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|-----------------|-----------------------------------------------------------------------|---------------|------------------|
| Site Address:   | 3 Wellington Retail Park, 2 Hambledon Road,<br>Waterlooville, PO7 7FG |               |                  |
| Proposal:       | Subdivision of unit 3 to create a unit of 767sqm at ground floor.     |               |                  |
| Application No: | APP/15/00576                                                          | Expiry Date:  | 21/07/2015       |
| Applicant:      | Henderson Retail Warehouse                                            | Team:         | Team 2           |
|                 | Fund                                                                  |               |                  |
| Agent:          | Mr Best                                                               | Case Officer: | Rachael McMurray |
|                 | Montagu Evans                                                         |               |                  |
| Ward:           | Waterloo                                                              |               |                  |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

The site comprises a large retail unit located on a purpose built retail park situated on the edge of Waterlooville town centre and on the edge of the Borough boundary which separates Havant from Winchester. Part of the retail park falls within the Winchester boundary. The retail park has a large car park which serves the various units, which is accessed off the A3 and Hambledon Road. The unit consists of a portal framed warehouse with brick external piers and aluminum cladding to the upper parts. The front elevation is partially glazed at street level. The site is surrounded by soft landscaping outside of the car park area.

## **2 Planning History**

### APP/15/00577

Erection of mezzanine floor ancillary to ground floor retail use within proposed unit following subdivision (Ref: APP/15/00576)      Current application

### APP/14/00365

Application for the removal of Condition 1 of Planning Permission 02/55618/005 and Condition 1 of Planning Permission 07/51117/01 relating to restriction on sale of type of goods. Permitted June 2014

### APP/12/00330

Variation of Condition 2 of Planning Permission APP/10/00585 to allow for the sale of food in one of the two units. Permit

### APP/10/00585

Conversion of 1No. retail unit to 2No. retail units. Partial demolition of south elevation to provide 2No. new retail entrances, additional parking and pedestrian walkway. New mezzanine floor and external alterations. Permission 14/12/10

### 07/51117/011

Variation of condition 1 of Planning Permission 02/55618/005 in respect of Unit 9. Permit 2007 subject to conditions including: \_

Notwithstanding the provision of the Town & Country Planning Use Class 8 Order as amended, unit 8, as shown on Plan 06-074/PL-01 attached to the provisions, shall be used for the sale of bulky goods and shall not be used for the sale of food (other than

confectionery and pet foods), clothing (other than sports goods), fashion accessories (including handbags, luggage, watches and jewellery), books, stationery (except when sold from an office supplier's store), perfumery and toiletries, music, records, CDs, audio and video tapes (including hire), china, glass goods and kitchenware, unless any of the above are ancillary to, or related to, the main range of bulky goods to be sold.

**Reason:** In order to ensure that the vitality and viability of the existing Waterlooville Town Centre is not undermined by the nature of retail uses permitted on this site and having due regard to policies and proposals S3 and S4 of the Hampshire County Structure Plan 1996-2011 (Review) and TC2, TC3 and TC4 of the Havant Borough District Wide Local Plan 1996-2011.

#### 02/55618/005

Variation of conditions 10 and 11 attached to outline permission 20534/11 conditions 11 and 12 attached to reserved matters permission 20534/12 and condition 3 attached to planning permission 91/55618 to broaden the range of products that can be sold from the premises. Permit subject to conditions including:

The building shall be used for the sale of bulky goods and shall not be used for the sale of food (other than confectionery and pet foods), clothing (other than sports goods), fashion accessories (including handbags, luggage, watches and jewellery), books, stationery (except when sold from an office supplier's store), perfumery and toiletries, music, records, CDs, audio and video tapes (including hire), china, glass goods and kitchenware, unless any of the above are ancillary to, or related to, the main ranges of bulky goods to be sold.

**Reason:** In order to ensure that the vitality and viability of the existing Waterlooville town centre is not undermine by the nature of retail uses permitted on this site.

#### 99/54013/003

Demolition of car showroom, associated buildings, existing retail unit and civic amenity site. Erection of 10,126sqm non food retail units, 1,207sqm garden centre and 232sqm fast food restaurant and associated access, car parking and servicing. Permitted - 7 November 2000.

Condition 18 of Planning Permission 99/54013/003 states that:

*No unit or franchised area of floorspace of less than 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) shall be created by division or subdivision of the 10,126 m<sup>2</sup> (109,000 ft<sup>2</sup>) new build retail floorspace hereby approved (i.e. excluding the "existing Courts" building and "garden centre" as shown on the plans hereby approved).*

**Reason:** In order to ensure that the vitality and viability of the existing Waterlooville town centre is not undermined by the nature of retail uses permitted on this site.

### **3 Proposal**

Subdivision of unit 3 to create a unit of 767sqm at ground floor.

### **4 Policy Considerations**

#### National Planning Policy Framework

#### Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

DM10 (Pollution)  
DM14 (Car and Cycle Parking on Development (excluding residential))  
DM3 (Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

AL3 (Town, District and Local Centres)  
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.  
Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Economic Development - Retail and Town Centres:**

No objections

### **Environmental Health:**

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment. I have read the application but could not find any information relating to noise, vibration containment from the proposed air conditioning installation. No information supplied to inform of method of noise mitigation from the unit was supplied. I do not object to the application provided that the following conditions and informative are requested on any consent granted

Conditions;

1. Noise generation from air conditioning units and other equipment.
2. Lighting scheme(s) within the proposed development.
3. Disposal of waste related to the use of the premises

Informatives:

1. Noise from demolition/construction works.
2. Delivery times and delivery vehicle type.

### **Building Control, (Fire Access Consultation:**

No objections

### **Winchester City Council:**

No objection to either of the applications on the basis that this is within an established retail park and the proposals would raise no policy issues for this authority.

### **Development Engineer - Highways:**

No adverse comments. There is a loss of three car parking spaces which may have an effect on the financial viability of the town centre in terms of linked trips.

### **Planning Policy:**

The site of the proposal is an accessible town centre location and well connected by public transport, car and on foot. It therefore meets Local Plan (Allocations) policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) and Local Plan (Core Strategy) policy CS17 (Concentration and Distribution of Development with the Urban areas).

Local Plan (Allocations) policy AL3 states that proposals that provide main town centre

uses in defined centres, and so contribute to their vitality and viability will be granted planning permission.

Previously there have been restrictions in place on the type of goods within the A1 use class that are allowed to be sold at unit 3, in particular restricting sales to bulky goods and to non-food uses. However these restrictions are no longer in place as planning permission was granted in 2014 (APP/14/00365) for the removal of condition 1 of 07/51117/011 and for the removal of Condition 1 of Planning Permission 02/55618/005. These both related to a restriction on the sale of type of goods. The new unit would remain within the A1 use class, so the change of use does not require planning permission. The application may however need to be considered against other design criteria or policies, for example Local Plan (Allocations) policy DM21 (Shopfronts, Signs, Security Shutters and Advertisements) and Local Plan (Core Strategy) policy CS16 (High Quality Design).

The proposal would result in a loss of three car parking spaces to allow for an extension to the walkway adjacent to the new proposed entrance. The retail park presently contains a total of approximately 560 spaces, so a loss of three spaces should have minimal impact on the viability of this part of the retail park. The existing disabled spaces adjacent to the proposed entrance will also be retained.

The layout, scale and massing of buildings and related external areas will remain unchanged as the result of the proposed subdivision, however a new entrance would be created and there would be a slight loss of 7 sq m of internal floor space.

Policy CS2 is also supportive of the proposal as it states that planning permission will be granted for development proposals that favour town centre locations for the provision of town centre uses. The new unit would generate 27 new jobs (11 full time and 16 part time) and the applicant has stated that no jobs are envisaged to be lost at the DFS store, so overall the proposal should result in an increase in the number of people employed at the retail park.

As with some other parts of the Retail Park, the site falls within the Hampshire Minerals and Waste Plan area; however the Minerals Planning Authority (Hampshire County Council) has been consulted and has already stated that the proposal is considered to be insignificant in relation to its impact on minerals safeguarding.

The development would not be liable for a Community Infrastructure Levy (CIL) payment as CIL is charged on net additional floor space. This proposal does not propose any new retail floor space and it would result in a net loss of 7 sq. m.

## **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: 14

Number of site notices: Not applicable.

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) Appropriateness of the design
- (iii) Retail policy
- (iv) Parking provision

### **(i) Principle of development**

The site lies within the town centre boundary and in a location where additional floor space is considered to be acceptable in principle, subject to retail policy.

The site of the proposal is an accessible town centre location and well connected by public transport, car and on foot. It therefore meets Local Plan (Allocations) policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) and Local Plan (Core Strategy) policy CS17 (Concentration and Distribution of Development with the Urban areas).

Local Plan (Allocations) policy AL3 states that proposals that provide main town centre uses in defined centres, and so contribute to their vitality and viability will be granted planning permission.

Policy CS2 is also supportive of the proposal as it states that planning permission will be granted for development proposals that favour town centre locations for the provision of town centre uses. The new unit would generate 27 new jobs (11 full time and 16 part time) and the applicant has stated that no jobs are envisaged to be lost at the DFS store, so overall the proposal should result in an increase in the number of people employed at the retail park.

### **(ii) Appropriateness of the design**

The physical changes to the unit would be minimal with the introduction of a new entrance adjacent to the Harvey's store. This would have an identical canopy to Harveys with relevant signage and a fully glazed entrance with sliding doors. This would be in keeping with the character of the retail park.

### **(iii) Retail Policy**

Previously there have been restrictions in place on the type of goods within the A1 use class that are allowed to be sold at unit 3, in particular restricting sales to bulky goods and to non-food uses. However these restrictions are no longer in place as planning permission was granted in 2014 (APP/14/00365) for the removal of condition 1 of 07/51117/011 and for the removal of Condition 1 of Planning Permission 02/55618/005. These both related to a restriction on the sale of type of goods.

The new unit would remain within the A1 use class, so the change of use does not

require planning permission. The application may however need to be considered against other design criteria or policies, for example Local Plan (Allocations) policy DM21 (Shopfronts, Signs, Security Shutters and Advertisements) and Local Plan (Core Strategy) policy CS16 (High Quality Design).

(iv) Parking

The proposal would result in a loss of three car parking spaces to allow for an extension to the walkway adjacent to the new proposed entrance. The retail park presently contains a total of approximately 560 spaces, so a loss of three spaces should have minimal impact on the viability of this part of the retail park. The existing disabled spaces adjacent to the proposed entrance will also be retained.

Deliveries to the new unit would be from the rear of the unit as is the current arrangement with the existing DOS shop.

## 8 Conclusion

The application is considered to be acceptable and is recommended for approval.

## 9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00576 subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority. Thereafter any such plant, machinery or structures shall be maintained in accordance with the approved scheme.  
**Reason:** To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 0 dB(A) below the existing background level when measured according to British Standard BS4142-2014.  
**Reason:** In the interests of the amenity of the retail park and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved in writing by the Local Planning Authority. Such

details shall include, location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than

for routine maintenance, which does not change its details.

**Reason:** TIn the interests of the amenity of the retail park and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The additional retail unit hereby permitted shall not be brought into use unless and until a clear waste management policy has been submitted to and approved in writing by Local Planning Authority. The statement shall explain the method of waste management which will be used throughout the use of the unit for example in the disposal of trade waste and office waste.

**Reason:** To prevent contamination to land or water courses and to prevent smell nuisance having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Location plan, existing ground floor plan and existing elevations - DN: 248-PL-100.P2

Proposed ground floor and mezzanine plans - DN: 248-PL-102.P2

Proposed Ground Floor Plan and Proposed Elevations DN: 248-PL-101.P2

**Reason:** - To ensure provision of a satisfactory development.