

Recommendation: **GRANT PERMISSION**

No objection so long as a condition is placed on any consent requiring that no food that requires extraction equipment is cooked on site.

Development Engineer -
No adverse comments and no contribution required

Economic Development -
Raise no objection

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: 13

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: None

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) Effect on existing retail units
- (iii) Effect on residential amenity
- (vi) Effect on the character and appearance of area
- (v) Adequacy of parking

(i) Principle of development

7.2 It is considered that this proposal is acceptable in principle. The site is located in Leigh Park District Centre as defined by Local Plan (Core Strategy) policy CS4 and saved Local Plan policy TC1. The proposed use would contribute to the vitality and viability of Leigh Park Centre as the unit is now empty following the Amusement Arcade moving to the larger unit next door. Given that current use of the unit subject of this application is already a non-retail function, it is considered that the proposed change would not be contrary to policy e.g TC6 and AL3.

(ii) Effect on existing retail units

7.3 It is considered that the provision of an additional A3 facility in the area will improve the economic viability of the area as a whole, attracting additional visitors both in the form of local residents and visitors, and as a result encouraging visitors to utilise existing A1 facilities in the area. It is not considered that there is an over provision of A3 facilities in the area (Policies TC6 and AL3).

(iii) Effect on residential amenity

- 7.4 It is noted that residential properties are located in close proximity to the proposal, with first floor decked access to dwellings above and to either side of the premises. It is not considered that there will be any unacceptable detrimental effect on these properties by this change of use; which is situated in a commercial parade. The proposed opening time (8.00am) and closing time (6pm) is not expected to have an unacceptable detrimental effect on the amenity of nearby residents; as it will not be open during the late evening through to early morning when reduced noise levels should be expected. The locality is already of a mixed nature including commercial activity and some degree of associated activity throughout the week and weekend should be expected in a district centre locality such as this. The provision of cooked food should be limited to that that requires no formal extraction as no details have been submitted with this application and a condition can be used. The intended use within the A3 class is as a coffee shop rather than for more general hot food and drink.

(vi) Effect on the character and appearance of area

- 7.5 The continued usage and appearance of this unit can only serve to improve the shop frontage as a whole at this section of Greywell Centre, creating a more viable and visitor friendly image. The use is considered to be in character with the area. the signage accords with the unit's pd rights but as it has been included within the description standard conditions should be applied to any consent.

(v) Adequacy of parking

- 7.6 It is considered that the parking provision in the surrounding area will sufficiently support this change of use.

8 Conclusion

- 8.1 It is considered that a A3 use is acceptable in this locality in terms of the impact on residential amenity and local centre commercial provision in the locality. To this regard it is recommended that the application be permitted subject to planning conditions.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00250 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: - To ensure provision of a satisfactory development.

- 3 No food or drink which requires the installation of externally visible or audible plant, machinery or structures for ventilation or filtration purposes shall be prepared or sold at the premises unless this has first been approved separately in writing by the Local Planning Authority and no such plant, machinery or structures shall be installed at the premises until and unless details of the same, including its external appearance and acoustic performance, have been submitted to and approved in writing by the Local Planning Authority.
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.
- 4 The premises hereby permitted shall not open to the public before 08:00 hours or remain so open after 18:00 hours on Monday to Saturday or at any time on Sunday or any recognised Public Holiday.
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 2012.
- 5 Any advertisements displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
Reason: As required by the provision of the Town & Country Planning (Control of Advertisements) Regulations 2007.
- 6 Any structure, or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
Reason: As required by the provisions of the Town & Country Planning (Control of Advertisements) Regulations 2007.
- 7 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
Reason: As required by the provisions of the Town & Country Planning (Control of Advertisements) Regulations 2007.
- 8 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
Reason: As required by the provisions of the Town & Country Planning (Control of Advertisements) Regulations 2007.
- 9 No advertisements shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).
Reason: As required by the provisions of the Town & Country Planning (Control of Advertisements) Regulations 2007.

