

Our ref: hk/o/gdk/Hvnt/apc

13 October, 2021

Planning Development,
Havant Borough Council,
Public Service Plaza,
Civic Centre Road,
Havant, Hampshire,
PO9 2AX.

Dear Sir/Madam,

Proposed siting of extraction equipment to rear, shopfront alterations and advertisement consent for new signage to facilitate use of premises as a Class E Restaurant (11:00 to 23:00 7days/week) at Units 1A and 1B Central Retail Park, Park Way, Havant PO9 1HH

We act as planning consultants to Theva Ventures Ltd who wish to operate a new Class E restaurant use from the above vacant units which will be amalgamated into one single Class E unit.

The lawful use of both units was Class A1 retail use which has now been replaced by the new E Use Class. Unit 1A was formerly occupied by Carphone Warehouse and Unit 1B was occupied by a dry cleaning company, Solent Cleaners.

It is proposed to amalgamate both units into a single commercial unit in the same use class as permitted by Section 55 (2) of the Town and Country Planning Act 1990.

As you know, The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 come into effect on 1st September 2020. The new regulations revoke Parts A and D of the Schedule to the Use Classes Order 1987 and introduce a new Class E. Commercial, Business and Service Use Class which allows an unrestricted permitted development right for use, or part use, for all or any of the following purposes—

- a) *for the display or retail sale of goods, other than hot food, principally to visiting members of the public,*
- b) *for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,*
- c) *for the provision of the following kinds of services principally to visiting members of the public—*

- (i) financial services,*
- (ii) professional services (other than health or medical services), or*
- (iii) any other services which it is appropriate to provide in a commercial, business or service locality,*
- d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,*
- e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,*
- f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,*
- g) for—*
 - (i) an office to carry out any operational or administrative functions,*
 - (ii) the research and development of products or processes, or*
 - (iii) any industrial process,*
- h) Being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

As such, planning permission in this case for change of use from the former Class A1 retail use to restaurant use is no longer required. Planning permission is however required for external alterations to the shopfront and siting of extraction equipment to the rear and advertisement consent for new signage. The new restaurant will open from 11:00 to 23:00 each day of the week and we also seek to formally regularise the hours of use within this application submission package.

The application site is located within the Central Retail Park on Park Way in the defined Havant Town Centre. The subject property is not statutorily or locally listed and is not located in a designated conservation area. The retail park comprises five large retail units, which are designated as a primary shopping frontage together with a drive through KFC restaurant and the two subject units. The application site is not however designated as secondary shopping frontage. There is a car park for use by customers for all the units which has pedestrian access to the adjacent park and other parts of the town centre.

Policy AL3 of the adopted 2014 allocations local plan supports uses that generate pedestrian activity and increase footfall in the town centre. Policy CS4 of the adopted core strategy supports proposals that enhance the evening economy of town and district centres. The application site is located in a purpose built retail park and there are no residential properties that would be impacted by the permitted use of the premises as a restaurant.

The proposed extraction system will be located to the rear of the property and will not be visible in the street scene. The extraction system is on the whole internally located other than an air-in duct with panel filter housing and silencers built in together with an air out louvered grille. There will also be two small grilles to serve the WC's. Technical details for the proposed equipment is supplied on the submitted plans. Two externally condensers will serve the AC system for the customer area and back-of-house/kitchen area. Two other

condensers will serve the new fridge and freezer. Noise mitigation measures such as anti-vibration mounts and duct attenuators will be installed as standard with the result being that the noise impact of the mechanical plant associated with the proposed development will not result in any discernible loss of amenity.

An active shopfront will be maintained with the insertion of matching glazing panels and entrance doors and the removal of superfluous bulky external cladding to the entrance. A high degree of intervisibility will be achieved which creates interest and activity in the street scene and therefore enhances vitality. This is a significant improvement on the current appearance of the property which is dead in the street scene with opaque vinyl screening in the windows and an internal roller shutter permanently pulled down. The subject proposals therefore fully comply with adopted local development plan policy.

As regard the proposed signage there will be three individually located fascia letter signs which will be internally illuminated to the front and side elevations together with a single internally illuminated projecting sign to the front elevation. There will also be soft orange gel nano light strip on each fascia panel. Together the proposed advertisements have no impact on amenity or highway safety.

If you have any queries relating to these proposals please do not hesitate to contact these offices in the first instance

Yours sincerely,

HARIS KASUJI BA MA MRTPI