

Planning Application Response of Planning Policy

Application No:	APP/21/00399
Address:	Land at Waterloo Park, Elettra Avenue, Waterloooville
Development:	Full application for erection of discount foodstore, drive through coffee shop and drive-through restaurant with associated car parking, service yard, landscaping, means of access and associated infrastructure
Case Officer:	Lewis Oliver
Comments by:	Jade Ellis
Date of Comments:	6 th August 2021

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 [Havant Borough Local Plan](#) (HBLP) was submitted for Examination on the 12th February 2021 and must be afforded limited weight.

The following Adopted Local Plan policies are of particular relevance.

- CS4 Town, District and Local Centres
- CS6 Regeneration of the Borough
- CS14 Efficient Use of Resources
- CS16 High Quality Design
- CS21 Developer Requirements
- DM3 Protection of Existing Employment and Tourism Sites
- DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses
- DM6 Coordination of Development
- DM10 Pollution
- DM11 Planning for More Sustainable Travel
- DM12 Mitigating the Impacts of Travel
- AL3 Town, District and Local Centres
- WA2 Waterloooville Mixed Use Allocations
 - BD54 Land at BAE Systems Technology Park

In the emerging Local Plan the following policies are of relevance:

- DR1 | Delivery of Sustainable Development
- KP2 | Waterloooville Town Centre
- IN1 | Effective provision of infrastructure
- IN2 | Improving transport infrastructure
- IN3 | Transport and parking
- E1 | High quality design
- E12 | Efficient use of resources and low carbon design
- E22 | Amenity and Pollution
- C1 | Protection of existing employment sites
- C6 | Local centres, local shops and services
- C8 | Food, drink and entertainment uses
- C12 | Former BAE Systems Park

Principle of Development

The planning application site area relates to the north western corner of the site allocation included in the Adopted Local Plan (BD54) and the submitted Local Plan (Policy C12). The former is more flexible in that it provides for mixed use development including economic development, hotel and leisure uses in the Adopted Local Plan (BD54).

The emerging allocation broadly reflects the proposals which are subject to an undetermined outline planning application reference (APP/18/01072) for about 29,820 sq. m of employment and 10,288 sq. m of commercial, business and service uses. While the foodstore would fall within Class E (commercial, business and service uses (within the Use Classes Order), the drive through restaurant and coffee shop are sui generis. The drive through elements of this proposal would not comply with the allocation in the submitted Local Plan. Nevertheless, the respective elements of the scheme are dealt with in turn as follows.

Discount foodstore

As defined by Policies CS4 and AL3, Waterloooville Town Centre is the nearest designated town centre to the proposal. The site falls within 300m of the primary shopping area and would therefore fall within an edge of centre location for retail and other main town centre uses in the context of the NPPF. This would remain unchanged in the context of the emerging HBLP.

The principle of leisure (Class D2) and/or non-food retail (Class A1) uses on the southern part of the site has already been established through the grant of planning permission reference APP/15/00770. Significantly condition 8 of that permission limited to Class A1 floorspace to 'bulky goods' as follows:

- "8 *Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories), home improvement products, carpets and floor coverings, fabric, furniture, soft and hard furnishings, floor coverings, household goods, homewares, decorative products, glassware, cookware, kitchen utensils, white and electrical goods, automotive and cycle parts, pet food, garden tools, arts and crafts materials, variety retailing, tents, camping, caravanning, leisure and outdoor activity equipment, or related accessories for all of the aforementioned or the provision of ancillary café facilities, unless otherwise agreed with the Local Planning Authority.*"

In resolving to grant planning permission for the previous scheme reference APP/13/00893, the Council also carefully assessed the market impact on the main supermarkets in Waterloooville. The Waitrose store in the town centre has, however, since closed.

Sequential test

Paragraphs 86 and 87 of the NPPF are relevance given the application proposals are for a main town centre use in out of centre location, and a sequential test should therefore be applied. The submitted sequential assessment includes 27 available units and sites based on a Co-Star search. Significantly, however, this desktop assessment does not include the vacant Waitrose site but does draw in the adjacent units at Dukes Walk Nos. 1-11.

It is recommended that the applicant submit a revised sequential assessment which draws in the vacant Waitrose store, including an assessment of its availability and suitability.

The Drive Through Elements

Policy DM5 of the Core Strategy is of relevance with the proposed drive through coffee shop and restaurant. Paragraph 10.17 of the supporting text indicates town centre locations may be more acceptable for such uses but makes clear proposals for such outlets can create environmental problems such as noise, fumes and odour, traffic generation and indiscriminate parking. This is of particular relevance given the proposals would be sited adjacent to an existing McDonalds drive through.

Significantly, Policy C8 of the submitted Local Plan seeks to restrict hot food takeaways (sui generis which includes drive throughs) across the borough to below the current levels in order to support public health objectives. As such, the drive through elements, particularly the restaurant would not be supported by the submitted Local Plan. Whilst it can only be attributed limited weight at this stage, it does indicate a clear direction of travel.

Contaminated Land

The developer requirements for allocation BD54 states that there may be “*potential ground quality issues associated with previous and/or current use of site*”. A Phase 1 Environmental Assessment Report has been submitted with the application. It is recommended that the views of the Council’s Environmental Health Team are sought accordingly.

Sustainable Travel

The site is near the West of Waterlooville Major Development Area (MDA). As part of the S106 agreement, there will be a need to provide an appropriate pedestrian and cycle link between the site and Wellington Park. This is reinforced by the developer requirement in the emerging site allocation (Policy C12) in the Submission Local Plan.

In addition to the above, the Planning Policy Team are aware there is a pedestrian safety issue for those crossing to the site from Hambledon Road following the construction of the McDonalds and Lidl superstore. It is noted that this matter has yet to be resolved as part of the undetermined outline planning application. As such, there is concern that this application seeks to circumvent this requirement. The local highway authority may be able to comment further on this matter.

Parking Provision

Policy DM14 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new non-residential development in the borough.

In addition to the above, emerging Policy IN3 of the Submission HBLP expects Electric Vehicle charging points to be provided for long-term parking for staff.

Sustainable Design and Construction:

Criterion 3 of Policy CS14 states that on completion, non-residential development of over 500 sq m must at least meet the “very good” standard of BREEAM. The applicant should submit a statement demonstrating how the relevant BREEAM standard would be met for the various elements of the proposal(s). In addition, it should be noted that, Policy E13 in the submitted Local Plan requires the “excellent” standard of BREEAM where the gross floorspace exceeds 1,000 sq. m for proposals for non-residential development.

Recommendation:

As currently drafted, in the absence of an assessment of the availability and suitability of the vacant Waitrose site, it is not possible to conclude the applicant has demonstrated compliance with the sequential test.

Significantly, there is also an emerging restriction of hot food takeaways under Policy C8. Whilst this may only be given limited weight at this stage, it should be noted that the policies in the submitted Local Plan do represent the Council's direction of travel.