
Site Address:	68 West Street, Havant, PO9 1LN		
Proposal:	Change of use from health and beauty shop to tea rooms (class A3).		
Application No:	APP/13/00337	Expiry Date:	03/07/2013
Applicant:	Mrs Unal	Team:	Team 1
	T/A Weight Loss & Beauty Centre		
Agent:		Case Officer:	Heather Lealan
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 West Street lies within the town centre of Havant. The current permitted use of 68 West Street is as a A1 Health and Beauty Shop. The site is located within the Black Dog Conservation Area but it is not specifically identified as a locally listed building. The area is mixed use in character with residential, retail and some light industry beyond the southern side of West Street. Immediately opposite the site is a row of shop units with residential over.
- 1.2 Beyond the rear northern boundary of the site is the Solent Retail park. There is no vehicular access from the north. The adjacent premises to the sides of the site remain in use with ground floor retail/A2 and residential uses above.

2 Planning History

No relevant previous planning applications for this unit.

3 Proposal

Change of use from Health and Beauty shop (A1) to tea rooms (A3)

4 Policy Considerations

National Policies

The National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)

CS4 ()

DM10 (Pollution)

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

TC1 (Hierarchy of Centres)

TC6 (Changes of Use Primary Frontages)

Listed Building Grade: Not applicable.

Conservation Area: Black Dog

5 **Statutory and Non Statutory Consultations**

Conservation Officer -

Support, intended use should add to the diversity of shops and vitality of the Black Dog Conservation Area. The Tea Shop function is unlikely to involve the provision of cooking facilities requiring external extract ducts which can be a problem

Officer Comment - *Email submitted by the applicant 11/06 confirms that no cooking requiring ventilation is proposed. Sample menu should be conditioned*

Planning Policy -

No objection to change of use

Environmental Health Manager -

No comments received

Development Engineer -

No adverse comments and no contribution required

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: 11

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 2. One of the representations was from HADAG

Summary:

a) No objection to tea rooms so long as tables are not put up in the rear garden due to noise from customers and rodent issues

Officer comment: The applicant comments in email of 11 June 2013 that it is not the intention to provide tables outside. However if tables were to be provided in the garden the issue of noise could be overcome through an opening hours condition and the issue of rodents would be an Environmental Health matter.

b) Access and Circulation - Our only comment is that there currently appears to be a narrow doorway with a doorstep. This would represent a difficulty for any independent wheelchair user or mobility-impaired person with other walking aids. Internal circulation, as best as can be established from the plans, would also be challenging. Currently the business could, under the Equality Act (2010) make 'reasonable adjustment' by delivering its services to customers at their own homes, by telephone, or in other manners to avoid the possibility of discrimination towards people with disabilities. The change of use to a 'tea room', however, introduces a service which cannot be delivered in alternative ways.

We would suggest that in considering the change of use, that consideration is given to more appropriate access to people with disabilities. While we accept that existing

businesses are restrained by their infrastructure and premises, new services should not be encouraged which don't meet modern requirements for accessibility. This need not prove expensive, as adjustments could be limited to the provision of a temporary ramp (used on request), a doorbell to call for assistance, and the allocation of specific tables to the front of the tea room for customers with access difficulties.

Officer comment: Informative to be added to any planning consent. The application cannot be refused on this ground but the applicant should be made aware of access requirements in interests of equality of all customers

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 and tourist facilities
- (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 Havant Town Centre as defined by Local Plan (Core Strategy) policy CS4 and saved Local Plan policy TC1. It is also necessary to consider the site with regard to emerging draft policy AL2 of the Allocations Plan which does not designate the section of West Street as secondary frontage. The proposed use would contribute to the vitality and viability of Havant Town Centre albeit with a small loss of A1 retail in an area outside the emerging primary shopping area. Given that current use is already has an element of non-retail function, it is considered that the proposed change would not be contrary to policy and would likely provide a more interactive frontage than the existing, more in keeping with the intentions of the policy.

(ii) Effect on existing retail units and tourist facilities

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.

(iii) Effect on residential amenity

7.4 It is noted that residential properties are located in close proximity to the proposal. 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 (9.00am) and closing time (5pm) 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 town centre locality such as this.

(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 West Street, creating a more viable and visitor friendly image. The use is considered to be in character with the area.

(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 town 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/13/00337 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 premises hereby permitted shall not open to the public before 09:00 hours or remain so open after 17.00 hours on Monday to Saturday and before 10:00 hours or remain so open after 16.00 hours 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.
- 3 The range of food sold at the premises shall be in accordance with the written details received by email on 11 June 2013. There shall be no change in the range of food sold unless appropriate measures to control the emission of odours and noise are undertaken with the prior written approval of the Local Planning Authority.
Reason: To protect the amenities of occupiers of adjoining properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Statement received 8 May 2013
Menu details submitted by email 11 June 2013
Site Location Plan OS License No.100047474 received 10 April 2013
Block Plan OS License No.100047474 received 10 April 2013
Existing and Proposed floor plan received 8 May 2013
Photographs and existing elevations received 8 May 2013

Reason: - To ensure provision of a satisfactory development.