

Planning, Design & Access Statement

***Unit 4, Purbrook Chase Precinct,
Crookhorn Lane, Crookhorn, Havant PO7 5QH***

***Proposed change of use from retail shop
(Class A1) to hot-food takeaway (Class A5);
erection of flat-roofed rear extension; and
the provision of an extraction system.***



Prepared by **Robert Tutton Town Planning Consultants Ltd** on behalf of Mr A. Ozdemir.

Context

These vacant premises stand on 0.015 hectare of land on the north side of Purbrook Chase Precinct in Crookhorn, just 46 metres to the northwest of Crookhorn Lane and 42 metres to the southeast of Tanners Ridge; a substantial communal car park is situated to the north. In the approach from the southeast through the precinct, public views of the side and rear of the premises are blocked by three-storey buildings in commercial and residential use, the two-storey houses of Tanners Ridge and the substantial trees that stand to the west. These premises present a poor and impoverished appearance and, in their present state, detract from the quality of life and reduce civic pride.



The approach to the application premises from Crookhorn Lane (southeast)



The approach to the application premises from Tanners Lane (northwest)

premises within the 'Crookhorn Local Centre', with no special designations. The Environment Agency's *indicative* on-line map confirms that these premises are *not* within a Flood Zone.

Crookhorn Lane forms part of the route followed by five bus services (Nos. 20, 37, 39, 40 and 145) that take passengers east and north to Waterlooville town centre or south to Cosham and then on to Portsmouth city centre via North End, between 0553 and 2344 hours. Pedestrian access to the premises is afforded via an entrance in the centre of the southwest elevation. A garage beside the rear northeast boundary affords parking for two vehicles, while a communal parking area at the east end of the parade affords parking for eighteen vehicles for patrons. The provision of secure on-site storage facilities

In March 2012, the Minister for Planning issued the National Planning Policy Framework (NPPF) as a key part of the Coalition Government's reforms of the planning system; amongst other things, the NPPF replaced PPS1 and PPS4 - 'Delivering Sustainable Development' and 'Planning for Sustainable Economic Development'. The Havant Borough Core Strategy (HBCS) was adopted in March 2012 but did not replace all of the policies of the Havant Borough District Wide Local Plan (HBLP) and several 'old' provisions remain in place. Map 4 of the Proposals Map Booklet of the HBCS shows these



The application premises viewed from the parade (southwest)

for employees' bicycles would promote the use of that alternative to the private car as a sustainable transport mode (as is recognised at paragraph 32 of the NPPF), particularly for trips under five kilometres.

In his 'Written Ministerial Statement: Planning for Growth' of March 2011, Decentralisation Minister Greg Clark confirmed that the *'Government's clear expectation is that the answer to development and growth should wherever possible be 'yes' except where this would compromise the key sustainable development principles set out in national planning policy'*. Paragraph 14 of the NPPF reiterates that principle, by generating a presumption in favour of sustainable development and the approval (without delay) of proposals that accord with the development plan. It is submitted that the use of these vacant premises (in a sustainable location, at the heart of the urban area) as a hot-food takeaway would not compromise any key sustainable development principles of national planning policy.



Units 1-3, to the southeast of the application premises



Units 5 and 6-8, opposite

Purbrook Chase Precinct comprises a pair of three-storey terraced commercial buildings finished in buff brick beneath conjoined flat roofs (see aerial photograph on cover page); notably, several extraction flues are already in place on the rear elevation of the northern building. To the east of the subject premises, No.3 is a sandwich shop (Class A1); No.2 ('Dragon Inn') is a hot-food takeaway (Class A5) that is permitted (05/59567/005) to open until 2200 hours Monday-Saturday; appeal APP/X1735/A/08/2091456 (HBC ref: APP/10/00436) was dismissed by Inspector Gethin in May 2009 for the variation of

Condition 1 of an earlier permission (ie 94/59567) to allow the sale of hot food between 1100 and 2200 on Public holidays.

No.1 is the 'Crookhorn Indian Restaurant & Takeaway' (Class A3) that has an extraction flue at its rear elevation - planning permission 05/57717/006 was granted by Havant Borough in July 2005 Council for a change in its use (from A1 retail use), together with installation of the flue. No.1 is permitted to open from 1100 to 2200 hours Monday-Saturday but not at all on a Sunday or recognised Public Holiday - planning permission 05/57717/006 was granted by Havant Borough Council for that arrangement in July 2005. In March the Borough Council withheld consent (APP/12/01272) for variation in Condition 2 of the earlier permission (05/57717/006), to allow opening on Sundays and Bank Holidays between 4pm and 9pm.

On the opposite side of the precinct, Units 6-8 together comprise 'The Co-operative Food' supermarket, which is a Class A1 use that opens for business between 0600-2200 hours Monday-Saturday and 0700-2200 on Sunday. The uses and opening times of these premises were evidently seen by Havant Borough Council to respect the character and amenities of these surroundings and to satisfy its requirements, so those decisions have served as useful models for the formulation of this proposal.

A dilapidated block of flat-roofed garages stands to the west of the application site - planning permission was granted by the Borough Council in December 2007 for the erection of a double-garage with a two-bedroomed maisonette above, following their demolition. It is understood that the development was commenced prior to expiry of that permission but recent enquiries of the Planning Support Officers, have failed to reveal a layout of the permitted scheme, so the relationship of the (permitted) building to the application premises is unclear.



Units 1-4, viewed from the rear parking area (northeast)



The application premises viewed from the north

The subject premises comprise a three-storey flat-roofed end-of-terrace building of buff brick (predominantly) and brown tile hanging which enjoys lawful use rights as a retail shop (Class A1); the first- and second-floors of the premises are accessed from the rear via an external stair-case and are used for residential accommodation (ie No.4A). A substantial flat-roofed double garage (external floor area 45.5m²) stands at the northern boundary. Planning permission 03/60785/002 was refused by Havant Borough Council in December 2003 for the use of these premises as a café (a Class A3 use) with ancillary takeaway,

together with alterations to the east and south elevations of the shop-front. Havant Borough Council's decision notice recorded these two reasons for withholding consent:

'1) It has not been demonstrated that the premises can no longer operate as a retail unit and the proposal would therefore result in the loss of a shop capable of serving local needs and would be prejudicial to the primary shopping function of the Crookhorn Local Centre. The proposal therefore conflicts with policies SH8 of the Adopted Havant Borough Local Plan 1994 and TC1, TC2 and TC13 of the Revised Deposit Havant Borough District Wide Local Plan 1996-2011.

2) The development is likely to cause unacceptable disturbance to occupiers of nearby residential properties particularly at times when activity would otherwise be at a relatively quiet level. The proposal therefore conflicts with policies SH8 and GDD1 of the Adopted Havant Borough Local Plan 1994, policy TC11 of the Revised Deposit Havant Borough District Wide Local Plan 1996-2011 and the Local Planning Authority's Supplementary Planning Guidance for the control of (A3) Catering Uses.'

Policy DM2 ('Protection of Existing Community Facilities and Shops') of the HBCS provides for the grant of planning permission for the change of use of a shop, if it has been demonstrated that the premises are no longer viable in the authorised use. It is understood that these premises have actually been vacant for eight years (ie since 2005) and were marketed privately by the previous owner, Sun Hay Lai, with no interest shown in their continued retail use. The premises have also now been advertised by Hellier Langston

(Commercial Property Consultants, Surveyors and Valuers) since 16th July 2012 (ie over 10 months). By letter dated 4th June 2013 (copy enclosed), Andrew Hellier of Hellier Langston asserts that *'Enquiry levels were very weak...Over the 10 month period we have been marketing the property, we have received 4 enquiries.'* Again, little interest has been shown for the continued retail use of these premises.

Consultation

In accordance with the advice proffered at para.188 of NPPF, the views of Sally Smith (Senior Planner) of Havant Borough Council were invited on the principle of the proposed use together with three alternative extraction solutions - ie Option A (Extraction flue in the northeast corner of the application premises), Option B (Extraction flue in the west elevation of the application premises), and Option C (Extractor grill in the west elevation of the application premises). By letter dated 9th April 2013 (HBC ref: GEN/13/00230), Mrs Smith expressed concern *'...over the visual impact of options A and B'* and that *'...both options are sited in close proximity to existing or permitted residential units.'* Mrs Smith's constructive views have naturally been taken into account in the formulation of this proposal.

Previous consultations have been undertaken by the applicant with the occupants of the flat above (ie No.4A), Mr & Mrs D. Rudnik; their views have also been considered, with no adverse comments being received. No consultations have been undertaken with other neighbours.

Amount, Layout, Scale & Appearance

The reasons given by Havant Borough Council for its refusal of planning application 03/60785/002 in December 2003 and the extant consent next-door, have been given close attention in the formulation of this proposal. It is proposed that the use of these vacant premises be changed from retail (Class A1) to hot-food takeaway (Class A5), together with the provision of an extraction system in the rear elevation of the premises (connected to a Kiremko Frying Range - information enclosed). Respect for the amenities of existing and future residents has been accorded priority in the formulation of this proposal, from concept stage; in similar vein to the operating times of nearby units, it is proposed that these premises be open from 1000-2200 hours Monday-Saturday (ie during the day and evening). It is also proposed that the garage (external floor area 45.5m²) be demolished and a flat-roofed extension (7.43m x 5.09m x 3.28m high; external floor area 40.5m²) erected to the rear of the premises, to achieve a new preparation and storage area; notably the resultant development on the site would be *less* than 5m². Finished in buff brick (extension) and coloured buff (extractor flue), the proposed additions would blend with the materials of the host building and not result in detrimental impact to the character of the area.

Crime & Anti-social behaviour

Since access to the premises could only be achieved via the existing access and habitable-room windows of the first/second-floor flat afford a high standard of informal surveillance, no special measures are considered necessary for the prevention of crime or anti-social behaviour.

Access

The communal parking area to the rear of the premises would continue to afford adequate provision for the parking of customers'; two new spaces at the rear of the site would afford on-site parking for employees' vehicles. The proposed extension would serve as secure

storage for employees' bicycles. Refuse and recycle bins would be stored in the northeast corner of the rear amenity area and taken to the collection point on the requisite day.

The view is taken that pedestrian and vehicular traffic associated with the proposed use would not be materially harmful to neighbouring residential properties (particularly No.20 Tanner's Ridge and the flat above) or cause danger or inconvenience to users of the public highway. As the site enjoys unhindered access to Crookhorn Lane (via the parade or the car park), no difficulties are anticipated with emergency services reaching the premises.

Site Waste Management

Timber will be salvaged where possible and inert waste material would be disposed of to a licensed Hampshire County Council site. Any other waste will be segregated into skips and removed by licensed collectors.

Working Practice

To protect the amenities of neighbours, the operation of construction machinery on the site will be restricted to 0800-1800 hours Monday-Friday, 0830-1300 hours on Saturday, with no working on a Sunday or Bank Holiday. All materials and plant would be kept within the curtilage of the application site.

Planning Policy

Paragraph 56 of the NPPF ('Requiring good design') records that *'Government attaches great importance to the design of the built environment'* and *'Good design is a key aspect of sustainable development'*. Paragraph 60 records that local planning authorities *'...should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles'* but encourage *'...local distinctiveness.'*

Policy CS4 ('Town, District and Local Centres') of the Havant Borough Core Strategy provides for the grant of planning permission for development within Local Centres that promote and enhance the centre, support small and independent businesses and the encouragement of high-quality, mixed-use development that facilitates the retention of active ground-floor frontages. The ground-floor frontage of these premises has been conspicuously *inactive* for eight years. Policy DM5 ('Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses') generates a presumption in favour of the change of use of existing premises to a Class A5 use provided seven criteria are satisfied. It is submitted that those requirements are *satisfied* by this proposal since it would not detract from the existing street-scene; would be in keeping with the character of its surroundings; is of a high standard of design; incorporates materials and design elements sympathetic to local character; provision is afforded for the storage and collection refuse and recyclables; the proposed use would not damage the vitality and viability of the parade; provides safe access for pedestrians and cyclists and vehicular traffic; provides satisfactory cycle and car parking; respects amenity, privacy, outlook and sunlight of neighbours; the prospect of criminal activity and anti-social behaviour has been taken into account; details are provided of odour-neutralisation equipment; opportunities for the re-use of materials and the recycling of materials will be maximised; and the premises have been activity marketed by a commercial agent for over 10 months with no interest shown in their retail use.

Conclusion

It is submitted that use of the ground-floor of these vacant, dilapidated premises as a hot-food takeaway (Class A5) together with the external alterations in the manner proposed would respect the character and appearance of this local centre and not cause detriment to neighbours by cooking smells. This proposal would broaden the choice of such outlets in this eastern sector of Havant Borough and provide an acceptable form of development that accords with the development plan; no other material considerations suggest otherwise.

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