



5-7 Station Road, Hayling Island

Planning Statement

D and L Southern Ltd

Prepared by:

SLR Consulting Limited

2nd Floor, Hermes House, Holsworth Park, Oxon
Business Park, Shrewsbury, SY3 5HJ

SLR Project No.: 433.066593.00001

17 March 2025

Revision: 2

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
01	17 March 2025	AG	CL	CL

Basis of Report

This document has been prepared by SLR Consulting Limited (SLR) with reasonable skill, care and diligence, and taking account of the timescales and resources devoted to it by agreement with the Client as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment.



Table of Contents

1.0	Introduction	1
2.0	The Site and Surroundings.....	4
3.0	The Application Proposal	7
4.0	Review of Planning Policy Context	9
5.0	Key Planning Considerations.....	14
6.0	Conclusions.....	16

Figures in Text

Figure 1: Site Location Plan	5
Figure 2: Block associated within Application Ref. APP/19/00324.....	6
Figure 3: Extract from the HBC Policies Map (red star indicates site location).....	11



1.0 Introduction

The Submission

1.1 This planning statement has been prepared and submitted by SLR Consulting Limited (SLR) on behalf of D and L Southern Ltd (the Applicant) in support of a change of use application associated with land at 5-7 Station Road, Hayling Island (the 'site'), located wholly within the administrative boundaries of Havant Borough Council (HBC).

1.2 The change of use relates to the two commercial (office) units approved (February 2021) under Application Ref APP/19/00324 (hereinafter referred to as the extant consent) which was for:

'The Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store'. (hereafter referred to as the 'extant consent').

1.3 Following approval of the above application, a pharmacy is sought at the two commercial units, as opposed to offices. This is in response to changing circumstances at the site, whereby a pharmaceutical business has been identified as suitable tenants who are able to begin operating very shortly. There has been no interest from occupiers for an office use. The change of use is critical in allowing the site to function as a mixed-use site, as approved.

1.4 Moreover, a pharmacy has been recognised as suitable use given the site's position within the West Town Local Centre; the site holds a strategic and sustainable urban location that would make the pharmacy easily accessible for patients including on a walk-in basis.

1.5 The full development description is as follows:

'Change of Use Application to permit the 2no. commercial units approved under APP/19/00324 to be used under Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020'

Application Background

1.6 Condition 18 imposed on Application Ref APP/19/00324 restricted the use of the commercial units as:

'Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the commercial units shall only be used as Class B1(a) offices, and for no other purposes within Class B1 of the above Use Classes Order, without the prior written consent of the Local Planning Authority.'

1.7 However, following the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, and further amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015, the new use class order (hereinafter referred to as the '2020 Use Class Order') introduced Class E which combined 'a broad and diverse



*range of uses*¹ to allow changes between *typical high street uses*². This was part of an initiative to speed up the revival of town centre highstreets and to facilitate flexibility without seeking planning permission. This change was to allow exactly these sorts of developments to have more flexibility and to avoid the need for costly and slow planning applications to be required each time a new user was identified.

1.8 The pharmacy sought under this application falls under Use Class E(e) *‘medical services not attached to the residence of the practitioner’*.

1.9 However, the previous application at the site was approved under the 1987 Use Class Order and restricted the commercial units to an office use and hence this application is being made.

1.10 Planning Practice Guidance (PPG) makes it clear that:

*‘The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 do not override any existing planning conditions or planning obligation which specifically prohibits a new use’*³.

1.11 However, PPG also states that:

*‘In considering an application for the discharge, **modification or removal of conditions limiting changes of use** within any of the expanded classes of use, the local planning authority should have regard to the new regulations’*³(emphasis added).

1.12 Accordingly, given pharmacies and offices both fall under Class E (sub- class (e) medical services not attached to the residence of the practitioner and (g) i) office respectively), a precedent is set for the change of use sought. Critically, the 2020 Use Class Order appreciates the change of use would not result in (negative) material impacts; the office and pharmacy use would have comparable parking demands, hours of operating and noise etc. This is in comparison to uses under the Sui Generis for example, like nightclubs which would materially alter the consented application.

Structure

1.13 This Planning Statement analyses the Application Site, surrounding areas and locality, and sets out relevant planning history and relevant policy context. It justifies why the proposals for a pharmacy are appropriate and are comparable to the extant consent.

1.14 The remainder of this planning statement will be structured as follows:

- **Section 2.0:** Site Description and Surrounding Area (including planning history);

¹ DLUHC and MHCLG (updated 2023). Planning Practice Guidance-When is permission required: Paragraph 9a Available at: <https://www.gov.uk/guidance/when-is-permission-required>.

² House of Commons Library (2024). Planning in England: Permitted development and change of use: Heading 2.2. Available at: <https://researchbriefings.files.parliament.uk/documents/SN00485/SN00485.pdf>.

³ UK Government (updated 2023). Planning Practice Guidance- When is permission required- Paragraph 12b. Available at: <https://www.gov.uk/guidance/when-is-permission-required>.



- **Section 3.0:** Application Proposal;
- **Section 4.0:** Review of Planning Context;
- **Section 5.0:** Key Planning Considerations;
- **Section 6.0:** Summary and Conclusions.

Accompanying Documents

The planning application submission is accompanied by the documents listed below, which have been informed by the local validation requirements:

- Application Form;
- Site Location & Block Plan;
- Transport Note;
- Acoustic Review (submitted in relation to discharge of condition 16)
- Sound Insulation Test (submitted in relation to discharge of condition 16)

It should be noted that the information submitted with the extant consent is cross-referenced across this planning statement and is to be considered to remain relevant, unless stated otherwise. The main issues to be assessed as part of this application relate to potential for noise and parking requirements:



2.0 The Site and Surroundings

Site Location

- 2.1 The site is located within an urbanised area, on the southern side of Station Road, west of the junction associated with Manor Road. The site is bounded to the west by a public/council owned car park, to the south by the open expanse of Hayling Park and to the east by a terraced row of commercial units with flats above. Behind the commercial units is found Herons Autos, a vehicular repair shop. The site location is depicted on Figure 1.
- 2.2 The site is sustainably located, situated within the defined boundaries of the 'West Town Local Centre' as defined in the HBC local development plan, which 'serves the everyday shopping needs of local residents and provides local jobs'.
- 2.3 The site's sustainability credentials are reflected by the presence of nearby amenities; east of the site is found the West Town Shopping Area, which contains inter alia:
- The Barley Mow Restaurant (located to the north on the opposite side of station road);
 - Tesco Express (located c.85m to the northwest);
 - Animal Magic Pet Shop (located c.85m to the northwest);
 - Hayling Island Community Centre (located c.100m to the west); and
 - HIADS Station Theatre (located c.480m northwest).
- 2.4 There are other amenities within walking distance of the site but it is clear that this is a highly sustainable location and provides parking provision on-site as well, providing opportunity for customers to visit the pharmacy on a walk-in basis when using nearby amenities.
- 2.5 Overall, the site's location is highly sustainable and accessible as confirmed by the Highways Authority when commenting on the extant consent:

*'It should also be recognised that the site is located in a relatively sustainable location with local services and amenities, employment opportunities as well as a bus route nearby. There are therefore considered to be viable alternatives for residents accessing these facilities, and office workers coming to the site, other than using the private car.'*⁴

⁴ Havant Borough Council (2020) Development Management Committee: Paragraph 7.37. Available at: https://planningpublicaccess.havant.gov.uk/online-applications/files/49A8BCC387D0072484D4432E0458D555/pdf/APP_19_00324-COMMITTEE_REPORT-1411954.pdf.



Figure 1: Site Location Plan

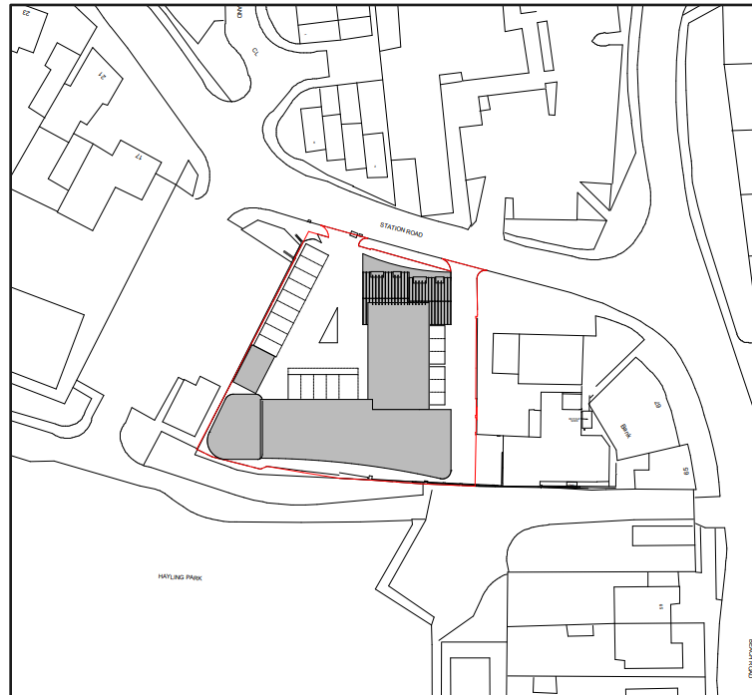


Site Description

- 2.6 The site encompasses a rectangular parcel of land, covering approximately 0.18ha in area. As discussed, the site has been subject to planning approval (February 2021) for 19 flats, 2 commercial units with associated infrastructure including 24 parking spaces. The consent has subsequently been built out in accordance with the plan shown in Figure 2.
- 2.7 Prior to construction of the flats and commercial units, under the extant consent, all existing building were demolished. This includes 1no. residential unit and 6/7 no. business units which sat underutilised and were in a state of degradation.
- 2.8 The site access was revised under the extant consent and is derived from the western part of the site, serving the courtyard area, with a further access in the eastern part of the site serving additional parking spaces and the approach to the Herons Autos premises.
- 2.9 The site is unconstrained and not subject to any statutory designations and located wholly within flood zone 1. As discussed, the site is also in the defined boundaries of the West Town local shopping centre.



Figure 2: Block associated within Application Ref. APP/19/00324.



3.0 The Application Proposal

Proposed Development

- 3.1 A change of use application is being sought to allow the commercial units approved under Application Ref APP/19/00324 to be used as a pharmacy but also to allow other uses within Use Class E. However, if any uses within the broader use class are considered problematic then we are open to discussions, although Government guidance is that they should not be restricted unnecessarily. The full description of is as follows:
- 3.2 *'Change of Use Application to permit the 2no. commercial units approved under APP/19/00324 to be used under Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020'.*
- 3.3 The scale, massing and design of the commercial units and layout of the wider scheme would remain the same as the extant consent; only internal amendments are sought to facilitate the use of the pharmacy. Critically, the proposals do not involve physical material changes to the built-out scheme and overall are minor in nature. Again, our client would like to maintain flexibility over the ability to change the units so they could be one or two units.
- 3.4 As discussed, the extant consent was permitted under the 1987 Use Class order and restricted the use of the commercial units to solely offices. However, the 2020 Use Class Order combined a range of uses, which the Government stating:
- 'Bringing these uses together and allowing movement between them will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities.'*⁵
- 3.5 Use Class E under the 2020 Use Class Order comprises both offices and pharmacies (defined under sub- class (e) medical services not attached to the residence of the practitioner and (g)). Thus, this sets a precedent that a switch between offices and pharmacies is acceptable and such change would not typically require formal planning permission should the extant consent have been permitted under the 2020 Use Class Order.
- 3.6 Moreover, the operation of the commercial units would be comparable to the extant consent with regards to footfall, parking and impacts on residential amenity on the flats above the commercial units. This is in comparison to other uses that fall outside the remit of Use Class E (like nightclubs (Sui Generis) which would be materially different to the extant consent.
- 3.7 As such, the proposals should be seen positively by HBC given this application is critical in allowing the applicant to operate the site as an effective business and respond to the changing circumstances of the site. This is given a pharmaceutical business has been identified as suitable tenants who are able to begin operating in the immediate future.

⁵ UK Government (2020) Explanatory Notes to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020: Paragraph 7.3. Available at: <https://www.legislation.gov.uk/uksi/2020/757/memorandum/contents>.



Operating Hours

- 3.8 The operating hours would be 8am to 6pm but we would like to retain flexibility over the days as some pharmacies are required to work on a weekend rota. We believe the hours of use mean this should not be problematic but we are happy to discuss.



4.0 Review of Planning Policy Context

Background

- 4.1 The HBC Local Development Plan (LDP) covers the plan period between 2006-2026 and contains the following elements which are relevant to this planning application:
- The Havant Borough Local Plan (Core Strategy) adopted 2011; and
 - The Havant Borough Local Plan (Allocations) adopted 2014.
- 4.2 The relevant components of the adopted LDP remains unchanged since Application Ref. APP/19/00324 was submitted. Of note however, the emerging HBC local plan was withdrawn from examination on the 16th March 2022, and work on a new local plan has started.
- 4.3 Given the above, the planning policy context discussed in the planning statement accompanying the extant consent and the policies considered by HBC in making a decision remain relevant to the proposals sought under this application. As such, only policies relevant to the change of use for a pharmacy are discussed. This is given the scheme will remain largely unchanged and the principle of the development has been accepted from a planning policy perspective.
- 4.4 It is also acknowledged that since the original application, a new National Planning Policy Framework (NPPF) has been adopted as of December 2024. However, the new NPPF does not include any amendments relevant to the proposals for the use of a pharmacy and therefore is not considered further.

Relevant Policies

- 4.5 The HBC Core Strategy was adopted in 2011 and sets out the council's long-term vision and objectives for what the borough will be like as a place in 2026. The Allocations Plan was adopted in 2014 and sets out the allocated land that will help deliver from 2013-2026 the development requirements for housing and employment set out in the Core Strategy.
- 4.6 The most relevant policies to the change of use sought from the above Core Strategy and Allocations Plan are listed below and subsequently discussed in more detail:
- Core Strategy
 - Policy CS4: Town, District and Local Centres;
 - Policy CS17: Concentration and Distribution of Development within the Urban Areas;
 - Policy DM13: Car and Cycle Parking on Residential Development;
 - Allocations Plan
 - Policy AL2: Urban Area Boundaries and Undeveloped Gaps between Settlements;
 - Policy AL3: Town, District and Local Centres



Policy CS4: Town, District and Local Centres

Policy CS4 explains that the council will seek to accommodate approximately 13,000 square metres (net) of new comparison goods retail floorspace within town and district centres up to 2016. The plan defines several local centres including the 'West Town Local Centre' which the site is wholly located within as shown on Figure 3.

When referring to this policy within the committee report associated with the extant consent, it was stated that:

*'To be capable of support, the development proposal would need to include main town centre uses to demonstrate that it would contribute to the vitality and viability of West Town Local Centre.'*⁶

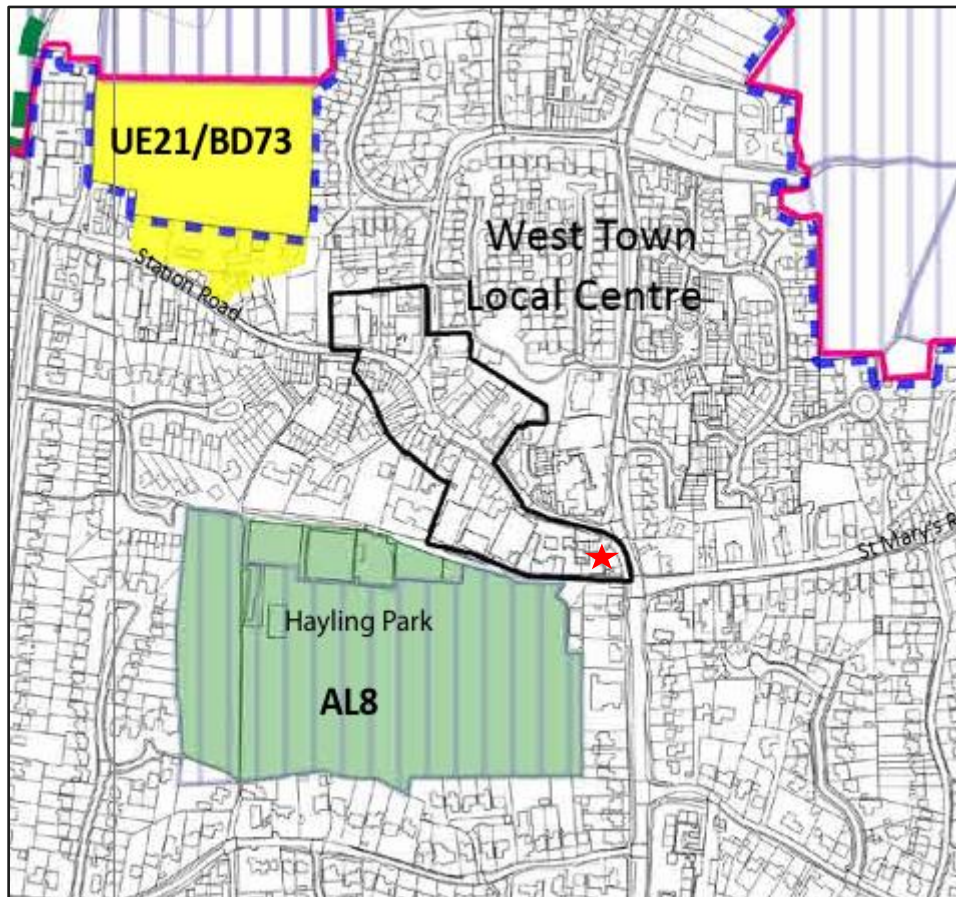
Paragraph 3.39 of the core strategy defines main town centre uses as retail, leisure, offices, arts, culture and tourism.

Considering the above, the pharmacy would operate as a retail unit and therefore support in enhancing the vitality and viability of the West Town Local Centre. This is particularly given the units front onto station road and thus would create an active frontage in allowing patients to access the unit on a walk-in basis. Moreover, when considering the sustainability credentials of the site which is located to several amenities within the local centre which would attract footfall, the pharmacy would be located in a strategic position to allow visitors to access multiple amenities during one visit.

⁶ Havant Borough Council (2020) Development Management Committee: Page 20. Available at: https://planningpublicaccess.havant.gov.uk/online-applications/files/49A8BCC387D0072484D4432E0458D555/pdf/APP_19_00324-COMMITTEE_REPORT-1411954.pdf.



Figure 3: Extract from the HBC Policies Map (red star indicates site location)



Policy CS17: Concentration and Distribution of Development within the Urban Areas

- 4.7 Policy CS17 states that development will be permitted that makes the most effective use of land in the borough by granting planning permission that concentrates new housing in, inter alia, the urban area of Hayling Island; prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area; and broadly distributes new housing and employment development in the five areas of the borough as indicates on the Spatial Distribution Map (which includes Hayling Island).
- 4.8 The site is defined as an urban area, as per Policy CS17 and thus is considered suitable for growth and development to meet the requirements set out for the borough. The sought pharmacy is fitting and sympathetic with the local urban context, particular given the strategic location of the commercial units that fronts onto station road which is highly accessible for patients to access the facility on a walk-in basis. Moreover, locating a pharmacy in an accessible and sustainable urban area is practical given the number of residents who will be able to access the facility within a short distance.

Policy DM2: Protection of Existing Community Facilities and shops

- 4.9 Policy DM2 states explains that the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where both the following criteria can be met:



- It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.
- The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve.

4.10 The proposed change of use sought under this application does not involve a loss of a commercial use, rather, a different form of retail that is fitting with the local urban context. The policy is not therefore particularly relevant. Moreover, as discussed, both the existing (unoccupied use) and proposed pharmacy use fall under the same use Class (E) under the 2020 Use Class Order. Thus, there is a precedent for the change of use sought, with the government stating use Class E gives '*businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities.*'⁷

Policy DM13: Car and Cycle Parking on Residential Development

- 4.11 Policy DM13 states Residential development will only be permitted where it provides car parking and cycle storage in accordance with the standards set out in the Residential Car Parking and Cycle Provision Supplementary Planning Document.
- 4.12 The extant consent permitted 24 spaces for the site, to be used for the purposes of the flats and offices. This application proposes to maintain the existing parking arrangements. This is given the use of the pharmacy will be associated with short stays; users will leave their car on the site for relatively short periods of time when visiting the pharmacy and therefore spaces would be available across the day. This is in comparison to the office use, whereby users would typically leave their car parked on the site across the working day.
- 4.13 Further information on parking can be found in the Transport Technical Notes prepared by Bright Plan, which explains that the Class E use should be acceptable in highway terms.

Policy AL2: Urban Area Boundaries and Undeveloped Gaps between Settlements

- 4.14 Policy AL2 identifies the urban areas, including Hayling Island of which the site is wholly located within. As discussed in the review of Policy CS17, the proposed pharmacy use is fitting and sympathetic to the local urban context and would create an active frontage along Station Road, to allow visitors to access the shop on a walk-in basis. Thus, the proposed change of use is in accordance with this policy.

Policy AL3: Town, District and Local Centres

- 4.15 Policy AL3 explains that planning permission will be granted for development proposals that inter alia provide main town centre uses in the town, district and local centres as defined on the Policies Map and so contribute to their vitality and viability and promote and enhance the primary shopping areas of the town and district centres.

⁷ UK Government (2020) Explanatory Notes to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020: Paragraph 7.3. Available at: <https://www.legislation.gov.uk/uksi/2020/757/memorandum/contents>.



As outlined in the review of Policy CS4, the site is located in the West Town Local Centre and the proposed pharmacy is defined as a town-centre use which would contribute to enhancing the vitality of and viability of the local area through creating an active frontage in allowing patients to access the unit on a walk-in basis. This is whilst supporting/strengthening the creation of a multiplier effect whereby visitors would likely visit other shops/services along in the local centre when visiting the pharmacy.



5.0 Key Planning Considerations

- 5.1 This section of the Planning Statement discusses the technical considerations associated with the Proposed Development, namely transport/parking and noise which are the only two planning matters relevant to the proposed change of use.

Transport/Parking

- 5.2 During the determination of the extant consent, parking was negotiated with the Applicant and Highways authority such that the site would provide 24 spaces. This fully meet the requirements of the flats, however, left a shortfall of 3 spaces for the offices; it was considered that this could be accommodated by the on- and off-street parking provision and given the weekday timing of the office use.
- 5.3 This application proposes to maintain the existing parking arrangements. This is given the use of the pharmacy will be associated with short stays; users will leave their car on the site for relatively short periods of time when visiting the pharmacy and therefore spaces would be available across the day. This is in comparison to the office use, whereby users would typically leave their car parked on the site across the working day.
- 5.4 This above is affirmed in the accompanying Transport Note prepared by Bright Plan which assesses vehicle trip profiles over the course of a typical day and demonstrates the proposed use is expected to result in a lower peak parking demand compared with the approved office use, and would generate a lower parking demand for the majority of the day.
- 5.5 Concerning parking demand itself, the Transport Note (Bright Plan) states the proposed change of use would generate an additional 2 spaces (as per HBC parking standards). However, in reality, the additional parking demand generated by the unit would be lower. This is as result of the site's location within the West Town Shopping Area which hosts other shops that contains parking, users visiting such amenities would have the opportunity walk from such shops to visit the pharmacy with linked trips, thus alleviating the demand for on-site parking. Pharmacies do not tend to generate long stays with people picking up medicines and leaving quickly.
- 5.6 In terms of trip generation, given the site's location next to numerous other businesses and facilities, it is expected that trips would be lower in reality and customers to the pharmacy are likely to also visit these surrounding uses, meaning the majority of trips would be linked with existing visits to these uses. Therefore the majority of trips to the site would not constitute new vehicle trips on the network. This is explained further in the Transport note.
- 5.7 Overall, it is concluded that the proposed use would not generate an increase in parking demand or trip generation compared to the approved use.

Noise

- 5.8 We have sought advice from the noise consultant (Air Pressure Testing Ltd.) who were appointed on the extant scheme. It is considered that the change from an office use to a pharmacy would not give rise to any noise impacts, further to that previously reported. Noise



will be controlled in line with the scheme of acoustic mitigation that was discharged from the extant consent and by the relevant building regulations.

- 5.9 Use Class E recognises that office uses, and retail units (like pharmacies) are interchangeable, in comparison to uses under the Sui Generis for example, like nightclubs which would materially alter the consented application. Therefore, there is a precedent that the change of use is acceptable and would not give rise to any (negative) noise material impacts. The noise consultants have confirmed the requirements meet the Building Regulations.



6.0 Conclusions

- 6.1 SLR Consulting Limited (SLR) on behalf of D and L Southern Ltd, have prepared this Planning Statement in support of a full planning application made to HBC.
- 6.2 The full development description is as follows:
- ‘Change of Use Application to permit the 2no. commercial units approved under APP/19/00324 to be used under Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020’*
- 6.3 SLR Consulting Limited (SLR) on behalf of D and L Southern Ltd, have prepared this Planning Statement in support of a change of use application made to HBC. This Statement has demonstrated that the commercial units on the site would be appropriate and comparable to the consented offices use.
- 6.4 Therefore, having regard to the Development Plan, the NPPF and other material considerations identified, planning permission should be granted.





Making Sustainability Happen