

Recommendation: **GRANT PERMISSION**

- 1.1 The application site comprises the former Post Office sorting office located on the west side of North Street, just north of the fire station. The building includes the original Edwardian three storey red brick building on the road frontage, with a single storey warehouse style rear addition. The site includes a rear parking area, and the side vehicular access which is shared and also provides access to 12a (a backland office) and 14 and 16 (which are converted to flats). When in use by the post office, internally the site comprised a large ground floor open area with separate small customer counter; with ancillary offices and staff facilities on the upper floors. The upper floors are linked to the ground floor and are not self contained and therefore the building is currently considered to comprise a single planning unit.
- 1.2 It is understood that the building was last used as a sorting and delivery office by the Post Office until January 2019, which is considered to be a Sui Generis use. Planning permission was granted under APP/19/00638 in October 2019 to change the use of the front part of the ground floor to a mixed flexible use of either A1/B1a/A2 or A3 with 2 flats above. When a user could not be found an alternative permission was granted in April 2020 under APP/20/00068 for a mixed flexible use of either A1/B1a/A2/A3 with ancillary storage on the ground floor and change of use of the first and second floors to B1a/A2. Since then a user has been found for the ground floor (an art/craft shop with teaching area in the rear) and one of the upper floor spaces (a beautician) that do not strictly conform to the definition of either earlier permission. The Use Classes Order has also since been updated and hence this application seeks a further flexible use of the premises to take account of the uses that have now commenced at the site.
- 1.3 The site is located within the defined District Centre of Emsworth and within a Secondary shopping frontage as defined by the adopted Local Plan. The site lies outside Emsworth Conservation Area and is not a Listed Building. The Emsworth Neighbourhood Plan, 2019-2036, identifies the site as falling within the Community and Services Hub (Policy C1) and as a Building of Local Historic Interest (Policy H2).

- 1.4 The surrounding area is mixed in character, being surrounded by both commercial, community and residential uses. There are double yellow lines outside the site.

2 Planning History

94/55945/001 - C/U of Post Office Counters area to customer service centre/enquiry office together with an extension to the sorting office area & assoc. external alterations., PERM,01/02/1995

APP/19/00638 - Change the use part of ground floor from Sui Generis (Sorting Office) to mixed use A1/B1a/A2/A3 (Shop/Business/Financial and Professional Services/Food and Drink). Change of use of first and second floors to create 2No. 1 bedroom apartments. Demolition of chimneys and creation of five parking spaces to rear. [Note: Grampian Condition applies, contact LPA for details], PERM,10/10/2019

APP/20/00068 - Change of use of ground floor from Sui Generis (Sorting Office) to mixed use A1/B1a/A2/A3 (Shop/Business/Financial and Professional Services/Food and Drink) and ancillary storage. Change of use of first and second floors to B1a/A2 (Business/Financial and Professional Services). New folding vehicular door in west elevation. PERM,21/04/2020

3 Proposal

Change of use from Sui Generis (Sorting Office) to flexible use of premises for any purpose within Class E (Commercial, Business, Service) or as a Beauty Salon/Nail Bar/Tattooist (Sui Generis); with associated use of ground floor rear workshop for any purpose within Class E, a Beauty Salon/Nail Bar/Tattooist (Sui Generis), or Class F1(a) Education uses.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS4	()
DM14	(Car and Cycle Parking on Development (excluding residential))
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM21	(Shopfronts, Signs, Security Shutters and Advertisements)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E22	(Amenity and pollution)
E24	(Contamination)

C4*	(Emsworth District Centre)
E1*	(High quality design)
IN3	(Transport and parking in new development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H2	(Buildings of Local Historic Interest)
ENP_C1	(Community & Public Services Hub)
ENP_M1	(Cycle Storage Provision)
ENP_D1	(General Design Policy)
ENP_D2	(Height, Mass & Materials)
ENP_C2	(Retail, High Street & Food/Drink Uses)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Community Infrastructure

Not liable for CIL, Solent Recreation Mitigation Strategy or Nutrient Neutrality.

Economic Development

None received

Environmental Health Manager

Contamination Team:

Following a brief review, I would reiterate my prior comments (made under APP/19/00638 & APP/20/00068) - "...From a contamination perspective, the material fact is whether ground-floor residential accommodation is proposed (or not). ...in line with comments provided previously under GEN/19/00152 (08/04/2019)... If the single storey sorting office ...forms part of the flexible commercial use - contamination may be considered to be 'not material' to these proposals. As previously advised, I have no air quality or other pollution concerns."

Under the scope of the current application, these comments continue to apply, and contamination is not a material consideration at this time. No adverse comment.

Environmental health - Pollution Team

No objection - request conditions re No floodlighting/external lighting; no externally visible or audible extraction, ventilation plant;
request Informatives re Hours of Work/Dust control/Bonfires

Hampshire Highways

Section 6.1.1 of the planning statement suggests that the existing access onto the highway will be upgraded as part of the proposed development. The Highway Authority have reviewed the proposed plans and there is no evidence of any potential changes to the site access. Should the access not be retained in its current form, the Highway Authority should be re-consulted on the proposed development.

Whilst a trip generation assessment has not been undertaken, the Highway Authority are satisfied that the additional trips from the proposed development will not result in a severe impact on the local highway network.

In their capacity as local parking authority, Havant Borough Council should confirm whether the retained parking spaces will meet adopted parking standards.

The Highway Authority recommend no objection to the proposed development; however, if the applicant does intend to alter the site access onto North Street, the Highway Authority should be re-consulted with details of the proposal.

Officer Note

There is no proposed alterations to the site access

Planning Policy

History

Planning Permission was granted in 2020 under reference APP/20/00068 for a change of use of the ground floor from sui generis (sorting office) to mixed use A1/B1a/A2/A3 (shop/business/financial and professional services/food and drink) and a change of use of the first and second floors to B1a/A2 (business/financial and professional services).

The Use Classes Order was amended in September 2020. The new 'E' use class broadly covers the uses previously defined in the revoked classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e). Changes were made to the draft Local Plan and Emsworth Neighbourhood Plan to take account of these use class changes.

Policy Status

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. The [Emsworth Neighbourhood Plan](#) also forms part of the development plan for this area.

The [Havant Borough Local Plan](#) was submitted for examination in February 2021 and may be afforded limited weight.

Emsworth District Centre & Community Services Hub

This site falls within the Emsworth District Centre as defined by Policies CS4 and AL3 of the adopted local plan. These policies seek to promote main town centre uses, in order to protect and enhance the vitality and viability of the centre, with a focus on shopping uses, particularly in those parts of the centre defined as the primary shopping area. Similar aims are carried forward into the emerging Local Plan, in policy C4 Emsworth District Centre. In both plans, the application site lies outside of the primary shopping area.

High quality, mixed-use development that retains active ground floor frontages is supported in principle across the centre in the adopted Local Plan policy CS4.

Under the emerging policy, development proposals in the town centre outside of the primary shopping area are supported where:

- Commercial, business and service uses (Class E), food, drink and leisure uses, or learning and non-residential institutions (Class F.1) with active ground floor frontages are proposed; or
- They enhance the evening economy and/or tourist offer of Emsworth.

The Emsworth Neighbourhood Plan, under policy C2 also supports E class uses on North Street.

Beyond this general support, it must also be noted that a more specific policy, C1, seeks to create a community and public service hub in the area of North Street which includes the application site. Uses envisaged for this area are health and social care facilities; community services; public service provision; a public library; a nursery; and/or other social or cultural services.

In addition, policy H2 of the neighbourhood plan identifies specific buildings of local historic interest, including the application site. The policy provides that these should be retained and envisages that they should be used for public and community uses. Proposals for the introduction of alternative or additional uses into the identified buildings which would be complementary to the community use concerned will be supported where they enhance the vitality and the availability of amenities in the neighbourhood area.

The application specifically refers to use classes E (a),(b),(c) and (g), which would not necessarily provide the types of community uses envisaged by the Neighbourhood Plan policies C1 and H2. However, on the assumption that any permission granted would be for use class E in its entirety (as well as a sui generis beautician element), it must be acknowledged that class E does include community uses and as such the permission would have the potential to contribute to these aims.

Overall, it is considered that the mix of uses proposed supports the aim of the policies for the area to retain the building in active use and contribute to the vitality and viability of this part of Emsworth.

Conclusion

In policy terms, the key consideration is whether the proposal supports and enhances the vitality and viability of Emsworth District Centre. It is considered that the proposed mix of uses would contribute to this aim. This in principle support will need to be considered alongside detailed amenity and design considerations in as far as they are relevant.

Traffic Management

The Traffic team would be concerned that there appears to be a shortage of parking space for this proposal, but are aware that there are HBC pay and display car parks in close proximity.

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: 23

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
I recently noticed a sign saying that 12 North Street will be changing so that it could be transformed into a shop. If this is the case I am strongly against this simply because North Street is already full of food type of shops. Here is a few that I can list; The pub, Darbar Indian Restaurant, Nicolinos Italian Restaurant, Fish and Chips, Sandwich bar, Cafe Moka and even Tesco. Due to this amount of food shops, there is always parking problems around here and always traffic. I always have problem finding a place to park or getting out traffic. However, now that i see there is a plan to open another food shop, that could be lost as well. I've listed already the amount of food places we already have, from indian cuisine, to italian, to turkish and even english. Increasing the amount of shops does not benefit anyone simply because there are already businesses on the street providing the same food, which means opening another one would affect the income of all the businesses and no one would actually profit from this. Most importantly, the residents who live on the street or live a street off the main road, they will suffer from more people coming to that street which will mean more noise, traffic and difficulty to park their cars near their home. Personally, for me the less shops there are in this area, the more comfortable the lives of the residents as well as other business owners in the area. I am a strong believer that if there is less of something, it means it is more valuable, the Emsworth population can already find whatever they need or want, so there's no point in making changes to this aspect. If you do want to make changes to the area, it would be to provide parking spaces for the residents as well the employees who come there daily. Another change you can consider is rather than making it into a food shop, to turn it into something else such as a place where the very little amount of youth in the area can meet up, play and converse.	Noted - see section 7 below Competition not a material consideration

Since i have moved to Emsworth, i haven't seen any other activities that i can do apart from dining at restaurants or going to the pub with mates for a drink. To think, sometimes there are things that cant be found here that is why people here have to go near by towns like Havant or the city Portsmouth, if 12 North Street became a bank or a place that didnt exist already in Emsworth then it would be worth it. Other than that, i don't see a reason to waste such good space for something that already exists.	
I recently saw the post for 12 North Street being changed into a restaurant/cafe or another place of fast food. [redacted] and I've noticed that for the last 4 years there's a massive parking problem. There is already 8 fast food businesses on North Street in which the use of cars is crucial for both the running of the business, employees and customers. Not to mention, the suppliers that have a hard time to bring us stock as they have no where to stop and unload. I know you guys make the decisions, but we are the people who live here and face these problems in our daily lives. I hope you are just as aware as we all are about the current parking problem on North Street.	Noted - see section 7 below

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 and proposed uses
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and parking
- (v) Contamination

(i) Principle of development and proposed uses

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Being within the defined Emsworth District Centre policies CS4 and AL3 promote town centre uses in order to protect and enhance the vitality and viability of the centre with a focus on shopping uses to retain active ground floor frontages. The current application seeks a flexible mixed use of the premises, to avoid keep having to re-apply for specific uses. As such the description of development has been amended and broadened to give as much flexibility as possible, in line with central Governments aim in the overhaul of the Use Classes Order in 2020. It is noteworthy that Class E includes cafes and restaurants, but excludes pubs or take-aways. Whilst the third party comments note the presence of many other restaurants and cafes in the area with no need for any more, the actual Class E user would be driven by market forces and not the planning process, as all Class E uses are potentially suitable for the premises.
- 7.3 The user that has moved into the ground floor is an artist/crafter who is selling a mix of glass fusion and other handmade goods and artwork from the front shop area and also runs craft workshops from the rear open area. The front shop element is considered to be a Class E use with the rear craft workshop sessions falling within Class F1(a) as an element of education is provided. The craft workshops would be for groups of up to 10-12 people at a time to have a go and learn a craft eg glass fusion, flowers, felting etc. These craft sessions could take place in the early evening, likely to end by 9pm. Customers would access the rear workshop via the front entrance and shop, to avoid a pedestrian footfall past the adjacent dwellings.
- 7.4 The availability of such activities within Emsworth would provide a community and tourist benefit which aligns with the Neighbourhood Plan which identifies the site within a desired Community and Public Services Hub. Whilst Policy C1 seeks health or social care facilities within the hub, the supporting text recognises that if health services are not achieved, then ground floors should be safeguarded for community, social and/or commercial activity. The proposed uses would be both commercial and social, and serve the local community.
- 7.5 One of the upper floors has commenced use as a beauticians and this remains a Sui Generis use, although commonly found, and appropriate to a high street. Overall the proposed Class E or commonly found high street Sui Generis uses, namely beauty salons, nail bars and tattooists, for the entire building, with additional Class F1(a) for the ground floor rear workshop, would all serve the local community and provide traditional retail, commercial or service uses appropriate to this District Centre and Secondary Frontage, helping to maintain the vitality and viability of Emsworth in accordance with policies CS4 and AL3.

(ii) Impact upon the character and appearance of the area

- 7.6 The only external alteration to the property that has taken place is the changing of a window on the north (side) elevation to a door to serve the upper floors; and this was approved under previous applications. Internally some partitions have been opened up to allow better movement of customers /for display of goods, but overall the design and appearance of this traditional old building would be protected and retained in street scene terms. The building does not have large traditional shop front windows and due to the historic nature of the building these would not be altered, and although small, an active frontage has been generated by the existing user with window displays and notices/adverts.

(iii) Impact upon residential amenity

- 7.7 Any future restaurant or cafe use may require external extraction, which is unknown at this stage, but would need to be sensitively sited to protect both the visual appearance of the building and protect the amenity of neighbouring residents (particularly those that share the side access and have an outlook to the site). This can be conditioned. The use of the rear ground floor workshop for Education purposes (Class F1(a)) is considered appropriate provided it is used in connection with the front area with access taken via the front - if lots of customers used the side access then this could result in noise and disturbance to the adjacent dwellings. The linkage to the front shop area is considered essential, such that public access to the rear ground floor area should be via the front only - this can also be conditioned.
- 7.8 Otherwise the proposed uses would generally be compatible with the mixed character and context of the area and be unlikely to have any adverse impact on neighbouring amenity.

(iv) Highways and parking

- 7.9 The site was the former Post Office sorting office with a customer service/collection point. That use was permitted in 1995 with no conditions limiting hours of use or vehicle movements. As such, until this use ceased in early 2019, there would have been considerable activity and traffic movements associated with the site. There is a rear car park which is narrow but is shown to provide parking for 5 vehicles, utilising the shared access for turning.
- 7.10 The on site parking need generated from the proposed development will vary according to the final user, as per the adopted Parking SPD. Due to the floor areas it is likely that there would be an under provision of parking for the whole site. However, the determination of this application must have regard to the past use of the site and the presence of nearby public car parks. The proposed uses would all likely result in a less intensive use of the rear car park and access than the former sorting office, with its associated postal vans coming and going.
- 7.11 The Highway Authority previously noted the narrow access and poor visibility to the rear car park, and recommended minimising its use. Therefore relying on the sites relatively accessible location (easy walking distance from Emsworth railway station) and encouraging customers to use the nearby car parks, would help to reduce use of the side access and improve highway safety and amenity. The 5 spaces within the rear car park would be suitable and adequate for staff and servicing.
- 7.12 The third party comments note current parking issues in the area, largely attributed to existing nearby restaurant and cafe uses. However under the new Use Classes Order there is no distinction between cafe or restaurant uses and shops, which are all considered appropriate town centre uses where customers are likely to combine trips and park in the nearby public car parks. It is acknowledged that unloading of deliveries may be an issue with double yellow line restrictions, but this is a common problem for town centres and any illegal parking a matter for the police.

- 7.13 There is also an existing outbuilding at the rear which is proposed to be used for secure cycle storage for staff . Having secure cycle storage and 5 car parking spaces available for staff and servicing is, on balance, considered sufficient to serve the proposed uses and would not result in any significant harm to highway safety or amenity.

(v) Contamination

- 7.14 Contamination at the site was previously an issue from potential ground floor residual fuel storage and vapour ingress, when residential development was a possibility. The current proposal however does not include any residential development and contamination is not therefore a material consideration.

8 Conclusion

- 8.1 It is considered that the proposed flexible ground and first floor uses would support the vitality and viability of the Emsworth District Centre and not result in any identified harm to either the character of the area or residential amenity. The development is therefore supportable in principle and recommended for conditional permission. It is noted that since development has commenced, the standard time to implement condition is not necessary.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01185 subject to the following conditions

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

Planning Statement by Acorn Planning dated October 2021
Location and Proposed Site Plan Drawing Number 550-19-101
Existing and Proposed Plans Drawing Number 688-21-01A

Reason: To ensure provision of a satisfactory development.

- 2 No externally visible or audible plant, machinery or structures required for extraction, ventilation or filtration purposes shall be installed at the premises until and unless details of the external siting, appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

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

- 3 Public and customer access and egress to/from the rear ground floor workshop area shall only be via the frontage unit and main door to North Street (except in any emergency).

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

- 4 The car parking, including cycle storage, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.