

Recommendation: **GRANT PERMISSION**

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

5 Statutory and Non Statutory Consultations

Crime Prevention -Minor Apps

No response received.

Environmental Health Manager, Community Group

I would have no adverse comments to make on the above application.

Planning Policy, PPUD

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

The following policies in the adopted Local Plan are of particular relevance:

- • CS4 and AL3 - Town, District and Local Centres
- • DM2 – Protection of Existing Community Facilities and Shops

In the Pre-submission Plan the following policies are of particular relevance:

- • C6 – Local centre, local shops and services

Principle of Development

This application unit lies within Purbrook local centre as defined by Policies CS4 and AL3 of the adopted local plan. These policies encourage appropriate town centre development proposals which support small and independent businesses. Moreover, Policy CS4 specifically seeks to promote the vitality and viability of the borough's town, district and local centres.

The Pre-Submission Havant Borough Local Plan 2036 (HBLP2036) is a material consideration in the determination of the application, though with limited weight. Under the emerging Local Plan, the site remains within the Purbrook Local Centre as defined by policy C6. That policy confirms development proposals in local centres will be permitted where ground floors have active frontages to promote and enhance the vitality and viability of the centre.

Marketing

Policy DM2 states that the loss of a local shop will only be permitted where it is demonstrated that the premises or land is no longer viable for their authorised use. Paragraph 10.05 in policy DM2 states;

'In the case of local shops within identified local centres and small local shops meeting everyday shopping needs outside all identified centres, the premises must be marketed for at least six months'

Following policy DM2 in the adopted local plan the above application due to a change of use from A1 to Sui Generis would need to submit evidence showing a marketing period of a minimum of six months has been undertaken. No information has been submitted with this application showing this.

In the emerging HBLP 2036 and more specifically policy C6 the above application would not require a marketing period for a change of use within a local centre.

Instead criterion b) would apply which states that development will only be permitted where ground floors have active frontages to promote and enhance the vitality and viability of the local centre.

Conclusion

The requirements of the adopted local plan are clear that a marketing period would need to be undertaken for a minimum of six months due to the change of use. However, I have considered the nature of the proposed use and it can be concluded that it is of a similar use to a hairdresser which has a use class of A1. In order to maintain the vitality and viability of the local centre the proposed use provides an active ground floor frontage which follows the policy direction in the emerging local plan.

Therefore, on balance it can be concluded that the change of use is similar to other A1 uses and would maintain an active ground floor frontage in the local centre therefore, there would be no objection to the change of use from A1 to Sui Generis (Tanning Salon/Skin Treatments).

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: 5

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 20

Comment	Officer Comment
13 letters of support include: Encourage use of the other facilities in the area Sunbed shop would be a welcome business in the area. Empty Shops having a use Encourage Custom to neighbouring businesses Plenty of parking to front and rear Revenue and new custom to area Employment for local people	All comments have been noted

7 Letters of Objection include: Not a valuable shop asset for the area Parking issues The Public House Car Par being used as an overflow for parking Parking will affect those using the parking area for the Chemist. Parking concerns Impact on other small similar businesses	All comments have been noted

7 **Planning Considerations**

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

- (i) Principle of development
- (ii) Loss of the retail unit
- (iii) Impact upon the streetscene
- (iv) Impact upon residential amenity
- (v) Parking

(i) Principle of development

7.1 This application unit lies within Purbrook local centre as defined by Policies CS4 and AL3 of the adopted local plan. These policies encourage appropriate town centre development proposals which support small and independent businesses. Moreover, Policy CS4 specifically seeks to promote the vitality and viability of the borough's town, district and local centres.

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Loss of the retail unit

7.3 The proposal would result in the loss of a retail unit as the proposed use would be sui generis. For proposals on sites involving shops in the primary and secondary retail frontages, a marketing exercise for a minimum of 6 months should normally be conducted. The marketing exercise should be used to meet criterion 1) of Policy DM2 to demonstrate that the premises or and is no longer viable for its authorised use.

- 7.4 However, for this site in particular, the Council's Planning Policy Team has outlined that a departure from Policy DM2 would be appropriate, as it is of a similar use to a hairdresser which has a use class of A1. In addition in order to maintain the vitality and viability of the local centre, the proposed use provides an active ground floor frontage which follows the policy direction in the emerging local plan. Therefore, a period of marketing would not be considered necessary for this site prior to accepting a change of use, and therefore in this specific case is considered an acceptable approach.

(iii) Impact upon the appearance of the streetscene

- 7.5 No physical alterations to the existing shopfront are proposed other than new signage which would be subject to an advertisement application. The proposal therefore accords with Policy DM21 which seeks to ensure that new shopfronts and signage are not detrimental to the appearance of the individual building or the street scene.

(iv) Impact upon residential amenity

- 7.6 The Local Planning Authorities Environmental Health Team have been consulted in relation to this application and have confirmed that they have no adverse comments in respect of the proposed change of use. Taking into account the proposed use in context with the location of the unit it is not considered that the proposed Sunbed salon would have a significant adverse impact on area or increase anti-social behaviour and noise in this location which would impact detrimentally on the surrounding units or residential uses above.

(v) Parking

- 7.7 A number of objections have been received regarding the proposal having an adverse impact on the car parking provision in the area, to utilise other shops in the local centre. The shopping parade is served by on street car parking to the frontage which is time restricted, with existing parking restrictions to prevent dangerous parking in other areas outside of parking bays. In addition a free public car park to the rear adjacent to Ladybridge Road exists, which provides additional parking provision for those using the local centre. Any increase in parking demand is considered to be limited and it is therefore considered that the development would not have an impact on the vitality of the Local centre, with regard to pressure on existing public car parks and on street car parking. Furthermore, the site is well served by public transport on London Road, which has a frequent service both northbound to Waterloooville and Southbound towards Widley and further afield to Portsmouth, as such alternatives to the private car exist. As such it is therefore not considered that the proposed change of use would result in any detrimental impact on the safety of the highway network with regard to parking provision.
- 7.8 Overall the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. In addition it is considered that sufficient parking exists both from on street car parking, and the public car park in very close proximity to the site. It is clear in the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe, this is not considered the case in this application.

8 **Conclusion**

It is considered that the proposed change of use would not adversely affect the vitality and viability of the local centre. Furthermore the proposal would not have a significant adverse impact on residential amenity or highway safety, with the site being adequately served by on street parking and a public car park, as such this proposal is therefore recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/01051 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application Form - Received 18 October 2019
Location Plan - Received 25 October 2019
Block Plan- Received 25 October 2019
Existing Floor Plan- Received 25 October 2019
Proposed Floor Plan - Received 25 October 2019
Planning Statement - Received 25 October 2019

Reason: - To ensure provision of a satisfactory development.

- 3 The premises shall only be open for trade or business between the hours of 0800 hours and 2000 hours Monday to Saturdays and 1000 hours to 1800 hours on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.