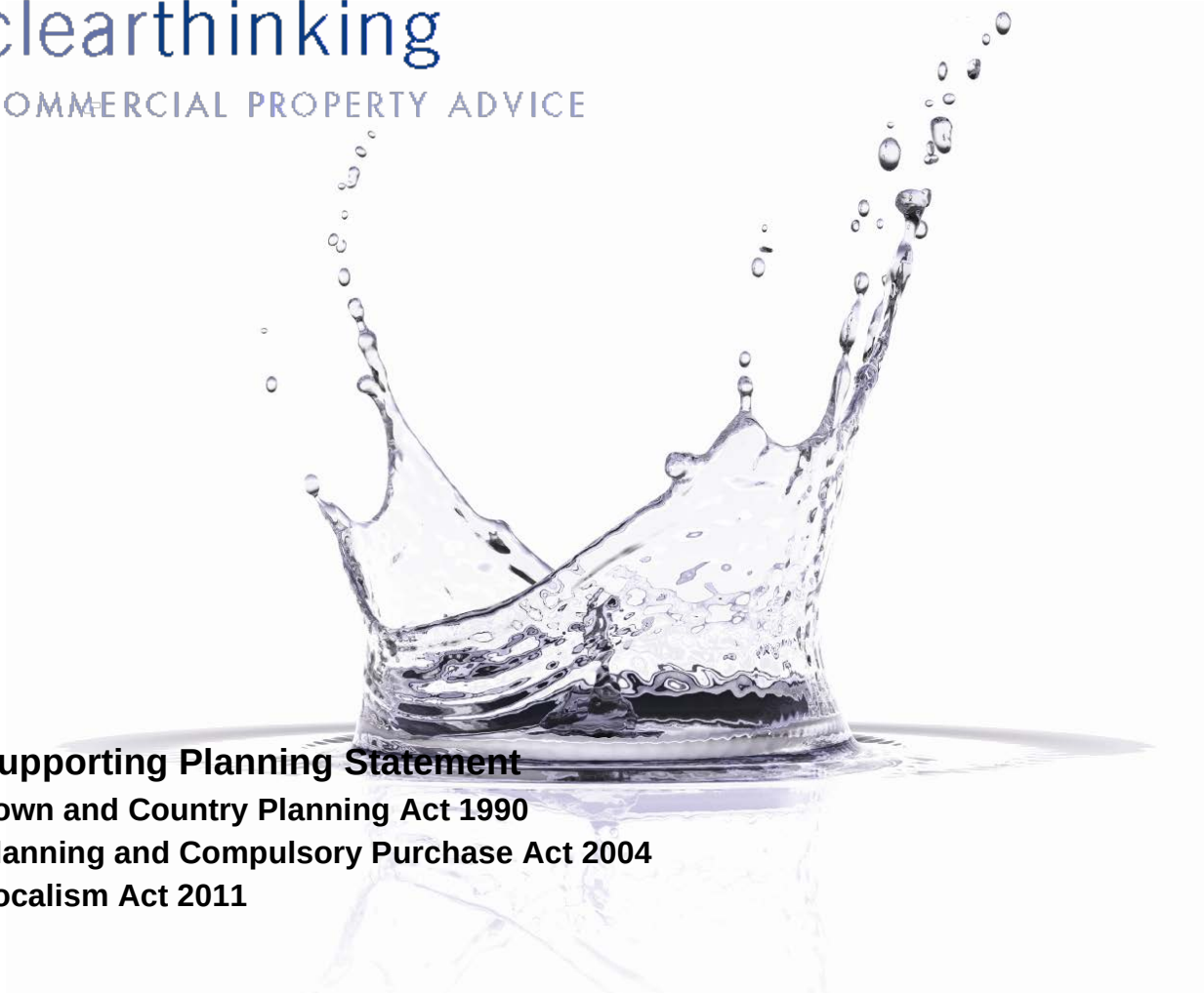


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COMMERCIAL PROPERTY ADVICE



Supporting Planning Statement
Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
Localism Act 2011

Full application for erection of discount foodstore, drive through coffee shop and drive-through restaurant with associated car parking, service yard, landscaping, means of access and associated infrastructure

Waterloo Park, Elettra Avenue, Waterloooville

On Behalf Of:

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FINAL

Date: 11th March 2021

Supporting Planning Statement

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Full application for erection of discount foodstore, drive through coffee shop and drive-through restaurant with associated car parking, service yard, landscaping, means of access and associated infrastructure

Main Contributors

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Issued By

Signature



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Date 29th March 2021

Approved By

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Print Name Patrick Downes

Date 29th March 2021

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1.0 INTRODUCTION

1.1 This Supporting Planning Statement (**'SPS'**) has been prepared by Harris Lamb Planning Consultancy (**'HLPC'**) on behalf of Hargreaves (**'the Applicant'**) to support a full planning application at Waterloo Park, Elettra Avenue, Waterloo for a mix of retail and drive-through uses (**'The Application Scheme'**).

1.2 The description of development is:

"Full application for erection of discount foodstore, drive through coffee shop and drive-through restaurant with associated car parking, service yard, landscaping, means of access and associated infrastructure"

1.3 The application site (**'the Site'**) is currently vacant having previously been in employment use. Part of the wider site, adjacent to but not included within the current application site, has recently been redeveloped with the construction of a new Lidl supermarket and McDonalds restaurant, which are both now fully operational. The remainder of the site is a mix of hardstanding areas, which have been left in situ following the demolition of the previous buildings on site. The site constitutes brownfield land.

1.4 An outline planning application with all matters reserved for the wider site was submitted on 24 October 2018 (Ref. APP/18/01072) for:

"Outline planning application with all matters apart from access reserved for subsequent approval for the erection of Class B1(c) / B2 / B8 development and Class B8 Trade Counter use, Class A1 Retail, Class D2 Leisure and Classes A3 and A5 Drink / Food Establishments."

1.5 The Council resolved to grant planning permission for proposed development via delegated powers in 2020 although to date the permission has not yet been issued. The Section 106 Agreement pertaining to that resolution to grant is in the process of being finalised.

- 1.6 The uses that permission is now sought as part of this application fall within the Class A (Now Class E) uses that were sought as part of the outline application that the Council resolved to grant permission for. The key difference is that permission is now sought for a food retail store instead of non-food retail use. The amount of floorspace proposed as part of this full planning application does not exceed the amount assessed and deemed acceptable as part of the earlier outline application.
- 1.7 The site also benefits from allocations in the adopted and emerging local plans for commercial uses, including town centre related development.
- 1.8 The current proposals are submitted following the submission of a range of previous planning applications and the grant of planning permissions across the wider site for a mix of employment, retail and leisure led schemes. Due to changes in market conditions, a new permission is now sought that provides specific approval for the range and type of occupiers that the applicant is looking to attract to the site and town. The proposals as a whole are intended to deliver a range of new facilities for the town and to improve the economic and retail offer, thereby helping to fulfil the Council's objectives for regenerating the town and town centre.
- 1.9 The remainder of the SPS provides a description of the site and its surroundings including its relationship with existing development already completed at Waterloo Park, describes the application proposals, assesses the proposed development against local and national planning policy, assesses the planning merits of the scheme against the policies of the Development Plan, taking into consideration other material considerations and provides a summary and conclusion.
- 1.10 The application submission comprises:
- Planning application forms, notices and certificates of ownership
 - Site location plan
 - Proposed Site Layout Plan

- Floor plans and elevations of the proposed buildings
- Retail Impact Assessment
- Site Sequential Test
- Design and Access Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment / Drainage Strategy
- Transport Assessment and Travel Plan
- Phase 1 Ground Investigation
- Air Quality Assessment
- Tree Survey and Method Statement
- Lighting Plans
- BREEAM Report
- Extraction details of KFC unit

2.0 DESCRIPTION OF THE APPLICATION SITE AND THE SURROUNDING AREA

- 2.1 The site is located 350m to the north west of Waterloooville Town Centre Boundary and extends to 1.24 hectares in size. It forms the north western corner of Waterloo Park and is bound by Elettra Avenue to the north and west. Beyond the internal access road to the east, is existing commercial development comprised of a Lidl supermarket and a McDonalds restaurant and Drive Through. To the south is the remaining land within the applicant's control and which is the subject of the current outline planning application, beyond which lies Silverthorne Way. The topography of the site is generally level across its extent.
- 2.2 Access into the site is via a recently constructed arm off the existing roundabout junction on Elettra Avenue to the north east of the site. This arm forms the site's eastern boundary and currently serves the operational Lidl supermarket and McDonalds restaurant and Drive Through. Pedestrian access is achieved via the site entrance and also directly from Hambledon Road. A pedestrian crossing has recently been installed by the County Council on Hambledon Road by the McDonalds restaurant.
- 2.3 The site itself has been cleared of all previous buildings and structures, however, it is currently surfaced in hard standing and used for car parking. Existing boundary treatments to the northern and western boundary are enclosed by a grassed verge and mature hedges.
- 2.4 Waterloooville Town Centre is located approximately 350m the south east of the site, where a range of national and independent retailers are present, along with a range of shops, services, other facilities and leisure opportunities all contributing to both the daytime and nighttime economies.
- 2.5 There are a number of pedestrian footways between the town centre and the site, which are all lit and provide safe and convenient access between the two.

- 2.6 The site lies in an area that is characterised by a mixture of commercial and employment uses that are located to the east, south and west, whilst immediately to the north there are a mix of other commercial uses, including sui generis uses such as car dealerships. The site can, therefore, be considered to be located in a predominantly commercial area.
- 2.7 The nearest residential properties are located to the east of Hambleton Road, whilst a new housing development, referred to as Berewood is being constructed to the south of site. Further to the north are established residential areas of Waterloooville.
- 2.8 Existing bus stops are located on Hambleton Road, that provide links to the town centre and beyond to Havant and Somers Town. Further details of the services that connect the site to the rest of the town are provided in the accompanying TA.
- 2.9 Waterloooville is located approximately 5 kilometres to the north of Havant and 10 kilometres to the north of Portsmouth, where a range of higher order shops and services are present, along with mainline train services to Southampton and London.
- 2.10 The site is well located to the existing town centre and is accessible either by walking or public transport. The character of the immediate area surrounding the site is commercial and includes both retail and employment uses.

3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 As stated in the introduction, the Applicant is submitting a full application for the erection of a discount foodstore and two drive-through units (one which is intended to be used as a drive through coffee shop) with associated car parking, service yard, landscaping, means of access and associated infrastructure.
- 3.2 As noted in Section 1 above the application site is contained within the confines of the current outline planning application. The purpose of the planning application is to secure planning permission for a range of uses that are likely to be attractive to a range of occupiers seeking a presence on Waterloo Park. The planning application is seen as an important means of securing the regeneration of a brownfield site in the urban area. Whilst the Council have previously resolved to grant outline planning permission for the wider site, changes in market conditions have allowed the Applicant to focus on specific requirements of operators seeking representation in Waterlooville. The precise requirements of these operators are reflected in the full application. As such, a more market facing scheme on the site is, therefore, sought that will be attractive to a specific range of occupiers who have expressed a desire to locate in Waterlooville.
- 3.3 The Applicant has submitted a layout plan for the site, which illustrates the specific design parameters within which the proposed new development would come forward. Further details can be found within the Design and Access Statement and accompanying plans, however in summary the application proposes:

Unit A

- Construction of a 1,908 square metre GEA Foodstore located in the south western corner of the site.
- From the shared total of 172 car parking spaces and 62 cycle parking spaces, adjacent to Unit A there will be:
 - 8no. Mother and child spaces

- 5no. Disability Spaces
- o 10no. Long Stay covered bicycle spaces
- o 10no. Short Stay bicycle spaces

Unit B

- Construction of a 333 square metre Drive Through unit (Unit B) to the north of Unit A.
- From the shared total of 172 car parking spaces and 62 cycle parking spaces, adjacent to Unit B there will be:
 - 3no. Disability Spaces
 - 10no. Long Stay covered bicycle spaces
 - 18no. Short Stay bicycle spaces

Unit C

- Construction of a 197 square metre Drive Through unit (Unit C) in the north eastern corner of the site.
- From the shared total of 172 car parking spaces and 62 cycle parking spaces, adjacent to Unit C there will be:
 - 2no. Disability Spaces
 - 4no. Long Stay covered bicycle spaces
 - 10no. Short Stay bicycle spaces

- 3.4 Access to the proposed development is to be taken off the existing access road that has been constructed from the roundabout junction on Elettra Avenue. The existing footpaths and pedestrian crossings on Elettra Avenue will be utilised and a new stretch of footpath is also proposed between the site access and the roundabout junction.
- 3.5 An additional access for service and delivery vehicles is proposed on the western site boundary, providing a shared servicing yard for Units A and B. This will prevent any potential conflicts with large HGV's using the main access to the west.

- 3.6 One group of trees (G38) will need to be removed on the boundary of the site to accommodate the proposed development. However, this loss will be mitigated through additional boundary planting and additional tree planting on landscaping strips within the parking area.

4.0 PUBLIC CONSULTATION

- 4.1 In advance of submitting the planning application, the Applicant has sought to publicise its proposals and seek the views of residents who live in close proximity of the site. This has been undertaken by way of delivery of a letter to occupiers/home owners. The letter set out details of what is proposed, where it is located, why it is considered suitable for this location and what benefits it will deliver to the town. The letter was distributed on the 11th March 2021. A copy of the letter is included at Appendix 1. Properties on Hambledon Road, Milton Road and Fennel Close had letter delivered to them.
- 4.2 Following the delivery of the letter, two responses were received. One sought clarification on who the intended occupiers of the drive through restaurants were and the other queried the need for the proposed uses on the site.
- 4.3 In response, the intended occupiers are international café/fast food businesses well known as drive-through operators. In terms of the need for the development the site is allocated for development and the Council have previously supported similar town centre uses on the site indicating that there is both a need and demand for sites of this nature in the town.
- 4.4 A copy of the letter informing residents of the proposal was also forwarded to Councillors Wade, Sceal and Robinson as the Ward Members for the proposed development so that they were kept abreast of the Applicant's proposals in their ward. No response was received from any of the Councillors contacted.

PLANNING POLICY REVIEW

- 5.1 Under Section 38(6) of the Planning and Compulsory Act 2004 it is a requirement that planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise (see also paragraphs 2, 11 and 47 of The Framework).
- 5.2 Set out below is a summary of the principal planning policies relevant to the proposed development. The statutory Development Plan is the starting point for the determination of planning applications. In this case the Development Plan consists of the Havant Core Strategy (2011) and Site Allocations Plan (2014).

Havant Borough Core Strategy

- 5.3 The Havant Borough Core Strategy, adopted in March 2011, sets out the development framework for the Borough to 2026. A number of its Strategic and Development Management policies are relevant to this application.
- 5.4 Policy CS2 of the Core Strategy identifies the employment floorspace requirements for the Borough up to 2026, which includes 75,000 square metres Class B1 offices, 45,500 square metres Class B2 manufacturing, and 41,500 square metres of Class B8 warehousing.
- 5.5 Policy CS4 sets out the approach to development within the Borough's Town, District and Local Centres. It identifies a requirement for 13,000 square metres of additional comparison goods floorspace up to 2016 for the identified centres. The policy defines Waterlooville together with Havant as a Town Centre, whilst a number of District and Local Centres are also identified.
- 5.6 Paragraph 3.39 of the Core Strategy states that applications for town centre uses on sites which are outside of town centres, in particular those for new retail floorspace, will be required to demonstrate, in a 'robust and transparent manner', the application of the sequential approach to site selection and an assessment of impact.

- 5.7 Paragraph 3.50 of the Core Strategy acknowledges that the provision of leisure and entertainment facilities in the Borough is limited, with potential scope for additional cinema and other leisure facilities. It is noteworthy that no sites are allocated to accommodate such uses.
- 5.8 Policy CS6 promotes the regeneration of the Borough through the identification of a number of the key development objectives. Sub-section 2(b) of the policy refers to the integration of the Major Development Area (West of Waterlooville) with Waterlooville town centre. The policy requires that all relevant development proposals should bring social, environmental and economic benefits to the Borough.
- 5.9 Policy CS15 requires that new development meets with the sequential test on flood risk and is subject to a specific flood risk assessment which demonstrates that it will be safe without incurring the risk of flooding elsewhere. Flood protection and resistance measures should be accommodated within development where appropriate, and there should be no net increase in surface water run-off.
- 5.10 Policy CS16 stipulates the need for high quality design in all development. Of relevance is the need for new development to take account of local characteristics in terms of building heights, massing and plot widths / depths. Development should be well-connected to, and integrated with, the local area with linkage to existing pedestrian and cycle routes where possible. Development should not cause unacceptable harm to the amenity of neighbours by way of smell, loss of privacy, outlook, noise or overlooking. The layout of development should be legible to enable easy orientation and movement.
- 5.11 Policy CS17 states that planning permission will be granted for development that concentrates new housing, employment, retail and leisure development within the five urban areas of the Borough, including Waterlooville and which prioritises development on previously developed land within the urban area.

- 5.12 Policy CS18 provides further guidance on the integration of the town centre with the MDA, which is expected to accommodate 3,000 new homes across Havant Borough and Winchester City.
- 5.13 Policy CS20 sets out the Council's access and transport strategy with regard to new development. It requires that development should not increase congestion and promote better use of existing transport networks. Transport management measures should also be in place to ensure the safe and efficient operation of the local road network. Policy DM14 requires new non-residential development to provide adequate car parking in line with the Council's relevant standards.
- 5.14 Policy DM3 seeks to protect existing employment sites. However, the policy will support a change of use or development of land for the purposes of non-Class B uses where it can be clearly demonstrated that the land and premises are not fit for purpose and financially unviable for Class B use. Where this is the case, the policy states that other forms of economic development should be considered in the first instance.
- 5.15 Policy DM5 states that planning permission will only be granted for the construction of new entertainment and hot food uses falling within Classes A3, A4, A5 or D2 where it can be demonstrated that the proposals will not have an adverse impact on the amenity of existing residents by way of smells, litter, noise, parking or disturbance.

Site Allocations Plan (2014)

- 5.16 The Site Allocations Plan was adopted in July 2014 and allocates land to help deliver the development requirements for housing and employment set out in the Core Strategy in the period 2013-2026.
- 5.17 Policy WA2 (Ref.BD54) identifies Land at BAE Systems Technology Park (the application site) which extends to 5.38 hectares and is considered suitable for employment, commercial, business and service uses. The site-specific policy identifies a number of site opportunities including the provision of new

economic development and the potential to accommodate large leisure uses that cannot be accommodated in the town centre. Site specific requirements include the need to investigate ground conditions, onsite provision of SUDS, submission of a TA to support a planning application, an employment and skills plan and a pedestrian/cycle route to be provided to the MDA.

The Draft Havant Borough Local Plan

- 5.18 The Council are currently preparing a new Local Plan for the Borough and consulted on a draft plan in February 2019. Changes to the draft plan were agreed by the Full Council on 9 September 2020. Consultation on the Pre-submission version Local Plan took place from the 3 November until 17 December 2020. The Plan was submitted for Examination on the 12th February 2021.
- 5.19 Policy KP2 relates to Waterlooville Town Centre and notes that the town centre boundary has been amended to reflect recent changes in the distribution of retail functions in Waterlooville. The policy identifies 6 distinct areas within the town centre with each serving a different role. The application site lies outside of the defined town centre.
- 5.20 Policy C12 relates to the former BAE Systems Park site (the application site) and confirms that the site would be suitable for a mixed-use development comprising 29,820 square metres of employment and about 10,288 square metres of commercial, business and service uses where proposals are led by a comprehensive marketing strategy and masterplan approach. The policy does not define what service uses are although the supporting text indicates that the Council had also previously resolved to grant planning permission in 2013 for a mixed use employment, leisure and retail development at the site although a permission was never issued. The policy stipulates a number of requirements that would be required to support an application and include a Retail Impact Assessment, Marketing Strategy, Travel Plan, Transport Assessment, FRA and Drainage Strategy, Ecological Assessment and Ground Investigations.

5.21 The draft policy also requires the layout to incorporate a high degree of permeability and creation of new pedestrian/cycle linkages between the site and Wellington Park. Furthermore, provision for safe access to Hambleton Road is also required. The policy is supportive of a market led scheme and seeks a masterplan that reflects market signals and occupier demand. Furthermore, an assessment is required that demonstrates that the vitality and viability of the town centre will not be adversely affected, and that proposals complement the customer choice and retail offer available. Finally, proposed development should not affect the function and operation of the Brambles Business Park or surrounding employment areas.

5.22 Whilst the emerging Plan is still at draft stage, it will soon be adopted. The site-specific policy for the application site seeks to evolve the one contained in the adopted Site Allocations Plan and does not fundamentally change how the Council would like to see the site developed. We, therefore, consider that the emerging Policy can be afforded some weight in the decision-making process.

Other Material Considerations

National Planning Policy Framework (2019)

5.23 The National Planning Policy Framework ('the Framework') was adopted in February 2019. It sets-out the government's planning policies for England and guidance on how they should be applied. Paragraph 2 confirms planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework must be taken into account in preparing development plans and is a material consideration in planning decisions.

Achieving Sustainable Development

5.24 Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

5.25 Paragraph 8 identifies three overarching objectives to achieving sustainable development, which include:

- a) **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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.

The Presumption in favour of sustainable development

5.26 Paragraph 11 confirms that 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-date⁷, 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 proposed⁶ ; 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.*

5.27 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way and should seek to approve applications for sustainable development where possible.

Decision-making

5.28 Paragraphs 2 and 47 confirm that applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

5.29 Paragraph 55 confirms that planning conditions should be kept to a minimum and only imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It goes on to state that agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making.

5.30 Chapter 11 'Making effective use of land' outlines that policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Specifically, Paragraph 118 highlights that policies and decisions should promote and support development of under-utilised land and buildings, particularly brownfield sites, and encourage multiple uses through mixed use schemes.

Building a strong, competitive economy

5.31 Paragraph 80 confirms that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt and that

significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities.

- 5.32 Paragraph 81 confirms that planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.

Ensuring the vitality of town centres

- 5.33 Paragraph 85 confirms that planning policies and decisions should support the role that town centres play by taking a positive approach to their growth, management and adaptation.
- 5.34 Paragraph 86 confirms that 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.
- 5.35 Paragraph 89 requires 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, local set floorspace threshold.

Promoting sustainable transport

- 5.36 Paragraph 103 outlines that the planning system should actively manage patterns of growth to support objectives for promoting sustainable transport. Significant development should be focused on locations which are sustainable, help to reduce congestion and emissions, and improve air quality and public health.

Achieving well-designed places

- 5.37 Paragraph 124 confirms that the creation of high-quality buildings and places is fundamental to what the planning and building process should achieve and that good design is a key aspect of sustainable development.
- 5.38 Paragraph 127 of the Framework provides further advice as to the Government's objectives for achieving high quality design and those matters are examined in Section 5.

Meeting the challenge of climate change, flooding and coastal change

- 5.39 Paragraph 148 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
- 5.40 Paragraph 155 advises that in appropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, whilst paragraph 157 advises all plans should apply a sequential, risk-based approach to the location of development so as to avoid where possible, flood risk and property. Paragraph 158 confirms that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding.

Conserving and enhancing the natural environment

- 5.41 Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural local environment by minimising impacts on and providing net gains for biodiversity.

6.0 CASE FOR THE APPLICANT

6.1 Section 38 (6) of the Town and Country Planning Act 2004 and Section 70 (2) of Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with Development Plan unless material considerations indicate otherwise. This guidance is expanded upon by Paragraph 11 of the Framework. Here it is advised that unless material circumstances indicate otherwise, the presumption is in favour of sustainable development requires local authorities to approve development proposals that are in accordance with the development plan without delay.

6.2 It is, therefore, necessary to consider whether the proposed development is in accordance with the adopted Development Plan policies in the first instance. In the case of this planning application, the Development Plan comprises the Havant Core Strategy and Site Allocations Plan. It is also necessary to establish whether there are material considerations that support the grant of planning permission that outweigh any conflict with the Development Plan.

The Principle of Development

6.3 The proposed development seeks full planning permission for the erection of a discount foodstore and two drive-through units with associated car parking, service yard, landscaping, means of access and associated infrastructure. In considering whether the principle of the main town centre uses including those in Class E (formerly Class A1/2/3 and B1) are appropriate, we refer to adopted policy WA2 – Mixed Use Allocations in Waterlooville, which includes the land at BAE Systems Technology park under reference BD54. The proposed uses that are considered suitable on the site include economic development, hotels and leisure. It is noted that the Site Allocations Plan was adopted in 2014 and, therefore, was prepared in accordance with the original Framework published in 2012. The Glossary at Annex 2 of the original Framework defined economic development as:

“Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

- 6.4 The policy, therefore, is permissive to the retail uses as these are also defined in the Framework as main town centre uses. The principle of development of the main town centre uses are therefore considered to be acceptable as they are wholly in accordance with the provisions of the development plan.
- 6.5 The proposed development when permitted would enable the achievement of Policy CS2 by prioritising the reuse of previously developed land. The application site is previously developed land that was used previously for employment purposes.
- 6.6 Policy CS17 of the adopted Core Strategy states that development will be permitted where it prioritises the use of previously developed land, including redundant, derelict or underused land and buildings within the urban area. Furthermore, the development is also in direct conformity with Section 11 of the Framework which seeks to make effective use of land in meeting the need for homes and other uses. In particular, the Section states that policies and decisions should promote and support developments that utilise previously developed land. The proposed development would bring an allocated brownfield site back into use and therefore aligns with the policy directive of the Section 11 of the Framework. The reuse of previously developed land in sustainable locations within the urban area is, therefore, a key objective in delivery sustainable development.
- 6.7 The emerging Policy for the application site contained within the Draft Local Plan, which the Council published for consultation in February 2019 and the proposed changes in December 2020, is more explicit in the type of uses that the Council would consider appropriate and includes employment, commercial, business and service uses. The emerging policy is in an advanced stage and indicates a direction of travel in terms of what the

Council will ultimately grant permission for on the site. Whilst service uses are not defined in the Policy or the Glossary to the Plan reference is made within the supporting text to the Council's intention to grant planning permission for leisure and retail uses on the site. Furthermore, the requirement to submit a Retail Impact Assessment alongside a development proposal indicates that town centre uses are considered acceptable on the site. The proposed uses are considered to accord with the emerging policy.

- 6.8 The Council's earlier consideration of planning application APP/18/01072 and its decision to resolve grant planning permission for this development is also a material consideration in the determination of this application as a number of the uses that are now proposed had been considered previously whilst the quantum of development proposed had also been thoroughly assessed with the Council concluding that it could be accommodated on the site.

Retail impact

- 6.9 The Applicant has submitted a Retail Impact Assessment (RIA) despite there being no local policy requirement within the adopted development plan, to provide an assessment of the likely trading effects associated with a food store of the size proposed. Whilst we won't repeat the process here that the Applicant has gone through to determine the retail impact of the proposed development, we refer you to the RIA for the detailed overview of this.
- 6.10 It concludes that whilst the proposed development's impact on the town centre's convenience goods turnover would be in the order of 6-7% in 2023, we would not expect any significant change to the retail offer provided within the main food stores, which are all trading at or above company average levels. Furthermore, the overall impact on the town's overall turnover in 2023 would be significantly less than 3% and this would not give rise to any material impact on its health and vitality.

Sequential Test

- 6.11 The Framework at paragraph 86 states that local planning authorities should apply a sequential test to planning applications for main town uses which are neither in an existing centre nor in accordance with an up-to-date plan. Whilst main town centre uses are proposed and it is acknowledged that they are not to be located in an existing centre, we note that the application site is identified as a Mixed-Use Allocation in the adopted Site Allocations Plan (2014), where economic development, hotels and leisure uses are considered appropriate on the site. We, therefore, contend that the proposals are in accordance with an up-to-date Plan and that technically a Sequential Test is not required to support the application as a result. However, having discussed the proposals with the Council at the pre-application stage for the previous outline application (Ref. APP/18/01072), the applicant prepared an Sequential Test to accompany the application.
- 6.12 An updated Co Star search of available freehold and leasehold property within WaterlooVille has also been undertaken and these units have been assessed to ascertain their suitability to accommodate the proposed development. The detailed assessment is set out in the submitted Sequential Test and the key findings are summarised below.
- 6.13 The Sequential Test identified a number of units and allocated sites in the town centre and these were assessed to determine their suitability to accommodate the proposed town centre uses. Following assessment all of the sites were considered to be unsuitable for various reasons including their availability, viability and ability to accommodate the scale of development proposed. We conclude that there are no sequentially preferable sites within the town centre that could accommodate the development.

Transport and Highways

- 6.14 A Transport Assessment (TA) is submitted in support of the application and has been informed following the work undertaken previously in relation to

outline application APP/18/01072 that the Council resolved to grant planning permission for in July 2020. In steering the previous application through to a successful resolution the principle of new development on the wider site had been established and agreed with the Highway Authority along with a corresponding package of highway improvement/mitigation measures. The approach undertaken in carrying out the TA and its relationship to the full application is explained in Section 1. It explains how the development of the uses in the full application can be brought forward in a way which will be compatible with the uses envisaged by the outline planning application on the balance of land at Waterloo Park.

- 6.15 The application now before the Council seeks to draw on this agreed position in terms of the impact that the proposed development will have on the local highway network and concludes that notwithstanding the change in composition of the uses that are now proposed, the overall impact of the development is the same as that which was considered acceptable previously.
- 6.16 The site remains in a sustainable location that is well served by pedestrian and cycle links and is within easy walking distance of town centre. Furthermore, there are no road safety issues to mitigate as a result of the development and that the proposed mitigation scheme (the same as that agreed previously) for the Elettra Avenue/ Hambledon Road/ Milton Road roundabout junction can accommodate the additional traffic associated with the proposals.
- 6.17 A Framework Travel Plan is submitted with the application and is intended to act as a guide for future occupiers to produce a more detailed travel plan tailored to their organisation, which will outline specific measures and timescales for its implementation.
- 6.18 We, therefore, conclude that the proposals are in accordance with national and local policy guidance and can be accommodated on the local network without safety implications and with only a modest impact in terms of vehicle

queuing. On this basis, the impact of the development is not considered to be severe in accordance with paragraph 109 of the Framework.

Phase 1 Ground Investigation

- 6.19 A further Phase 1 Ground Investigation has been undertaken to develop an initial conceptual site model of the site and establish whether or not there are potentially unacceptable risks to sensitive receptors from potential contaminants that may be present in the soil and/or groundwater under the site. At present no intrusive investigations have been undertaken.
- 6.20 The Phase 1 Report concludes that the site is located in an area of relatively low environmental sensitivity. The underlying geology is clay or sandy clay and there is no consistent shallow groundwater table under the site, with isolated perched water encountered only during two previous phases of site investigation.
- 6.21 The site was previously farmland prior to its use by BAE in the early 1980s. BAE did not store significant volumes of chemicals or fuels on site. Previous investigations at the site have not identified any contamination issues.
- 6.22 The report concludes that due to the site's location, history and previous works completed there is not likely to be any significant contamination present in underlying shallow soils and that the site is suitable for its intended future use. Further investigation or remediation is not considered necessary.
- 6.23 Ground conditions or contamination are not, therefore, considered to be a constraint to the development of the site.

Ecology

- 6.24 A preliminary Ecological Appraisal has been undertaken following an extended Phase 1 Habitat Survey of the site in July 2018 and again in

November 2020 by a suitably experienced ecologist. In addition, a desk-based consultation of records of protected species and habitats within 1 kilometre of the site has been completed.

- 6.25 The habitats on site are not considered likely to support bird species associated with the Portsmouth Harbour SPA/Ramsar and Chichester and Langstone Harbours SPA/Ramsar located over 5 kilometres from the site. Furthermore, as the proposals are for commercial retail uses there will be no residential pressure on these sites as a result of the development. No further mitigation, enhancement or monitoring measures are required.
- 6.26 The proposals are not considered to adversely affect the green infrastructure aspirations of the Local Plan, whilst the majority of hedgerows and scattered trees are to be retained as part of the development. The proposed landscape planting includes native hedgerow, trees and grassland which should result in a net biodiversity enhancement to the site. In addition, the erection of 3no. nesting bird boxes could be installed to further enhance the site. A net gain in biodiversity can, therefore, be achieved and as such the proposals are in accordance with paragraph 170 and 175 of the Framework.
- 6.27 No reptiles were recorded. Ponds were recorded within 250m of the site, but separated by road, commercial and housing development. eDNA sampling was undertaken in June 2018 and the results were negative for the presence of great crested newt *Triturus cristatus* in all ponds that were sampled.
- 6.28 Based on the data collected and information provided about the proposed development, it is not anticipated that the development as proposed would result in an adverse ecological impact. Impacts to species and habitats identified within this report could be mitigated, enhanced and secured through appropriate planning conditions. On this basis the proposed development is in accordance with ecological and biodiversity planning policy.

Design

- 6.29 The rationale for the proposed design of the development is set out in the accompanying Design and Access Statement, which considers the existing site analysis and site influences. It sets out the design development of the site, reviewing the options considered and the issues associated with the site that has led to the submitted scheme. The issues considered in the document include the layout, use, amount, scale, appearance and materials.
- 6.30 The Design of the proposed units has been led by the requirements of the intended occupiers. These have been designed in order to achieve the requisite branding for the individual operators and to ensure consistency between their outlets. As noted in the introduction, the need for the application has arisen due to the changing retail market in Britain's town centres so the design and appearance of the units is such as to reflect the particular requirements of the operators.
- 6.31 Notwithstanding the above, the design of the units is intended to reflect the commercial nature of the uses involved but also to respond to the site's location within an area that is commercial in character and which has been allocated for a mix of commercial and employment generating uses. The design of the proposed units is considered to be in accordance with the prevailing character of the area and will make a positive contribution to it.

Flooding and Drainage

- 6.32 A Flood Risk Assessment (FRA) and Drainage Strategy was produced by Bright Plan Civils in support of this application.
- 6.33 The site falls within Flood Zone 1 and is assessed to be at low or very low risk of flooding from all sources.
- 6.34 Surface water run-off will be managed through sustainable drainage measures, with the installation of permeable paving, geocellular storage and a controlled outfall meaning overland flows can be attenuated on site and

released to the surface water sewer at 100.0l/s, up to the design event. This is a betterment compared to the existing average peak annual runoff rate, without causing surface water flooding on site.

- 6.35 Foul drainage will be discharged to the public foul sewer on Elettra Avenue.
- 6.36 The proposed development will not increase flood risk on or off site. Flood Risk is not considered to be a constraint to development.

Air Quality Assessment

- 6.37 An Air Quality Assessment (AQA) is submitted in support of the application and describes existing air quality within the study area and assesses the impact of the construction and operation of the Proposed Development on air quality in the study area.
- 6.38 It noted that the construction works have the potential to create dust and that during construction it is recommended that a package of mitigation measures is put in place to minimise the risk of elevated PM10 concentrations and dust nuisance in the surrounding area. With mitigation in place the construction impacts are judged as 'not significant'.
- 6.39 Concentrations of NO₂, PM10 and PM2.5 have been predicted for a number of worst-case locations representing existing properties adjacent to the road network, which are well below the relevant NAQOs at all of the existing receptor locations with the Proposed Development in place and impacts at discrete receptor locations are all described as 'negligible'. Therefore, the operational air quality effects of the Proposed Development are considered to be 'not significant'.
- 6.40 Mitigation measures to reduce the impacts of the development on air quality concentrations are not required, however additional transport-related mitigation measures will be implemented through a Travel Plan to reduce vehicle trips, and thereby road traffic emissions, from the Development.

- 6.41 The Proposed Development is therefore considered to be in accordance with the requirements of the NPPF, and relevant local and national planning policy and guidance regarding air quality.

Trees

- 6.42 This application is supported by an Arboricultural assessment and method statement produced by Barrel Tree Consultancy (January 2021). The statement outlines that the only trees to be removed is a group of low-quality Category C trees, however, there is substantial new planting proposed to be carried out which will provide suitable mitigation for the removed trees.
- 6.43 As such, there will be no long-term detrimental impact on local character as a result of the removal of these trees. Furthermore, it fully aligns with the broad guidance set out in the National Planning Policy Framework and would not be considered a constraint to development.

Residential Amenity

- 6.44 The nearest residential properties to the site are located approximately 200 metres from its eastern boundary on the eastern side of Hambledon Road. Due to the distance between the dwellings and the site, the nature of both the intervening land uses and road infrastructure present and the existence of a wide range of other noise emitting sources in the vicinity of the site noise from the development is not considered to create an additional adverse impact on the amenity of these residents.
- 6.45 Notwithstanding this, details of the extraction units to be used by one of the drive through operators are submitted with the application and approval of these details is sought as part of the planning application.

BREAAM

- 6.46 The Applicant has undertaken a BREAAM pre-assessment of the application proposals. This confirms that a 'Very good' rating is to be sought in the final development.

The Planning Balance

- 6.47 Table 1 below sets out the planning balance. The benefits and disadvantages have been identified having regard to adopted Development Plan policies and the requirements of the Framework taken as a whole.

Table 1 - The Planning Balance

	Comments	Benefit or Harm
Provision of new commercial floorspace on a brownfield site.	• Construction of new commercial floorspace • Job creation and inward investment • Reuse of previously developed land	Significant economic and environmental benefit
Provision of new retail and food uses	• Provision of new comparison retail and food/leisure offer in town • No adverse impact on existing town centre • Opportunity to stem outward flow of spend to other centres • Job opportunities • Improved offer in town for new and existing residents	Significant economic and social benefit
Flooding and Drainage	• Development located in Flood Zone 1 • Surface water drainage can be attenuated on site	Minor environmental benefit
Highways and Access	• Good connectivity to town centre • Accessible to public transport • No adverse impact on local highway	Moderate benefit - offers the opportunity

	network with mitigation	to use non-car modes of transport.
Ecology	Development will not result in adverse impact on ecology.	Neutral
Economy	New jobs to be created during both the construction phase and subsequent operational phase of the development	Significant economic benefit
Ground conditions	- Low risk of potential contamination - Site considered suitable to accommodate proposed use	Neutral
Air Quality	No material impact	Neutral
Trees	- Removal of one low quality group of trees - Replacement planting proposed	Neutral
BREEAM	A pre-assessment 'Very good' rating is to be achieved	Moderate environmental benefit

Heads of Terms

- 6.48 Possible Heads of Terms will be discussed further with the Council, however based on the previous applications, these are likely to relate to off-site transportation requirements.

Planning Conditions

- 6.49 We will look to engage with the Council to agree wording of conditions relevant to the updated uses now proposed. Furthermore, we hope to limit the number of pre-commencement conditions that may be necessary.

7.0 CONCLUSIONS

- 7.1 This full planning application is seeking the erection of discount foodstore and two drive-through units, one of which is intended to be used as a drive through coffee shop, with associated car parking, service yard, landscaping, means of access and associated infrastructure at Waterloo Park, Elettra Avenue, Waterlooville.
- 7.2 The wider site has been subject to a number of redevelopment proposals for a range of uses including both employment and main town centre uses including retail and leisure, which have been approved by the Council. Through the approval of these applications and the recent completion of a new discount foodstore and McDonalds restaurant on the site, its character has changed, whilst also drawing out the town centre towards the application site.
- 7.3 The Council's adopted Site Allocations Plan (2014) recognises the change in character of the site that has occurred through the previous applications and permissions granted on it, as it is identified for development, for uses defined as economic development, leisure and hotel being appropriate on the site. The proposed uses now proposed are considered wholly in accordance with the site-specific policy in the adopted Site Allocations Plan and therefore, the principle of the proposed development is considered acceptable. This aligns with the requirements of S38(6) of the 2004 Act, which requires the grant of planning permission to be in accordance with the policies of the Development Plan.
- 7.4 Notwithstanding the fact that the proposed development is considered to be in accordance with an up-to-date Development Plan, an updated Sequential Test has been undertaken. This confirms that there are no sequentially preferable sites in the town centre or out of centre that could accommodate the proposed development. Furthermore, the Retail Impact Assessment also confirms that the proposed development will not adversely affect the vitality or viability of the town centre.

- 7.5 Other supporting reports confirm that the proposed development can be adequately accommodated on the local highway network, will not increase the risk of flooding and can adequately deal with surface and foul drainage, will not adversely impact on protected species, will not have an adverse impact on air quality or require significant land remediation to accommodate the development.
- 7.6 Similarly, the proposed development will deliver a number of other social and economic benefits to the town and District during and following the construction of the application scheme, including an improved range of comparison retail and food facilities to meet the needs of existing and new residents alike, but also creating jobs both during construction and its operational phase.
- 7.7 The proposals are, therefore, considered to be in accordance with the Development Plan and in light of the guidance in paragraph 11 of the Framework should be approved without delay. Even if there is considered to be a significant conflict with any element of the development plan, the planning balance exercise undertaken confirms that the benefits of granting planning permission significantly outweigh the potential adverse impacts of doing so. As such, we seek the support of the Council through the grant of planning permission.

APPENDIX 1

LETTER TO RESIDENTS AND COUNCILLORS



10th March 2021

To the Occupier

Dear Sir or Madam,

Grosvenor House
75-76 Francis Road
Edgbaston
Birmingham B16 8SP

Waterloo Park, Elettra Avenue, Waterlooville -Hargreaves Properties

T 0121 455 9455
F 0121 455 6595

We are writing on behalf of Hargreaves Properties who are the owners and promoters of Waterloo Park, Elettra Avenue, Waterlooville to inform you of their current proposals for further development and to seek your views on these in advance of the submission of a planning application to Havant Borough Council.

Hargreaves acquired the site in 2013 and have been actively promoting it for a mix of commercial, retail and employment uses. The site has a long and varied planning history since it was vacated by the original occupier and a number of different permissions have been sought and granted by the Council including employment, retail, hotel and leisure in order to regenerate this brownfield site. Part of the site is now developed and occupied by a Lidl foodstore and a Mcdonalds drive thru both constructed in 2017. More recently, Hargreaves sought outline planning permission under reference APP/18/01072) for employment, retail and leisure uses, which the Council resolved to grant planning permission for in 2020.

In the intervening period since the Council's decision the retail market has experienced a number of changes with the move to online shopping and the more recent challenges presented by Covid-19. As such, it has been necessary to revise what is proposed for the site in order to deliver a market facing scheme that tenants want to locate at. As a result, Hargreaves are now seeking to submit a revised scheme on part of the wider site for:

"A discount foodstore and two drive-through units with associated car parking, service yard, landscaping, means of access and associated infrastructure."

In considering the suitability of the site for the proposed development it is previously developed land within the urban area, located within easy and convenient walking distance of the town centre and is surrounded by other existing commercial uses. Furthermore, the site is allocated for development by the Council under policy WA2 of the adopted Site Allocations Plan which confirms that the site is suitable for development for a mix of employment, commercial, business and service uses. The Council have previously granted planning permission for site and more recently resolved to grant planning permission for a similar type of development.

In light of the Council's previous resolution, the quantum of development proposed as part of the current proposals does not exceed that which was previously considered, with the only difference being the composition of the uses proposed on site.

The impact of the proposed development has been assessed, principally on the local highway network, and this confirms that what is now proposed will have no greater impact than that which was considered acceptable previously by the Council and County Council as Highway Authority. The Applicant is proposing to implement the same mitigation measures as those agreed previously thereby ensuring that any impacts will be suitably mitigated.

The scheme will also deliver a number of benefits to the town and to existing residents in terms of increasing choice and widening the offer available within the town. The development will also create new jobs thereby increasing employment opportunities for residents.

In advance of submitting a planning application we seek your views on the proposals and invite you to submit any comments you may have to john.pearce@harrislamb.com or in writing to the same recipient at the above address by the 17th March.

Yours sincerely

John Pearce BSc (Hons) MTPL MRTPI

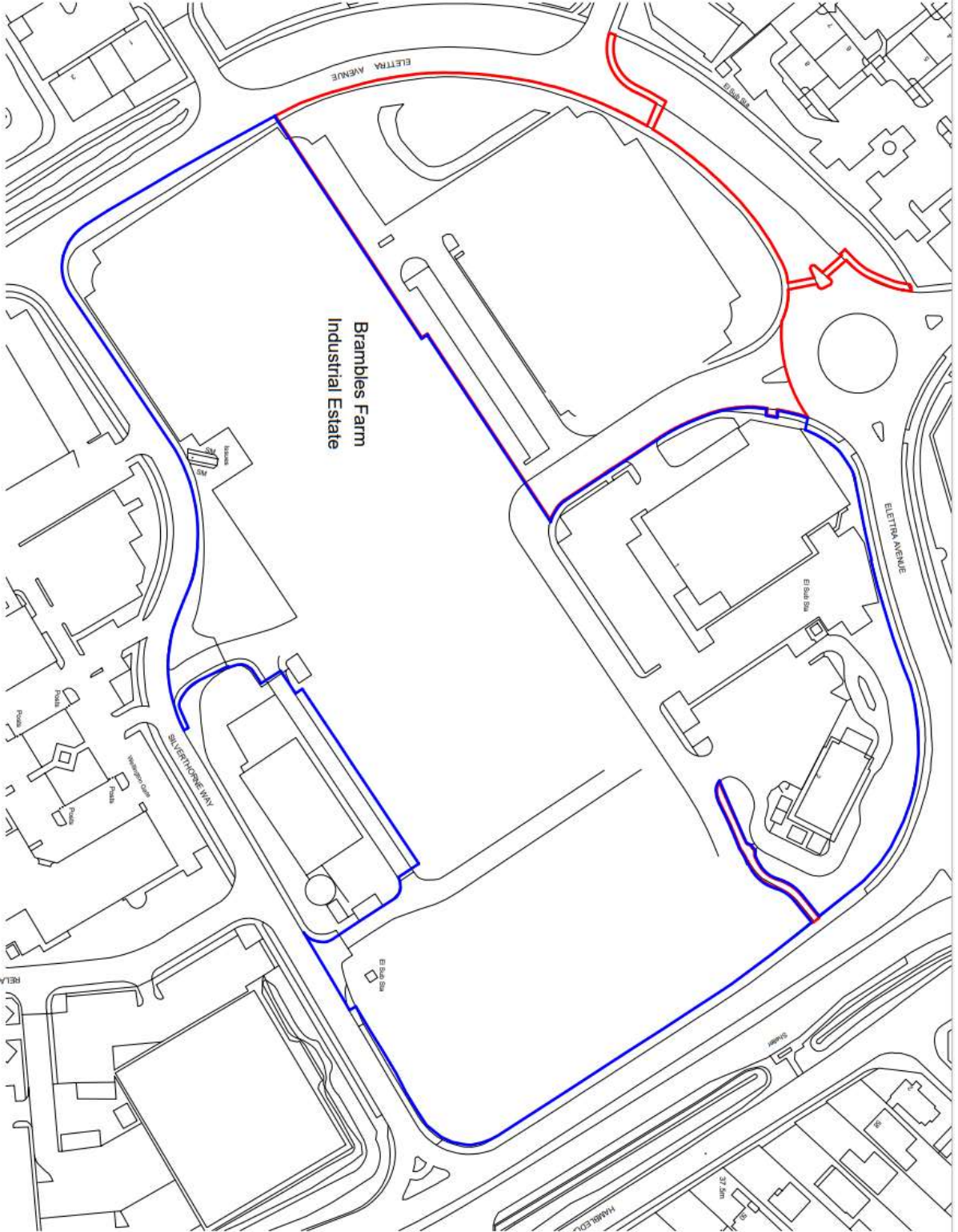
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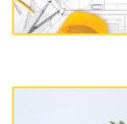
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