
Site Address: Land at the former Rose in June, Selmore Road, Hayling Island, PO11 9LB

Proposal: Change of use and extension of the former Rose in June public house to a retail convenience store of 359sqm gross external area with associated vehicle and cycle parking, access, delivery layby, bin storage and landscaping. (Revised Application).

Application No:	APP/13/00519	Expiry Date:	19/07/2013
Applicant:	Mr Kricheli	Team:	Team 1
	Monterrey Properties Ltd		
Agent:	Miss Burt	Case Officer:	Sally Smith
	Vail Williams		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 Part of the site of the former Rose in June public house premises, which features the principal (non listed) building, outbuildings and car park. Pub disused and site becoming run down and overgrown in parts.

2 Planning History

- 2.1 Previous schemes have been approved for conversion of the pub to housing and redevelopment of remainder of site for housing. The loss of the pub as a community facility has therefore been accepted in planning terms.

- 2.2 Most relevant to this application:

APP/13/00093 for a retail scheme of similar size to current application Withdrawn.

3 Proposal

- 3.1 To change the use and extend the building for a retail use. ATM to be included. Car park proposed to the rear. Refuge for the crossing of Selmore Road to be upgraded and layby to be introduced. Amendments have been made to mitigate impact on neighbour and to improve the parking and highway implications.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS4	()

CS6 (Regeneration of the Borough)
DM10 (Pollution)
DM14 (Car and Cycle Parking on Development (excluding residential))

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

FAO Access Officer, Community Group - No comments

Arboriculturalist - Not consulted as no trees on this site. The tree implication relates to the adjacent proposed housing site.

Hampshire Highways - No comment; scheme may be dealt with by Development Engineer

Building Control - Public sewers in footways on both frontages

Regeneration & Development - No comment received

Development Engineer -

Change of use from previous Public House to convenience store to A1.

As the Pub has been closed more than 5 years a highway contribution will be required.

Therefore taking the site as a retail in a Tertiary area this makes 17 trips per 100metres squared

The site is 359 Meters Squared

Cost per trip is £230

Therefore $(17 \times £230) \times (359/100) = £14,036$

Crediting for central refuge island allow £6,000

Therefore contribution would be £8,036

The crossing point and the lay-by has to be provided these will be s278 works, without these works deliveries can not be undertaken in a means acceptable to the Highway Authority, the site would not be accessible to all users and I would not be able to accept reduced parking. These works need to be a Grampian Condition

Car Parking: I am happy to accept a reduction in parking level for the store on the basis that there is adequate parking across the road and a suitable safe crossing point is being implemented. I will accept a reduction down to 13 spaces as this will also allow for an improved use of space for both this development and the proposed neighbouring development of residential, it will also allow for a suitable acoustic barrier to the neighbouring properties.

Footway east side of development: As the development has only a blank wall on the east side and there is a footway proposed along this boundary I would rather see this footway removed so all access into/out of the parking area is by Webb Lane. This again allows for an improved layout for the neighbouring application allowing additional land to the gardens, whilst reducing the maintenance of private footway.

Access for car park via Webb Lane: there is no highway reason to object to the access for cars being via Webb Lane, although the lane is reasonably narrow at the access it is suitable for purpose. The previous access was available from Webb Lane. There is no reason for any vehicle to exit the car park in reverse as adequate turning is provided on site. TRO's can be advertised to reduce parking in Webb Lane further should they be required. A s106 can have future requirements of TRO's if need be.

Location of Cash Point: From a highway point of view I would like to see the Cash Point moved away from the corner to reduce the risk of vehicles stopping near the corner causing a highway risk to those exiting Webb Lane and the risk of shunt accidents with vehicles expecting traffic to turn into Webb Lane instead of Stopping in Selsmore Road, also it will allow the lay-by to be used for this purpose during an evening when deliveries are not likely to be undertaken. I therefore suggest that the Cash Point be positioned where the false window is suggested.

Environmental Health Manager, Community Group - No comment but view on earlier W/D application - bringing the site back into use is welcomed but conditions proposed in respect of noise from construction works, dust from construction works, noise from plant, delivery times, lighting and no bonfires. (Bonfires not usually conditioned as not a planning matter)

Planning Policy - No comment received but view on original Gen enquiry:

Promoting Havant Borough's Economy: Both the existing and proposed uses are main town centre uses as defined in the glossary of the NPPF. The development site is edge of centre as defined by the NPPF glossary as it is less than 300 metres from the primary shopping area in Mengham Gable Head District Centre as defined in Local Plan (Core Strategy) policy CS4 and saved Local Plan policy TC1. Changes were proposed to the district centre in the consultation document *What do you want from your town, district and local centres?*, but these changes do not effect this site's status as edge of centre.

Paragraph 24 of the NPPF requires the application of a sequential test to applications for main town centre uses that are not in a town centre. It may not be appropriate to apply the sequential test in this instance for a number of reasons. Firstly, planning permission would not be required for a simple change of use from A4 to A1. Secondly, the proposed floorspace is less than the existing floorspace. Thirdly, the site is located in South Hayling which is identified as an area in need of regeneration in policy CS6 of the Local Plan (Core Strategy). The pub has been vacant for a number of years and this proposal offers the opportunity to bring this building back into active usage.

Atkins Planning Team, Anglo St James House - Details of sewer records provided

Crime Prevention -Minor Apps - - lighting and CCTV recommended for ATM

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: 145

Number of site notices: Yes

Statutory advertisement: Not applicable.

Number of representations received: 11

Summary:

(a) It will be noisy and dangerous in Webb Lane for the many users - esp with Age Concern building in the Lane. Will encourage short cuts up Webb and Mengham Lane.

(b) Webb Lane is not suitable for heavy traffic or large vehicles

(c) It will be dangerous for residents in Webb Lane

(d) Noise from bins, deliveries and parking and people congregating.

(e) Concerns over rubbish and vandalism

(f) Retail is not necessary with Sainsburys, Tesco and Coop in the area.

(g) the site should be developed for low cost housing

(h) Should stay as a pub

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 Building and Street Scene
- (iii) Effect on Neighbouring Properties
- (iv) Highway and Parking Implications

(i) Principle of development

7.2 The change of use of the public house to a retail unit is a change that does not in itself require permission and therefore there can be no objection to the principle of the use. Planning policy have raised no objection or sought any retail justification on the basis of this and its size. It is therefore necessary to assess the proposal against normal development control criteria.

(ii) Effect on Existing Building and Street Scene

7.3 The proposal retains the outside of the original public house and demolishes the various single storey extensions - to be replaced by single storey extensions to the rear and side. The character of the main building is retained as much as is possible whilst providing for its internal changes to accommodate the retail use; upper windows will be retained and a condition is proposed to ensure the appearance as a result of them being 'visually blocked' is undertaken sympathetically. The side extension has been negotiated to have a width and set back to make it subservient to the main building. The roof pitch and material also matches the main building. The shop windows are of a width and have stall risers to also relate reasonably to the original building.

7.4 It is therefore considered that the changes proposed are acceptable in relation to the character of the main building and the street scene.

(iii) Effect on Neighbouring Properties

- 7.5 The curtilage of the site has been amended so that the amount of the site adjacent to 2 Mengham Avenue has been reduced. The area of activity adjacent to this property is therefore that of the car park that was original to the public house and for part of the northern boundary. This relationship is considered acceptable and an acoustic fence has been proposed for the adjoining boundary. As the car park was in use for the public house the impact of the movements on the other Webb Lane properties opposite the entrance is also acceptable. With respect to hours of opening these are to be limited to 23.00 which is similar to public house hours of opening. Deliveries will be limited to up to 20.00 hours and not on Sundays. As the retail use itself does not require permission and could have taken place with no conditions imposed - the fact that the proposal to provide extensions has enabled some control to be applied is welcomed.

(iv) Highway and parking Implications

- 7.6 Please review the Development Engineer's comments above. A Grampian condition is proposed to ensure the implementation of the layby and crossing improvements. The scheme has been amended to remove the side path, moving the car parking spaces to the west and so reducing the extent of the car park and relocation of the ATM. The use of the car park with a revised access and the impact on Webb Lane is considered acceptable given the historic, lawful use of the site for commercial purposes. As discussed above, use of the existing building and car park for retail purposes does not of itself require planning permission. A S106 is in place to provide for the payment of the HCC Transport Contribution. The proposal is therefore considered acceptable on highway and parking grounds.

(v) Other matters

- 7.7 There is not an issue with impact on trees as the tree considered in the Arboricultural report is associated with the adjoining site. The issue of social disturbance is not a matter that can be considered material to the outcome of this planning application, especially as the lawful use is as a public house.

8 Conclusion

- 8.1 Permission recommended subject to a S106 and conditions
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9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00519 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 Construction of the development hereby permitted shall not commence until

samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The development hereby approved shall not be brought into use until the improvements to the crossing point associated with the present central refuge and the installation of the layby on Selsmore Road have been implemented in accordance with the indicative details included within the Transport Statement ref 028.0025/TS/6.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The premises shall not be occupied before the proposed access and the crossing of the highway verge and footway is constructed and laid out in accordance with the approved details.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The existing accesses to the site shall be stopped up and abandoned and any footway/verge crossings shall be reinstated on completion of the new access.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The development shall not be brought into use until space for the loading, unloading and parking of vehicles and cycles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the detailed proposals for all of the following aspects of the same have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

- (a) The alignment, height and materials of all walls and fences and other means of enclosure;
- (b) Hardsurfacing proposals including surfacing materials;
- (c) The provision to be made for litter bins;
- (d) The internal finish to the upper floor windows;

- (e) The areas to be used for contractors' vehicle parking and materials storage during (site clearance and) construction of the development;
- (f) The details of the bollards proposed to the frontage;
- (g) The details of any CCTV provision.

Reason: To secure orderly development and having due regard to the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same and any mitigation measures such as housing and/or acoustic fencing have been submitted to and approved in writing by the Local Planning Authority.

Note: Noise resulting from the use of any/all plant machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

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.

- 9 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 The premises shall not open to the public before 07.00 hours or remain so open after 23.00 hours.

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.

- 11 Deliveries shall only be taken from the premises between the hours of 07.00 hours and 20.00 hours Monday to Friday and 07.00 hours and 19.00 hours Saturdays and not at all on Sundays.

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.

- 12 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and/or in the interests of

traffic safety 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.

- 13 No development hereby permitted nor any related site clearance shall commence until a specification for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.

Reason: In the interests of traffic safety 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.

- 14 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and construction of an acoustic fence to be erected on the boundary with 2 Mengham Avenue have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all such fencing as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the 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.

- 15 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application form

Site Location Plan/Block Plan P-002 C

Proposed Site Plan P-015A

Proposed Block Plan P-008 F

Existing Elevations P-003 B, P-004 B

Proposed Elevations P-009 E, P-010 E

Existing Floor Plans P-005 B, P-006 B

Proposed Floor Plans P-011 E

Existing Sections P-007 B

Proposed Sections P-012 D, P-013 D, P-014 D

Planning, Design and Access Statement - May 2013

Photographs

Protected Species Survey - September 2012

Transport Statement - May 2013 - Paul Basham Associates

Arboricultural Assessment - 25 January 2013

Building/Structural Assessment

Reason: - To ensure provision of a satisfactory development.