
Site Address: West Street Precinct, Havant
Proposal: Renewal of Planning Permission 09/57719/021 for street market to operate on Tuesdays and Saturdays in West Street, Havant precinct, and on Tuesdays only outside St. Faiths Church, and for occasional use of specialist markets on other days.
Application No: APP/14/00995 Expiry Date: 24/11/2014
Applicant: Mr J Crate Team: Team 1
 Havant Borough Council
Agent: Case Officer: Heather Lealan
Ward: St Faiths

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

The site subject of this application is located in West Street Havant precinct and extends from St Faiths Church along to Park Road South. Submitted plan PC49-006 shows the extent of the markets on Tuesdays and Saturdays and identifies activity areas including market stall areas and emergency vehicle access route.

2 Planning History

09/57719/021

Renewal of Planning Permission 04/57719/015 and 04/57719/020 for street market to operate on Tuesdays and Saturdays in West Street Havant Precinct and on Tuesdays only outside St. Faiths Church plus for occasional use of specialist markets on other days.

3 Proposal

Renewal of Planning Permission 09/57719/021 for street market to operate on Tuesdays and Saturdays in West Street, Havant precinct, and on Tuesdays only outside St. Faiths Church, and for occasional use of specialist markets on other days.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS4	()
CS5	(Tourism)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Conservation Officer

No objection. This is a renewal of a longstanding permission and should add vitality to the area. It is controlled and overseen by the Council and as far as I am aware it works well. It makes a positive contribution to the local area and is therefore something to be encouraged.

Development Engineer

I have no adverse comment to this application.

Environmental Health

No vehicle being used for the purposes of or otherwise in connection with the markets hereby permitted shall be brought onto the pedestrianised area between 0900 and 1600 hours, and no persons, vehicles, materials or equipment associated with the market hereby permitted shall arrive at the site prior to 0600 hours

Property Services Manager

No comments

Hampshire Fire & Rescue

Compliance with the Regulatory Reform (Fire Safety) Order 2005 - Fire exit routes from adjacent premises and access to services such as Fire Hydrants and shut off points for gas electric and water services should not be obstructed.

Part B5: Access and Facilities for the Fire Service - The access for fire appliances should be in accordance with Approved Document B5 of the current Building Regulations.

Comment - Access routes to be in accordance with B5 to be added as an informative

Crime Prevention

No comments to make

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: 104

Number of site notices: One

Statutory advertisement: 10/10/2014

Number of representations received: None

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 streetscene
- (iii) Impact upon residential amenity
- (iv) Impact upon business located with Havant Town Centre
- (v) Highway impact

(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.

(ii) Impact upon the streetscene

It is not considered that the renewal of this planning permission would have a negative impact on the character of the streetscene and conservation area and as such it is in accordance with adopted policies CS16 and CS11 of the Core Strategy to this regard.

(iii) Impact upon residential amenity

It is not considered that the renewal of this planning permission would have a negative impact on the amenities of the local residents within the town centre. This consideration is on that basis that the arrival and finish times are controlled by planning condition, in accordance with the Environmental Health consultation response. Therefore, the proposed temporary renewal is considered to be in accordance with adopted policies CS16 and DM10 of the Core Strategy to this regard.

(iv) Impact upon business located with Havant Town Centre

It is not considered that the renewal of this planning permission would have a negative impact on the existing businesses within the town centre and the Council's Economic Development Team promote the markets as a method of bringing viability and vitality into the town centre to the benefit of the permanent businesses operating. As such it is in accordance with adopted policies CS4 of the Core Strategy.

(v) Highway impact

It is not considered that the renewal of this planning permission would have a negative impact on highways and access through the precinct so long as the access conditions applied to the 2009 consent are again replicated for this consent and that the comments from Hampshire Fire and Rescue are incorporated as a condition and informative to any planning consent, (see section 5). As such it is in accordance with adopted policies CS16 and CS11 of the Core Strategy to this regard.

8 Conclusion

It is considered that the renewal of this planning permission is in accordance with the

requirements of local and national policy and therefore should be granted temporary planning consent subject to the conditions listed below.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT TEMPORARY PERMISSION** for application APP/14/00995 subject to the following conditions

- 1 This permission shall be for a limited period expiring on 31 December 2019 on or before which date the use of the land for a weekly Tuesday Market and Specialist Markets as set out in the applicant's specification received 24 September 2014 and a weekly Saturday Market as set out in the applicant's specification received 24 September 2014 shall be discontinued permanently and the site shall be restored to public highway unless the prior consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: To allow the parking arrangements associated with the market use to be reviewed and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 Notwithstanding the details shown on the approved plan, no goods or equipment associated with the market use hereby approved shall be sold, displayed or stored within the following areas:-
 - (i) a distance of 3m from any shop front on West Street with the exception of No's 20-32 and boundary wall of St Faith's church where the distance shall be 2m;
 - (ii) the defined "emergency vehicle access" shown on the approved plan.
Reason: To secure well planned development in the interests of the amenities of the area and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 No sound amplifying equipment associated with the market use hereby approved shall be operated outside of approved trading hours (0900-1700).
Reason: In the interests of the amenity of the area and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 All litter arising from the market shall be removed from the site on the evening following the close of the market to the satisfaction of the Local Planning Authority.
Reason: In the interests of the amenities of the area and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 Fire exit routes from adjacent premises and access to services such as Fire Hydrants and shut off points for gas electric and water services shall not be

obstructed.

Reason: In the interests of public safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The applicant shall make arrangements to meet the post office collection vehicle at the required times on Tuesdays and walk the vehicle through the market along the emergency access route to and from the post box.

Reason: To enable access through the market for mail collection for the benefit of the wider community and having due regard to policies CS16, CS4, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No vehicle being used for the purposes of or otherwise in connection with the markets hereby permitted shall be brought onto the pedestrianised area between 0900 and 1600 hours, and no persons, vehicles, materials or equipment associated with the market hereby permitted shall arrive at the site prior to 0600 hours.

Reason: To protect the amenities of occupiers of nearby residential properties and having due regard to policies CS16, CS4, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The temporary refuse containers shall be sited only within the area shown on the approved plan and all containers shall be removed from the site on the evening following the close of the market.

Reason: In the interests of the amenities of the area and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 At least two access points (a minimum of 1m wide) between stalls shall be provided between No's 20 and 26 West Street.

Reason: To secure a well planned development in the interests of the amenities of the area and having due regard to policies CS16, CS4, CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 The development hereby permitted shall be carried out in accordance with the following approved plans:

Havant Market West Street Precinct Havant drwg.no PC49-006 received 24 September 2014

Schedule One, Operational Details of Havant Market received 24 September 2014

Site Location Plan drwg.no V/1920 received 24 September 2014

Reason: - To ensure provision of a satisfactory development.