REFUSE

PLANNING, DESIGN AND ACCESS STATEMENT

Project details
PROPOSED CHANGE OF USE TO THE GROUND FLOOR RETAIL SHOP (CLASS A1) TO HOT FOOD TAKE-AWAY (CLASS A5), AT 9 STONE SQUARE, HAVANT, HAMPSHIRE. PO9 2DZ.

Ref:0254PDAS
Date: Wednesday 14 April 2010
Revision A: N/a

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PLANNING, DESIGN AND ACCESS STATEMENT:

This Planning, Design and Access Statement has been prepared by The Steven Barlow Partnership (TSBP Architecture) on behalf of Mr. Patel and is submitted in accordance with the requirements of Government planning advice as set out in Planning Policy Statement 1, Delivering Sustainable Development and legislation under section 42 of the Planning and Compulsory Purchase Act 2004 of which substitutes a new section 62 of the Town and Country Planning Act 1990.

This statement is in support of a Full Planning Application for the proposed change of use to the existing ground floor retail shop (Class A1) to hot food take-away (Class A5) at 9 Stone Square, Havant, Hampshire. The site is located between Stockheath Way and Stockheath Road (west of Petersfield Road) and on the north eastern side of Bedhampton Way.

PLANNING HISTORY:

There have been two historic planning applications as a result of strong tenant interest in No.9 Stone Square;

LPA application references: 05/69869/000 and 07/69869/001

The applications refer to a change of use from A1 (Retail shop) to A3 (Food and drink) in 2005 and to A5 (Hot food take-away) in 2008.

PLANNING:

The saved policies of the Havant Borough District-Wide Local Plan (01 October 2008) which apply are: PC1, TC12, TC14, TC15, UA1 and UA3.

The existing retail shop premises traded as 'Manny's Food Market' from 1980 and ceased trading in January 2003 and has since been actively advertised for rental without any interest materialising beyond initial enquiries.

Since trading ceased in 2003, 9 Stone Square has been subject to continuous vandalism. The shop windows and concrete ledge have been damaged and in areas destroyed and subsequently, the premises have remained boarded to avoid further attempts of vandalism or breaking and entry.

Whilst the premises remain in their current condition, the area and parade looks and feels untidy and run down. The applicant is keen to clean up the impression of the area and parade and also wishes to avoid any further financial loses. Along with these issues and from a business sense the applicant has no alternative but to seek consent for a change of use to open up his market options. A new occupier would provide amenity/ new services and generate employment.

PRE-APPLICATION CONSULTATION:

In June 2009, the applicant entered into Pre-Application consultation with the LPA for a change of use to Class A5, an initial report prepared by the applicant outlining the premises history (copy attached) was submitted. In July the same year, the LPA responded with its informal comments and these are set out below;

In the first instance, with regard to marketing, my recommendation would be to complete a period of six months marketing prior to submitting a revised application. You should ensure you can provide the following material:

1) *A letter from the marketing agent that confirms (on headed paper) that they marketed the premises for the required length of time;*
2) *Confirmation that there was a marketing board on the premises during this time;*
3) *A photo of the board on the premises;*
4) *An enquiry log of who enquired and how it was followed up and why it was unsuccessful;*
5) *And a copy of all adverts in the press (should be at least 4 weeks worth of adverts spread across a six month period).*

I note from your enquiry and from visiting the site that a marketing board is already in position at the property and you have already provided photos of this. Presumably your agent will assist with complying with the first criteria in the list and the fourth. I also note from your enquiry that you have sought to comply with criteria five. As such, I would recommend that you continue on the path you have indicated and compile all the relevant information that will support your application.

With regard to the hours of opening, I do not consider that the hours are varied enough from what was previously refused to allow a favourable view to be taken. I would suggest consideration be given to reducing the hours of operation during the week (Monday – Thursday) with the possibility of opening later (until 11pm) at the weekend (Friday and Saturday). The hours proposed on Sunday seem to be appropriate when considered in this context.

I can appreciate that this may compromise the viability of a business in this location however, I have to provide you with a considered opinion in light of the planning history of the site. I note the examples you have provided and consider they differ slightly from 9 Stone Square in that they are either in district centres where there is an expectation that noise levels will be higher than primarily residential areas. Or they are in positions where noise and activity associated with their use would not be as concentrated into one area as is the case at Stone Square.

In respect of Planning Policy and the LPA's response, the LPA would appear to support a change of use subject to an appropriate marketing exercise to prove the existing premises use is not viable from a business operation and that suitable hours of opening can be established to respect the local residential area.

MARKETING HISTORY:

Pre-Application Consultation

Two large 'To Let' posters were fixed to the shop front from January 2003 until February 2005 to maximise local marketing, together with the premises being marketed by Kinleigh, Folkard & Hayward who were instructed to market the premises at a local and national level during this same period.

During this marketing period; the applicant received interest from a number of independent occupiers including a video shop and hairdressers. However, after further discussions agreements failed to materialise despite offering generous landlord incentives including rent free periods, flexible lease terms and low market rents. Generous incentives had been offered to urgently secure a tenant and minimise further financial loss of rent and cover outgoings such as business rates.

Feedback received from prospective tenants was that there is a lack of footfall and passing trade. Furthermore, competition from the retail outlets in Havant, Park Parade and Greywell centres would make business trading not viable.

In 2005 and 2008, the applicant received interest and agreed preliminary terms with tenants. The two separate parties were looking to trade as a take away business subject to receiving the necessary planning consent for a change of use. Subsequently planning applications were submitted by the prospective tenants but these were not granted consent due to generally insufficient marketing and lack of detailed information provided.

As a result, the applicant stepped up their marketing campaign and instructed Todd & Hartridge on the 1st May 2009, to market the premises for the purposes of Class A1 retail.

Post Pre-Application Consultation

Accompanied with this application is a report prepared by Todd and Hartridge, setting out their marketing campaign confirming a 'To Let' flag has been erected at the premises since 5th May 2009, the property was advertised in the local newspaper fortnightly from the 20th May 2009 for a 3 week period, the property has been advertised on the website 'Rightmove' since 1st June 2009, photographic evidence of marketing board and a detailed log of enquiries received, undertaken. To date the marketing campaign is ongoing with no further enquiries to report since 18th November 2009.

DESIGN:

In preparing the design for the proposed change of use, consideration has been given to the site and its surrounding area and the design principles established relating to the requirements of local policies referred to above.

The existing shop front opening is to be retained with the existing frame and glass replaced with an aluminium framed safety glass screen and entrance door with either an anodised or polyester powder coated finish.

A new standard pull down or electrically operated roller shutter system is to be installed to provide security to the shop front screen and entrance door.

The sign board over the shop front is to remain the same in size and location as the existing but will accommodate new 'name, function and street number' sign graphics to represent and suit any new tenant requirements.

Any new tenants of the premises will utilise the existing tenant's communal bin storage facilities located at the rear of the property whilst customer's will use an existing bin located at the front of the shop which is emptied on a daily basis.

A new extract system is to be installed at the rear of the property similar in the type, style and location of the existing extract system currently in use at No.10 Stone Square. The system could accommodate suitable dampers and carbon filters to avoid any harm and/or nuisance to the residential occupants over at first floor level. The applicant is in agreement for a condition to be attached to any consent whereby the extract system type, style and location would be agreed with the LPA at a later date upon the applicant finding a suitable tenant and establishing their requirements.

The car parking arrangements for staff and visitor's is to remain as existing and due to the hours of opening limited to the evenings apart from two hours in the daytime Tuesday to Saturday, it is considered this will benefit parking for daytime visitor's to the parade.

The applicant wishes to apply for the following hour's of opening to represent and match the hour's of opening currently established for No.10 Stone Square;

Monday:	17:00 to 23:00hrs
Tuesday to Saturday:	11:30 to 13.30hrs and 17:00 to 23.00hrs
Sunday:	17:00 to 23.00hrs

ACCESS:

The main access will be through the existing main entrance of the premises fronting Stone Square. An existing rear access will be maintained as an alternative route leading out to the rear garden and bin storage areas. The existing floor levels will be retained.

CONCLUSION:

The proposed scheme is designed to satisfy the various applicable policies; to reflect and respect the immediate surrounding residential properties. The drawings submitted as part of the planning documents illustrate the design principles adopted would result in an appropriate form of development that makes best use of this vacant and run down property whilst reflecting the in-keeping of the neighbourhood together with providing a new service and employment opportunities to the local community.

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