
Site Address: 55-57 Greywell Road, Havant, PO9 5AH
Proposal: Proposed change of use of unit 55 from A2 to A3, walk way to A3 and unit 57 from A1 to A3 to serve as new coffee shop. Replacement glazing and doors to front and rear elevations.
Application No: APP/15/01296
Applicant: Mr Watson
Agent: Mr Knight
Ward: Battins
Expiry Date: 20/01/2016
Team: Team 2
Case Officer: Daphney Haywood
Sinclair Clark Allegra Limited
Knight Architectural Design

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located in the Greywell centre which is a mixed use development of commercial units and first floor residential units. 55-57 Greywell Road, comprise 2 vacant retail units located to either side of a walkway leading from the public car park through to Greywell Square. To the north is the car park. To the north east is an access point to residential flats located above. The walkway is one of 2 walkways in this location and is a public highway.

2 Planning History

APP/11/00109 Change of use of retail premises from Class A1 (shops) to Class A2 (financial and professional services). Permitted

00/61472/001 Change of Use from undertakers (with chapel of rest) to use class A1 (Retail) Permitted. 23/03/2000

3 Proposal

Proposed change of use of unit 55 from A2 to A3, walk way to A3 and unit 57 from A1 to A3 to serve as new coffee shop. Replacement glazing and doors to front and rear elevations.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
CS4 (
DM10 (Pollution)
DM2 (Protection of Existing Community Facilities and Shops)
DM5 (Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

LP3 (Leigh Park Mixed Use Allocations)

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**

Property Services Manager No objection note that part owned by HBC
Building Control, (Fire Access Consultation) No comments to make
Southern Water Informative re connection to sewerage system required.
Economic Development - Retail and Town Centres Support the proposal
Environmental Health Manager, Community Group The applicant has states that no mechanical ventilation is required and on this basis no adverse comments, but if ventilation is required then consent must be obtained prior to installation.
Officers note a condition to address this is proposed.
Development Engineer - Highways
The Walkway is public highway and the Highway Rights would need to extinguished.
The developer should talk to Mark Housby at HCC who I have copied this email to.

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: 30

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary: There are already a large number of cafes/hot food shops in the precinct. No indication of opening hours, Concerned about impact on existing anti social behaviour and possible noisy extraction equipment impacting residential amenity.

Comment: see section 7

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) Effect of the change of use on the character of the District Centre
- (iii) Effect of the A3 use on the nearby residential amenity
- (iv) Highways and access

(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) Effect of the change of use on the character of the District Centre

The site lies within the Leigh Park District Centre and within the primary frontage which covers the main Greywell Precinct, and part of the western end of Park Parade. Policy AL3 advises that retail should be concentrated in primary shopping frontages and states:-

AL3 (Town, District and Local Centres)

Planning permission will be granted for development proposals that:

1. Provide main town centre uses in the town, district and local centres as defined on the Policies Map, and so contribute to their vitality and viability.
2. Promote and enhance the primary shopping areas of the town and district centres.
3. Retain at least 50% of the units in an unbroken run of primary frontage as defined on the Policies Map in retail (A1) use.
4. Retain at least 25% of the units in an unbroken run of secondary frontage as defined on the Policies Map in retail (A1) use.
5. Generate pedestrian activity within the primary shopping area by being open during the day to visiting members of the public.
6. Provide a shopfront within the primary shopping area with a well designed and appropriate display window.

Exceptions to parts (3) and (4) may be made to allow a change of use to non-retail if more than 25% of units in the unbroken run of frontage are vacant at the time of the application.

There are 9 units in this frontage of which 5 are empty, including the application units. Of the occupied units only 2 are in A1 use and the other 2 are a cafe and a kebab takeaway. Whilst there are a relatively high number of A3 outlets in the Centre as a whole these are generally concentrated in Park Parade. There are however, a high number of vacant shops in the vicinity of the application site. A large number of empty shops may indicate that a centre is in decline and in need of change to adapt to the future.

The findings in the Town Centres, Retail, and Leisure Study (2009) suggest that occupancy rates for units in the district centre have been declining for some time and that the nature and demand of shoppers has changed. There is already an established loss of footfall which may not be solely the result of the number of takeaways which exist within the shopping centre. The shopping centre was built at a time when the internet did not exist and car ownership was less and therefore communities depended on large and vibrant shopping centres within close distance to fulfill shopping needs. Since then the retail industry has changed considerably and as a result large district shopping centres and some high streets have declined with regards to their retail function. The consideration therefore is whether it is more viable to retain the empty units (thus maintaining the potential A1 representation) or allow an active A3 use (which would result in a reduction in A1 representation). Policy AL3 suggests that the latter is the preferred option as the proposed change of use would provide an active, publicly accessible, use at ground floor level. This would increase

levels of natural surveillance and deter anti-social behaviour as the unit is occupied as opposed to being vacant.

It is noted that there are around sixty units currently trading in the District Centre of which in excess of 15 premises sell hot food. Nine of these are hot food take aways and of these most of them are in Park Parade. The proposal would constitute a further non retail use and may displace some custom from the existing A3 units in Greywell, however, in terms of policy AL3, given the high concentration of vacant units in the vicinity, it is considered that the proposed change of use which involves the loss of one A1 unit and one A2 unit would fall under the exception to part (3) of Policy AL3 as more than 25% of the units in the frontage are vacant. The proposal would bring back into use 2 vacant units adding to the vitality and viability of the Centre.

(iii) Effect of the A3 use on the nearby residential amenity

Policies CS16, DM10 and DM5 refer to the consideration of neighbouring amenities and matters such as noise and odour. The last of these policies requires that measures are incorporated in the development of A3 premises to mitigate effects on nearby residents. The applicant has advised that the premises would be used as a coffee shop selling hot drinks, pastries and sandwiches, and therefore they do not anticipate the need for any extraction equipment to deal with cooking activities, however, a condition requiring the submission of details should such equipment be required is recommended to control this aspect of the proposal.

In terms of noise, there are flats above and close to the application site, however, it is anticipated that the opening hours would be 7am to 6pm, and given that nearby units are open for longer hours the proposal is considered to be acceptable in this respect and not to encourage anti social behaviour in the evenings. A hours of opening condition is recommended.

(iv) Highways and access

The highway engineer has raised no objection. In this it is acknowledged that the existing premises have a A1/A2 use, which could cover a range of activities and goods and the associated need for loading. The proposal will increase the floor area but is not considered to be demonstrably or significantly different in this respect.

In respect to the enclosure of the walkway as this is adopted highway, a closure order under Section 247 of the Town and Country Planning Act 1990 will be required if the proposal is to be implemented. This closure is considered acceptable in order to implement a scheme which is considered will benefit the vitality and viability of the District Centre.

8 Conclusion

Whilst there are a number of cafe/hot food units in the centre and whilst the proposed development may affect other A3 businesses/cafes, it will bring back into use 2 empty units, and as such make a positive contribution to the vitality & viability of the District Centre.

Regarding enclosure of the walkway, notwithstanding the need to extinguish the highway rights over the land the submitted plans nonetheless provide for double doors in both entrances and it will remain possible to gain access from both the car park and the Centre during opening hours. Additionally there is a further walkway 45m to the

west which will be available for access outside these hours and there is no objection from the Highway officer.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to:

A) Raise no objection with respect to a future application under Section 247 of the Town and Country Planning Act 1990 to extinguish Highway Rights in order to implement the proposals the subject of this application; and

(B) **GRANT PERMISSION** for application APP/15/01296 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

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 Compulsary Purchase Act 2004.

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

Existing Plan and Elevations KAD 01AEXT
Proposed plans and elevations KAD02A-A3

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the installation of any extraction equipment a scheme providing details of all equipment including details of the appearance of any external flue(s), manufacturer's operating instructions and a programme of equipment servicing/maintenance shall be submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full before the use hereby permitted first takes place and shall remain operational thereafter.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The premises shall only be open for trade or business between the hours of 07.00 hours to 18.00 hours.

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.

