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Date 3 April 2014

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Dear Sir/ Madam

WATERLOOVILLE – WELLINGTON RETAIL PARK (PHASE 1 – DFS UNIT)

We have been instructed by Henderson Retail Warehouse Fund to submit the enclosed planning application to you in relation to the above part of Wellington Retail Park. The application seeks the removal of condition 1 of 07/51117/01 which restricts the non-food goods which can be sold from DFS. The application comprises this letter and the following:-

- Application forms and certificate;
- Site location plan;
- Cheque payable to your council for £195 in respect of the application fee.

Planning History

Along with the former Focus building, which now comprises Harveys and Home Bargains, the DFS building comprises the first phase of Wellington Retail Park. Planning permission was granted at appeal on 26 March 1986 (ref 20535/11) and contained restrictions in Conditions 10 and 11 which, respectively, limited the sale of goods from the two elements of it. This was re-iterated in conditions 11 and 12 of reserved matters approval 20534/12.

The above base decisions were superseded by the following permissions which varied the conditions on the goods which can be sold:-

- Condition 3 of planning permission 91/55618 amended condition 12 of 20535/12;
- Condition 1 of 02/55618/005, dated 16 April 2002, varied conditions 10 and 11 of 20535/11, conditions 11 and 12 of 20534/12, as well as condition 3 of 91/55618; and
- Condition 1 of 07/51117/011 of 25 July 2007 varied condition 1 of 02/55618/005.

The range of goods restriction has subsequently be further varied for the rest of Phase 1 so that the only restriction on the Harveys/ Home Bargains units is to preclude the sale of food from one of them (APP/12/00330). Indeed, other than DFS the whole Park has an open A1 or open non-food A1 use (APP/13/00214 and APP/13/01233).

Recent Investment

Henderson bought Wellington Retail Park in March 2010 with a view to enhancing the role and quality of it. Since then, it has secured permission to refurbish elements of all three phases as follows:-

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- Phase 1 - cut back and sub-divide the former Focus unit adjoining DFS. This was undertaken in 2012 and both new units have been let to Home Bargains and Harveys. Neither unit has a restriction on non-food sales;
- Phase 2 – enhancing the block at the rear of the scheme (Harveys, Dreams and Jolleys), with an open A1 use;
- Phase 3 - enhancing the former JJB unit, which is now let to M&S for a Simply Food outlet, so that unit has an open A1 use and the rest of the terrace has an open non-food use.

Henderson has also secured planning permission develop a new “pod” building in front of Matalan, with related public realm enhancements. The company is intending to implement this scheme this year.

Proposed Development

It is proposed to removing condition 1 of planning permission 07/51117/011.

Planning Policy

National Planning Policy Framework (NPPF)

The NPPF is a material consideration in planning decisions. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, the definition of which is based upon three mutually dependent dimensions; an economic role, a social role and an environmental role. Paragraph 14 confirms that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Planning authorities should apply a sequential test to such uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Retail impact should also be considered for such developments over 2,500sqm or other local thresholds.

Paragraph 206 concerns planning conditions, which should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects.

Core Strategy

Policy CS4 of the Havant Core Strategy (adopted March 2011) concerns Town, District and Local Centres, and guides the broad quantum of new retail floorspace to identified centres by 2016. Waterlooville, along with Havant is a designated Town Centre within which planning permission will be granted for “*appropriate town centre development proposals*” that promotes and enhances the centre. Other elements of the policy seek to enhance the evening economy and encourage high quality, mixed-use development in designated centres that retain active ground floor frontage.

Policy CS2 states that planning permission will be granted for development proposals that prioritise the use of previously developed land for the provision of new employment floorspace, favours town centre locations for the provision of town centre uses, promotes local employment and training initiatives, and that provides jobs, generate wealth or produce an economic output.

Local Plan (Allocations)

This document confirms that the Council recognises that Wellington Retail Park now forms part of Waterloooville Town Centre. The main retail terrace (Phase 1) is to be a Primary (shopping) Frontage when the Plan is adopted.

Policy Evidence Base

Town Centres, Retail and Leisure Study

the Town Centres, Retail and Leisure Study report (March 2009) included an assessment of the quantitative need for additional retail floorspace. The figures contained within it (page 66) underpin the overall comparison goods floorspace requirements set out in Policy CS4 as well as the distribution of that floorspace set out on the Key Diagram.

The health check for Waterloooville found that the centre had improved between 2005-2009, despite recessionary conditions (paras 7.10-11).

Town Centre Vitality and Viability Assessment

This assessment found that Waterloooville's market share of non-food shopping trips had increased from 16.5% in 2001 to 19.8% in 2003, which was identified to be directly attributable to the expenditure clawed back from Portsmouth (especially Commercial Road) arising from the Dukes Walk and the Hambledon Road Retail Park schemes. Both schemes were recognised to have increased the provision of national multiple retailers in the centre, which improved the public perception of the centre, and was identified as contributing to town centre's vitality and viability.

Assessment

The key issue for the determination of the enclosed application is the need to retain condition 1. The adopted Core Strategy (the development plan) directs retail development to town centres such as Waterloooville, which is consistent with the subsequently issued NPPF (a material consideration). The definition of the town centre is being redefined in the Local Plans (Allocations) Plan which includes Wellington Retail Park in the centre, with some of its terraces as Primary Frontages.

The DFS unit is now the only unit on the Retail Park with a restriction on the sale of non-food goods. The enclosed application seeks the removal of this restriction so that, in common with the rest of the Park and appropriate to the town centre location, the DFS has no restriction on the goods which can be sold from it.

Whilst there is no intention for DFS to relocate from the site, removal of the restriction will enable Henderson to respond to changes in market circumstances and to maintain and enhance Wellington Retail Park as an attractive and vibrant part of the Town centre.

Community Infrastructure Levy

The proposed development should not raise a requirement for CIL contributions. However, we have completed the forms for the application.

Conclusions

We consider that the proposals subject of the enclosed submission constitutes sustainable economic development. There is no need to retain condition 1 of 07/51117/011 and we request that it is removed.

Should you require any further information, please contact me on the above number.



Jonathan Best MBE
Director
On behalf of Blue Sky Planning Ltd