

Our ref: TR/Q100096
Your ref: APP/18/00812
Email: tim.rainbird@quod.com
Date: 25th February 2019



Head of Planning
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

Via Planning Portal
(PP- 07636885)

Dear Sir/Madam,

Town and Country Planning Act 1990 (As Amended)
Section 96A Application for Non-Material Amendment to Planning Permission ref.
APP/18/00812 (Dated 25 October 2018)
Wickes Building Supplies, Central Retail Park, Park Way, Havant, PO9 1HH
Submitted on Behalf of Travis Perkins (Properties) Limited

We are instructed by our client, Travis Perkins (Properties) Limited, to submit the enclosed Section 96A application which seeks approval for non-material amendments to planning permission ref. APP/18/00812, dated 25 October 2018. Specifically, this application seeks to vary Condition 2 (Approved Plans) to allow relocation of 2no. fire and a small increase in roof height. This NMA application also seeks to vary the wording of Condition 10 (External Storage) to allow for a small external display area.

As Officers will be aware, an application made under Section 96A is not an application for planning permission. It is a simple and quick procedure which allows non-material amendments to be approved by the Local Planning Authority within 28 days. Section 38(6) is not relevant and for the reasons set out in this covering letter, the amendments to the existing planning permission are non-material and they should therefore be granted.

It is important to note from the outset that the minor nature of changes for which this application seeks approval, can be dealt with by way of a Section 96A non-material amendment application. This submission is being advanced on this basis.

The application comprises the following documentation:

- Requisite application form, duly completed;
- Decision Notice (ref. APP/18/00812, dated 25 October 2018);
- NMA Decision Notice (APP/19/00069, dated 9 February 2019); and



Drawings approved under permission ref. APP/18/00812 and APP/19/00069 to be replaced:

Quod Limited, Registered in England at above address No. 7170188.

Drawing title	Drawing no.	Scale
Units 6A & B Proposed Ground Floor Plans	9958 PL P03 G	1:200 @ A1
Amended Proposed External Works Alteration	9958 PL P01 REV G	1:100 @ A1
Amended Proposed Elevations and Part Section	9958 PL E02 REV F	1:200@ A1

- Drawings submitted as part of this application:

Drawing title	Drawing no.	Scale
Units 6A & B Proposed Ground Floor Plans	9958 PL P03 H	1:200 @ A1
Proposed External Works Alterations	9958 PL P01 H	1:200 @ A1
Proposed Elevation and Part Section	9958-PL-E02 G	1:100 @ A1
Increased Roof Elevation	9958-SK18-02-19-1	1:50 @ A1

An online payment of £234 has been made to Havant Borough Council to cover the cost of a Section 96A non-material amendment application.

In accordance with DCLG's Guidance on Information Requirements and Validation, there is no requirement for a Design and Access Statement to support a non-material amendment to an existing planning permission.

1 Background

Planning permission was granted in October 2018 for the variation of Condition 3 under planning ref. APP/18/00812. Specifically, consent was granted for:

"Variation of Condition 3 of Planning Permission 06/59412/007 to increase the total amount of floor space for the trading of food retail from the retail park. Proposed single storey extension to rear to create a new loading area; alterations to fenestration and site layout following sub division of Unit 6 to create two separate units. Alterations to car park."

The permission was subject to 10no. conditions, of which Conditions 2 and 10 are of relevance to this application. A copy of the decision notice is submitted with this application.

On 6 February 2019 a non-material amendment was granted to allow for a canopy on the south elevation and changes to openings on the east elevation.

2 Proposed Development

This application seeks consent for non-material amendments to vary Conditions 2 (Approved Plans) and 10 (External Storage) of the existing consent (ref. APP/18/00812).

Condition 2

Condition 2 of the existing consent states that the development shall not be permitted unless carried out in accordance with the approved plans.

This non-material application seeks to make non-material amends to these plans, to allow for 2no. fire doors to be moved at the eastern and southern (rear) elevations, and for a small increase in the height the rear extension, which is used for storage.

Condition 10

Condition 10 of the existing consent currently restricts external storage outside the retail units. Specifically, the Condition states:

"No article of any description shall be stored outside the storage compound, garden centre or retail units or displayed for sale outside the garden centre or retail units unless agreed otherwise in writing by the Local Planning Authority"

The reason for this Condition states that:

"In the interests of highway safety (by preventing display on parking/circulation areas), the visual amenity of the locality and in order to control the level of retail sales area, and having due regard to policies and proposals CS16 and DM14 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework."

This application seeks to vary this Condition to allow for the installation of 1no. external display space of 15.75 square metres. The external display area will be placed next to the existing trolley bay in the south west corner. This requires the removal of 6no. bollards at the front of the existing unit in order to retain access to the trolley bay. The external area will allow for goods to be displayed outside the existing unit and will be supplemented by increased external block paving.

The existing Condition was attached to the consent to protect visual amenity and to control the amount of the retail sales area. The proposed external display area is just 15.75 square metres in area and will not affect highway safety or visual amenity. External display area is an operational requirement of WBS and forms part of all of their stores. The proposals do not affect the character of the permission. This non-material amendment application seeks to amend this Condition to read as follows, with amends shown in red:

"Aside from the external area shown on Plan 9958 PL P03 Rev H, no article of any description shall be stored outside the storage compound, garden centre or retail units or displayed for sale outside the garden centre or retail units unless agreed otherwise in writing by the Local Planning Authority"

For clarity, the table below clearly sets out the drawings which we are seeking approval for, by way of this Section 96A application:

Drawing title	Drawing no.	Scale
Proposed External Works Alterations	9958 PL P01 H	1:200 @ A1
Units 6A & B Proposed Ground Floor Plans	9958 PL P03 H	1:200 @ A1
Proposed Elevation and Part Section	9958-PL-E02 G	1:100 @ A1

In summary, the amendments proposed, are very small scale and therefore non-material in nature. For the avoidance of doubt, the revised drawing set out above supersede the relevant drawings approved under ref. APP/18/00812 and APP/19/00069.

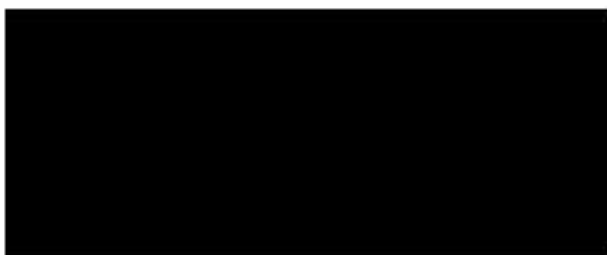
3 Conclusions

We are instructed by our client, Travis Perkins (Properties) Limited, to submit the enclosed Section 96A application. It seeks consent for a non-material amendment to planning permission ref. APP/18/00812, dated 25 October 2018. The proposed amendments simply seek to construct a single external storage space outside the existing retail unit; relocation of fire doors; and a small increase in height of the rear extension.

Given the minor nature of the changes sought and the acceptability of them, we trust that this submission can be approved without delay.

We trust the enclosed information is sufficient to ensure that the application is validated and subsequently registered. We look forward to receiving confirmation of registration in due course.

Yours faithfully,



Tim Rainbird
Director

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