

## Planning Policy Comments

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|------------------|----------------------------------------------------------------------------------|
| Application No   | APP/19/00981                                                                     |
| Address          | 50-54 Greywell Road, Havant, PO9 5AL                                             |
| Development      | Change of use from retail use (Class Use A1) to food and drink (Class Use A3/A5) |
| Case Officer     | BC                                                                               |
| Comments By      | JB                                                                               |
| Date of Comments | 23 October 2019                                                                  |

### Policy Status

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

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

- KP4 – Leigh Park Centre
- C8 - Food, Drink and Entertainment uses

### Principle of Development

This application unit lies within Leigh Park District Centre as defined by Policies CS4 and AL3 of the adopted local plan. These policies seek to promote main town centre uses, in particular A1 retail shops, in order to protect and enhance the vitality and viability of the town centre.

The application site lies within the primary frontage of the centre. The proposed change of use is from an A1 shop to an A3/A5 use. Therefore, criterion 3 of Policy AL3 is of particular relevance, as it seeks to retain at least 50% of the units in an unbroken run of primary frontage in A1 retail use. A site visit will be needed to establish whether this criterion is met.

Further, policy DM2 requires the active marketing of the unit as an A1 shop for at least 6 months before a change of use will be considered acceptable. I can see no evidence that such marketing has taken place.

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 Leigh Park District Centre as defined by policy KP4. That policy confirms the Greywell Precinct as the primary shopping area in the centre, where A1 uses are supported and non-A1 uses will only be permitted subject to marketing.

Given that part of the proposed use is A5, policy C8 of the Pre-Submission Local Plan 2036 would also apply. This policy seeks to restrict A5 uses across the borough to below the current levels in order to support public health objectives. The A5 element would therefore not be supported under emerging policy.

## **Noise and Odours**

### **Policies**

- DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses (Core Strategy) 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.

### **Shopfront and Signage**

With regard to 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)

### **Conclusion**

In policy terms, the key consideration is whether the proposal supports and enhances the vitality and viability of Leigh Park District Centre. The unit lies within the primary retail frontage in both the adopted and the emerging Local Plan, and a loss of A1 should be resisted here. Marketing requirements, and the retention of a minimum amount of A1 frontage, would have to be met in order for a change of use away from A1 to be considered acceptable.

In addition, there is an emerging restriction of A5 uses. While this may only be given limited weight at this stage, it should be explored whether the applicant would entertain a pure A3 use, rather than the mixed A3/A5 use.