

Our Ref. PD13383 LT/HM

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21st May 2024

Dear Sir or Madam,

UNITS 5, 7 AND 9, WELLINGTON RETAIL PARK, HAMBLEDON ROAD, WATERLOOVILLE, HAMPSHIRE, PO7 7FG.

**APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
NON MATERIAL AMENDMENT APPLICATION FOR EXTERNAL ALTERATIONS TO ELEVATIONS**

We write on behalf of our client, Corona Vulcan Wellington Limited ('the Applicant'), to apply for a non-material amendment to amend the elevations of Units 5, 7 and 9 (also known as 3, 3A and 4) at the Wellington Retail Park, Hambledon Road in Waterlooville ('the Site').

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015, the documents which comprise the application include the following:

- Application Cover Letter dated 15 May 2024 (this letter);
- Application Forms and Certificates duly signed and dated 15 May 2024;
- Drawing Ref: 216-PL4-102.P6 – Existing and Proposed Plans;
- Drawing Ref: 216-PL4-103.P5 – Proposed Elevations and Roof Plans;
- Drawing Ref: 216-PL4-104.P4 – Proposed Block Plan;

The application has been submitted via the Planning Portal (ref. PP-13064167). The application fee of £363.00 has been calculated in accordance with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017. An electronic payment for this amount has been made at the time of submission, including the £70 admin fee.

Background

The Site comprises Units 5, 7 and 9 at the Wellington Retail Park, located within Waterlooville Town Centre.

The Wellington Retail Park comprises three separate terraces of retail units located either side of Hambledon Road, to the north of Maurepas Way (A3), the majority of which are within the Waterlooville Town Centre boundary. Operators at the Park include Sainsbury's, TK Maxx, M&S, SCS and Home Bargains amongst others. The Retail Park therefore constitutes a key part of the Town Centre retail offering. The remainder of the Town Centre is located to the south of Maurepas Way (A3) and comprises a more traditional town centre layout with small units situated in a linear pattern along main high streets.

Units 5, 7 and 9 are located between B2150 Hambledon Road opposite the Sainsburys store, and immediately north of the Food Warehouse and Home Bargains units. The terrace comprises three units, occupied by Jollyes (Unit 5), Halfords (Unit 7), and Dreams (Unit 9).

The planning history at the park is extensive and varied. In relation to Units 5, 7 and 9, most recently Planning Permission Ref. APP/23/00661 was approved on 28th November 2023, for *'external alterations comprising new shop entrances, widened walkway, new bollards, new signage features and support columns, and widening of one parking bay.'* This permission approved external changes to modernise and improve customer access and safety. It is this permission which this Non Material Amendment application seeks to vary.

Amendments Under Section 96A of the Town and Country Planning Act 1990

Section 96A of the Town and Country Planning Act (1990) gives the power to the Local Planning Authority to *"make a change to any planning permission, or any permission in principle (granted following an application to the authority), relating to land in their area if they are satisfied that the change is not material".*

Section 96A (2) states that:

"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission, or permission in principle, as originally granted."

There have been no previous changes to the form or content of the planning permission under Section 96 (or any other part) of the Act.

The National Planning Policy Practice Guidance on flexible options for planning permissions confirms that:

"There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another."

The power under Section 96A is, therefore, relatively broad in scope and, in the context of the overall scheme, the particular changes sought through this application (as detailed below) can be dealt with as non-material amendments.

Amendments Sought

This application seeks to amend the signage zones on the elevations as approved by Planning Permission Ref. APP/23/00661. The amendments to the changes can be summarised as follows:

- Widening of the signage zones from 5.55m to 10.59m; and
- Removal of existing cladding on Unit 7 and incorporation of glazing in accordance with the remainder of the terrace.

The proposed changes will widen the previously approved signage zones, and will also result in the repositioning of the associated signage columns. Additional glazing is also proposed between Units 7 (Halfords) and 5 (Jollyes) at lower level.

Although the proposed amendments to the elevations will result in slightly larger signage areas for all units, the design will still be in-keeping with the rest of the Site, and the changes are not considered to be material. The incorporation of additional glazing at lower level will ensure consistency in the design across the terrace, further activate the frontage, and again do not constitute a material change.

It is proposed that the approved drawings listed on the Decision Notice for Permission Ref. APP/23/00661 are amended to reflect the changes set out above and on the accompanied plans as set out in **Table 1** below.

Drawing Title	Drawing Number	Approved Revision (APP/23/00661)	Proposed Revision
Existing and Proposed Plans	216-PL4-102	P5	P6
Proposed Elevations and Roof Plans	216-PL4-103	P4	P5
Proposed Block Plan	216-PL4-104	P3	P4

Summary and Conclusion

In summary this application seeks to widen the signage zones of the three units to improve visibility of the occupiers, the signage zones are commensurate to the existing signage at the park and on each of the units currently, and the incorporation of further glazing on Unit 7 ensures consistency with the remainder of the terrace and further activates the frontage.

The amended proposals are of a nature and scale which is not substantially different from the approved and do not comprise any significant or material changes in the overall design of the building, nor would they conflict with the development plan policies.

Therefore the amendments outlined above are considered appropriate to be made under Section 96a of the Town and Country Planning Act (1990) as the changes will not have a material impact on the approved development.

We would be grateful if the Council could confirm that our application is completed and will be validated shortly. However, if you do have any queries or require any additional information, please do not hesitate to contact Harry Manners (harry.manners@montagu-evans.co.uk) or Lucy Turner (lucy.turner@montagu-evans.co.uk) at these offices in the first instance.

Yours faithfully,



Montagu Evans LLP

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