

Planning Application Response of Planning Policy

Application No:	APP/19/00291
Address:	Unit 2, 2 St Marys Road, Hayling Island, PO11 9BY
Development:	Change of use from A1 retail use to A3/A4 restaurant and wine bar use, with construction of gazebo for external seating area
Case Officer:	Tina Pickup
Comments by:	Jade Ellis
Date of Comments:	24 April 2019

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 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:

- DM5 - Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses
- DM10 – Pollution

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

- E22 – Amenity and Pollution
- C8 - Food, Drink and Entertainment uses

Principle of Development

The application site lies outside of the West Town Local Centre as defined by Policies CS4 and AL4 in the Adopted Local Plan, and as proposed to be defined by Policy C6(5) in the Pre-Submission Local Plan. The unit is currently occupied/last in use as a second-hand furniture store within A1 retail use. It is not a shop which could be considered to meet everyday shopping needs and it is not a convenience store - therefore Policies DM2 (Core Strategy) and C7 (HBLP 2036) do not apply.

Noise and Odours

Policies

- DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses (Core Strategy)
- Policies DM10 Pollution (Core Strategy)
- E22 Amenity and Pollution (HBLP 2036) and
- C8 Food, Drink and Entertainment Uses (HBLP 2036)

include provisions regarding the management of noise and odour from food and drink uses, which will have to be met. Design policies (see below) will also be relevant to the consideration of any such equipment.

In addition to the above, a gazebo is proposed as an external seating area for customers which may affect the consider the residential amenity of neighbouring occupiers. The Council's Environmental Health Team will be able to offer further advice in this respect.

Shopfront and Signage

With regard to the gazebo and any changes to the shopfront or signage, the following policies will be relevant considerations:

- CS16 High Quality Design (Core Strategy)
- DM21 Shopfronts, Signs, Security Shutters and Advertisements (Site Allocations)
- E1 High Quality Design (HBLP2036)

Summary

There is a presumption in favour for the change of use, subject to the detailed considerations highlighted above.