

Planning Statement

37 Park Parade
Leigh Park,
Havant.
PO9 5AA



1. Introduction

- 1.1 This Design and Access statement has been prepared to support the following proposal:
Variation of condition to Unit 5 to allow opening between 6 am and 11 pm Monday to Saturday and 7 am to 10 pm Sundays.
This statement has been prepared by the Town Planning Experts who act as planning consultants for the applicant.
- 1.2 The application site consists of a two-storey building at the west end of Parade Park comprising a former supermarket at ground floor level, now divided into 5 retail units, with a Snooker Centre at first floor.

2. Site Context

- 2.1 The site is located on the west side of Park Parade, the main shopping centre of Leigh Park. The premises are surrounded by other shops and supermarkets.
- 2.2 The application site consists of a two-storey building with retail at ground floor and snooker centre at first floor. To the rear of the premises is a service road and a public car park.
- 2.3 The commercial premises subject to this application, consist of a vacant unit, fronting Park Parade which was previously part of the former Netto premises. The snooker centre is accessed by an entrance to the rear.
- 2.4. To the rear of the building is Tidworth Road, a service road for a public car park and providing access to the commercial premises in Park Parade.
- 2.5 The premises lie in the main shopping centre in Leigh Park.

3.0 Planning Policy

3.1 The National Planning Policy Framework (NPPF) was introduced on March 27 2012, and sets out the Government's planning policies for England and how these are expected to be applied.

3.2 It indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies that there are three dimensions to sustainable development – economic, social and environmental.

3.3 Planning can assist the economic role by building a strong, responsive and competitive economy; the social role by supporting strong, healthy and vibrant communities, and the environmental role by protecting and enhancing our natural, built and historic environment. These roles are seen as mutually dependent.

3.4 The NPPF advises in para 9 that “Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life”. This can include, creating jobs, replacing poor design with better designs, and improving the conditions in which people work, live, travel and take leisure.

3.5 With regard to economic growth it states in paras 18 to 20:

The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

To help achieve economic growth, local planning authorities should plan pro-actively to meet the development needs of business and support an economy fit for the 21st century.

3.8 The NPPF supports vibrant and sustainable town centres. It states in para 23:

Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

- *recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;*
- *promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;*
- *retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;*
- *allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town*

centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability...

“does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.”

- 3.6 The Havant Borough Core Strategy was adopted on 1 March 2011 and sets out local planning policy until 2026. The Strategy sets out a vision for the Borough which it intends to meet by seeking an appropriate balance between protecting the natural and built environment; delivering new economic growth and community regeneration; meeting the social needs of its communities and the prudent use of natural resources.

- 3.7 Policy CS4 indicates that

Planning permission will be granted for appropriate town centre development proposals that:

1. Promote and enhance the following hierarchy of identified centres as shown on the Proposals Map:

Town Centres - Havant and Waterlooville

District Centres - Cowplain, Emsworth, Leigh Park and Mengham/Gable Head ...

2. Enhance the evening economy of the town and district centres.

3. Retain and enhance local markets.

4. Support small and independent businesses.

5. Encourage high quality, mixed-use development in designated centres that retain active ground floor frontages.

- 3.8 Policy CS16 encourages a good standard of design. In particular it indicates that all development should indicate that it

4.0 Planning Considerations

- 4.1 This application seeks to vary the hours of opening in respect of Unit 5, 37 Park Parade, Leigh Park, to tie in with the adjacent off-licence.
- 4.2 The proposed hours are
Monday to Saturday – 6am to 11 pm
Sunday – 7 am to 10 pm
- 4.3 In November 2012 application was made to provide new shop fronts to Park Parade and new windows and doors to Tidworth Road to facilitate the conversion of the former retail supermarket to 5 retail units.
- 4.4 Permission was granted on 21 December 2012, however, notwithstanding that no change of use was involved a condition was imposed stating:
- The units 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 10:00 hours to 16:00 hours on Sundays and Bank Holidays.
- Reason:** To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- LPA ref: APP/12/01178
- 4.5 The appellant contends that the condition should not have been applied as there was no change of use, and the

premises could have remained in retail use, without restrictions.

- 4.6 The condition was not challenged at that time as the owner did not see it as an issue at that time having regard to the anticipated tenants.
- 4.7 The reason for the condition is indicated to be to protect the amenities of nearby residential properties.
- 4.8 In reality there are no residential properties nearby. The nearest the applicant can identify is four doors away above the chemist.
- 4.9 Immediately above the premises is a snooker club, which to our knowledge has no hours of opening imposed, and remains open into the early hours of the morning.
- 4.10 To the other sides are retail and office units, while to the rear is a service road and public car park.
- 4.11 The intention is to run the unit as an extension to the existing Elly's Wine Store, offering both off-licence facilities and a local convenience store.
- 4.12 Again the applicant is unaware of any restrictions upon the existing off-licence not is he aware of any complaints of noise or nuisance having been raised.
- 4.13 An application has been made to the Licensing section of Havant Borough Council which it is understood will impose the same hours as the applicant currently operates from his existing premises.

- 4.14 No external alterations are proposed and any signage required will be non-illuminated. The only internal change will be a doorway between the units.

5.0 Conclusion

- 5.1 The application seeks to allow this unit to operate to the same hours as the adjoining off-licence, as it is intended to run these premises as an off-licence and convenience store.
- 5.2 The hours restriction was in the applicant's opinion erroneously imposed as the premises already enjoyed an unrestricted retail use and application was only made make external alterations.
- 5.3 If it is considered that the condition was correctly imposed the applicant would argue that there are no nearby residential premises which would be affected by the proposed use operating to the same hours as the existing off-licence.
- 5.4 For these reasons the applicant considers that having regard to both national and local guidelines planning permission should be granted either removing the current restriction or amending the opening hours as requested.