

Planning Application Response of Planning Policy / Urban Design

Application No:	APP/17/00656
Site Address:	Land south of Manor Road, Hayling Island
Development:	Erection of a discount foodstore with associated parking and landscaping and new vehicular and pedestrian accesses to Manor Road.
Case Officer:	Mr L Oliver
Comments by:	Lewis Ford
Date of Comments:	18 th July 2017

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. In addition, the Local Plan Housing Statement (LPHS) and its guiding principles, adopted December 2016, is also a material consideration.

The following policies and documents are of particular relevance:

- CS4 Town, District and Local Centres
- CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS14 Efficient Use of Resources
- CS15 Flood and Erosion Risk
- CS16 High Quality Design
- CS17 Concentration and Distribution of Development within the Urban Areas
- CS21 Developer Requirements
- DM8 Conservation, Protection and Enhancement of Existing Natural Features
- DM11 Planning for More Sustainable Travel
- DM14 Car and Cycle Parking on Development (excluding residential)
- DM23 Sites for Brent Geese and Waders
- AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements
- AL3 Town, District and Local Centres
- National Planning Policy Framework (NPPF)
 - Paragraphs 23 to 27.
- National Planning Practice Guidance (NPPG).
- PUSH Spatial Position Statement (June 2016)
 - Paragraph 5.4.
- Havant Borough Council Parking SPD

Principle of Development:

A. Infrastructure in General

The uncertain nature of Hayling Island's infrastructure network is well documented, particularly the problems associated with the single access on and off the island. These concerns were more recently highlighted during the public consultation on the Draft Local Plan Housing Statement in the summer of 2016.

The comments regarding infrastructure on Hayling Island can be found here:

<https://www.havant.gov.uk/sites/default/files/documents/Local%20Plan%20Appendix%201%20-%20consultation%20responses.pdf>

The section on "Hayling Island Development in General" is most relevant.

There are limited food shopping opportunities on the island. The 2009 Town Centres, Retail and Leisure Study (produced by Nathaniel Lichfield and Partners) highlighted that 38% of Hayling Island residents did their main food shop on the mainland at the Tesco superstore in the Solent Retail Park in Havant Town Centre. In addition, Lidl conducted their own survey of shopper habits at the beginning of the year (2017) and found that out of 2,299 respondents, 81% undertake their main food shop on the mainland. The remaining 14% and 5% relied on retailers on the island and internet shopping respectively.

Therefore, the proposal for an out of centre location has to be weighed against the benefits which would be derived from having a larger food store on the island. This, in turn, would reduce the need to travel off the island.

The Council is currently producing an Infrastructure Delivery Plan (IDP) to support the Havant Borough Local Plan 2036. The plan will consider a range of infrastructure measures, including those which will help make the island become more self-sufficient rather than relying on access to facilities on the mainland. One of these measures is better access to services and facilities on the island; this includes retail.

Mill Rythe School is located to the east of the site. Over recent years, there have been a number of issues associated with parking at the school during morning drop off and afternoon collection. The car park associated with the proposed store could provide an opportunity for short stay school parking to help alleviate the current congestion. The applicant is therefore encouraged to pursue this in collaboration with Hampshire County Council as Local Education Authority.

B. Outside of the Urban Area

The site is located on the junction of Manor Road and Church Road in the central part of Hayling Island. The site lies outside, but adjacent, to the urban area as defined by Policies CS17 and AL2 the Local Plan. These policies seek to concentrate new development within the five urban areas of the borough. This follows the *'national presumption that development should be concentrated within the defined urban areas'* as outlined in Paragraph 8.02 of the Local Plan (Core Strategy).

Policy AL2 identifies land outside the defined urban area on Hayling Island as 'non-urban' rather than as undeveloped gaps.

Paragraph 2.10 of the Local Plan (Core Strategy) acknowledges that there are a number of established developments outside of the urban area on Hayling Island. At present, these mostly include established holiday centres which make a significant contribution to the borough's tourism offer and local economy. The proposal will be directly between and within walking distance from The Oven Camp Site and the Mill Rythe Holiday Village and will thus attract both holidaymakers and residents.

Moreover, Paragraph 2.10 of the Local Plan (Core Strategy) states that proposals that would enhance the above facilities *'will be encouraged providing that they comply with all other Local Plan policies particularly with regard to flood risk and nature conservation'*.

From the above, the location of this development in the non-urban area of Hayling Island is justified. This is because the proposal would meet an overriding public need and will support the already established nearby tourist facilities. The issues of flood risk and nature conservation (as outlined in the quote above) will be discussed later on in these Planning Policy comments.

C. District and Local Centres

Gable Head and Mengham is a district centre located in the southern area of Hayling Island as defined in Policies CS4 and AL3. Gable Head is about 800m away from the proposed site, where as Mengham is less than a 1.6km away. In addition, the site is located 1.6km away from West Town Local Centre.

Paragraph 3.46 of the Local Plan (Core Strategy) gives a brief description of the Mengham/Gable Head District Centre:

“The twinned district centre of Mengham and Gable Head forms the principle shopping area on Hayling Island. The centre serves the needs of local residents many of whom have limited opportunities to travel off the island to shop. It also accommodates tourist trade in the peak holiday season. The centre’s retail outlets are predominantly independent traders offering a range of comparison and convenience shopping”.

At present, the Mengham/Gable Head District Centre has two Co-Operative food stores and a Sainsbury’s Local within its boundaries. A Tesco Express is found in the West Town Local Centre.

The National Planning Policy Framework (NPPF) refers to town centre, edge of centre and out of centre locations for retail development. For retail purposes, edge of centre is defined as a location within 300m of a centre boundary (see **Annex 2: Glossary** of the NPPF). As the proposal is, at its nearest point, 800m from the defined District Centre, it is identified as “out of centre”.

D. Sequential and Impact Test

As this proposal is for a discount foodstore in an out of centre location, the process set out in Paragraph 3.39 (Policy CS4) of the Local Plan (Core Strategy) will apply:

“All applications for the development of town centre uses and in particular new retail floorspace outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all other relevant tests set out in current government policies”.

The National Planning Policy Framework (NPPF) sets out the requirement of Sequential Testing for town centre uses outside of identified town centres in Paragraph 24. Paragraph 24 of the NPPF is replicated below:

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

The National Planning Practice Guidance (NPPG)¹ specifies that the NPPF sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up-to-date Local Plan. These are the Sequential Test and the Impact Test. Nonetheless, under Paragraph 26 of the NPPF, an Impact Test is only required if the proposal is over 2,500 sq m. In this case, the scheme is below this threshold; therefore an Impact Test is not required. The applicants have, however, conducted an Impact Test in Section 7 of the submitted Retail Statement.

The NPPG goes on to state that:

“The sequential test may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test.”

The Sequential Test is carried out in Section 5 of the submitted Retail Statement and considers other sites within and around the District Centre. These sites were discounted due to availability and size. The Council agrees with the conclusions of the assessment that there are no suitable and available sites within the District Centre or in edge of centre locations on Hayling Island.

In addition, Paragraph 8.19 of the Nathaniel Lichfield and Partners 2009 Study comments on the vitality and viability assessment of the Mengham/Gable Head District Centre which was carried out by the council in July/August 2006. At the time, the assessment identified there was limited opportunities to accommodate significant retail development in the centre due to the physical constraints imposed by the close proximity of the surrounding residential properties.

Overall, the information and analysis presented justifies a sequential approach to the proposed location of the store outside of the urban area.

The NPPF and the PUSH Spatial Position Statement (June 2016) encourage a “*main towns and urban areas first, where possible*” approach with regard to retail development (see Paragraph 5.4 of the Spatial Position Statement). This is to combat the impact that inappropriate out-of-centre development can have on town centres. Nevertheless, as specified in Paragraph 3.6 of the submitted Planning Statement and Paragraphs 3.6 and 3.7 of the submitted Retail Statement, the foodstore Lidl differs from other convenience retailers as they do not offer the following products or services:

- Butchers;
- Fresh fish counter;
- Delicatessen/cheese counter;
- Hot food counter;
- Pharmacy;
- Dry-cleaning services;
- Post Office services;
- Café/restaurant, or;
- Cigarettes/tobacco.

As such, the proposal would not threaten the vitality and viability of the nearby businesses in the District and Local Centre as it has a limited product range (1800 products compared to

¹ Paragraph: 001 Reference ID: 2b-001-20140306. Revision date: 06 03 2014.

the 35,000 products on offer at other retailers such as Morrisons, Tesco, Asda and Sainsbury's). Paragraph 3.7 of the submitted Planning Statement goes onto say that:

'Lidl has always operated as a complementary retailer, with a significant proportion of customers also choosing to visit other retailers to fulfil their shopping needs'.

Overall, the applicant has carried out a Sequential Test in accordance with the guidance set out in the NPPF and NPPG. This test is deemed sound and justifies the proposal of a discount foodstore in an out of centre location.

Transport:

The site is located off of the A3023 which is the main route to the mainland. The Stagecoach UK bus route 30/31 operates long the A3023, with current bus stops situated within walking distance from the site, i.e. near Mill Rythe School and The Oven Campsite. In addition, a pedestrian footpath runs along the north of the site linking it to Church Road.

As such, the above is in accordance with Policy DM11.5.

Sustainable Construction and High Quality Design:

Criteria 3 of Policy CS14 states that on completion, non-residential development of over 500 sq m must at least meet the "very good" standard of BREEAM. As specified in Paragraph 7.30 of the Local Plan (Core Strategy), in order to meet the BREEAM requirements *'applicants will be expected to submit a statement of how this has been achieved as part of their planning application'*.

Paragraph 5.53 of the Planning Statement highlights that *'the store will be designed to meet BREEAM 'Very Good', the level required by Policy CS14'*. Section 12 of the submitted Design and Access Statement sets out the detailed design of the proposed building. In doing so, the section sets out how the proposal will focus on low energy consumption and sustainability. These are welcomed by Policy CS14; however, the policy specifically stated that a statement of how BREEAM standards will be achieved will be required. In the absence of this, the Planning Policy Team recommends the following pre-commencement condition if the scheme is granted planning permission:

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Very Good against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

In addition, the following performance condition should also be included if the scheme is granted planning permission:

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

The proposal is planned to provide a minimum of 10% of the building's energy from renewable or low carbon energy sources, this is welcomed by criterion 2 of Policy CS14.

The notion in Paragraph 3.15 of the submitted Planning Statement outlines that Lidl recycle all paper/cardboard and plastic waste produced by its stores. This will mean that over 90% of all waste produced by the store will be recycled. This is heavily welcomed.

With regard to the amenity of neighbouring residential properties, Paragraphs 6.5 and 9.2 of the submitted Design and Access Statement state that additional native tree species will be planted along the east area of the customer car park and along the south east boundary as a screening to the rear gardens of Church Road. In addition, Paragraph 7.8 of the Statement states that:

“An acoustic fence is to be installed along the edge of the delivery vehicle ramp and access road, to mitigate the potential noise impact of the vehicle movements and unloading on the adjacent woodland habitat and nearby camp sites”.

With this, Paragraph 3.15 of the Planning Statement talks about the design of the car park lighting and how the light spill beyond the site boundary will be kept to a minimum.

These aspects are supported by criterion 1e) of Policy CS16.

Parking:

Policy DM14 and the Havant Borough Parking SPD (July 2016) set out the minimum parking standards for new non-residential development in the borough. The minimum vehicular and bicycle parking requirements are set out in Table 1 (Page 6) of the SPD for A1 Shops (food retail).

In addition, footnote 4 of Table 1 of the SPD states that:

“disabled people's car parking spaces should be provided in a ratio of 5% of the total allocation”.

With regard to minimum vehicular parking requirements, Table 1 states 1 space per 14 sq m of the covered area. As the proposal is for a gross internal ground floor area of 2,186 sq m, this means that a minimum of 156 spaces are required of which 8 will need to be blue badge disabled parking spaces.

The proposal however, only has 126 customer car parking spaces of which 10 will be blue badge disabled spaces. The proposal does not currently meet the minimum number of car parking spaces required, however, it has exceeded the ratio required for blue badge disabled spaces. Given the population profile of Hayling Island, the over-provision of disabled parking spaces is encouraged.

With regard to long and short stay cycle parking, Table 1 of the Parking SPD states that:

- Long Stay Cycle Parking (whichever of the below is greater):
 - 1 space per 6 staff, or;
 - 1 space per 300 sq m of the GEA
- Short Stay Cycle Parking:
 - 1 stand per 200 sq m of the GEA

The proposal has planned for 11 short-stay and 8 long-stay cycle spaces. This is in accordance with the above.

Flooding:

The site is identified in Flood Zones 2 and 3.

As stated in Part B of the Principle of Development section of these comments, this proposal *‘will be encouraged providing that they comply with all other Local Plan policies particularly with regard to flood risk and nature conservation’*. As such, the criteria of Policy CS15 (Flood and Erosion Risk) will need to be met.

Sites for Brent Geese and Solent Waders:

The site is identified as uncertain for Brent Geese and Solent Waders, therefore Policy DM23 applies. As a result, criteria 5 and 8 of Policy CS11 will also apply.

The council’s ecologist will be able to provide further advice on whether the proposals meet the requirements of this policy.

Tree Preservation Orders (TPOs) and Landscape:

A Tree Preservation Order (TPO) has been placed on one tree in the south-east corner of the site. With this, the wooded area to the east of the site, as well as the woodland belt surrounding the west and south of the site have group TPOs placed upon them. Therefore, the criteria of Policy DM8 must be met.

Paragraphs 6.5, 9.1 and 9.2 of the submitted Design and Access Statement, as well as Paragraph 3.20 of the Planning Statement, state that the proposed development will retain all of the existing trees and retain as much of the existing species-rich hedgerow as possible. With this, additional planting will be undertaken. Paragraph 6.5 of the Design and Access Statement highlights that the customer car park has been set back from the site boundary to ensure that the sub-base construction excavations are outside of the hedge and tree root areas. The Council’s arboriculturalist will be able to provide further advice on whether the proposals meet the requirements of this policy.

The site is currently used for grazing and has an Agricultural Land Classification (ALC) of Grade 3a. This has been confirmed using DEFRA’s Magic Map web resource:
<http://magic.defra.gov.uk/MagicMap.aspx>

The NPPF defines the best and most versatile agricultural land as those classified as Grades 1, 2 and 3a. The NPPF expects Local Planning Authorities (LPAs) to seek to use areas of poorer quality land in preference of higher quality where significant development of agricultural land is demonstrated to be necessary. This proposal, therefore, is not supported

by criterion 10 of Policy CS11 which aims to protect the best and most versatile agricultural land. However, as discussed in Appendix 3 of the Sustainability Appraisal of the Local Plan Housing Statement (November 2016), Havant Borough does not appear to contain much land of Grade 3b, 4 and/or 5 value as an alternative for development proposals. In addition, the Sequential Test carried out, and commented upon earlier in these comments, demonstrates that no other sites in or near the District Centre are suitable or available.

In this instance therefore, the loss of higher quality agricultural land cannot be avoided.

A link to the Sustainability Appraisal of the Local Plan Housing Statement (November 2016) can be found here:

<https://www.havant.gov.uk/sites/default/files/documents/Sustainability%20Appraisal%20of%20the%20Local%20Plan%20Housing%20Statement%20%28November%202016%29.pdf>

Developer Contributions:

Havant Borough Council has an adopted CIL Charging Schedule which is applied to new development in the borough in addition to the requirements of Policy CS21.

Recommendation:

The infrastructure benefits which would be gained from a food store on Hayling Island would help make the island more self-sufficient. As such, the Planning Policy Team does not have an objection to this proposal in principle. Furthermore, the applicant has demonstrated compliance with the NPPF's sequential test and shown that there are no sequentially preferable sites within Hayling Island's town centres or in an edge of centre location.

Nonetheless, the criteria of the Policies specified above will need to be met and the conditions highlighted regarding BREEAM will need to be included in any planning permission which is granted.