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Site Address: Central Retail Park, Park Way, Havant, PO9 1HH  
Proposal: Variation of Condition 10 of Planning Permission APP/18/00812 to allow provision of an external display area to front of Wickes store.  
Application No: APP/19/00338                      Expiry Date: 21/05/2019  
Applicant: Travis Perkins (Properties)  
                    Limited  
Agent: Mr Rainbird                      Case Officer: Tina Pickup  
                    Quod  
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

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## **1     Site Description**

The application site is located within the Central Retail Park on Park Way in Havant Town Centre. It comprises 4no. occupied retail units, which are designated as a primary shopping frontage. There is a shared car park for use by customers for all the units which has pedestrian access to the adjacent park and other parts of the town centre. To the south of the site is a drive thru restaurant and a further two, smaller retail units. To the rear/west of the units, is the service road accessing the rear elevations of each unit. To the north of the development is the train line and to the west are residential properties in Cross Way and North Way.

## **2     Planning History**

### 04/59412/002

Outline application for the demolition of existing buildings and construction of 7,793 square metres gross of A1 retail units and 258 square metres gross of A3/A1 drive through restaurant/ retail unit with car parking and service facilities associated highway works and revisions to the road layout. Permitted - 27/6/05

### 05/59412/004

Variation of condition 13 of planning permission 04/59412/002 to allow for the provision of 234sq.m of office mezzanine at unit 6 and increase the gross retail floorspace to 8,027sq.m. Permitted.

### 06/59412/007

Variation of Condition 10 of Planning Permission 4/59412/002 to increase the total amount of for the trading of non-bulky comparison goods from 2647sq.m to 4647sqm. and the variation of Condition 13 of Planning Permission 04/59412/002 as amended by Planning Permission 05/59412/004 to increase the total amount of floor space from 8027sq.m to 10,027sq.m by the construction of a mezzanine floor. Perm - 16/6/2006.

### APP/18/00812

Variation of Condition 3 of Planning Permission 06/59412/007 to increase the total amount of floor space for the trading of food retail from the retail park. Proposed single storey extension to rear to create a new loading area; alterations to fenestration and site layout following sub division of Unit 6 to create two separate units. Alterations to car park., PERM - 25/10/2018

APP/19/00235

Application for non-material change to Planning Permission APP/18/00812 relating to relocation of 2no. fire doors and small increase in roof height. Perm - 27/3/19

### **3 Proposal**

Variation of Condition 10 of Planning Permission APP/18/00812 to allow provision of an external display area to front of Wickes store.

### **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)  
CS4 ()

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)  
DM21 (Shopfronts, Signs, Security Shutters and Advertisements)  
AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

### **5 Statutory and Non Statutory Consultations**

#### **Hampshire Highways**

I note the agent's suggested condition on page 3 of their letter dated 25 March, 2019 and confirm the Highway Authority have no objection subject to the placement of this condition on the decision notice or similar wording that would be acceptable to the LPA.

### **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: 56

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

| <b>Comment</b> | <b>Officer Comment</b> |
|----------------|------------------------|
| None received  |                        |

## **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 highways and parking

(i) Principle of development

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

Recent planning permission APP/18/00812 effectively results in the sub-division of unit 6 (Wickes) into 2 units 6A and 6B enabling Ali to relocate, together with some revisions to entrances and parking layout etc. That planning permission has not yet been implemented but condition 10 prohibited the display of any articles outside of the units or storage compounds. The reason for this condition was "*In the interests of highway safety (by preventing display on parking/circulation areas), the visual amenity of the locality and in order to control the level of retail sales area, and having due regard to policies and proposals CS16 and DM14 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.*"

This application seeks permission for a display area measuring 16 sqm to be located in the south west corner of the site ie within the corner of the 'L' shaped building. The additional 16sqm is considered marginal relative to the scale of the total retail sales area. Furthermore it is unlikely that food would be displayed externally and consequently this additional area would not undermine condition 3 of APP/18/00812 which limits the area for discount food retail purposes.

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

The external display of goods, often garden centre or seasonal related, is a common feature of such large stores and not usually visually harmful. The siting of the proposed external display area would be against a roller shutter door and brick elevation and would not interfere with the shops display windows. As such the proposal is considered appropriate to the site and would not be harmful to the visual amenity of the area.

(iii) Impact upon highways and parking

The reason for the condition prohibiting the external display of items included highway safety reasons seeking to prevent display on parking/circulation areas. The proposed area would be adjacent the trolley bay area serving unit 6A and within the pedestrian walkway on the perimeter of the units. It would not block the vehicular circulation on the site and the Highway Authority have not objected to the proposal, provided condition 10 is amended to prevent any further external display areas.

## **8 Conclusion**

This is a Section 73 application and its granting effectively re-issues the original

permission and must repeat or amend accordingly the relevant conditions unless they have already been discharged. It is recommended to grant permission to vary condition 10 of APP/18/00812 to allow the outside storage area and the conditions of APP/18/000812 are varied accordingly:

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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00338

(A) subject to the following conditions

- 1 The development must be begun not later than 25th October 2021.  
**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:  
  
Proposed External Works/ Alterations Drawing Number 9958 PL P01 Rev H  
  
**Reason:** - To ensure provision of a satisfactory development.
- 3 Not more than 1,574sq.m of the gross retail floor space created within the buildings approved under Planning Permission 04/59412/002 and the extension hereby permitted, shall be used for discount food retail. There shall be no other food retail within the site (other than confectionary and pet foods).  
**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.  
**Reason:** In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.  
**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No deliveries or collections shall be made to the premises in the area to the rear of the retail units (north and west elevations) except between the hours of 0700-2100 on Monday to Saturday and 1000-1700 hours on Sundays and recognised Public 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.
- 7 The newly created retail unit 6B as hereby permitted shall not open to the public before 0700 hours or remain so open after 2200 hours on Monday to Saturday and 1000 hours to 1700 hours on Sundays.  
**Reason:** To protect the amenities of adjacent residential properties and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved 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
- 9 If at any time a cooking process, other than the preparation of hot beverages or the heating of food in a microwave oven, is undertaken on the premises, an extraction and ventilation system shall be installed and maintained in full working order including suitable and sufficient grease filters and odour neutralising plant. The details of the equipment shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of such cooking processes.  
**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.
- 10 Aside from hereby approved Drawing Number 9958 PL P01 Rev H, no article of any description shall be stored outside the storage compound, garden centre or retail units or displayed for sale outside the garden centre or retail units unless agreed otherwise in writing by the Local Planning Authority.  
**Reason:** In the interests of highway safety (by preventing display on parking/circulation areas), the visual amenity of the locality and in order to control the level of retail sales area, and having due regard to policies and proposals CS16 and DM14 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.