

8 August 2018
L180808 SAV Cover Letter



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SUBMITTED VIA PLANNING PORTAL REF: PP-07007130

Dear Sir or Madam,

**THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR THE VARIATION OF CONDITION 3 OF PLANNING PERMISSION: 06/59412/007
AND PHYSICAL WORKS TO EXTEND UNIT 6 AND ALTER ELEVATIONS AND SITE LAYOUT
CENTRAL RETAIL PARK, PARK WAY, HAVANT PO9 1HH
TRITON PROPERTY FUND**

We write on behalf of our client, Triton Property Fund, to apply for planning permission for the variation of Condition 3 of Planning Permission: 06/59412/007 and physical works to extend the existing Unit 6 and alter elevations and site layout, at Central Retail Park, in Havant.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), we confirm the following documents which comprise the application:

- This cover letter;
- The completed application forms and certificates;
- A Transport Statement, produced by Vectos;
- The following plans and drawings:
 - Drawing Reference: 9958-PL-L01-C – 'Site Location Plan';
 - Drawing Reference: 9958-PL-P02-C – 'Existing Ground Floor Plans';
 - Drawing Reference: 9958-PL-P03-D – 'Proposed Ground Floor Plans';
 - Drawing Reference: 9958-PL-P04-A – 'Existing External Works';
 - Drawing Reference: 9958-PL-P01-E – 'Proposed External Works Alterations';
 - Drawing Reference: 9958-PL-E01 – 'Existing Elevations';
 - Drawing Reference: 9958-PL-E02-D – 'Proposed Elevations & Part Section';

As the application was submitted via the Planning Portal website (Ref: PP-07007130), a cheque, made payable to 'Havant Borough Council' for the requisite application fee of £924, has been submitted separately by post.

The Application Site

The application site is the Central Retail Park in Havant. It comprises four principal retail units (Class A1) which are occupied by: Wickes, Aldi, Carpetright and Dreams.

To the south of the site, there is a KFC restaurant with associated 'drive-thru' facility and to the south of that two smaller retail units. The Retail Park is an integral part of Havant's retail offer and overall attraction as a commercial destination. This is reflected in its inclusion within the 'Primary Shopping Frontage' as defined by the Site Allocations Plan (2014).

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The precise boundary of the application site is illustrated on Drawing Reference: 9958-PL-L01-B – ‘Site Location Plan’.

Given its location in Havant town centre, the site is well connected to the traditional commercial core of Havant by pedestrians and cyclists. Central Retail Park also benefits from excellent accessibility by a range of modes of public transport, being located 90m to the north-west of the bus station on Elm Lane and approximately 400m to the west of Havant train station on North Street.

Relevant Planning History

The planning history of the Retail Park is set out below. It demonstrates that the Local Planning Authority (**‘LPA’**) has supported a series of proposals that have sought to extend the retail use to meet the specific requirements of new tenants.

On 21 June 2005, outline planning permission was granted for the demolition of existing buildings and construction of 7,793 sq. m (gross) of Class A1 retail units and 258 sq. m (gross) of Class A1/ A3 drive-through restaurant/ retail unit with car parking and service facilities, associated highway works and revisions to road layout (Ref: 04/59412/002) (the **‘2005 Permission’**).

Condition 10 of the 2005 Permission related to the sale of non-bulky retail goods at the site, and stated:

“Not more than 2,647 sq. m (gross) of the retail development hereby permitted shall be used without the prior written approval of the Local Planning Authority for the sale of non-bulky comparison goods i.e. clothing, footwear, fashion accessories (including handbags, luggage, watches and jewellery), books, stationery, perfumery and toiletries, music, records, CDs, DVDs, audio and video tapes (including hire), china, glass goods and kitchenware, unless any of the above are sold ancillary to or related to the main ranges of bulky goods to be sold.”

Condition 11 of the 2005 Permission related to the sale of food goods, and stated:

“Not more than 1,300 sq. m (gross) of the unrestricted floorspace (i.e. not subject to Condition 10) hereby permitted shall be used for the sale of convenience goods without the prior written approval of the Local Planning Authority.”

The reason for the imposition of Condition 11 was as follows:

“In order to ensure that the vitality and viability of Havant Town Centre is not undermined by the nature of retail uses permitted on this site...”

On 16 June 2006, planning permission was granted for the variation of Conditions 10 & 11 of the 2005 Permission (Ref: 06/59412/007) (the **‘2006 Permission’**). The 2006 Permission permitted the sale of an increased amount of non-bulky comparison goods from the site, whilst also imposing a new restriction on the sale of food.

Condition 1 of the 2006 Permission contained the revised restriction on the sale of non-bulky comparison goods, as follows:

“Not more than 4,647 sq. m (gross) of the retail development hereby permitted shall be used without the prior written approval of the Local Planning Authority for the sale of non-bulky comparison goods i.e. clothing, footwear, fashion accessories (including handbags, luggage, watches and jewellery), books, stationery, perfumery and toiletries, music, records, CDs, DVDs, audio and video tapes (including hire), china, glass goods and kitchenware, unless any of the above are sold ancillary to or related to the main ranges of bulky goods to be sold.”

Condition 3 of the 2006 Permission contained the revised restriction on the sale of food goods, as follows:

"Not more than 910 sq. m of the gross retail floorspace created within the buildings hereby permitted shall be used for discount food retail. There shall be no other food retail use within the site (other than confectionery and pet foods)."

Subsequently, on 30 November 2010, planning permission was granted for the removal of Condition 1 of the 2006 Permission (Ref: APP/10/00578) (the '**2010 Permission**'). The 2010 Permission enabled the sale of any non-food retail goods across the entirety of the Retail Park.

The Proposed Development

The application seeks planning permission for two distinct elements, which are:

1. The variation of Condition 3 of Planning Permission 06/59412/007 to allow the sale of food from up to 1,574 sq. m of floorspace (i.e. an increase of 664 sq. m); and
2. Physical works including extension and alterations to Unit 6 and associated alterations to the layout of the car park.

The development is required to facilitate the 'right sizing' of two existing tenants at the Retail Park: Aldi and Wickes. The unit occupied by Wickes is too large for the operator whereas Aldi requires a larger unit to accommodate its latest store layout. The scheme of works will ensure that both tenants can continue to trade successfully within Havant.

The physical works proposed are necessary to facilitate the sub-division of Unit 6 to create two new retail units (Units 6A and 6B). Wickes will downsize its operation into Unit 6B and Aldi will relocate from its current unit to the new Unit 6A.

The new configuration of Unit 6 to create Units 6A and 6B is illustrated on Drawing Ref: 9958-PL-03D.

In addition to the internal works to sub-divide Unit 6, the development will also include a series of other, minor physical works. These include:

- A minor rear extension to Unit 6A to create a new goods bay and loading dock (measuring 137 sq. m). The materials used for the extension will match the existing building.
- Alterations to the front (south) elevation of Unit 6 to create two new, entrances and shop fronts with an extended glass canopy at Unit 6A.
- Alterations to the rear (north) elevation of Unit 6 to remove existing canopy, block up existing service doors and introduce new service shutter for Unit 6B.
- Works in the service yard for Unit 6 including the realignment of existing palisade fence and gates to create a secure compound for Unit 6B.
- Alterations to the layout of the car park including revising the location of spaces, trolley bays and cycle parking.

It is important to note that there is no loss of spaces as a result of the physical works to the layout of the car park. There will however be a material uplift in the number of 'accessible' and 'Parent and Child' spaces. The number of cycle parking spaces will also be increased by four to a total of 16 spaces.

The proposed changes to the layout of the car park are illustrated on Drawing Ref: 9958-PL-001E.

The variation of Condition 3 of the 2006 Permission to increase the provision for 'food' sales at the Retail Park is necessary to support the enlarged Aldi store. There is also a requirement to retain an ancillary quantum of 'food' sales to assist with the re-letting of Aldi's current premises (Unit 4 / 5).

The application proposes to increase the amount of floorspace permitted to be used for the sale of food by 664 sq. m to a total of 1,574 sq. m. The indicative breakdown of how this floorspace would be used is set out below for information purposes only:

1. Up to 1,254 sq. m from Unit 6A; and
2. Up to 320 sq. m from Unit 4 / 5.

The applicant therefore requests that Condition 3 attached to the 2006 Permission is varied with the following revised wording:

"Not more than 1,574 sq. m of the gross retail floorspace created within the buildings hereby permitted shall be used for discount food retail. There shall be no other food retail use within the site (other than confectionery and pet foods)."

Assessment of the Proposed Development

Below we provide an assessment of the proposal having regard to the relevant policies of the development plan and other material considerations, including the National Planning Policy Framework ('NPPF').

Principle of Land Use

As stated above, in adopting the Site Allocations Plan in July 2014, the Council revised the Havant town centre boundary to include both Solent Retail Park and Central Retail Park. Given the primary retail function of the Retail Parks and their importance to the overall offer of the town, they were also identified as part of the Primary Shopping Frontages.

It follows that Central Retail Park is the preferred location for development of retail and other 'main town centre' uses as established by Policy CS 4 of the Core Strategy, Policy AL 3 of the Site Allocations Plan and Paragraph 23 of the NPPF.

The proposal accords with the sequential approach to site selection and any works would contribute towards the vitality and viability of the town centre. It follows that the proposed development is entirely acceptable in terms of land use policies.

Highways Considerations

The application is supported by a Transport Statement, produced by Vectos Transport Engineers, which assess the accessibility of the site and the potential impacts of the proposed development on the local highways network and car park capacity.

The Statement concludes that:

- i. The application site is accessible by a range of transport options including both public and sustainable modes;
- ii. The proposal will not result in a net loss of parking bays overall. Whilst the proposal will result in a loss of standard bays, it will also provide an increased number of 'Parent & Child' and accessible parking. The application therefore provides increased opportunity for access for all; and
- iii. The proposal will not have a material impact upon the safe and convenient operation of the local highway network

A review of the impact of the proposed development on the site's car parking was also undertaken. Based upon surveys of the existing car park, this analysis revealed that the proposed development would not materially increase car parking demand at the site and would not result in the car park operating over capacity.

Condition 3 was originally imposed to ensure the traffic generation from the retail uses at the site is not detrimental to highway safety. The Transport Statement has demonstrated that there is sufficient capacity to support the minor increase in trips to the site and that there will be no unacceptable impact on the safe and convenient use of the wider highway network.

In light of the above, the proposed development accords with all policies relating to highway and transportation matters.

Conclusion

The application seeks planning permission for the following development at the Central Retail Park in Havant:

1. The variation of Condition 3 of the 2006 Permission to allow the sale of food goods from up to 1,574 sq. m (an increase of 664 sq. m); and
2. Physical works including an extension and alterations to Unit 6 and alterations to the layout of the car park.

The proposal will facilitate the 'right sizing' of two, well established tenants at the Retail Park; Aldi and Wickes. The works will ensure they can continue to operate successfully within Havant.

As the Central Retail Park forms Part of the Primary Shopping Frontage, it is an entirely appropriate location for the proposed development. The development plan and the NPPF focus new retail development to town centres in the first instance.

The proposed development will have a series of positive impacts relating to improving retail choice for local people and contributing towards local productivity and job and wage creation. These are important material considerations that weigh heavily in favour of the grant of planning permission.

The proposed development is also acceptable in highways terms. The Transport Statement has demonstrate that the car park has sufficient capacity to accommodate the minor increase in vehicle trips which will occur as a result of the proposal. There will be no unacceptable impacts on the wider highway network.

There are no material considerations which outweigh the presumption in favour of development and accordingly we request that the application is approved an planning permission granted pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004.

We trust that the details included within this submission provide you with sufficient information to register and consider this application. We will endeavour to contact you within the next few days to establish your timetable for decision making.

In the meantime, should you require any clarification or additional information, please do not hesitate to contact Tim Price or Brad Wiseman at these offices.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Savills (UK) Limited
Planning

cc. G v Riemsdijk - UBS