

15 of Planning Permission granted under reference 04/68908/001 to allow 3,360 sq m of unrestricted retail use and the creation of 9200sqm of floor space in the units thereby permitted. - Permitted 30th May 2006

Conditions Imposed:

1.(Modified condition 13 of planning permission 04/68908/001):-

Not more than 3,360sq m (36,167 sq ft) gross of the retail development hereby permitted shall be used, without the prior written approval of the Local Planning Authority, for the sale of non-bulky goods, ie: food (other than confectionery and pet foods), clothing, footwear, fashion accessories (including handbags, luggage, watches and jewellery but not including these items sold from a sporting goods outlet), books, stationery (except when sold from an office supplies store), perfumery and toiletries, music, records, CDs, audio and video tapes (including hire), china, glass goods and kitchenware, unless any of the above are ancillary to or related to the main ranges of bulky goods to be sold.

Reason: In order to ensure the vitality and viability of the existing Havant Town Centre is not undermined by the nature of retail uses permitted on this site and having due regard to policies and proposals S1, S3 and S4 of the Hampshire County Structure Plan 1996-2011 (Review) and HTC4 (HTC8), TC2, TC3 and TC4 of the Havant Borough District-Wide Local Plan 1996-2011.

2. (Modified condition 15 of planning permission 04/68908/001):-

Not more than 9,200 sq metres of gross retail floorspace shall be created within the buildings hereby permitted, without the prior approval of the Local Planning Authority.

Reason: To prevent over-intensive use of the site and to ensure the vitality and viability of the existing Havant Town Centre is not undermined by the quantity of retail floorspace permitted on this site, and having due regard to policies and proposals S1 of the Hampshire County Structure Plan 1996-2011 (Review) and HTC4 (HTC8), TC2, TC3, TC4 and D1 (D4) of the Havant Borough District-Wide Local Plan 1996-2011.

3. Not more than 470 sq m of the gross retail floorspace created within the buildings hereby permitted shall be used for food retail (other than confectionery and pet foods).

Reason: To ensure that the traffic generation from the retail uses upon the site is not detrimental to highway safety and having due regard to policies and proposals T6 of the Hampshire County Structure Plan 1996-2011 (Review) and T7 (T14) of the Havant Borough District-Wide Local Plan 1996-2011.

07/72554/000 - Display of internally illuminated fascia sign to front elevation.,
PERM,19/10/2007

07/72554/001 - Retrospective application for 10No. condenser units to rear elevation. ,
PERM,05/02/2008

08/68908/20 - Retention of retail units without compliance with Condition 1 of Planning Permission granted under reference 06/68908/012 dated 30 May 2006, (which varied Condition 13 of Planning Permission 04/68908/001), in order to remove the restriction on the nature of goods that may be sold.
Permitted 1st May 2008

APP/11/01371 - Installation of photo voltaic panels to roof of existing buildings.,
PERM,01/11/2011

APP/16/00188 - Display of 1No. flex face internally illuminated sign, 1No. internally

illuminated metal sign, 1No. metal sign with internally illuminated 3D individual letters and 2No. non-illuminated signs with aluminium individual letters., PERM,18/04/2016

APP/18/00901 - Reconfiguration of existing ground floor level to create a 47 sqm Travel Agency concession., PERM,02/11/2018

3 Proposal

Removal of condition 14 of planning permission 04/68908/001 to allow for separate or self-contained units to be created by division or sub-division of the floorspace.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS4 ()
CS6 (Regeneration of the Borough)

Havant Borough Local Plan (Allocations) July 2014

AL3 (Town, District and Local Centres)

Havant Borough Pre Submission Local Plan 2036

KP1 (Havant Town Centre)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Economic Development

No comments received

Environment Agency

No comments received

Planning Policy

The below comments relate to the removal of condition 14 in relation to planning permission 04/68908/001 in respect of units 1-7 Solent Retail Park Havant.

Since planning permission was granted Havant Borough Council adopted a new local plan. This is made up of Havant Borough Council Core Strategy (2011) and Havant Borough Local Plan Allocations (2014).

Policy AL3 and CS4 'Town, District and Local Centres?' locates Solent Retail Park within the defined Havant Town Centre boundary. Units 1-7 are primary shopping frontages and policy CS6 stresses the importance of ensuring the most diverse offer of

shops and services. Businesses are encouraged to take up units within primary shopping areas that will contribute to the viability and vitality of the centre.

There is nothing within the current adopted policies which states that a sub-division of a shop should be resisted. The emerging Local Plan does not seek to change this policy position. Therefore, there is no objection in principle to the removal of condition 14 of the planning permission 04/68908/001, provided that the use of the resulting units remains retail

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 108

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of removing condition in relation to unit floorspace
- (ii) Impact upon the character and appearance of the area and the viability and vitality of the Town Centre
- (iii) Impact upon residential amenity
- (iv) Impact on parking requirements

(i) Principle of removing condition in relation to unit floorspace

7.2 At the time of the original planning permission the site was located outside Havant Town Centre and condition 14 was imposed for the following reason:

Reason: *In order to ensure the vitality and viability of the existing Havant Town Centre is not undermined by the nature of retail uses permitted on this site and having due regard to policies and proposals S 1 of the Hampshire County Structure Plan 1996-2011 (Review) and Policy 3 of the Havant Town Centre Action Area Local Plan 1980.*

7.3 Since that time policy AL3 and CS4 locate Solent Retail Park within the defined Havant Town Centre Boundary. The units are also in the primary shopping frontage. Policy AL3 of the Havant Borough Local Plan (Allocations) 2014 stresses the importance of promoting and enhancing primary shopping areas of the town and district centres and generating pedestrian activity within the primary shopping area by being open during the day to visiting members of the public. The proposal would

remove the minimum unit size condition to allow smaller retail units. This is considered acceptable and would protect both the Town Centre and Primary Shopping Frontage policy position.

(ii) Impact upon the character and appearance of the area and the viability and vitality of the Town Centre

- 7.4 With regards to the viability of the town centre, in common with many other retail sites Solent Retail Park has been subject to market trends and has recently lost the Laura Ashley and Mothercare units from the site. Supporting information submitted in the planning statement has been submitted to support the request for more flexible marking of the site as below:

The retention of condition 14 of the December 2004 planning permission is counter-productive. Restricting the occupation of the permitted retail floorspace so as to preclude units below a specific size in this part of the core frontage of the Town Centre serves no beneficial purpose. Retaining the condition would have the effect of limiting the ability of this part of Havant Town Centre to respond to changing market requirements, including attracting new forms of retailing not currently provided there.

- 7.5 The proposal to remove the minimum floorspace limit (650 sqm) would allow for more flexible marketing and would encourage retailers requiring a smaller floorspace the opportunity to consider the Solent Retail park units. That being the case there is an enhanced prospect of maintaining or improving occupancy levels at the site and consequently enhancing the viability and vitality of Havant Town Centre. The proposal can therefore be supported.
- 7.6 It is noted that the current proposals do not include any external changes to the units and therefore there is no change to the character and appearance of the area at this stage. It is likely that should the units be divided there may be a need for subsequent planning applications in relation to changes to the external appearance of the stores and these would be assessed on their own planning merits.

(iii) Impact upon residential amenity

- 7.7 The closest residential properties are located to the north-east of the site and the proposed changes to retail unit sizes are not anticipated to result in any additional impacts on residential amenities.

(iv) Impact on parking requirements

- 7.8 The proposals would not result in any change to the parking layout and there is no change to the parking requirements when compared to the existing position.

8 Conclusion

- 8.1 In conclusion, it is considered that the proposed removal of Condition 14 of planning permission reference 04/68908/001 would increase the marketability of these retail units and therefore potentially would help to improve the vitality and viability of Havant Town Centre. There would be no significant impact on the character and appearance of the area or parking requirements. The proposal can therefore be supported.
- 8.2 Conditions in relation to the total retail floorspace, food retail and outside storage have

been re-imposed where necessary in relation to the development.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00637

A) The following conditions

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

Planning Statement July 2020

Reason: - To ensure provision of a satisfactory development.

- 2 Not more than 9,200 sq metres of gross retail floorspace shall be created within the buildings the subject of this permission, without the prior approval of the Local Planning Authority.

Reason: To prevent over-intensive use of the site resulting in unacceptable highway and parking impacts to the harm of highway safety and the amenities of the area having due regard to policies CS20, DM12 and DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Not more than 470 sq m of the gross retail floorspace created within the buildings the subject of this permission shall be used for food retail (other than confectionery and pet foods).

Reason: To ensure that the traffic generation from the retail uses upon the site is not detrimental to highway safety and parking having due regard to policies CS20, DM12 and DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No article of any description shall be stored or displayed for sale outside the retail units unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of highway safety (by preventing display on parking areas), the visual amenity of the locality and in order to control the level of retail sales area having due regard to policies CS16, CS20, DM12 and DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.