines of the built development boundary and is not subject to any site-specific policy designations within the adopted Development Plan.
- 5.2 However, within the pre-submission version of the Emerging Havant Borough Local Plan the application site forms part of a wider emerging employment allocation (Policy C11: Land at Hulbert Road). This policy promotes the site for 'traditional' employment purposes and notes the following:

“Development of about 6, 250 sqm of employment floorspace (Classes B1, B2 and B8) will be permitted where:

a) The following assessments are submitted to support a planning application:

- i. Arboricultural Impact Assessment including full tree survey.***
- ii. Ecological Assessment.***
- iii. Landscape and Visuals Impact Appraisal.***
- iv. Heritage Statement.***
- v. Noise Assessment.***
- vi. Air Quality Assessment.***
- vii. Flood Risk Assessment.***
- viii. Drainage Strategy.***
- ix. Contaminated Land Investigation Report (to include gas monitoring).***
- x. Transport Assessment and Travel Plan.***
- xi. Sustainability Statement.***

b) Appropriate mitigation measures including buffers are put in place for Bechstein's bat in line with Policy E15.

The design and layout:

- i. Provides an appropriate vehicular access to the employment use(s) which does not result in vehicular conflicts with the existing commercial operations adjacent to the site.***
- ii. Retains and integrates the trees and woodland on and around the site, including the buffer to the A3(M).***
- iii. Provides a planting buffer between the built development, Hulbert Road Meadow SINC and the woodland to the north.***
- iv. Secures appropriate separation between development and the high voltage powerlines which cross the site.”***

- 5.3 At this stage, it is important to reiterate that Policy C11 is not adopted policy. Indeed, the weight that can be attributed to the policy is limited; particularly as the Local Plan has not progressed through its Examination stage at the time of writing. However, it clearly shows the 'Direction of Travel' with regards to the emerging site-specific designation afforded to the application site. Accordingly, the implications of Emerging Policy C11, alongside the background to the allocation, warrant further consideration in the context of a discount food retail proposal, which will provide important employment generating benefits in its own right

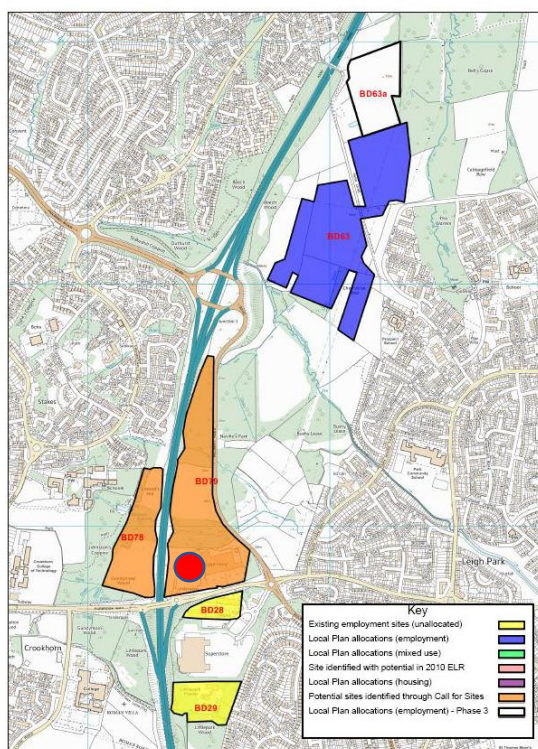
Employment Allocation Background

- 5.4 The application site, including adjacent land is not, in any way, a longstanding employment land designation. Nor can it be considered a premier location for future employment growth.
- 5.5 Presently, the application site is unallocated within the current Havant Borough Local Plan Allocations (2014). It is also telling that the site does not benefit from any recent, or historic, planning approvals for traditional employment purposes.
- 5.6 By way of background to the emerging allocation, the application site originally formed part of a much wider site promoted for employment purposes (Site Ref BD79), through the Havant Borough Council Employment Land Review (December 2017). The review, at that time, discarded the suitability of the site for employment use (as shown in the table below):

ELF Ref.	Site Name	Settlement	Source	Site Area (ha)	Use Class	Net Floorspace (m ²)	Allocate/ Review/ Discard	Comments
BD79	East of A3(M)/ Land at Hulbert Road	Leigh Park	Call for Sites	4.5	B1, B2, B8	n/a	Discard	Further site assessment undertaken to inform the preparation of the Draft HBLP 2036 has highlighted significant site constraints including protected trees, ecology, Bechstein's bat and highways. It is also noted that an ordinary watercourse crosses the site east/west in 3 separate locations and the need for the drainage would be likely to reduce the amount of development achievable. At this stage, in the preparation of the plan, it cannot be concluded that the site is deliverable and has been discounted accordingly.

- 5.7 The extent of the wider employment allocation put forward in 2017, is shown below (application site indicated by ):

Purbrook ELR Sites



- 5.8 As this shows, the application site formed part of a much wider site promoted for employment purposes (Ref. BD79), through the Council's Call for Sites exercise.
- 5.9 The entire site was discarded from the subsequent Employment Land Review (2017). It was considered unsuitable for employment purposes.
- 5.10 In January 2019, the Council produced an update to the earlier Employment Land Review. That document reappraised site Ref. BD79. Its conclusions are replicated below:

ELF Ref.	Site Name	Settlement	Source	Site Area (ha)	Use Class	Net Floorspace (m ²)	Allocate/ Review/ Discard	Comments
BD79	East of A3 (M)	Leigh Park	Call for Sites	4.5	B2, B8/sui generis	6,250	Allocate	The site was previously discounted in the 2017 ELR due to a number of different site constraints including trees, Bechstein bats and highways. The landowner submitted additional information to the Regulation 18 Draft Local Plan consultation which suggests that employment development on the southern parcel of the site is deliverable.

- 5.11 Despite the Employment Update remarking that only development on the southern parcel was deliverable, there was no corresponding reduction in the area of the site, as originally appraised in 2017. Therefore, it is assumed, that the extent of the site promoted, again, related to the much wider land holding. The 2019 ELR

duly recognised the site as being potentially suitable for B2/B8 and/or sui-generis purposes yet appeared more flexible with the inclusion of sui-generis uses.

- 5.12 Finally, in March 2020, Havant Borough Council undertook a further Employment Land Review. This noted the following with regards to the application site and adjacent land:

ELF Ref.	Site Name	Settlement	Source	Site Area (ha)	Use Class	Net Floorspace (m ²)	Allocate/ Review/ Discard	Comments
BD79	Land at Hulbert Road (East of A3 (M))	Leigh Park	Call for Sites	4.5	B2, B8/sui generis	6,250	Allocate	The site is the southernmost of three parcels of land in the same ownership, which has been promoted for employment and commercial use. A B&Q superstore lies on the eastern boundary of the site and would be served by the existing access road which runs through the site. The southernmost part of the site also comprises made ground which may reduce the developable area available.

- 5.13 This assessment in March 2020 also appears to be based on a wider potential employment allocation. Compared to the extent of the allocation that has been taken forward under Policy C11, it is important to note the following:

- The most recent ELR (2020) acknowledged that sui-generis uses were also appropriate at this location.
- The southernmost part of the site, which is considered to comprise made ground, is assumed to be land associated within the application site.
- The land allocation assessed under ELR Ref. BD79 appears to relate to a much wider site than the application site (i.e. it incorporates land extending northwards alongside the A3(M), now the subject of a residential outline planning application (Ref. APP/20/00441)).
- The wider allocation, put forward as part of the ELR in 2020, has not progressed through to the emerging Local Plan in Policy C11.
- Despite a much smaller employment allocation proposed through Policy C11, there does not appear to have been any subsequent reduction in the employment floorspace achievable at this location.
- Consequently, the contribution future employment site C11 could realistically make towards employment land objectives appears to have been overstated within the Pre-Submission Local Plan.

Employment Land Demand and Supply

- 5.14 The Employment Land Review (March 2020) provides a qualitative and quantitative assessment of land/ floorspace for employment development, alongside the sufficiency and suitability of existing and future supply of land to meet identified employment land needs. The document provides objective evidence, to support the emerging Havant Borough Local Plan. Key findings from the Report, include the following:

- There is a lack of speculative employment development in the Borough and wider Sub-Region.
- It is important to ensure that there is flexibility in employment land supply, allowing sufficient churn in the market.
- Such flexibility will also allow existing employment allocations to be reviewed – particularly where there is no realistic prospect of a site coming forward.
- It is important to ensure that land and premises within the Borough's existing employment areas is safeguarded from higher value land uses.
- The Borough continues to be a secondary office location by virtue of the lack of credible demand for high quality office accommodation and the resulting residual land values which do not support speculative development.
- There is a need to flexibly deliver 55,000m² of mixed B2/B8 floorspace, reflecting of the fact that many industrial uses combine manufacturing and warehouse operations.
- A floorspace requirement of 27,780m² is identified for Class B1a uses, given the Borough has a weak office market.
- Approximately 75% of the Borough's floorspace requirements can be delivered on existing employment allocations, the vast majority of which can be achieved at Dunsbury Park.
- There is a surplus of over 60,000m² of potential employment land available over and above the Borough's floorspace requirements, during the plan period.
- The Borough's employment land supply is considered **more than sufficient** to meet identified employment floorspace requirements.

5.15 The ELR (2020) addresses potential employment allocations at paragraphs 8.8 – 8.10. It comments as follows:

“The Council undertook a ‘call-for-sites’ exercise between January and February 2016 which sought submissions from landowners and agents for sites with development potential to meet the Borough’s future housing and employment needs. The Council also identified sites during the site visits within existing employment areas during February 2017.

The tables below provide a summary of the potential sites which can address the employment floorspace target for the Borough and could warrant allocation in the HBLP. Allowing for the intensification and redevelopment of established employment areas, there is likely to be a net loss of floorspace. This reflects the extensive areas of redundant floorspace within the Borough’s existing employment areas. For example, the previous monitoring year during 18/19 saw a significant loss of employment floorspace from the former Colt site.

In order to foster market confidence and to facilitate speculative development for existing local companies to relocate and encourage inward investment, Dunsbury Park will continue to be identified as a key strategic employment site and is capable of delivering the majority of the employment floorspace requirements.”

5.16 As we have shown, land at Hulbert Road is recognised within the Employment Land Review (2020), as having the potential to deliver c.6,250m² of B2/B8 floorspace. This is, however, disputed having regard to the extent

of the employment allocation as proposed through Policy C11 and when compared to the land originally promoted through the Council's Call for Sites exercise.

- 5.17 Commenting specifically on Employment Allocations, the ELR notes from paragraph 9.16 the following:

“Despite improving market conditions, there has generally been fairly limited speculative development in the Borough. This has largely been confined to pockets within well-established employment areas, although the Borough has also seen some speculative pre-let development on some of the existing employment allocations.

There remains a relatively significant disparity between rental values for secondhand stock and pre-rental levels. This means that many businesses, particularly the smaller local companies in the Borough lack the incentive and inclination to take the risk and invest in newly built stock.

Appendix 1 contains a comprehensive assessment of the Dunsbury Park Strategic site and the Boroughs allocations in the Adopted Local Plan (allocations). Whilst site allocations such as Solent Road South and East of Station Road have now been built out and occupied, many of the other employment allocations are in their starting blocks in terms of their delivery given the plan was only adopted in 2014. Though there is a reasonable degree of market certainty with outline consents on sites, with a number of phases now built out or starting to be built out.

On this basis, there is a need to ensure flexibility and choice of employment sites available to encourage inward investment and development over the plan period.”

- 5.18 Land at Hulbert Road is recommended as one of several sites that are allocated/identified as an opportunity for future employment development within the emerging Havant Borough Local Plan. The total supply from allocations is set out within Table 9.3 of the ELR (2020). For ease, this is replicated below:

Settlement	Site Name	Use(s)	Net Floorspace (m ²)
Emsworth	Interbridges West	Roadside services/B8	-
Havant and Bedhampton	Brockhampton West	B2/B8	20,000
Leigh Park	Dunsbury Park Phase 1	B1, B2, B8	42,700
Leigh Park	Dunsbury Park Phase 2	B1, B2, B8	15,000
Leigh Park	Land at Hulbert Road	B2/B8	6,250
Waterlooville	Former BAE Systems Technology Park	B1-B8	29,820
Total:			113, 770

- 5.19 Of the total supply from allocations, land at Hulbert Road represents just 5% of floorspace (on the assumption it can deliver c.6,250m² of traditional employment floorspace). The reality is this is much less given the extent of employment allocation taken forward within Policy C11 and the respective size of the application site.

- 5.20 Total employment land supply is outlined in Table 9.5 of the ELR (2020).

	Need Requirement (m ²)	Supply (m ²)
Total objectively assessed employment need From 2016-2037 based on employment land availability and past take up trends	86,919	
Completed Floorspace The amount of employment floorspace completed in the Borough during monitoring years 16/17 – 18/19		16,203
Outstanding planning permissions Total new employment floorspace with planning permission at 1/4/2019		8,981
Opportunities within established employment areas Total net employment floorspace through intensification and redevelopment (Table 8.3)		113,770
Proposed allocations Total employment floorspace on sites proposed for allocation		12,960
Total Employment Land		151,914

- 5.21 The above table clearly indicates that there is a buffer of c.60,000m² employment floorspace available. Accordingly, Havant Borough will comfortably exceed the Borough's employment floorspace requirements, during the plan period.
- 5.22 Around 75% of employment floorspace is to be delivered through new employment floorspace on allocations with the balance achieved within established employment areas. Of this, around 41% of floorspace will be delivered across Phases 1 and 2 at the Dunsbury Park strategic site.
- 5.23 Therefore, a key issue in Havant with regards to employment land is not one of supply but, rather, arguably the quality of existing available employment stock. There is no quantitative need for additional employment land within the Borough. Nor can it be said, in any way, that the application site can be considered best quality employment land which is integral to the economic functioning of Havant. Rather, to the contrary, it has been previously acknowledged that there are a number of constraints associated with the wider site – so much so that a large swathe of the originally considered employment allocation has previously been discounted for employment purposes.
- 5.24 Taken in isolation the prospects of the application site coming forward, as a speculative employment development, are extremely low. The emerging Local Plan gives no regard to the commercial realities of developing this site. For example, the existing site does not benefit from any existing utilities. Delivering such connections (including electricity and foul and surface drainage) is a costly exercise and taken together with the substantial 'cut and fill' exercise necessary to achieve any form of development at this location, the reality is that the site is reliant on a high value land use (such as retail) to come forward and to deliver the jobs and employment envisaged through policy. Such development may also act as a catalyst for further employment generating development at this location.

Alternative Sites to Land at Hulbert Way

- 5.25 Whilst the application site is being promoted as an employment allocation within the Emerging Local Plan, it cannot be said to have ever performed an important economic role. Rather, the allocation appears to have

been progressed on a speculative basis.

- 5.26 It is also important to reiterate that the extent of the employment allocation, that has been taken forward into the Pre-Submission Local Plan is of a much reduced scale from the total site/landholding as originally promoted. The contribution that this site can make towards employment land targets within Havant Borough is, therefore, reduced further. On this basis, we would question whether the floorspace estimation for emerging Policy C11 (i.e. 6,250m²) is, in the first instance, actually achievable at this location. It should also be said that most of the site constraints identified within Policy C11 appear to relate to the much wider site and not the application site
- 5.27 There is also evidence of a prevalence of retail and quasi retail type uses within the wider location. Compared to 'fit-for-purpose' employment allocations, better suited in both locational and infrastructure terms to accommodate employment growth – the prospects for realising speculative employment development upon the application site must be called into question. This comparison is, perhaps, best illustrated by briefly referring to such alternative employment locations available in the immediate vicinity.

Dunsbury Park

- 5.28 Dunsbury Park is identified as a strategic site in Policy CS18 of the adopted Core Strategy (2011). This describes the site as *'a key strategic employment site for the Borough and the wider sub-region, which will form a new businesses gateway to South Hampshire from the A3 (M). The creation of a high-quality business and technology park with excellent transport connections will deliver a large number of jobs in close proximity to Leigh Park. It will provide new first class employment floorspace for start-up and growing businesses. It could provide approximately 60,000m² of new employment floorspace. This is about a third of the total requirement for new employment in the Borough up to 2026'*.
- 5.29 Commenting on Dunsbury Park, the 2020 ELR noted the following:

"Dunsbury Park is recognised as a key site both locally and sub-regionally, which has the potential to deliver 42,700 square metres of high-quality business and employment floorspace (15,000 sq. m of which would be over and above that included in the outline consent). A further 6.55 hectares of land to the north extending to the A3 has been identified as an area of search. It will, however, be important to ensure the site continues to be phased and delivered in a comprehensive manner with the associated infrastructure which is needed to support this important strategic site."

- 5.30 Accordingly, the site is identified as a business gateway of local and sub-regional importance in the Pre-Submission Local Plan – with the potential to deliver a substantial proportion of the Council's new employment floorspace.

Langstone Technology Park

- 5.31 Langstone Technology Park is recognised as a desirable office location within the Borough on a prominent location close to Havant Town Centre. The ELR (2020) notes that it has potential to deliver in the region of c.12,575m² of employment floorspace (Use Class B1 – B8). The Park forms a key strategic project within the emerging Local Plan. The policy acknowledges the location is the largest concentration of commercial floorspace within the Borough and its further growth would boost the Borough's prospects through provision of new business growth. It also recognises that the Park has several important benefits including excellent power and internet connections as well as being well placed to Havant Town Centre, Havant railway and bus stations and next to the A27.
- 5.32 Accordingly, the site is identified as a key redevelopment opportunity within the emerging Plan with provision

to provide c.12,575m² of either new or converted B1, B2 and B8 floorspace, together with supporting uses and infrastructure.

- 5.33 Overall, there is no tangible evidence for allocating the application site for strict 'traditional' employment purposes within the emerging Local Plan. The site is not, nor has it been historically, a key employment location. Furthermore, there is a significant oversupply of employment floorspace within Havant with much better prospects for employment growth than the application site. The wider location of the application site is not, in anyway, a preferred location for inward investment. There are much better located employment sites for which there is operator interest, funding mechanisms that have been secured and infrastructure already in place. Additionally, benefits are afforded at such locations which make their attraction to inward investment far greater than that which can ever be achieved at the application site.
- 5.34 It is our view, that the application site is only going to be suitable for speculative employment development which must be considered extremely unlikely given the site specific constraints (recognised through various ELR's), coupled by the locational and infrastructure advantages exhibited by other more established employment locations. It also stands to reason that companies benefit from co-locating with similar organisations increasing supply networks for example. The application site offers little, if any, of these benefits when compared to other employment locations within Havant. We would, therefore, question in the strongest possible terms the merits of emerging employment allocation (C11).

Leigh Park Economy

- 5.35 The application site falls within the Leigh Park area of the Borough, within the Barncroft Ward.
- 5.36 As part of the evidence base, prepared for the emerging Local Plan, Havant Borough Council produced a Profile of the Borough Report (2018).
- 5.37 Notably, the profile noted the following:
- The age structure of Leigh Park was relatively mixed with the area having the lowest proportion of residents aged over 65 years (14%).
 - Around 32% of Leigh Park households were socially rented; far higher than the Borough's overall proportion of socially rented accommodation (c.10%).
 - There remains a significant skills gap between the local population and jobs locally available.
 - Indices of Multiple Deprivation (IMD) shown that Leigh Park has some of the most deprived wards in England.
 - A key opportunity for Leigh Park is to deliver regeneration. This needs to be focused on social and economic issues, but physical regeneration is also key.
 - Addressing the skills gap and high unemployment is a particular challenge of the area.
- 5.38 The importance of net additional retail jobs cannot be underestimated. Data provided within the Council's Economic and Employment Land Evidence Base Paper (May 2016) shows that the largest sectors in 2013 (in terms of employee jobs) are health, education, and retail. Paragraph 3.20 of the report also notes '*Retail supports significant levels of employment across the area (11.3% across the local authorities), with the distribution of jobs influenced by that of population as well as the hierarchy of centres*'. The Paper also acknowledges that the employment rate is slightly below the national average in Havant. Unemployment is also considered above the LEP average in Havant. Consequently, Havant is recognised as one of several areas where there is potential to support employment growth by bringing people back into work (paragraph 3.54).

5.39 Given the current Covid-19 Pandemic the need for additional employment generating development has been brought to the fore. This is outlined within the Hampshire Quarterly Labour Market (July 2020) which notes the following:

- The UK economy has contradicted by nearly a quarter since February 2020, with large falls in both March and April. The May monthly GDP figures saw some signs of growth albeit not the quick rebound many economists had expected. The latest labour market figures suggest weakening employment while hours worked reached record lows and pay fell for most measures, more so in industries where furloughing was most prominent.
- The latest official quarterly survey suggests that the economy contracted by around 2.2% in the first quarter, the joint-third largest quarterly contraction in GDP. The large quarter fall is mostly attributed to a decrease in output in March 2020, as lockdown of a large part of the economy was introduced.
- The latest data from the Office for National Statistics (ONS) suggests a decrease in Hampshire employment, which points to a weaker labour market in the 12 months to March 2020, with employment levels down by an estimated 3,900.
- In response to the Covid-19 Pandemic, the Institute for Employment Studies (IES) publishes weekly vacancy data at local authority district level using online job advert listings to estimate changes in vacancy rates. The latest IES figures for new vacancy job postings suggest that the easing of lockdown has not led to any significant rebound in hiring.
- Estimated new job postings for the week ending 5th July 2020 in Hampshire (County Area) are down by 60% since the beginning of the crisis and also year-on-year.
- The new online postings in the week ending 5th July were down by 56% in Havant since the beginning of the crisis and 61% year-on-year.

5.40 Aligned to closures, administration, and job losses the value of the retail jobs created by this development is hugely important to this locality and its immediate area. Research indicates that retail work is having a high propensity to work and commute in a relatively localised area. It is, therefore, reasonable to assume that large numbers of the jobs created will be taken up by a significant proportion of local residents.

5.41 Furthermore, the National Skills Academy for Retail recognises the need to support the development of the retail sector. This is because the full range of jobs will be diverse, ranging from managerial jobs to jobs on the shop floor, in addition to maintenance and cleaning. It is also now generally accepted that the retail sector is an important employer and can be afforded a similar amount of weight to more traditional employment generators (i.e. previously traditional B-Class uses). Retail jobs tend to be filled by new employees (rather than by relocating staff) and often local people. Retail growth also creates a high percentage of entry level jobs.

Quality of Employment

5.42 An equally important part of the job creating benefits of the proposal is the quality of the employment 'offer'. First, any jobs created will be net additional. Lidl remain wholly committed to their existing stores and have no plans to close any of their existing locations.

5.43 Clearly, a new employer within Havant Borough will be of benefit to the Borough as a whole. Accordingly, several social and economic benefits will ensue. Lidl currently employ over 26,000 people in the UK and pays all its employees a highly competitive hourly wage.

- 5.44 In addition, Lidl also invest heavily in the training and continued development of their staff. They encourage and train individuals, giving them the opportunity to work in different parts of the business and to gain new skills. Lidl also have a dedicated in-house training department who work on nationwide training initiatives to facilitate easier access for individuals to access their specific training requirements.
- 5.45 Lidl also have an award-winning Retail Placement Programme. Their loyalty to staff is one of the retailers most recognisable qualities. There are excellent opportunities for progression within the business and highly competitive employment and benefit packages available. Team rewards and employee discount incentives are also provided to staff. Lidl encourage enrichment on all levels, personal and professional and, in this regard, introduced a sabbatical scheme which allows staff to take up to 3 months off to pursue individual interests. This flexibility is unrivalled in the retail sector.
- 5.46 Lidl also have a policy of employing locally to ensure that each store is reflective as possible as the local identity/area. The value of the employment jobs to be provided through the development are significant. They are real jobs which will be made available to the local population, within a reasonable period, and for which there is a real and pressing need. It is our suggestion that this must be afforded significant weight, particularly given the limited likelihood of the site coming forward for any other purpose.
- 5.47 The level of job creation is significant and there would be a tangible positive impact on local employment. The benefit of new jobs is a very important consideration in light of the current economic climate and economic profile of Leigh Park etc.
- 5.48 With the above in mind, the proposals will have considerable economic value. Net job creation alone is clearly a very compelling positive impact, arising from the proposal and one that should be afforded significant weight. Furthermore, the construction of the Lidl foodstore represents an investment of £8M in the locality and would also serve to create many construction jobs during the build programme. Once operational, the proposals will deliver 40 new and part-time jobs.

Use Class E

- 5.49 It is also notable to refer to the recent amendments to the Town and Country Planning (Use Classes) Order 1987. Since 1st September 2020, there has been a change to the UCO on the premise of bringing greater flexibility to changes of use. Use Classes A1 (retail), A2 (Financial and Professional Services), A3 (restaurants and cafes), B1 (Businesses), parts of D1 (non-residential institutions) and D2 (Assembly and Leisure), are now combined into a single new class: Class E Commercial, Business and Service. Accordingly, changes between these respective use classes will no longer constitute 'development' and will not require planning permission. A retail use is, in our view, the only realistic form of employment generating development that can occur from the application site given the respective site constraints.

6. Retail Matters

- 6.1 In this section of the statement, we consider the retail matters associated with the application proposals, namely the sequential approach and retail impact considerations. For reasons explained below we focus predominately upon the matter of the sequential test which is a well-established and understood test for retail purposes.

Sequential Approach

- 6.2 The sequential approach to site selection for main town centre uses is set out at paragraphs 86 and 87 of the NPPF (2019). This states the following:

“86. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

87. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre, or edge of centre sites, are fully explored.”

- 6.3 The application site is an out-of-centre location. It is, therefore, necessary to demonstrate that there are no sequentially preferable sites (i.e. town centre or edge of centre sites) to which the proposal, or a flexible format of it, could otherwise locate.
- 6.4 The meaning of the sequential test is a matter of law, whilst its application is a matter of planning judgement. It is, therefore, necessary to understand what the sequential test means and what is required for a site to be considered ‘suitable’ for the purposes of the NPPF’s sequential test. The Courts have decided that the sequential test ultimately seeks to determine whether the application (i.e. what is proposed) can be accommodated on a sequentially preferable site. The test includes the requirement to demonstrate flexibility on issues such as format and scale; ‘suitable and ‘available’ means suitable and available for the broad type of development that is proposed in respect of the approximate (rather than precisely the) size, type and range of goods that are proposed.
- 6.5 The NPPF (paragraph 86) refers to ‘available’ sequential sites. A change from the previous NPPF (2012) is the reference to sites that are expected to be available sometime in ‘a reasonable period of time’. A reasonable period of time has not been specified, yet it seems likely a site would need to be available within a similar (if not exactly the same) period of time when compared with the application proposals (in this case a vacant undeveloped site within the defined urban area and which the applicant has an option on).
- 6.6 Confirmation of how the Sequential test should be used in decision taking is set out in Paragraphs 10 of Planning Practice Guidance (PPG) the ‘Town Centres and Retail’ section. This provides a checklist of the considerations which should be taken into account in determining whether a proposal complies with the sequential test as follows:
- With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.

- Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
 - If there are no suitable sequentially preferable locations, the sequential test is passed.
- 6.7 The PPG also advises that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.

Flexibility in Format and Scale

- 6.8 Whilst no indication as to what degree of flexibility is required is contained within the NPPF, or the Practice Guidance (other than ‘format and scale’), the ‘Rushden Lakes’ Secretary of State (‘SoS’) Call-in decision (which post-dates the original publication) has clarified the position, with the Inspector (Paragraph 8.49) highlighting that ‘flexibility’ concerns matters including *‘flexibility in a business model, use of multi-level stores, flexible car parking requirements or arrangement, innovative servicing solutions and a willingness to depart from standard formats’*. In Paragraph 15 of the decision letter, the SoS agrees with the Inspector that these are issues of principal relevance in demonstrating flexibility.
- 6.9 This important Call-in decision has also provided clarity on whether there remains a requirement to consider ‘disaggregation’ when demonstrating flexibility, as part of the sequential test. The Inspector is quite clear at Paragraph 8.47 of his report that *‘there is no longer any such requirement stated in the NPPF’ and that ‘had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF’*. In Paragraph 16 of the decision letter, the SoS agrees with the Inspector that there is no requirement to consider disaggregation when applying the sequential test.
- 6.10 The Supreme Court in *Tesco Stores v Dundee City Council* ((2012) UKSC 13)) (Dundee Judgement) confirmed that provided the applicant has demonstrated flexibility with regard to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered, or reduced, so that it can be made to fit the alternative site.
- 6.11 The Judgement also clarified that:
- “The criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no wish in doing so.”***
- 6.12 The High Court Judgement (*Threadneedle Property Investments and Simons Developments Ltd v North Lincolnshire Council* [CO/4764/2012]) also considered the Supreme Court interpretation and confirmed the need to take account of the operator’s commercial requirements, and the need to work in the real world. In the case considered by the High Court, the Court came to the view that ‘operator specifics’ were relevant in applying the sequential test.
- 6.13 These rulings are clear that there must be realism applied to the sequential test, having regard to the business model of the applicant, commercial realities, and business decisions. Whilst retailers are expected to demonstrate reasonable flexibility, these appeal decisions underline the need for decisions to be based in a real-world scenario.

- 6.14 The ‘Mansfield Judgement’ (Aldergate v Mansfield District Council & Anor [2016]) has further clarified that the sequential test should be considered on the basis of the broad type and format of the proposed land use, allowing for appropriate flexibility in respect of format and scale.
- 6.15 It affirms that in applying the sequential test, the decision maker will generally be required to consider the type and format of the proposed development rather than the requirements of any specific named operator. It identifies that the area and sites covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content.
- 6.16 Against this background, the parameters of the sequential test should be established having regard to the broad type and format of the proposed land use, allowing for appropriate flexibility in respect of format and scale and taking into account the commercial realities of the business model.
- 6.17 A developer’s own intentions may be considered and have a bearing – for instance when considering what demand is intended to meet. However, the sequential approach should not become a self-fulfilling activity divorced from the public interest.
- 6.18 Overall, whilst it is necessary for applicants to demonstrate ‘flexibility’ on issues such as format and scale when applying the sequential test, it is clear that under the NPPF there is no requirement to consider ‘disaggregation’, nor to explore changes that would materially alter the application proposal such that it no longer meets commercial requirements (i.e. a material reduction in size). These matters have been considered as part of a Call-in decision which post-dates the publication of the NPPF and in which the SoS clearly agreed with the appointed Planning Inspector on the interpretation of each of these matters.

The Applicant’s Business Model

- 6.19 The requirement for flexibility does not extend to fundamentally altering the form of development for which consent is sought.
- 6.20 As we have shown, Lidl is defined by the Competition Commission (2008) as a Limited Assortment Discounter (LAD).
- 6.21 Delivering the LAD business model has particular consequences for the design and layout of Lidl’s stores along with their site requirements. A critical component of which is the size and configuration of a store which is capable of supporting Lidl’s stock handling procedures and the ability to stock its standard product lines in sufficient depth (minimising servicing costs and maintaining product availability).
- 6.22 The restriction that this place on the ability of Lidl to be ‘flexible’, in its format, is relevant to the application of the sequential test. Indeed, this has been accepted by the Secretary of State and Inspectors through various appeal decisions.
- 6.23 For example, in relation to a proposal in the London Borough of Merton (2006), the Inspector concluded (and the Secretary of State agreed) that there ‘*are inherent characteristics of the Lidl business model that limit the scope for flexibility*’. Such characteristics were identified as:
- A store of a size that may accommodate all necessary functions that form the business model.
 - The need for a high proportion of sales relative to storage space.
 - A need to enable the efficient movement of palletted goods.
 - The fact that Lidl stores concentrate on selling a limited range of predominately convenience goods (limiting the scope for disaggregation).

- 6.24 Furthermore, in relation to an appeal at Cowley Oxford (2005), the Inspector concluded that Lidl's requirement of a minimum size and gross store size to accommodate its business model was 'reasonable for the purposes of the sequential assessment'. In short, store layouts must be open plan, easily accessed and convenient.
- 6.25 The principles established by these decisions remain pertinent, whilst having regard to the increase in floorspace and number of product lines that are now sold since the Competition Commission's original report.
- 6.26 Lidl's trading format has evolved over time, with stores now providing more spacious circulation space and the provision of an improved offer, including an area for the sale of a limited range of fresh bakery goods, not sold in Lidl's smaller first generation stores. The Company's standard store format is now c1,414m² net with c.120 car parking spaces.
- 6.27 Against the above legislative and policy background, a number of important attributes are required from any sequentially preferable site, in order to meet the business model of the applicant. Such key attributes include:
- Prominent sites with main road frontage.
 - A regular shaped site area (ensuring adequate product display space and transfer of products).
 - Accessible sites with strong pedestrian and/or traffic flows.
 - Sites that can deliver the following:
 - A customer-oriented layout with simple, straightforward access through broad and spacious car parks.
 - Car parks which are located close to the store and at ground level for ease of access.
 - Parking spaces which are generously designed and clearly marked.
 - Functional and attractive architecture.
 - Spacious sales areas with wide aisles for a more comfortable shopping experience.
 - Ample warehouse space to ensure constant product availability.
 - Logical store layouts with simple merchandising, ensuring customers can find the same products in the same place in every store; and
 - Proposals must be capable of being serviced by an HGV which can enter and leave the site in a forward gear.
- 6.28 The retail unit proposed in this application is c.1899m² (GIA) with a net sales area of c.1,256m². It will sell a reasonably wide range of fresh, pre-packaged, refrigerated and frozen convenience goods to meet a combination of main/staple and top-up food shopping needs. Given that the store is intended to function as a reasonably sized LAD foodstore, there is a need for customers to have easy access to car parking facilities. It is usual that such facilities, for these sizes of store, are adjacent and at the same level. Therefore, alternative sites should also have the ability to accommodate a reasonable level of easy access on-site parking provision.

- 6.29 It will serve a compact catchment area and must be located at a convenient, highly accessible and visible location.
- 6.30 Lidl have two standard store formats with the proposed store being a slightly modified (smaller) version of their standard format and which would ordinarily require a minimum 0.84 hectare site and 120 parking spaces.
- 6.31 In short, site requirements are a function of LAD's approach to retailing, which is underpinned by simplicity, efficiency and standardisation. Value retailing and operational efficiency requires store design and site requirements to be as uniform as possible. One fundamental site requirement relates to the fact that LAD stores provide just a limited assortment of goods and, therefore, do not serve a destination 'one stop shop' location. As a result, sites are required to be highly accessible and visible, which generally means a main road frontage is a prerequisite.

Catchment Area and Centres Assessed

- 6.32 Whilst both the NPPF and Planning Practice Guidance ('PPG') are silent on the appropriate area of search for sequentially preferable sites, a standard approach is to consider the extent of the catchment area likely to be served by the proposal and then to identify alternative sites, located within or on the edge of existing centres which serve an equivalent catchment, and which could accommodate the scale and form of development proposed.
- 6.33 In this instance, the scale and form of 'main town centre' use development proposed is a discount foodstore of c.1,899m² (GIA) with customer car parking (132 spaces), access road, servicing area and, associated hard and soft landscaping. The overall site area required to accommodate the Lidl foodstore is c.1.08 ha (excluding the areas of the site within highways land and the existing private access road which currently serves the adjacent B&Q).
- 6.34 The discount foodstore's limited size and offer provides a strong indication that its catchment area will not be extensive. Lidl, as with other Limited Assortment Discounters (LAD) stores, typically trade from a very localised catchment area within urban areas of dense population.
- 6.35 The relatively small trading catchment is a product of a number of factors including the retail model of the company and what is known of its customer base and their shopping behaviour. Variation in the trading catchment may occur depending on factors such as the housing density level of the area.
- 6.36 As explained elsewhere within this report, Lidl stores do not typically serve as a 'one stop shop destination', owing to the limited range of goods that they offer. Their retail model focuses on a limited range of core products and excludes things like tobacco, specialist fishmongers, deli-counters, clothing, cash machines or other non-food related dedicated services, i.e. photo processing. Customers generally use the stores to secure staple products, often by basket shopping only, and do not travel significant distances to shop.
- 6.37 As a result, as with other LAD retailers, Lidl's retail model relies on stores being in convenient, visible and accessible locations, such as busy transport routes. As customers do not travel significant distances, stores serve almost an exclusively local need which can mean several stores are located within the same urban area. Factors such as higher density populations can mean catchment areas are smaller and will often overlap with other stores.
- 6.38 In this instance, the primary catchment of the store is broadly expected to lie within a 5 minute drive-time. The expected catchment of the store is shown on plan form at **Document 2**. Based on this catchment, an appropriate area of search for sequential test purposes would include the centres of Middle Park Way, Bedhampton, Crookhorn and Purbrook. Given their location on the edge of the catchment Leigh Park District

Centre and Drayton have also both been assessed for sequential test purposes. Based on existing retail provision, it is expected that customers accessing the proposed store would predominately reside in the residential areas of Purbrook, Widley and Bedhampton. Whilst there is some overlap between existing trading catchments of Lidl, this is not unusual for new LAD foodstores retailing in relatively high density urban locations such as this with Lidl having identified a clear deficiency in provision within this area. We do not consider it necessary to consider the main centres of Havant or Waterlooville as, in addition to falling outside the primary catchment of the proposed store, they are also well served by alternative LAD provision.

6.39 Accordingly, owing to the scale and nature of development, we consider that this area of search for the sequential test provides sufficient and reasonable flexibility for the assessment of the sequential approach.

6.40 In undertaking our sequential analysis, we have followed the advice of the NPPF Practice Guidance and paragraph 010:

“It is for the applicant to demonstrate compliance with the sequential test (and failure to undertake a sequential assessment could in itself constitute a reason for refusing permission). Wherever possible, the local planning authority should support the applicant in undertaking the sequential test, including sharing any relevant information. The application of the test should be proportionate and appropriate for the given proposal. Where appropriate, the potential suitability of alternative sites should be discussed between the developer and local planning authority at the earliest opportunity.”

6.41 We now go on to consider the sequential analysis below.

6.42 Detailed sequential test appraisals for each site considered below, appear at **Document 3**. Our appraisal considered the following sites that warranted consideration; namely:

Sequential Test Site/Status	Commentary	Conclusions
Bedhampton Local Centre		
Nos. 23, 26 and 27 Bedhampton Road, PO9 3ES	- Site is currently in operation for commercial purposes (car-repair/garages). - Site falls within defined local centre boundary of Bedhampton. - Site is unavailable for sequential test purposes. It currently comprises 3no. individual businesses which are continuing to trade from the location. - A number of residential amenity concerns are raised with regards to this site having regard to the proximity of existing residential properties. - The resultant development could not accommodate the application proposals, or a flexible form of them.	Unsuitable and Unavailable.
Imperial Palace, Belmont Grove	Site is of insufficient size to accommodate the application proposals, or a flexible form of them.	Unsuitable.
Crookhorn Local Centre		
Centurion Public House	- Site is located adjacent to Crookhorn District Centre. - It remains in active use as a public house and with a total site area of c.0.2h is of insufficient size to accommodate the application proposals, or a flexible form of them.	Unsuitable and Unavailable.

Sequential Test Site/Status	Commentary	Conclusions
Community Centre and Church of the Good Shepherd (CoGS)	- This sequentially preferable site comprises two separate uses (Community Centre and Church), which form part of Crookhorn District Centre. - Both uses remain in active use. - Collectively the site is too small (c.0.5h) to accommodate the application proposals, or a flexible form of them.	Unsuitable and Unavailable.
Purbrook Local Centre		
Purbrook Masonic Centre, Stakes Road	- Site is too small to accommodate the application proposals, or a flexible form of them. It is also of an irregular shape. - Site remains in active use as Masonic Hall.	Unavailable and Unsuitable.
Purbrook Motor Company and Ladybridge Road Car Park	- Site is too small to accommodate the application proposals, or a flexible form of them. - The two adjoining sites are within separate ownership and separated by residential uses. They also remain in active use. - It would not be feasible to disaggregate the proposal across the separate sites.	Unsuitable and Unavailable.
Middle Park Way Local Centre		
No. 138 Purbrook Way	- Part of this site appears in active use as offices/community resource centre. - No recent planning history associated with the site. - At just c.0.3h the site is too small to accommodate the application proposals, or a flexible form of them.	Unsuitable.
Leigh Park District Centre		
Crown Bingo Hall, Somborne Drive	- Site is currently in use as a bingo hall and consequently is unavailable for development. - At just 0.59h the site is too small to accommodate the application proposals, or a flexible form of them.	Unavailable and unsuitable.

- 6.43 No appropriate sequentially preferable sites were identified in the centres of Drayton or Farlington at the time of our study.
- 6.44 In addition to the above, all 'typical' high street town centre units in all of the identified centres and which were vacant, at the time of our sequential appraisal, were immediately discounted from the sequential test owing to their clearly insufficient footprint to accommodate the application proposals, or a flexible form of them.
- 6.45 Consequently, following a robust and proportionate sequential test assessment our conclusion is that no alternative sites are genuinely sequentially preferable. Each site fails for reasons including availability and suitability.
- 6.46 In summary, in the context of the sequential assessment, we conclude:
- The application site is a logical retail/commercial development site, located within the defined urban area and in close proximity to existing retail/quasi retail uses.

- There are no site-specific designations that would preclude retail development upon the application site, subject to compliance with the key retail tests of sequential and impact.
- The suitability of the application site for development purposes is recognised within the emerging Development Plan.
- The sequential test has demonstrated that there are no sequentially preferable sites within an appropriate catchment of the site which includes the centres of **Leigh Park, Bedhampton, Drayton, Crookhorn, Middle Park Way and Purbrook Way**.
- Given the scale and nature of the development, the area of search is entirely appropriate for the application proposals.
- The need for the development is entirely specific to Purbrook and the immediate surrounding area with regard to planned population growth.
- The application site is the only suitable site that Lidl have identified, that is genuinely available, and which can accommodate a store that meets their operational needs. That is the commercial reality.

Conclusions on Sequential Test

- 6.47 Our assessment has concluded that there are no sequentially preferable sites that are, in any way, capable of accommodating the proposed development, or a suitably flexible form of it. Of the sites identified none are either genuinely suitable or, indeed available, for sequential test purposes.
- 6.48 Furthermore, all the vacant units within the respective centres are simply too small to accommodate the application proposal. Accordingly, there are no other sites which can be considered sequentially preferable.
- 6.49 The sequential test is passed and planning consent can and should be granted to the proposal (in retail policy terms), subject to satisfaction of the impact test – considered below.

The Retail Impact Test

- 6.50 The application site is an out of centre location and for applications for town centre uses, located outside of defined centres the NPPF states that:
- When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should **require an impact assessment if the development is over a proportionate, locally set threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace)**. This should include an assessment of:
 - a) The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - b) The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 6.51 With regards to Retail Impact, supporting paragraph (3.39) of Policy CS4 of the Havant Core Strategy notes that *‘all applications for the development of town centre uses and in particular new retail floorspace outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all relevant tests **as prescribed in current government policies**’* (our underlining).

6.52 Accordingly, Policy CS4 sets out the requirement for Retail Impact Assessments in accordance with the NPPF. This requirement is continued in the Emerging Local Plan with the supporting text to Emerging Policy C6 'Local Centres, Local Shops and Services duly acknowledging:

“For all other proposals outside the designated town, district and local centres, along with A1 retail proposals that have a net sales floorspace of over 280m², a sequential test of other potentially suitable sites will need to be carried out in accordance with the NPPF. Proposals outside designated town, district and local centres for 2,500sqm or more will need to provide an impact assessment”.

6.53 The planning application proposals involve a discount foodstore of c.1,997m² (GEA) which is c.20% less floorspace than the threshold contained within the NPPF. Accordingly, consistent with the NPPF, there is **no requirement to undertake a full retail impact assessment in support of the proposal**. This position was confirmed with officers, prior to submission and is also reaffirmed within the LPA's Validation Checklist.

Qualitative Need

6.54 Whilst a demonstration of the need for the proposal is no longer required in the NPPF, it is still the case that qualitative need remains a material consideration. Indicators of qualitative need may include:

- Deficiencies of 'gaps' in existing provision.
- Consumer choice and competition.
- Overtrading and congestion of existing stores.
- Location specific needs and underserved markets.
- The quality of existing provision.

6.55 The application proposals will address a number of these indicators; namely:

- Address a clear gap in existing retail provision. The deep discount food retail sector has now firmly established itself in the UK and is a widely accepted essential component of the food retail market. There is a clear gap of provision (shown in the plan above) which restricts the shopping choice of residents, inhibits competition and does not contribute towards sustainability objectives. The proposals will help to address this.
- Improve consumer choice and competition. The proposals will improve consumer choice and competition within the centre at an established out-of-centre location.
- Reducing congestion. The Lidl will help, in part, to reduce congestion at key trading times within existing stores.
- Underserved Markets. Lidl already trade from Waterlooville, Leigh Park and Cowplain. A new store in this location is a logical approach to a clearly defined underserved market.

6.56 The proposal would, therefore, provide both quantitative and qualitative improvements in shopping provision, addressing a locationally specific need, whilst at the same time reducing the need to travel. The provision of a discounter will be particularly important for those residents on lower incomes, for whom access to cheaper higher quality food will be welcomed. The proposals would go some way towards contributing towards the reduction of social inclusion.

7. Planning Considerations

- 7.1 This section of the planning statement addresses the key planning considerations raised by the proposed development. It begins by reviewing the principle of developing a food store upon the application site.

Principle of Development

- 7.2 This planning application seeks consent for a discount foodstore on a site located within the defined urban area for Havant. Policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) states that the urban area boundaries for the respective settlements are defined on the Policies Map. Furthermore, the principle of concentrating development within the five urban areas of the Borough is established in Policy CS17 of the Core Strategy. The supporting text to Policy AL2 recognises that concentrating development within the boundaries of the urban areas is a key component of sustainable development in Havant Borough. The application site, therefore, falls within a location where development is encouraged through both the adopted and emerging development plan. Indeed, the application site is a logical development site for a discount foodstore, having regard to the retail/quasi-retail context of the immediate area.
- 7.3 Paragraph 86 of the NPPF requires LPA's to apply the sequential test to main town centre uses that are not in existing centres, or in accordance with an up-to-date development plan. As is made clear in paragraph 90 of the NPPF failure to comply can form a basis for refusing permission.
- 7.4 The application site is, clearly, out-of-centre. On that basis, a robust sequential test has been undertaken – the conclusions of which are outlined at Section 6. This unequivocally concludes that there are not genuinely available, suitable or viable alternative sites to which the application proposals, or a flexible form of them could otherwise locate. There is no requirement to prepare a Retail Impact Assessment, in support of the proposals, owing to the floorspace of the development falling well below the prescribed threshold contained within the NPPF.
- 7.5 There is no site-specific policy designation within the adopted Development Plan that would preclude retail development at this location subject to satisfying the key retail tests. However, it is acknowledged that the application site is identified as part of a future employment allocation (C11: Land at Hulbert Road), as contained within the Council's emerging Local Plan. Whilst limited weight can be afforded to the emerging Local Plan, employment matters are considered at Section 5. There is limited prospect of the site coming forward as a speculative employment development. There are several significant constraints associated with the site which, clearly, call into question the viability of the site for traditional employment purposes – this assumes added importance given the current economic climate. There is no detriment whatsoever in seeking alternative employment generating development at this location. There is a clear and substantial oversupply of employment land within the Borough and nor is the application site a preferred location for inward investment.
- 7.6 That said, the proposals themselves will deliver substantial economic regeneration and job creation. They result in an investment of over £8M on an idle development site with little, or no, alternative prospect for development. Policy CS1 is supportive of development which enhances the life chances of young adults, especially via access to employment. Furthermore, Policy CS3 supports proposals which raise skill levels.
- 7.7 As a company, Lidl employs over 26,000 people in the UK and is committed to the development of every one of its employees. The company operates various training programmes to develop skills and enable career progression. It became the first British supermarket to adopt the living wage, further demonstrating the importance it places on both supporting and retaining staff.

- 7.8 Once constructed, the proposals will result in net additional jobs to the Borough and will make a positive contribution to local job creation through the employment of approximately 40 full and part-time staff. Alongside the creation of in-store roles, several jobs will also be created in servicing the store (for example, delivery drivers) and within its supply chain. Moreover, jobs will be created during the construction phase. The anticipated job creation should be viewed as a significant positive impact of the proposal.
- 7.9 Accordingly, the positive impacts of the development are significant, and the principle of development is wholly acceptable at this location. The planning balance falls firmly in favour of the principle of development. Therefore, the planning balance should be viewed positively, subject to relevant material considerations outlined below.

Transport and Highway Considerations

- 7.10 The transportation case is provided in the accompanying Transport Assessment, prepared by Mayer Brown. The scope of this Transport Statement has, in part, been framed through pre-application discussions with both Hampshire County Council (HCC), and Highways England (HE).
- 7.11 The development proposals will provide for a new priority junction arrangement from the private access road running along the western edge of the site for use by customers, staff, and delivery vehicles. The proposed arrangement will provide a 9m wide access carriageway with appropriate kerb radii to facilitate vehicular access, with a 6m radii to the north and a 10m radii to the south, due to the angled alignment of the access (c. 20° off perpendicular).
- 7.12 The site access will be located c.55m north of the entry/exit points to/from the adjacent Purbrook Way roundabout. The transport assessment considers that this level of separation between the site access and the roundabout exit provides sufficient distance to allow vehicles turning right into the development site to sufficiently slow and manoeuvre without adversely impacting upon the operation of the roundabout, with minimal (if any) queuing/delay during the peak network periods.
- 7.13 Additionally, KEEP CLEAR markings at the site access are to be provided as a means of ensuring that if queuing from the Purbrook Way roundabout extends back to the Lidl access, adequate space will be maintained to enable vehicles to continue to turn right into the site and maintaining free-flowing traffic movement. Vehicle visibility splays more than 2.4m x 43m in both directions are achievable at the proposed site access, across land within the control of the landowner.
- 7.14 Broadly, from an analysis of the existing highway network, alongside the implications of the detailed proposals, the Transport Statement concludes:
- The Development site accords with National Planning Policy, with regard to access by sustainable transport modes.
 - It is considered that there are no existing highway safety patterns, or concerns, which would indicate any inherent highway design problems and therein highway safety matters in the vicinity of the application site.
 - The site benefits from good links to surrounding residential areas with footway/cycleways, Toucan crossing facilities and regularly spaced street lighting provided on the local highway.
 - The site provides convenient access to frequent public transport services which serve residential areas both in the vicinity of the site and further afield.
 - The application site is well located to promote and facilitate travel via sustainable means.

- The existing infrastructure within the vicinity of the development site, to facilitate travel by walking, cycling and public transport, primarily along Purbrook Way, would not see any significant increase in use (post development).
- A large proportion of vehicular trips to the proposed foodstore are expected to be associated with a redistribution of existing trips undertaken by residents to/from current foodstore destinations and secondary (linked/passby) trips.
- The proposals are not predicted to have a significant material impact on the operation, or safety, of the local highway network, primarily due to the proposals providing for existing trips on the network (rather than generating new trips/traffic).
- The proposed access strategy is wholly appropriate to this location and scale of development proposed.
- Safe and appropriate separate accesses for vehicles and pedestrians can be provided across the development site.
- Parking provision for up to 132 cars is considered consistent with local standards and sufficient to accommodate expected demand.
- A summary of predicted customer traffic associated with the proposals has also been undertaken, with a detailed Construction Traffic Management Plan, or similar, expected to be required as part of a pre-commencement planning condition.
- The application proposals are also accompanied by a Travel Plan, which outlines a long-term strategy for the promotion of sustainable means of travel to/from the application site.

7.15 Overall, it is considered that the proposal, in principle, is acceptable in terms of highway and transportation impacts and will not generate any significant impact upon the local transport network. Accordingly, the proposals accord with the principles of sustainable development, as established within the National Planning Framework (NPPF).

Environmental Amenity

- 7.16 The key amenity consideration associated with the application proposals is the noise impact of the proposed development upon any nearby properties, principally generated from deliveries, car movements and/or external plant.
- 7.17 A Noise and Acoustic Report (NAR) has been prepared by Acoustic Consultants Ltd and has been submitted in support of the application. This report provides a detailed assessment of activities associated with the development, specifically plant and delivery noise.
- 7.18 The report draws upon the results of a monitoring exercise that was undertaken around the site during a worst-case scenario (night-time period) which determined the baseline noise climate at a location representative of the noise sensitive dwellings. The monitoring location was located on Covert Grove and the baseline noise levels affecting the noise sensitive receptors in the area were determined primarily by road traffic along the surrounding road and distant traffic from the A3(M). Other residential properties are, in effect, shielded from the plant/delivery bay via the proposed store or are at a further distance from the site.
- 7.19 The NAR details the proposed plant (VRF Heat Pump, Drycoolers and Pumping Station) and its location and layout. The report concludes that any plant noise will be acceptable and of a low impact during both day and night when assessed to British Standard 4142:2014+A1:2019. On this basis, the report considers that the

noise impact of the proposed plant would fall in the Low Observed Adverse Effect Level (LOAEL) of the NPSE and NPPG and is in accordance with the aims of the National Planning Policy Framework. Noise is not, in any way, considered a material constraint in determining the plant noise aspects of the planning application.

- 7.20 With regards to delivery operations, it is acknowledged that the arrival, unloading of goods and departure of the delivery vehicle also has the potential to generate noise and, therein, have a residential amenity impact.
- 7.21 Deliveries will be contained to an articulated vehicle which will include a refrigerated section with condensing unit. The vehicles arrive on site and reverse up to the loading area. The goods are moved internally from the trailer into the store. The goods are mostly on pallets and an electric truck is used. The operation usually takes between 45 minutes to an hour and engines will be turned off during this process. The delivery bay is located to the north of the store and delivery vehicles will enter the site via main vehicular entrance. The store will usually only receive two to three dedicated deliveries per day, which will minimise disturbance to residents.
- 7.22 The Noise report bases its assessment on known delivery noise recorded at various Lidl stores over several years given the noise level of a delivery operation does not vary significantly from site to site. From the assessment, no noise mitigation is required as part of the scheme and it is concluded that deliveries would be acceptable 24 hours a day. Accordingly, the noise impact of unloading and vehicle movements associated with deliveries to the Lidl foodstore would fall below the Low Observed Adverse Effect Level (LOAEL) of the NPPG and NPSE and deliveries at the site would be acceptable, in terms of noise, 24 hours a day.
- 7.23 The proposal gives rise to no residential amenity concern.

Air Quality

- 7.24 An Air Quality Technical Note has been prepared by RPS and has been provided with the application submission to address the requirements of both the existing and Emerging Development Plan.
- 7.25 For the construction phase of the development, the key pollutant is dust. Havant Borough Council (HBC) has not designated any Air Quality Management Areas (AQMA's); the nearest AQMA is in Portsmouth. As such, the development is unlikely to affect air quality within a designated AQMA.
- 7.26 The Environmental Protection UK (EPUK) & Institute of Air Quality Management (IAQM) Land Use Planning and Development Control: Planning for Air Quality [v], document sets out threshold criteria for determining when an assessment is required. Outside an AQMA, an assessment is required where annual average daily (AADT) light-duty vehicle movements increase by 500, or annual average daily heavy-duty vehicle movements increase by 100.
- 7.27 The Technical Note reviews the predicted distribution of traffic generated by the development once operational and concludes that the highest net change in AADT for heavy-goods vehicles is 6. This is well below the threshold criteria for heavy duty vehicles of 100. Such increase does not, therefore, trigger the need for an assessment. Once operational, based on a predicted net change in traffic flows, the development is expected to have 'negligible' impact on existing pollutant concentrations and the air quality effect is not considered to be significant. The proposals do not give rise to any significant air quality concerns and are acceptable on this basis from a residential amenity perspective. The proposals are in accordance with Core Strategy Policy DM10 and would not result in a significant deterioration of air quality.

Ecology and Trees

- 7.28 A preliminary Ecological Appraisal has been prepared by RPS and has also been submitted in support of the application.

- 7.29 Presently, the site currently comprises dense scrub, with scattered trees around the perimeter; limited areas of grass are also present towards the north of the site. There are no statutory designated sites for nature conservation within 2km of the site.
- 7.30 Overall, it is considered that the site is of low ecological value. However, the dense scrub, scattered trees and thicket on site do provide suitable nesting habitat for birds. Therefore, the Ecology Appraisal suggests that any vegetation clearance should take place outside of the breeding bird season, which is generally considered to be from March to August inclusive. Alternatively, prior to removal, such vegetation should be first checked for the presence of nesting birds by a suitably experienced ecologist.
- 7.31 No evidence of dormice was found on site. However, information regarding the dormouse presence in the local area was acknowledged within the ecological report for the adjacent planning application for residential development (Ref. APP/20/00441). Therefore, it is considered that dormice may also be using the application site. For completeness, further survey work in relation to dormice is recommended through the Ecological Appraisal despite no evidence being found on site.
- 7.32 In terms of bats, the site does not contain any buildings or structures. However, the trees on site were all assessed for their bat roosting suitability. None were found to have any.
- 7.33 Furthermore, the report concludes that the location of the site (in such an urban area, with prominent street lightings and roads etc), combined with the modest size of the site, make it extremely unlikely that bats would make use of the site from a foraging perspective.
- 7.34 The report also acknowledges that the Emerging Local Plan does identify the site under policy C11 as having the potential to support foraging Bechsteins' bats (although as explained elsewhere in the report it is not clear if this constraint through Policy C11 actually relates to the much wider site originally promoted). Regardless, the nearest record of a Bechsteins' bat is 1.4km north of the site, within Nevilles Park Wood. Bechsteins', have a known foraging range of c.1.5km, very rarely travelling further between the roost and foraging site. It is noted however, that there could be more local roosts of Bechsteins to the site, for which there is no evidence, or the records have not been submitted. On this basis the report recommends a bat mitigation strategy as a condition of any application to ensure that, if present, bats can continue to use the site, post-development. We would welcome a discussion with officers on this matter during the application.
- 7.35 No evidence of badgers was found on site and nor was it considered that reptiles would be present. Accordingly, no further survey work is recommended.
- 7.36 Ultimately, the proposed design and, importantly, landscape strategy has been duly informed by appropriate ecological advice during the preparation of both the detached design and application submission.
- 7.37 A Tree Survey and Arboricultural Impact Assessment (AIA) has also been undertaken by RPS. Notably, the application site contains a tree protected by Tree Preservation Order (TPO) which is centrally located within the development site. The TPO, served by Havant Borough Council, is referenced as '1216'. In order to facilitate the development, a total of 8no. trees will require removal. The majority of these relate to Category C trees. They are low quality trees, and their removal can be readily mitigated for by way of new and comprehensive tree planting included as part of the scheme. The loss of these trees was discussed with the LPA prior to submission.
- 7.38 Whilst a number of the trees (including 1216) do provide moderate arboreal value (they have been assessed as Category B trees), their central location on the site, alongside the existing topography precludes the efficient development of the site, and as semi-mature trees (in terms of age classification), their replacement by appropriate new tree planting will be seen to re-provide and enhance the amenity value across the site. The development will replant a total of 14no.new trees as part of the scheme. These are all native tree

species and will be planted in accordance with recognised standards. These trees, once they start to become established will provide a wider amenity value than the current trees occupying the site. Their planting locations are publicly visible and include a mix of species, which will offer more species diversity.

- 7.39 Overall, whilst the loss of a single tree protected by a TPO is proposed as part of this development, the applicant remains committed to bringing forward a comprehensive landscape strategy, as a means of suitably mitigating for the loss of all trees across the site and, ultimately, increasing the overall arboreal amenity value.
- 7.40 The AIA also details the measures that will be taken to protect trees during the construction phase of the development.

Archaeology

- 7.41 In terms of Archaeology, a desk-based assessment has been prepared by Groundworks Archaeology. This assessment has indicated that the site lies within a landscape of relatively high archaeological potential, but late 20th Century landscaping includes a large spread of spoil material across the site which is up to 5m thick.
- 7.42 The current proposals indicate a general reduction in levels of 2m and the use of either piled or a raft foundation. The reduction is sufficiently shallow to ensure that a raft foundation would have no impacts on any archaeological deposits. Consequently, no further archaeological investigation is recommended or considered necessary.

Foul and Surface Water Drainage Strategy

- 7.43 Mayer Brown have produced a Detailed Drainage Strategy and accompanying Technical Note that supports the application. This confirms that the application site is located within a low risk Flood Zone 1 area following a review of Havant Borough Council HBC SFRA and Landmark Flood Risk Information. Furthermore, the site is at very low risk of flooding from groundwater and infrastructure failures.
- 7.44 In terms of detailed drainage design, it is proposed to discharge surface water run-off into the existing B&Q drainage network to the north. The car park will drain via a gully system and through a petrol interceptor to provide treatment, before discharging into the existing drainage network. Water from the roof of the building will drain via a piped network into the existing drainage network. A pump will convey surface water from the bottom of the delivery ramp and into the surface water network onsite.
- 7.45 SuDS features will ensure that excess water will be safely contained within the site boundary up to and including the 1 in 100-year event plus 40% climate change.
- 7.46 Having undertaken the Flood Risk Assessment and Drainage Strategy, it is concluded that the development is not at risk of flooding and can be safely carried out without increasing the risk of flooding to downstream/surrounding properties.

Design, Visual Impact and Landscaping

- 7.47 Lidl take a standardised approach to the format of their stores. This forms an essential element of their highly efficient operation and enables them to trade as a discount retailer. However, in approaching the application site the orientation and siting of the store (along the eastern boundary) is influenced by the respective shape of the application site and need to deliver a regular shaped retail floorspace.
- 7.48 The application site is accompanied by a Design and Access Statement together with a suite of application drawings (including CGI'S). The DAS explains the evolution of the design proposals, resulting in a site layout

which achieves the following:

- Responds to the geometry and topography of the site.
- Respects the urban edge and remains wholly in keeping with other retail/commercial developments in the locality.
- Provides easy and safe vehicular access to the existing highway.
- Provides a separate and dedicated pedestrian access from Purbrook Way.
- Ensures that the building sits within the site naturally and blends in with the local context.
- Maintains substantial clearances and safe distances to existing site boundaries.
- Delivers extensive landscape enhancement particularly along the southern and western boundaries of the site.

7.49 The visual appearance of the scheme has been considered as part of the proposal having regard to the context of the site. The use of a simple, yet considered, material palette is an appropriate design approach.

7.50 The proposed store has been positioned to the north-east of the site which allows for a spacious carpark for customers to the front of the store. The main store entrance is located at the western area of the site with the pedestrian access from Purbrook Way located on the south point of the site.

7.51 The south elevation facing Purbrook Way will implement 4m glazing to provide natural light and to help modernise the visual appearance of the store. The entrance will wrap around a fraction of the west side elevation to create the entrance lobby. With the 4m glazing wrapping around the corner of the store, the entrance lobby will have a welcoming open atrium ambience for customers to the Lidl store. The elevations will consist of full height insulated metal composite cladding. White cladding from the bottom until the canopy, and a silver metallic coloured cladding from the canopy to the roof; all of which sits on a low-level grey rendered plinth beneath. This palette will be complemented by the silver coloured eaves, guttering and rainwater pipes.

7.52 The proposals also incorporate extensive tree planting, which adequately compensates for the removal of existing trees. Such measures will significantly enhance the landscaping and arboricultural attributes across the site generally.

7.53 Several indicative CGI's showing the proposed development, together with the comprehensive Landscaping Plan, have been provided at **Document 4**.

Sustainability

7.54 In terms of sustainability considerations, Lidl tends to have energy demands well below the UK benchmark for retail uses. This is a reflection of Lidl UK's low-cost business model. The company is, clearly, a convenience retailer offering a limited range of foodstuffs at discounted prices within an efficient and convenient environment. A primary consideration for the business model is, therefore, the minimisation of costs at all stages.

7.55 Accordingly, since entering the UK market, Lidl have focussed on rolling out the latest energy efficiency technologies across both their stores and warehouses. All operations in the UK have adopted an energy management system which is certified to ISO:50001 standard.

- 7.56 This store will include a number of approaches to reduce its energy requirements including:
- A full management system monitoring all energy consumption within the store at all times;
 - Automated LED lighting linked to motion sensors which powers down any lights not being used;
 - Low energy refrigeration systems with natural refrigerant, removing the need for harmful chemical refrigerants used by other retailers;
 - Night blinds on the refrigeration units to reduce their energy requirement over night;
 - Solar panels on the stores roof to provide sustainable energy for the store.
- 7.57 The adopted energy strategy incorporates energy efficient servicing and fabric, and a very significant provision of onsite renewable energy through the solar PV array.
- 7.58 Alongside the sustainability measures adopted in the design, the development itself will have a beneficial impact on wider sustainability objectives by reducing the number of transport movements in terms of residents having to access existing discount food provision.
- 7.59 In terms of operational waste, Lidl follow the waste hierarchy which means that wherever possible they look to prevent waste being generated in the first instance. Lidl ensure that they are not over-packaging and are training their colleagues to re-use resources wherever they can. For example, fruit and veg boxes are re-used to store food surplus for collection by local projects. Where Lidl can't avoid waste, they look to recycle it. 100% of operational cardboard and plastic waste is recovered to the regional distribution centre to be recycled with waste also being baled at the store for efficient transportation. Mixed waste which cannot be segregated in store, is collected by waste partners who extract as much of the recyclable material as possible. The remaining waste is sent for incineration to produce energy, with only a small fraction sent to landfill. 98% of Lidl's mixed waste is either recycled or recovered. Lidl are also very close to achieving their long-standing ambition of zero waste to landfill.
- 7.60 The store will also be designed to meet BREEAM 'Very Good', as demonstrated through the accompanying Sustainability Report (including BREEAM Pre-Assessment), as prepared by Hoare Lea and is consistent with the requirements of Havant Borough Core Strategy Policy CS14 (Efficient Use of Resources).

8. Planning Balance

8.1 In this section of our report we turn to the overall planning balance that needs to be weighed when considering the application proposals. We do so in the context of the guidance contained within the NPPF. In particular, the NPPF requires the planning system to perform a number of roles:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land.

8.2 In decision making the NPPF states that:

“Plans and decisions should apply a presumption in favour of sustainable development.

For decisions taking this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless;

i) the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.”

8.3 The application site is located within the defined urban area of Havant and is in accordance with policies which seek to concentrate development within the urban area. There are no site-specific policies that would preclude retail development upon the application site, subject to complying with the established retail tests (i.e. sequential and retail impact). Whilst emerging policies promote more traditional employment purposes at this location, it is clear that the prospects of realising speculative employment development is extremely low owing, in part, to significant site-specific constraints. Nor is the site integral to the Borough's wider employment land needs given the significant oversupply of employment land within the Borough. To the contrary, the application proposals result in tangible employment generating development and deliver net additional jobs to the Borough.

8.4 Lidl has undertaken an extensive search for suitable and available locations for a new discount foodstore. As demonstrated in the sequential site assessment, there are no other suitable or available sites closer to existing retail centres within the expected catchment of the store. The application site relates well to the urban area, is within an accessible location and a logical location having regard to the local catchment the store will serve and planned population growth.

- 8.5 Accordingly, planning consent should be granted unless there are significant and demonstrable benefits of granting consent, or specific policies in the NPPF dictate refusal.
- 8.6 The obvious policy restrictions of the NPPF which could dictate refusal are the retail policies that are encompassed at paragraphs 86 to 89. These include both the sequential approach and retail impact tests. It has been shown that the proposal fully satisfies both of these tests. As such, the NPPF does not dictate refusal of consent on retail policy grounds.
- 8.7 Against this background, we have considered the various benefits and disbenefits of the proposal which either weigh for or against the application. The disbenefits, to justify a refusal, must be significant and demonstrably outweigh the benefits. There are no such disbenefits of that order which would warrant refusal of consent in this instance. Accordingly, the planning balance falls firmly in favour of the proposed development. Analysis of material considerations demonstrates that the proposals are acceptable in all regards and it is respectfully requested that planning permission is granted.

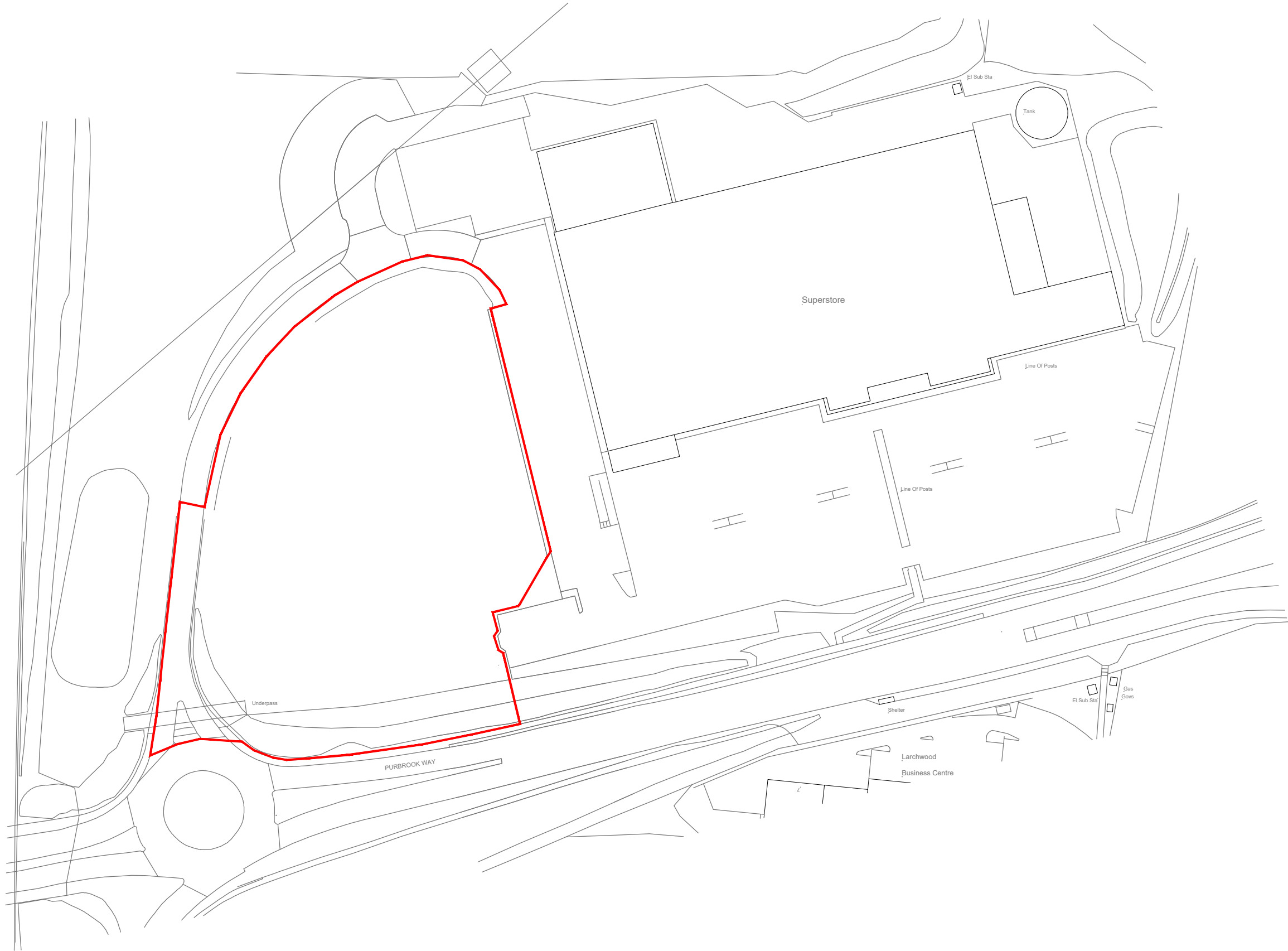


Proposed Lidl Foodstore, Land adjacent to B&Q,
Purbrook Way, Havant, P09 3QJ

Planning & Retail Statement

Document 1

Site Location Plan



0 50m 100m
SCALE 1:1250 @ A3



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IMPORTANT INFORMATION
DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO START OF WORKS AND ODAS TO BE INFORMED OF DISCREPANCIES IMMEDIATELY. NO DIMENSIONS TO BE SCALED FROM THIS DRAWING.
ALL MATERIALS AND WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH THE LATEST REVISION OF THE APPROPRIATE BRITISH STANDARDS OR EURO CODE, PLANNING APPROVAL, CURRENT BUILDING REGULATIONS AND CODES OF PRACTICE.
PARTY WALL ACT - NOTICES UNDER THE PARTY WALL ACT ARE TO BE SERVED BY THE PROPERTY OWNER OR APPOINTED THIRD PARTY BY PROPERTY OWNER.
HEALTH AND SAFETY - COM 2015 REGULATIONS APPLY TO ALL CONSTRUCTION WORKS TO BE CARRIED OUT AND APPLY TO DESIGNERS, CONTRACTORS AND THE CLIENT. AS SUCH ALL PARTIES HAVE DUTIES UNDER THESE REGULATIONS.

Notes	 					Client: LIDL GREAT BRITAIN LTD. FOXES PARK, BROWN HILL WAY, SOUTHAMPTON, SO16 0AW Project Name: HAVANT	Project No: 19139 Drawing No: AD 100 Drawn By: EH Checked By: LMC Date: JULY 2020 Scale @ A3: 1:1250	ARCHITECTURE	 One Design Architectural Services Ltd Unit 1 Merchants Quay, Phase II, Ashley Lane, Shipley, West Yorkshire, BD17 7DB Tel: 01274 591188 www.onedesignarchs.com mail@onedesignarchs.com Registered in England & Wales No: 8355643			
		<table><tr><th>Rev</th><th>Date</th><th>Description</th><th>Revised By</th><th>Checked By</th></tr><tr><td colspan="5">Revisions</td></tr></table>	Rev	Date	Description	Revised By	Checked By			Revisions		
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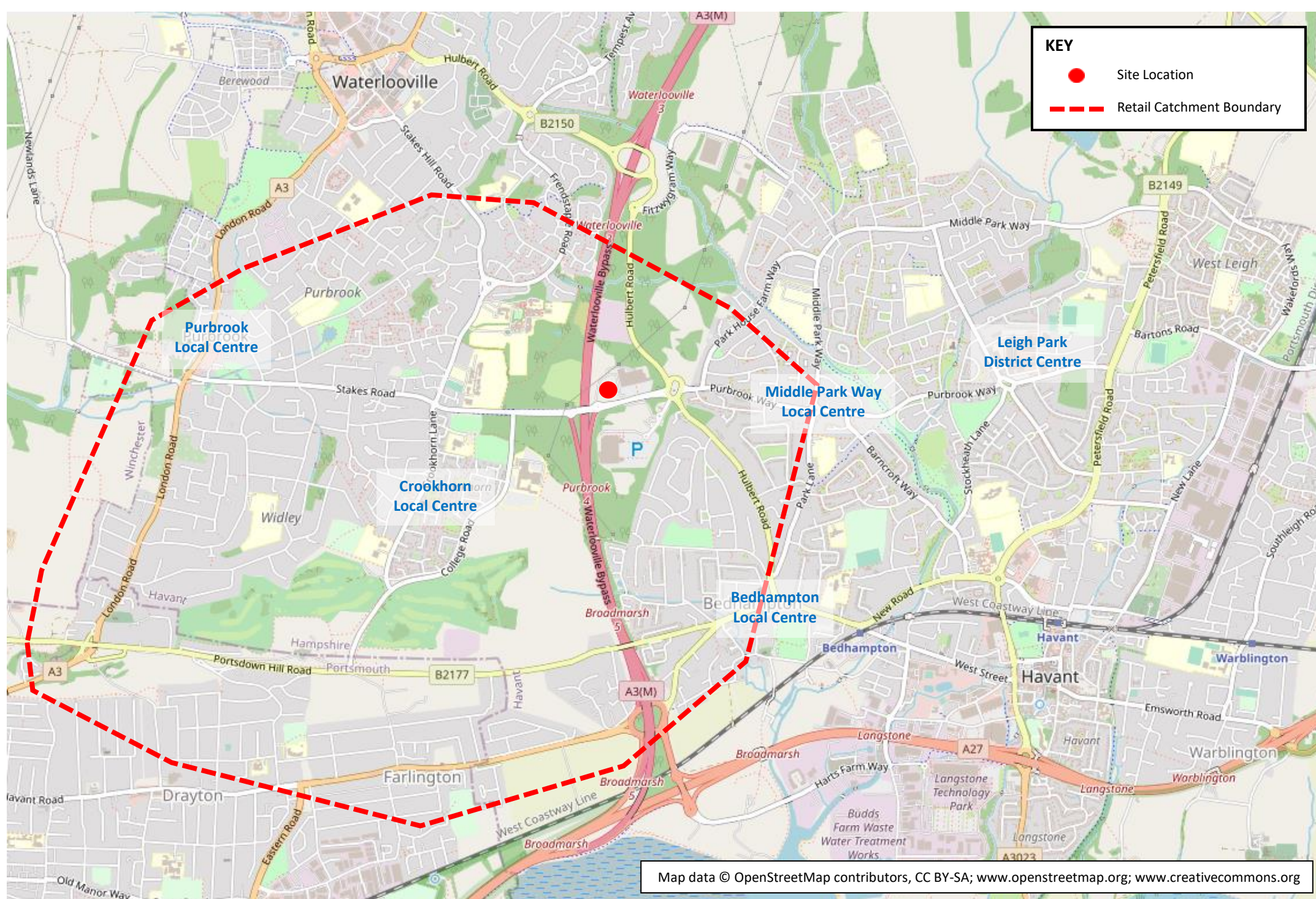


Proposed Lidl Foodstore, Land adjacent to B&Q,
Purbrook Way, Havant, P09 3QJ

Planning & Retail Statement

Document 2

Retail Catchment Plan





Proposed Lidl Foodstore, Land adjacent to B&Q,
Purbrook Way, Havant, P09 3QJ

Planning & Retail Statement

Document 3

Sequential Test Appraisal Sheets

Sequential Test Analysis – Proposed Lidl Foodstore, Havant

Site 1:	Nos. 23, 26 and 27 Bedhampton Road, PO9 3ES	
Sequential Status	In-Centre (Bedhampton).	 
Current Use(s)	This site comprises 3no. separate commercial uses (Volvo – Cambridge Car Garage, newsagents/convenience store and National Tyres and Auto Centre).	
Relevant Planning History	There is limited planning history available on LPA’s website. Most recent history relates to signs and external flagpoles (Ref. APP/17/00600) and works to modernise and refurbish existing car showroom (Ref. APP/17/00329), both of which were approved in 2017. The planning history shows that Volvo have recently committed to modernising the car garage which appears to signal their medium-long term commitment to the location.	
Planning Policy	This sequential test site is not subject to any site-specific planning policy designations/allocations. However, the site falls within the defined local centre boundary for Bedhampton and is also situated within an urban area where further development is considered acceptable, subject to the usual development criteria. Local Plan (Core Strategy) Policy DM3 seeks to protect existing employment land.	
Assessment	The first point to add in relation to this site is that there is no assertion whatsoever that the site is available for development. It currently comprises three individual businesses which are continuing to trade from the location. Therefore, the site is unavailable for sequential test purposes. Indeed, it cannot be said that the site is likely to become available in a reasonable period of time given the multiple businesses associated with the site and subsequent land titles. Site assembly is likely to be protracted – particularly compared to the application site (an undeveloped site within single ownership). Second, at c.0.6 hectares the site is significantly smaller than that of the application site and even if it were available (it is not), would neither be suitable for sequential test purposes. Furthermore, the site is located adjacent to residential properties to the immediate south, east and north, giving rise to potential residential amenity concerns. Indeed, the matter of residential amenity was considered during the assessment of a previous planning application associated with the site (Ref. APP/17/00329) with Environmental health recommending limiting hours of use of plant and machinery to trading hours of the existing Volvo garage (8.00am – 6.00pm). The issue of residential amenity, from both a servicing and operational perspective, would be of significant concern to the applicant. For the reasons prescribed above, the site is neither suitable, nor available, for sequential test purposes. It could not accommodate the application proposals, or a flexible form of them.	

Site 2:	Imperial Palace, Belmont Grove, Bedhampton	
Sequential Status	Out-of-Centre.	 
Current Use(s)	Restaurant and associated car park.	
Relevant Planning History	A recent planning application (Ref. APP/20/00316) has been submitted seeking planning permission for change of use from Class A3 (restaurant) to Class A1 (foodstore), with single storey extensions and altered access. The named occupier is Co-op and the proposals seek the creation of c.235m ² of retail floorspace.	
Planning Policy	No site specific policy designations.	
Assessment	Site is, clearly, of insufficient size to accommodate the application proposals, or a flexible form of them, and has been discounted from the assessment on this basis alone.	

Site 3:	Centurion Public House, Crookhorn	
Sequential Status	Edge-of-Centre (Crookhorn District Centre).	 
Current Use(s)	Public House and associated car park.	
Relevant Planning History	None.	
Planning Policy	Site is located adjacent to Crookhorn District Centre. The site is not subject to any site specific policy designations.	
Assessment	At just c.0.2 hectares this site is too small to accommodate the application proposals, or a flexible form of them. It also remains in active use as a public house. For these reasons the site is both unsuitable and unavailable for sequential test purposes and has, therefore, been discounted from the assessment.	

Site 4:	Community Centre and Church of the Good Shepherd (CoGS), Crookhorn District Centre
Sequential Status	In-Centre (Crookhorn District Centre).
Current Use(s)	Church and Phoenix Community Centre.
Relevant Planning History	Planning application 12/00840 sought change of use from public amenity land to enclosed beer garden and smoking area (part retrospective) and related to Phoenix Community Centre. It was approved in November 2012. Planning Application (03/55076/002) proposed a single storey extension to the CoGS and was approved in January 2004.
Planning Policy	Both sites form the western extent of Crookhorn District Centre. Sites are not subject to any site specific policy designations.
Assessment	In the first instance this site could not accommodate the application proposals, or a flexible form of them, being of insufficient size (c.0.5hectares). Both sites also remain in active use and are, therefore, unavailable within a reasonable time. In addition, the individual sites are in separate ownership and comprise an elongated shaped site which is not, in any way, capable of delivering the required footprint, or profile, of the application proposal. For these reasons, the site is both unsuitable and unavailable for sequential test purposes.



Site 5:	Purbrook Masonic Centre, 10 Stakes Road, PO7 5LX	
Sequential Status	Edge-of-Centre.	 
Current Use(s)	Former Methodist church now in use as Masonic Centre including meeting and function rooms.	
Relevant Planning History	Change of use of building from church (Class D1) to use as a Masonic Centre and community hall (Ref. APP/11/01802) was allowed in March 2012.	
Planning Policy	Site is not subject to any site specific policy designations.	
Assessment	Site is too small to accommodate the application proposals, or a flexible form of them. It has also benefitted from a recent refurbishment and is in active use as a Masonic Hall. Accordingly, it is unavailable and unsuitable for sequential test purposes.	

Site 6:	Purbrook Motor Company and Ladybridge Road Car Park	
Sequential Status	In-Centre/Edge-of-Centre.	 
Current Use(s)	Local centre car park (c. 50 spaces) and used car business.	
Relevant Planning History	None.	
Planning Policy	Site is not subject to any site specific policy designations.	
Assessment	This sequential site comprises 2no. individual parcels of land including Purbrook Motor Company and car park. Whilst a prominent site on the corner of London Road and Ladybridge Road the site is too small to accommodate the application proposals, or a flexible form of them. Even with the inclusion of Ladybridge Road car park the total site would, clearly, remain of insufficient size. The two land parcels are also within separate ownership and separated by residential uses. It would not be possible to disaggregate a discount foodstore across both sites. Furthermore, both sites remain in active use and are unavailable for sequential test purposes.	

Site 7:	138 Purbrook Way	
Sequential Status	Edge-of-Centre (Middle Park Way Local Centre).	 
Current Use(s)	Offices for local charity (Off The Record – South East Hampshire), youth and community centre.	
Relevant Planning History	No planning records available from LPA’s website.	
Planning Policy	Edge of Middle Park Way Local Centre. No site specific designations. Core Strategy Policy DM2 states that development proposing the loss of any premises or land currently, or last used as a community service and facility, will only be permitted when it can be demonstrated to be no longer viable and/or no longer required for community use.	
Assessment	During the time of the sequential test site visit, it appeared that this site was unoccupied and, therein, vacant. However, following further research it would appear that a local charity, Off The Record, occupy at least part of the site. An update on the organisation’s website (October 2020) suggests that Off The Record are implementing a planned phased return in accordance with Government Guidelines and are in the process of reopening their office for staff and volunteers. Therefore, there is uncertainty as to whether this sequentially preferable site is available in the first instance. In any event, at just 0.29 hectares the site is too small to accommodate the application proposals, or a flexible form of them, and has been discounted for the purposes of the sequential test.	

Site 8:	Crown Bingo, Somborne Drive, Leigh Park, PO9 5AN	
Sequential Status	In-Centre (Leigh Park).	 
Current Use(s)	In use as a bingo and social club.	
Relevant Planning History	No relevant planning history associated with this site. Previous application concern change of use of ground floor from bingo/snooker/leisure use lounge to solely bingo hall (93/51296/007) and external smoking areas, etc. In the context of the application proposals, it is also relevant to have regard to planning application (Ref. 06/71971/001) granted 21st March 2007 and which allowed for demolition of existing office building and construction of a neighbourhood foodstore and two storey office and reception. The proposal is now built and trading directly opposite this sequential test site.	
Planning Policy	This sequential test site is not subject to any site specific policy designations/allocation. However, the site falls within the defined local centre boundary for Leigh Park with the Allocations plan (2014). Within the emerging Local Plan, the site is considered under Policy KP4 (Leigh Park District Centre). In particular, this policy acknowledges that the focus of the Somborne Drive area is for retail and leisure uses that actively encourage activity throughout the day and into the evening. Planning permission will be granted where: ▪ The use increases the attractiveness of the District Centre. ▪ Development secures public realm improvements which visually connect with the centre.	
Assessment	The site is currently in use as a bingo and social club and is therefore unavailable for sequential test purposes. Furthermore, at c.0.6 hectares the site is significantly smaller than that of the application site and even if it were available (it is not), would not be suitable for sequential test purposes. For these reasons the site has been discounted from the sequential test assessment.	

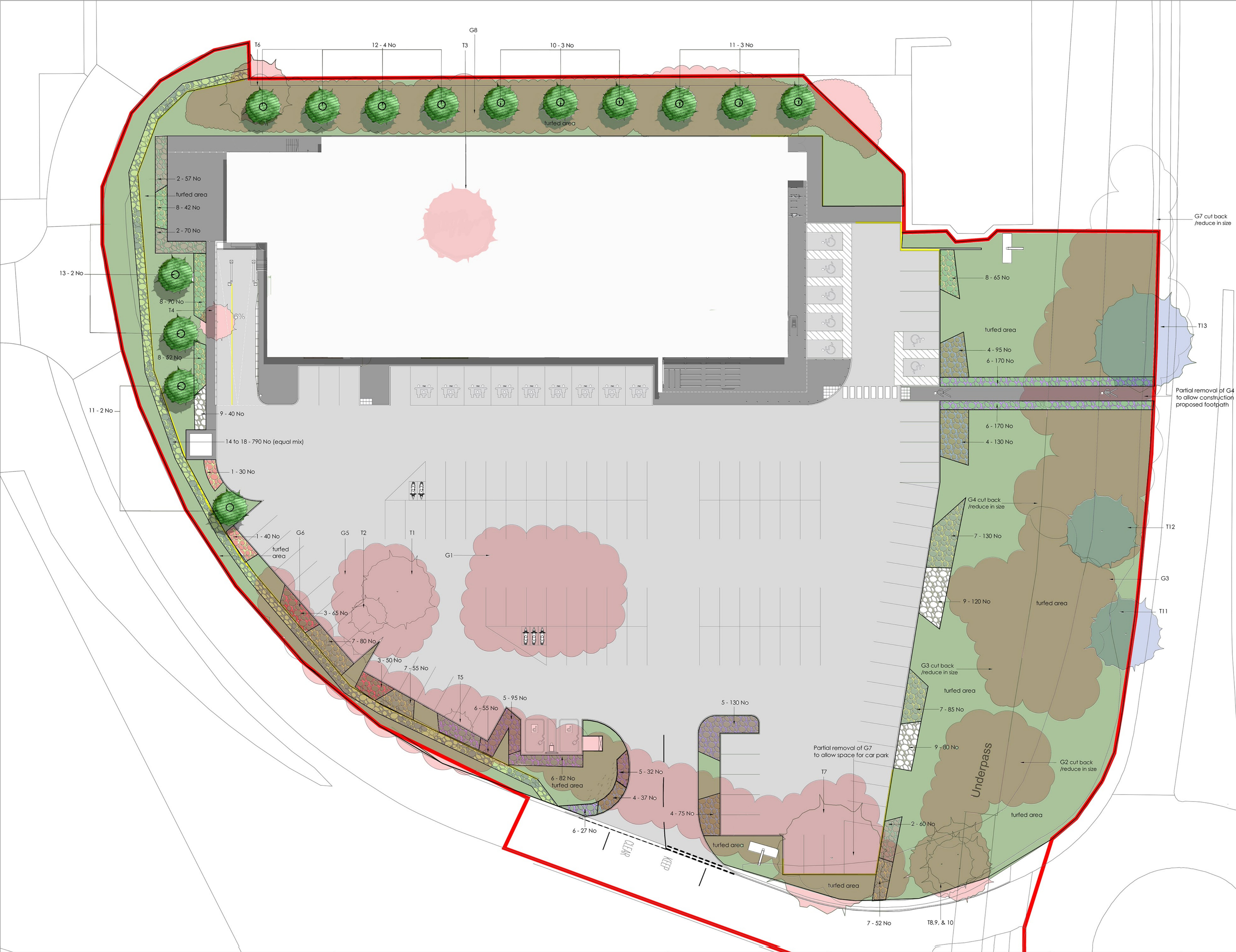


Proposed Lidl Foodstore, Land adjacent to B&Q,
Purbrook Way, Havant, P09 3QJ

Planning & Retail Statement

Document 4

CGI's and Landscape Plan



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IMPORTANT INFORMATION

Dimensions to be confirmed on site prior to start of works and ODAS to be informed of discrepancies immediately. No dimensions to be scaled from this drawing. All materials and works are to be carried out in accordance with current British Standards, Planning Approval, current Building Regulations and Codes of Practice. Party Wall Act - Notices under the Party Wall Act are to be served by the property owner or appointed third party by property owner. Health and Safety - CDM 2015 Regulations apply to all construction works to be carried out and apply to designers, contractors and the client. As such all parties have duties under these regulations.

Notes

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LIDL

C

30.10.20

LAYOUT REVISED UPON CLIENT REQUEST

AM

LMC

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21.10.20

LAYOUT REVISED UPON CLIENT REQUEST

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LMC

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29.09.20

LAYOUT REVISED UPON CLIENT REQUEST

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LMC

Rev

Date

Description

Revised By

Checked By

Revisions

Client:

LIDL GREAT BRITAIN LTD.

FOXES PARK, BROWNHILL WAY,

SOUTHAMPTON, SO16 0AW

Project Name:

HAVANT

Drawing Title:

PROPOSED LANDSCAPE DESIGN & SPECIFICATION

Drawing Status:

PLANNING

Project No:

19139

Drawing No:

AD 116 REV C

Drawn By:

AM

Checked By:

LMC

Date:

JULY 2020

Scale @ A1:

1:250

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