

Planning Application Response of Planning Policy

Application No:	APP/18/01291
Site Address:	71 Forestside Avenue, Havant, PO9 5SJ
Development:	Change of Use of part ground floor of retail unit (A1) to provide Class A5 (Hot food takeaway), alterations to shopfront, installation of new door to side and rear elevations and installation of extract duct to rear elevation.
Case Officer:	Tina Pickup
Comments by:	Jade Ellis
Date of Comments:	9 May 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 are of particular relevance:

- 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:

- C7 Protection of existing community facilities and shops
- C8 Food, Drink and Entertainment uses

Principle of Development:

The site falls outside of any identified centre as defined by the adopted and emerging Local Plans. The existing unit is occupied by a Spar – meeting the definition of a local shop meeting everyday shopping needs outside all identified centres.

As part of the proposal the existing shop use would be retained. As such, it is not considered that Policy DM2 (or Policy C7 in the HBLP 2036) would apply. It is also noted the subdivision of the shop unit would help to secure the viability of the business in the longer term.

However, the Pre-Submission Havant Borough Local Plan 2036 can now be afforded limited weight. Policy C8 of the HBLP 2036 seeks to restrict A5 uses across the borough to below current levels in order to meet public health objectives. The A5 use would not therefore be supported under emerging policy.

Noise and Odours

I note the application includes provision of an extraction duct. Policies

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

I also note there are alterations to the shopfront proposed as well as new doors to the side and rear elevations. Policies

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

will be relevant considerations.

Conclusion

The proposal would help to retain an existing shop use for everyday shopping needs outside of identified centres. It is also noted that the subdivision of shop would help to secure the long-term viability of the business. On that basis, there is no in principle objection to the subdivision of the shop unit.

It is noted there is an emerging policy which seeks to restrict, and even reduce A5 uses in the borough. The emerging policy will attract increasing weight as the Plan progresses towards Examination, but carries limited weight at this time.