

Planning Application Response of Planning Policy

Application No:	APP/20/01221
Address:	Land to the west of B&Q, Purbrook Way, Havant
Development:	Erection of retail foodstore with associated car parking, access, landscaping and engineering works
Case Officer:	Lewis Oliver
Comments by:	Jade Ellis
Date of Comments:	17 th March 2022

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.

The following policies are of relevance:

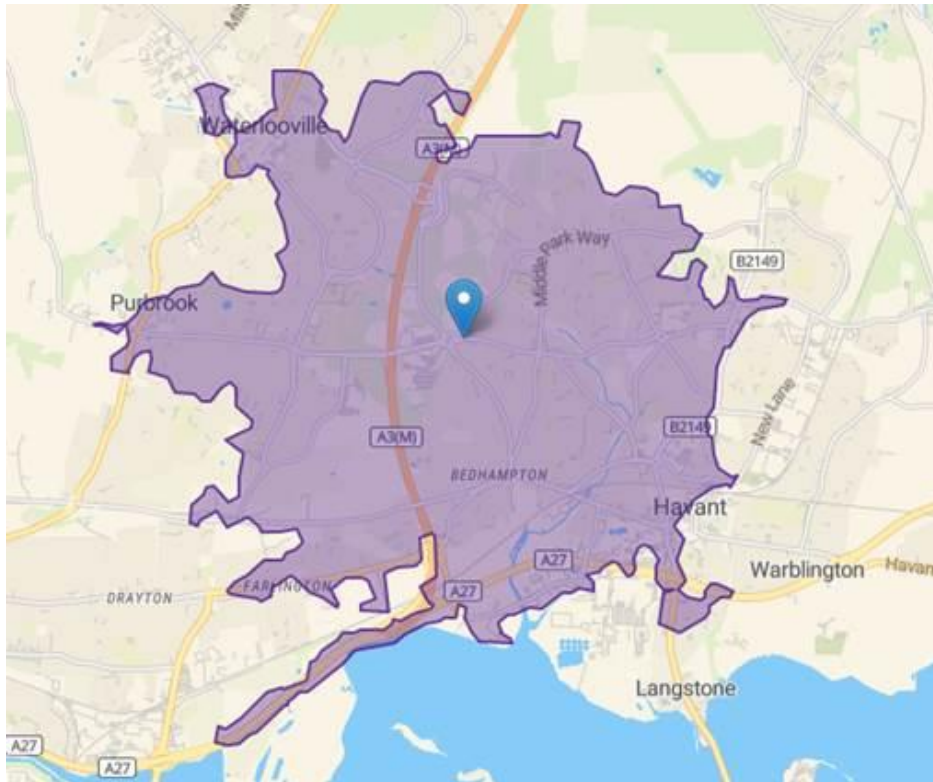
- CS4 – Town, District and Local Centres
- CS11 – Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS14 – Efficient Use of Resources
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements
- AL3 – Town, District and Local Centres
- DM11 – Planning for More Sustainable Travel
- DM14 – Car and Cycle Parking on Development (excluding residential)

Principle of development

The site lies within the urban area as currently defined by ALP Policies CS17 and AL2. As such, the principle of the development is acceptable subject to other material considerations.

Retail impact and the sequential test

Paragraphs 86 and 87 of the NPPF are relevance given the application proposals are for a main town centre use in an out of centre location, and a sequential test should therefore be applied. The Council reviewed the suitability of the catchment area identified by the submitted Planning and Retail Statement, and concluded that it should be expanded to include the edge of Havant Town Centre and as well as Waterlooville Town Centre in its entirety (based on a 5 minute drivetime).



In identifying the expanded catchment area, the Council sought clarification on the availability of the vacant Waitrose store in Waterloo which closed in June 2020. In a letter dated 7th July 2021, the freeholder (Threadneedle Pensions Limited) of the site subsequently confirmed that they are working with the leaseholder to identify a new tenant for the premises and would be willing to surrender the existing lease and grant a new lease on market terms (given a commercially viable option).

In responding to these issues (including an objection from Planning Potential on behalf of Aldi), the applicant submitted a revised sequential assessment. The Council subsequently sought independent retail advice from Stantec in August 2021 (with the costs borne by the applicant) and in their initial advice letter concluded that the application proposal did not pass the sequential test. The applicant was then given the opportunity to respond to this advice.

In October 2021, the applicant submitted a rebuttal to Stantec's initial advice letter. A further independent review was sought (with the costs borne by the applicant). The second letter from Stantec concludes:

"We reluctantly accept that the former Waitrose unit is probably not suitable for the development proposed. On the face of it, a former foodstore unit in a town centre should be able to physically accommodate a LAD (Limited Assorted Discounter) foodstore of a smaller footprint. Having given this issue considerable thought, we have concluded that despite there potentially being a solution to the car parking issue and other compromises could potentially be reached, the applicant's supplementary submission does provide compelling reasons which demonstrate that the former Waitrose unit is not suitable for the proposed development.

Before we reach a final recommendation on whether the application proposals pass the sequential test, the applicant should comment on whether the demolition of the former

Waitrose unit and construction of a new foodstore at the same site might render the former Waitrose unit / site suitable and available for the development proposed.”

In this respect of the latter, the applicant has submitted a further statement dated 26th January 2022 which indicates any redevelopment scheme for the former Waitrose would introduce a level of flexibility that falls far outside the ambit of the sequential test and established with the relevant case law. It is considered that most notably redevelopment is not realistic because the site would not be available within a reasonable period of time.

Having regard to Stantec's advice and the applicants statement on the redevelopment of the site, it concluded that an objection could not be sustained on sequential test grounds.

Sustainable Construction and Design

ALP Policy CS14 indicates that non-residential development of over 500 sq. m should meet the 'Very Good' Standard of BREEAM. It is noted from the submitted Sustainability Statement that a 'Very Good' standard could be achieved according to the Pre-Assessment. As such, it is noted the proposals would comply with the ALP.

Parking

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13 and the Council's Parking SPD.

Summary

Given the site's location within the urban area within the context of the adopted and emerging local plans, the principle of development is acceptable.

It is considered that the development proposals have demonstrated compliance with the sequential test, and as such an objection could not be sustained on that basis.

In respect of environmental credentials, it is noted that the applicant only proposes to meet BREEAM 'Very Good' as per the requirements of the ALP.