
Site Address:	7-8 Strouden Court, Havant, PO9 4JX		
Proposal:	Change of use from Class D1 use to Class A1 use (Beauty Salon).		
Application No:	APP/20/00208	Expiry Date:	07/07/2020
Applicant:	Mrs K Clark		
Agent:		Case Officer:	Lesley Wells
Ward:	Warren Park		

Recommendation: **GRANT PERMISSION**

1 Site Description

7-8 Strouden Court is within a shopping precinct, built in the 1960s, with residential above, retail to the west and a preschool to the east. The units the subject of the application are currently vacant, with double shutters to the front, and a single shutter to the rear.

There is public car parking to the rear and front of the premises, with the latter forming part of the proposal. The site falls within an urban area.

2 Planning History

09/50444/004 - Change of use from A2 to D1 (a pre-school nursery). ,
PERM,04/01/2010

APP/14/00523 - Change of use from public amenity land to use as playground for pre-school enclosure with 1.5m - 2m high boundary fences., PERM,29/07/2014

3 Proposal

The proposal is for a change of use from Class D1 use to Class A1 use (Beauty Salon). The units the subject of the application are currently vacant, which on the information provided, has been the case for the last 3 years. The parking for the proposal, is to the front of the site to the south, within a public car park.

Planning permission (97/57051/001) was granted on 19/09/1997 for the 'Change of use of ground floor from retail to Doctor's Surgery with alteration to frontage.' A condition was attached to this permission which states:

"The premises shall be used only for a Doctor's Surgery, and for no other purpose whatsoever including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In the interests of the amenity of the surrounding area."

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

CS16	(High Quality Design)
CS6	(Regeneration of the Borough)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Pre Submission Local Plan 2036

C7*	(Food, drink and entertainment uses)
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Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Beryl Francis

No comments received.

Councillor John Davis

No comments received.

Crime Prevention -Minor Apps

No comments received.

Economic Development

No comments received.

Hampshire Highways - No Objection

Highways Development Planning is satisfied that a large proportion of visitors to this proposal will be on foot and that sufficient public and on-street parking exists within the vicinity to cater for any modest and temporary demand without undue harm or impact upon the public highway network.

No objections raised to this proposal.

Policy - No Objection

Policy Status

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the Hampshire Minerals and Waste Plan, provide the development plan for Havant Borough. The [Pre-Submission Havant Borough Local Plan 2036](#) may also be afforded limited weight.

Key Policies

Core Strategy 2011:

- DM2 Protection of Existing Community Facilities and Shops

Site Allocations Plan 2014

- LP3 Leigh Park Mixed Use Allocations (site L25 Strouden Court)

Pre-Submission Local Plan 2019:

- C7 Protection of Existing Community Facilities and Shops
- H39 Strouden Court

Policy Considerations

The proposal is for a change of use of a vacant unit, previously used by a nursery, to an A1 use (beauty salon).

Both the adopted and the emerging plan contain a policy seeking to protect existing community facilities and shops, or units last used for such purposes.

DM2 requires that

1. Active marketing should be used to demonstrate that the property is no longer viable for the authorised use or any other use which would provide a beneficial facility to the local community. AND
2. the facility is no longer required for a community use, or that there is an easily accessible existing or new facility for the community it is intended to serve.

The nursery which vacated the unit moved to premises nearby and continues to serve the local community. Part 2 of policy DM2 is considered satisfied through that re-provision, even though it took place some time ago.

Marketing has not taken place to satisfy part 1. Usually this would be required to satisfy the policy, but it is considered that in this particular case, a number of other factors must be considered alongside this requirement:

the direction of travel in Local Policy is that marketing is not required where alternative provision is made. Under the emerging policy C7 the requirement is for alternative provision nearby OR a marketing exercise, rather than both.

- The proposal is for an A1 use, which, together with D1 community uses, is one of the uses protected by policies DM2 and C7. While it must be acknowledged that the proposed use is not a convenience shop as referred to in those policies, it does fall under the same use class, and could easily revert to such a use in the future if the current proposal were permitted.
- Both the existing and emerging local plan allocate this area for redevelopment. This is likely to limit the attraction of the area to investors in the existing units, even if actively marketed. The unit has already been vacant for three years, which is not advantageous to the vitality of the area. Having it in active use would be preferable.
- The proposed beauty salon is an appropriate use in a small parade of community shops, and would provide a service, even if one limited to just some sections of the population, to the local community.

Overall, it is considered that while marketing requirements as set out in the adopted local plan Policy DM2 have not been met, the aim of the policy to maintain access to community facilities is not undermined in this particular case. In addition, the proposal would bring a long vacant unit back into use, which would benefit the local area. There is therefore no policy objection to this proposal.

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: 18

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Great addition to the area - what centre needs	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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking

- (i) Principle of development

Policy DM2 of the HBLP (Protection of Existing Community Facilities and Shops) states:

"Development proposing the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where both the following criteria can be met:

1. It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.

2. The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve"

The direction of travel in the emerging plan, Policy C7, is that either one of the above requirements, not both, would need to be satisfied.

As stated above, the use of these units is restricted to a Doctor's Surgery.

Portsmouth City Council has advised "It was last leased to a nursery in 2008 (ie a Class D1 community use), who had the shop up for 11 years until 31st May 2017. There is now a preschool who occupy 10 Strouden Court. Since then the shop unit has remained vacant and although it wasn't marketed, our records show that since the 31st May 2017 we have had no interest from customers wanting to take on the shop."

Therefore, the units have not been marketed, to ascertain, whether there is a demand for the lawful use or for an alternative community use. That said, the success of any marketing of the units, would more than likely, have been limited by the imposition of the condition on the use of the units i.e. Doctor's Surgery only, and it is questionable whether the units would have found such a use, or an alternative community use. The promotion of the regeneration of the area is likely to further limit the attraction of the area to investors in the existing units, even if actively marketed.

Policy LP3 Leigh Park Mixed Use Allocations of the Havant Borough Allocations Plan, (taking forward in Policy C7 in the emerging Local Plan) identifies the site for regeneration as a mixed-use development. This is in recognition of the general run-down condition of the area, which is in part emphasised by long term empty commercial units within the centre and the general poor condition of the building, in which the units are located.

The proposal would provide a general community use in the form of a beauty salon in this part of the Borough, which in itself would uplift this commercial centre, as opposed to vacant boarded up units, which add to the general feeling of deprivation. As indicated by the representations of support received, this retail use would be a much-needed addition to the centre, which would play an important role in meeting local day-to-day needs particularly for the elderly and other vulnerable groups. This business would also provide a social and economic benefit to the area, while enhancing consumer choice, as promoted by Policy CS6 of the HBLP (Core Strategy) and the National Planning Policy Framework (NPPF).

Whilst the marketing requirements of Policy DM2 have not been met, the aim of the policy to maintain access to community facilities is not undermined in this particular case, for the above reasons and the change of use, on balance, is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

The change of use of the units would be limited to the interior of the building and the retail use would have a positive impact on the character and appearance of the area (as opposed to boarded up units), in accordance with Policy CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity

Above the units is residential accommodation. The use of the units as a beauty salon would be unlikely to give rise to significant noise and disturbance or materially impact on the residential amenity of these properties.

Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately above the application site and the properties adjacent, opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted, no letters of objection were received with respect to the scheme.

(iv) Parking

The Highway Authority has not raised an objection and is satisfied that there is sufficient on-street parking for the proposal. As to parking, none is specifically

provided for in the proposal, but to the front of the units there is a large public car park, which is appropriately located in relation to the development and practical for its intended use, without adversely impacting on other users of this facility, in accordance with the aims of Policy DM14 of the HBLP (Core Strategy).

8 Conclusion

The proposal would help revitalise this centre, having a positive impact on the character and appearance of the area. The development would not be detrimental to residential amenity and the use of the adjacent public car park is appropriate for the intended use and conditional planning permission is recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00208 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:
Block/Site Plan - Scale 1:500 - Car Park Site
Block/Site Plan - Scale 1:500 - Application Site of the Building
Exiting & Proposed Floor Plans - Drawing No. SALON 001
4, 3 D Proposed Image Plans of the Floor Area
Reason: - To ensure provision of a satisfactory development.
- 3 The premises shall only be open for trade or business between the hours of 09:00 to 18:00, with one evening only up to 20:00, Monday to Saturday and not at all on Sundays or Bank Holidays.
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.