
Site Address: 27 London Road, Cowplain, Waterloo, PO8 8DF
Proposal: Change of use from Class D2 gym to mixed Class A1/A3 Costa Coffee shop, raised decked outside seating area with fixed barriers, new front entrance door, new rear access door and two replacement air conditioning units.
Application No: APP/16/00679 Expiry Date: 12/09/2016
Applicant: N/A
Premier Coffee Ltd
Agent: Mr Millett Case Officer: David Eaves
Walsingham Planning
Ward: Hart Plain

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies within Cowplain District Centre and within the Primary Frontage on the western side of London Road.

The building is currently vacant but was last used at ground floor level for as a Dance studio. The building is two storey with a shop front at ground floor level. To the rear is a courtyard and rear access doors.

2 Planning History

05/61745/001 - Change of use of ground floor of the premises from retail (A1) to a women's health and fitness centre (D2)., PERM,12/07/2005

96/61745/000 - Retention of internally illuminated double sided freestanding advertising unit on land fronting 27 London Road, REF,03/10/1996

05/61745/002 - Retrospective display of externally illuminated static fascia sign and non illuminated projecting sign., PERM,27/09/2005

APP/11/00017 - Changes to elevations including replacement glazed doors, replacement flat panel alucobond cladding, white render walls and grey render plinths and columns. New block paving to front and rear customer walkways., PERM,02/03/2011

APP/16/00149 - Change of use and subdivision of ground floor to provide two class a1 retail units including change of use of first floor to provide 3 x one bed flats and single storey rear extension to accommodate cycle storage and refuse/recycling storage., PERM,14/04/2016

APP/16/00680 - Display of 1No. externally illuminated fascia sign, 1No. externally illuminated projecting sign and barrier signs and logos.
Current Application

3 Proposal

Change of use from Class D2 gym to mixed Class A1/A3 Costa Coffee shop, raised decked outside seating area with fixed barriers, new front entrance door, new rear access door and two replacement air conditioning units.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS4	()
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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

Environmental Health

Original Comments:

Whilst I have no objection to the change of use proposed, my main concern lies with the new position proposed for the siting of the two heat pump air conditioner units, apparently as replacement for 2 other air conditioning units currently sited elsewhere on the site. A manual for these units has been provided with the application but I cannot find any indication of which units are to actually be installed, nor is it clarified whether there is any potential for noise impact on the nearest residential receptors.

I would therefore ask that an acoustic assessment report be provided, that will assess any potential for noise impact on nearest residential receptors by the operation of these units, and if necessary what mitigation measures may be required to be implemented.

It would also be helpful to know what the proposed operating times are for this business.

With the close proximity of residential receptors with regard to deliveries to the rear of the premises, I would also ask that delivery times are restricted to: 08:00 to 18:00 Monday to Saturday, and 10:00 to 16:00 on a Sunday or public holiday.

Further Comments:

The spec doesn't tell me much more than the previous spec did, other than to clarify which unit is intended to be used. However without a acoustic assessment it is difficult to establish whether mitigation measures would be required or not. However as it is now stated that 'The proposed opening hours are 7am to 6pm Monday to

Saturday and 8am to 5pm on Sundays' I am prepared to accept that any noise emitted by the units during these periods of time, are probably unlikely to cause nuisance requiring abatement.

Therefore if the applicant is happy to accept a restriction / condition to the times these units can be operated i.e as stipulated above as proposed opening hours, I am prepared to forego the noise assessment.

I would still ask that a restriction on delivery times as previously requested, be implemented, especially due to the close proximity of residential receptors to the probable delivery point.

Informative requested.

Development Engineer (Highways)

The Highway Authority have no adverse comment to this application.

Economic Development - Commercial and Housing

Economic Development have no objections to this proposal.

Crime Prevention -Minor Apps

No comments received.

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: 25

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and parking

- (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. In this case

the site is located in the Cowplain District Centre and the Principal Frontage where policy AL3 applies.

This policy seeks to provide main town centre uses within these areas and retain retail uses. In this case the unit is already in a non-retail use although there is an extant consent for ground floor retail use (unimplemented). The applicants consider that their model of operation is a mixed A1/A3 use. Even if an A3 use is considered the most relevant use class, the last use the unit was as a non-A1 retail use, therefore, the proposal would not lead to an increase in non-retail uses within this run of the Primary Frontage. The proposal would retain a shop front and would add to the vitality and viability of the District Centre as an appropriate town centre use. The proposal is therefore considered acceptable in principal.

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

The development would result in minor changes to the appearance of the front of the building with the exception of a raised decking outdoor seating area which would be located beneath the canopy of the building. A new fascia would be provided with advertisements including a projecting sign (the adverts are subject to a separate application for advertisement Consent). These changes are considered acceptable at the front of the building and a wide footway would remain for pedestrians beyond the canopy area.

To the rear there are limited changes proposed with 2No. AC condensers (new units repositioned from western wall) and a previously approved door in association with the planning permission (for flats above and ground floor retail).

The physical changes to the building are considered modest and acceptable and the outside seating would add to the character of the frontage and vitality of the District Centre.

(iii) Impact upon residential amenity

In relation to neighbour amenity, the use is considered appropriate in the District Centre. It is noted that there are existing residential flats in close proximity and proposed flats above the unit. A condition in relation to opening hours is considered appropriate. The agent has confirmed that opening hours would be:

7am to 6pm Monday to Saturday and 8am to 5pm on Sundays.

There would be no cooking on-site although sandwiches can be toasted. It is therefore considered that cooking smells are unlikely to be a concern in relation to neighbouring residents.

Deliveries could take place to the rear of the unit, however this would be a similar arrangement to many other commercial units in the District Centre. A delivery hours restriction is recommended to ensure that these do not cause unacceptable impacts on residential amenities.

In relation to the Air conditioning units, Environmental Health have raised some concerns and a condition is considered appropriate to ensure that air-con units only operate during cafe opening hours.

(iv) Highways and parking

The proposal does not include on site car parking although deliveries can take place to the rear of the premises. There is public parking and on street parking serving the District Centre. The Development Engineer (Highways) has raised no objection to the proposed change of use and it is considered that the development would be acceptable on highways grounds.

8 **Conclusion**

In conclusion and subject to relevant planning conditions it is considered that the proposed use and works would be acceptable in principle. They would have an appropriate visual impact and the amenities of neighbours can be adequately protected. The application can therefore be recommended for planning permission subject to appropriate conditions.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00679

(A) 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 Compulsory Purchase Act 2004.

- 2 The premises shall only be open for trade or business between the hours of:

07.00 hours to 18.00 hours Monday to Saturday,

08.00 hours to 17.00 hours on Sundays

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.

- 3 Servicing and deliveries to or from the premises shall only take place between the hours of 08.00 hours to 18.00 hours Monday to Saturday, and 10.00 hours to 16.00 hours on a Sunday of Public Holiday.
Reason: In the interests of the amenities of occupiers 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.

- 4 No new or replacement extract or plant equipment other than that hereby approved shall be installed without the prior written approval of the Local Planning Authority. Any such extract or plant equipment shall be subsequently installed and maintained in accordance with the approved details.
Reason: In the interests of the amenity of the locality and having due regard

to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The proposed 2 No. AC condensers to the north west elevation shall not be in operation excepting during the opening hours of the premises for trade or business as set out in condition No.2.

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.

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

Planning, Design & Access Statement June 2016

Location Plan Licence No. 100022432

Site Plan Licence No. 100022432

Existing and Proposed Ground Floor Plans Drawing No. A687016/01 Rev C

Existing and Proposed South East and North West Elevations Drawing No. A687016/02 Rev B

Proposed Signage Drawing No. A687016/03 Rev A

Existing and Proposed South West Elevations Drawing No. A687016/08

External Furniture 4.35 December 2015

External Accessories -External Barriers 4.26 December 2015

Air Conditioning detail PLA-RP100BA

Email dated 2nd September 2016 from Walsingham Planning

Reason: - To ensure provision of a satisfactory development.