

HAVANT BOROUGH COUNCIL  
PUBLIC SERVICE PLAZA  
CIVIC CENTRE ROAD  
HAVANT  
HAMPSHIRE P09 2AX

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**Havant**  
BOROUGH COUNCIL

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## DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

### Membership:

Councillors Buckley, Howard, Keast, Patrick, Perry, Quantrill and Satchwell

**Meeting:** Development Management Committee  
**Date:** 16 June 2016  
**Time:** 5.00 pm  
**Venue:** Hurstwood Room, Public Service Plaza, Civic Centre Road,  
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach  
Monitoring Officer

7 June 2016

Contact Officer: Jack Caine 023 92446230  
Email: [jack.caine@havant.gov.uk](mailto:jack.caine@havant.gov.uk)

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### PART A - (Items Open for Public Attendance)

#### 1 Appointment of Chairman

To Appoint a Chairman for the meeting of the Development Management Committee.

#### 2 Apologies for Absence

To receive and record apologies for absence.

<b>3</b>	<b>Minutes</b>	<b>1 - 6</b>
	To approve the minutes of the Development Management Committee held on 26 May 2016.	
<b>4</b>	<b>Matters Arising</b>	
<b>5</b>	<b>Declarations of Interest</b>	
	To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.	
<b>6</b>	<b>Chairman's Report</b>	
	The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.	
<b>7</b>	<b>Matters to be Considered for Site Viewing and Deferment</b>	
	The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.	
<b>8</b>	<b>Deputations</b>	
	To receive requests to make a deputation to Committee.	
<b>9</b>	<b>Applications for Development and Development Control Matters</b>	<b>7 - 10</b>
 <b>Part 1 - Applications Viewed by the Site Viewing Working Party</b>		
<b>9(1)</b>	<b>APP/16/00182 - Unit 3 The Precinct, Waterloo, PO7 7DT</b>	<b>11 - 28</b>
	Proposal: Change of use to ground floor from retail (A1) to betting shop (Sui Generis) and new shop front.	
	Additional documents:	
	<a href="http://tinyurl.com/jmyjj3g">http://tinyurl.com/jmyjj3g</a>	
<b>10</b>	<b>Nomination of Chairman</b>	<b>29 - 30</b>

## GENERAL INFORMATION

**IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 231**

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This agenda and its accompanying reports can also be found on the Havant Borough Council website: [www.havant.gov.uk](http://www.havant.gov.uk). Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Jack Caine* (tel no: 023 92446230) on the afternoon prior to the meeting for details of any amendments issued.

### Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 14 June 2016**. Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: [jack.caine@havant.gov.uk](mailto:jack.caine@havant.gov.uk) or [DemocraticServicesTeam@havant.gov.uk](mailto:DemocraticServicesTeam@havant.gov.uk)

By Post to :

Democratic Services Officer  
Havant Borough Council  
Public Service Plaza  
Civic Centre Road  
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council  
Public Service Plaza  
Civic Centre Road  
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"



# Havant

## BOROUGH COUNCIL

### PROTOCOL AT MEETINGS – RULES OF DEBATE

#### Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

#### Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

## **Order of Business**

Please note that the agenda order will be revised so that “uncontested” items are considered prior to 6 pm. The Contact Officer for this agenda can be contacted on (023) 9244 6232) on the afternoon prior to the meeting for details of the revised order, details of which are circulated at the meeting.

## **Who To Contact If You Wish To Know The Outcome Of A Decision**

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

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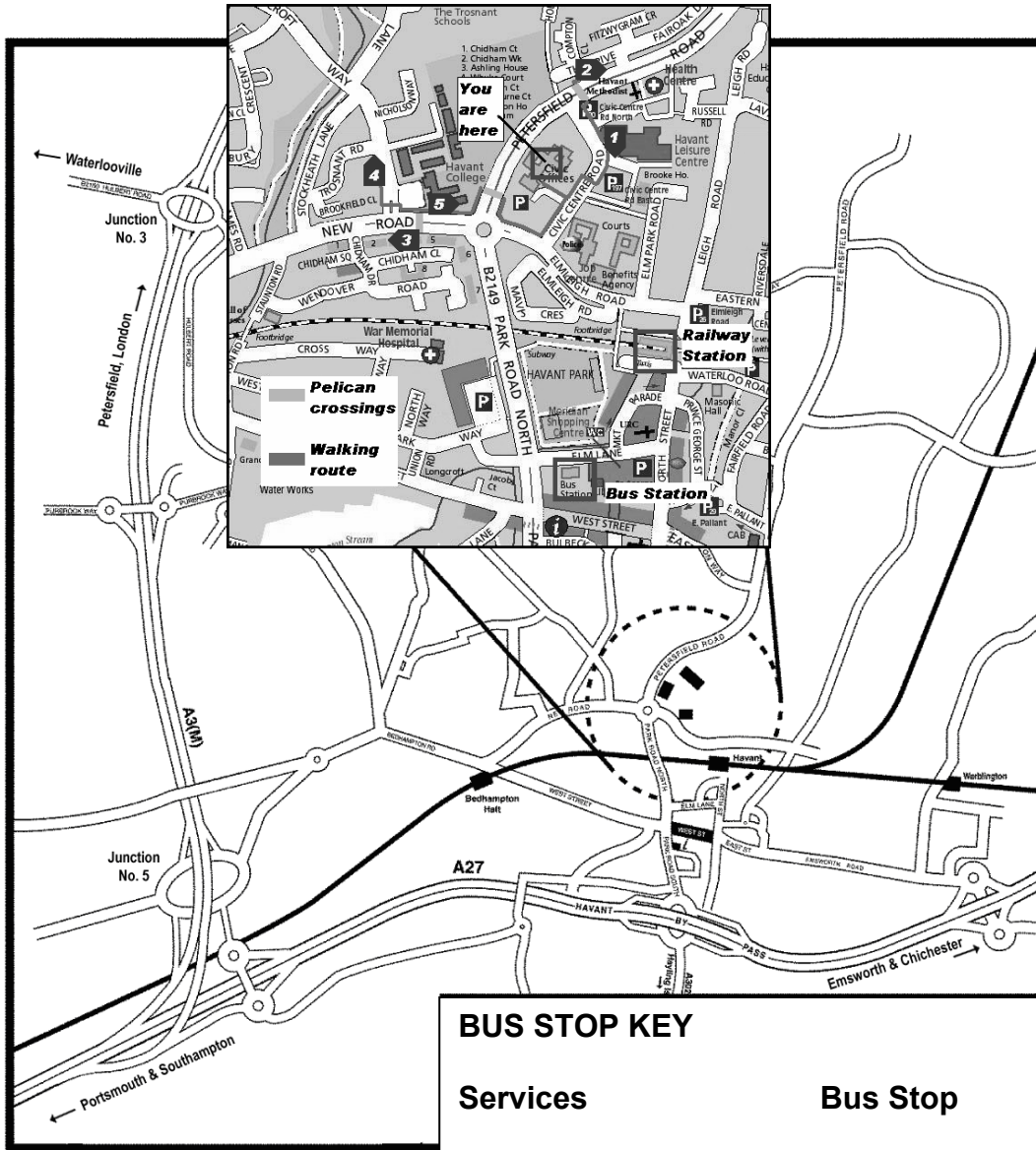
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**BUS STOP KEY**

Services	Bus Stop
20, 21, 39, 63	1
20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

\*\* - also stops "hail and ride" opposite Stop 1 in Civic Centre Road



**Havant**  
BOROUGH COUNCIL

Public Service Plaza  
Civic Centre Road  
Havant  
Hampshire PO9 2AX

## HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 26 May 2016

Present

Councillor (Chairman)

Councillors Keast, Patrick, Perry, Quantrill, Satchwell and Hughes (Standing Deputy)

### 1 Appointment of Chairman

The committee considered the report by the Democratic Services Officer for appointing a Chairman to the meeting. It was

RESOLVED that Councillor Paul Buckley be appointed Chairman for the meeting.

With Councillor Buckley in the Chair the Committee considered the remaining items contained within the report outlining the procedure for appointing a Chairman to the Development Management Committee and Site Viewing Working Party on a rotating basis. It was

RESOLVED that:

- a) The Committee agreed the following procedure for the appointment of the Chairmen of the Committee
  - (i) At the first meeting of the Development Management Committee in each municipal year, the Committee agree a rota for the appointment of Chairman of the Committee; this rota may be amended by the Committee
  - (ii) At the beginning of each meeting, the Committee consider the appointment of the Nominated Chairman as Chairman for the meeting; the tenure of this post to expire at the end of the meeting.
  - (iii) At each meeting the Committee appoint the Chairman for the next meeting of the Site Viewing Working Party
  - (iv) At the end of each meeting the Committee nominate a Chairman for the following meeting ("Nominated Chairman") in accordance with the rota referred to in b)(i) above
  - (v) The incumbent Nominated Chairman to be the main point of contact for officers, councillors and members of the public between meetings of the committee.
- b) The amended deputations procedure as set out in appendix B of the report was agreed.
- c) The rota set out in Appendix A of the report was agreed

- d) Councillor Howard be appointed Chairman of the next meeting of the site Viewing Working Party in accordance with the rota
- e) Councillor Howard be nominated as Chairman for the next meeting of the Development Management committee in accordance with the rota,

## **2 Apologies for Absence**

Apologies for absence were received from Councillor Caren Howard with Councillor Gary Hughes as deputy.

## **3 Exclusion of the Press and Public**

RESOLVED that the press and the public be excluded from the meeting during the consideration of item 11(1) as:-

- (i) it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information as specified in paragraphs 3 and 5 of Part I of Schedule 12A (as amended) to the Local Government Act 1972; and
- (ii) in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The questions and debate raised by the reports to be considered were exempt under Paragraph 3 -

Information relating to the financial affairs or business affairs of any particular person (including the Authority holding that information); and

Paragraph 5 –

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

## **4 Minutes**

The Minutes of the meeting of the Development Management Committee held on 17 March 2016 were agreed as a correct record and signed by the Chairman.

## **5 Matters Arising**

There were no matters arising.

## **6 Site Viewing Working Party Minutes**



The Minutes of the meeting of the Site Viewing Working Party held on 19 May 2016 were received.

**7 Declarations of Interest**

There were no declarations of interest.

**8 Chairman's Report**

The Chairman advised members of the mechanics of the revised procedure for appointing chairman and offered help and support to all members if required as they prepare to Chair meetings.

It was also advised that a Development Consultation Forum would be taking place on the 9<sup>th</sup> June 2016 regarding Havant Road, Emsworth and encouraged all members and standing deputies to the committee to attend where possible.

**9 Matters to be Considered for Site Viewing and Deferment**

RESOLVED that item 11(2) be deferred.

**10 Appointment of Site Viewing Working Party**

The committee considered the appointment of the Site Viewing Working Party for the ensuing year.

RESOLVED that

- (a) The Site Viewing Working Party be constituted with the following terms of reference:

Title:	Site Viewing Working Party
Membership:	All members (including standing deputies) of the Development Management Committee
Chairman:	To be appointed by the Development Management Committee.
Function:	To inspect sites relating to planning applications, Tree Preservation Orders and other matters referred to it by the Development Management Committee and officers and to inspect sites as necessary and request additional information if necessary.

- (b) Members of the including standing deputies) be appointed to the Working Party referred to in (a) above; and
- (c) Members appointed to the Working Party referred to in (a) above continue to be members and constitute that Working Party until the first meeting of the Committee after the annual meeting of the Council subject to the members concerned remaining members of the Council during that time.

## **11 Deputations**

There were no deputations made to the committee.

## **12 APP/16/00241 - Trees East side of Park Lane Bridleway, Waterlooville**

*(this item was taken in camera)*

Proposal: Fell 2No. Oaks subject to TPO 1150 Group Order G3.

The site was viewed by the Site Viewing Working Party.

The Committee considered the reports by the Head of Neighbourhood Support to grant permission.

The Committee considered the reports and asked questions of officers present. In answer to the questions officers advised that:

- T2 was a mature Oak Tree unlikely to grow significantly in size.
- Root barriers had proved ineffective in mitigating damage and were not being considered
- Extreme weather conditions could be a contributing factor to subsidence, however T1 and T2 were also contributing factors
- Professional guidelines for the investigation of the subsidence had been followed and a peer review of the case work had also been undertaken.
- Wildlife in the area would be protected by the Wildlife and Countryside Act 1981.

Whilst some members of the committee expressed the view that the removal of the tree would be detrimental to the visual amenity of the area and the felling of healthy trees was unfavourable, the majority of the committee agreed that the cost implications for keeping T1 and T2 were too significant. It was therefore

RESOLVED that the Head of Neighbourhood Services be authorised to grant consent to application APP/16/00241 subject to the following condition:

- (1) The tree felling for which consent is hereby granted shall not commence until a detailed scheme and specification for replacement tree planting on an adjacent part of the site had been submitted to and approved in writing by the Local Planning Authority; such specification shall include details of the species and size of such replacement planting.

Reason: To conserve and safeguard the visual amenities of the locality.

**13 APP/16/00182 - Unit 3 The Precinct, Waterlooville, PO7 7DT**

This item was deferred.

**14 APP/16/00320 - Southmoor Depot, 2 Penner Road, Havant, PO9 1QH**

Proposal: Change of use to provide a MOT station within the Vehicle Maintenance Building.

The Committee considered the written reports and recommendations of the Head of Planning Services to grant permission.

The Committee discussed the reports and asked questions of the officers present. The committee were also advised that the Consultation Response from the Property Services Manager had been returned with no objection.

The Chairman invited Paul Stanley, Transport Manager for North South East, to the witness table to answer questions from the members of the committee regarding safety, liability and insurance. It was advised that:

- The public would be able to view the MOT test centre via monitor feed
- The test area would be subject to public liability insurance cover
- The centre would be operational by the end of 2016.

It was

RESOLVED that the Head of Planning Services be authorised to grant permission for Application APP/16/00320 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Southmoor Depot Location Plan annotated Appendix 3  
1:1250 Location Plan  
Site Plan annotated Appendix 2  
Proposed MOT Test Bay drawing no:r100316/A (1:1:3)

Reason: - To ensure provision of a satisfactory development.

**The meeting commenced at 5.00 pm and concluded at 6.40 pm**

.....  
**Chairman**

NON EXEMPT

## HAVANT BOROUGH COUNCIL

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### Development Management Committee

#### APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS

#### REPORT BY THE EXECUTIVE HEAD OF PLANNING AND BUILT ENVIRONMENT

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#### Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Executive Head of Planning and Built Environment will be reported **verbally** at the meeting of the Development Management Committee.

***Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.***

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

EHPBR	Executive Head of Planning and Built Environment
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

## RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

### **Implications**

### **Resources:**

None unless detailed in attached report.

### **Legal:**

Details set in the individual reports

**Strategy:**

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

**Risks:**

Details set out in the individual reports

**Communications:**

Details set out in the individual reports

**Background Papers:**

Individual Applications with Case Officers

Julia Potter  
Executive Head of Planning and Built Environment

Nick Lead  
Monitoring Officer

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#### **4 Policy Considerations**

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS4	(Town, District and Local Centres)
CS6	(Regeneration of the Borough)
CS8	(Community Safety)
DM10	(Pollution)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

#### **5 Statutory and Non Statutory Consultations**

##### **Development Engineer - Highways**

The Highway Authority has no adverse comment to this application.

##### **Economic Development - Retail and Town Centres**

This unit has been vacant since April 2012. It is a prime retail position and used to be Co- Op travel ( who were taken over by Thomas Cooks hence the closure as Thomas Cooks already had a branch in Waterlooville)

Although this site is ideally suited to retail, in the absence of a retailer taking on the property, having a betting shop there is better than an on going empty unit.

Betfred are moving from the southern end of Waterlooville to this new position so they would be still the only betting shop in the town centre.

#### **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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 102 Objections

## **Summary:**

### *Business impact*

Relocation of existing business weakens business case.  
No obvious beneficial result in the area from existing business.  
Existing premises to be vacated will be difficult to market.  
Need to bring in shoppers.  
Loss of retail outlet.  
Impact on local businesses.  
More retail needed.

### *Concern over clientele*

Risk of anti-social behaviour.  
Opposite pubs.

### *Town Centre Impact*

Not in interests of either residents or the long-term plans for the Town Centre.  
Waterlooville Town Centre should be re-generated to stop new residents travelling out to shop.  
Will not enhance look of Precinct.  
Conflicts with HBC's plan to re-boot the economic development of Waterlooville Precinct.  
Serves only a minority of people.  
Pressure should be put on landlords to reduce rents and entice more diverse range of shops.  
Need to rejuvenate the town centre.  
Alternative ideas for the town centre needed.  
Ice Cream Parlour better suited.  
More places for the youth needed.  
Any business better than leaving premises empty, is it the type of business, in prime central position, to attract people to town centre.  
What are Council doing to stop town centre of Waterlooville dying?  
Core Strategy refers to "the development requirements needed for the Borough's growth and prosperity from 2006 to 2026". Difficult to identify what another and larger betting shop in central position will contribute towards that Strategy.  
Underlying aim to close most of the centre down and build more flats.  
Out of Character.  
Community facilities could be provided.  
Loss of shops to Hambledon Road/Sainsburys area

### *Betting Concerns/moral issues*

Don't need another betting shop.  
Should be a family area.  
No need for another gambling business in Waterlooville.  
Vulnerable adults at additional risk of Fixed Betting Odd Terminals.  
Money removed from local economy.  
Risk of cluster of betting shops.  
Rather empty premises.  
Unsuitable function for this premier site.  
Encourage other betting shops to locate in Waterlooville, other businesses will suffer.  
The development would not serve the whole community well.  
Town visitors faced with town bandstand, new Waterlooville 200 pavement plaque and route to/from library with very large betting shop.  
Not of use to community.  
Used to be gambling shop close to this site which closed showing the unsuitability of

this use in this area.  
Precedent.  
Impact of use on vulnerable people.

*Other Issues*

Concern over lack of access to first floor and fire risk.

## **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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Other Matters

- (i) Principle of development

7.2 The application site is situated within the pedestrianised area of Waterlooville Town Centre and occupies a corner plot fronting both The Precinct and London Road. The Precinct is classified as a Primary Frontage and London Road is classified as a Secondary Frontage on the Councils Local Plan Policies Map.

7.3 In terms of the principle of the proposed change of use the application has been assessed against the policies of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework (NPPF).

7.4 Betting Offices are classed as a Sui-Generis (one off use) in the Town and Country Planning (Use Classes) Order 1987 (as amended), therefore planning permission is required for a change to such a use.

7.5 The NPPF states that '*At the heart of the NPPF is a presumption in favour of sustainable development*'. For decision makers this means '*approving development proposals that accord with the development plan without delay*'.

In relation to Town Centres '*planning policies should be positive, promote town centre environments and set out policies for the management and growth of centres over the plan period*'. The extent of the Town Centres and primary and secondary frontages should be set and policies should make clear which uses will be permitted in such locations.

7.6 Havant Borough Local Plan (Core Strategy) policy CS4 relates to Town, District and Local Centres and states that '*Planning Permission will be granted for appropriate town centre development proposals that*' amongst other matters:

- 1. Promote and enhance the hierarchy of identified centres as shown on the Proposals Map:  
Town Centres - Havant and Waterlooville.
- 2. Enhance the evening economy of the town and district centres.
- 3. Support small and independent businesses.

7.7 In this case the Betting Shop use is considered to constitute a use that would be appropriate in principle within a town centre subject to detailed assessment against the

requirements of the Primary and Secondary frontage requirements to ensure that the viability and vitality of the town centre is appropriately considered. It should be noted that the site is currently vacant and is understood to have been so since 2012. As such the unit is clearly currently failing to add to the economy or vitality of the Town Centre.

- 7.8 The proposal seeks to open until 10.00pm and would provide an evening destination within the town centre if permitted which may be complementary to other evening uses within or close to the town centre.
- 7.9 As the proposed end user (understood to be Betfred) is not a small independent business additional support for the proposed use from this element of the policy is not relevant.
- 7.10 The Havant Borough Local Plan (Allocations 2014) policy AL3 relates to Town, District and Local Centres and sets detailed criteria for considering proposed changes of use and as such is considered particularly relevant to the consideration of this planning application.

Policy AL3 states:

*Planning permission will be granted for development proposals that:*

1. *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.*
2. *Promote and enhance the primary shopping areas of the town and district centres.*
3. *Retain at least 50% of the units in an unbroken run of primary frontage as defined on the Policies Map in retail (A1) use.*
4. *Retain at least 25% of the units in an unbroken run of secondary frontage as defined on the Policies Map in retail (A1) use.*
5. *Generate pedestrian activity within the primary shopping area by being open during the day to visiting members of the public.*
6. *Provide a shopfront within the primary shopping area with a well designed and appropriate display window.*

*Exceptions to parts (3) and (4) may be made to allow a change of use to non-retail if more than 25% of units in the unbroken run of frontage are vacant at the time of the application.*

- 7.11 Taking each of these criteria in turn:

1. The use is considered to constitute an appropriate use in the Town Centre and would generate customers to the premises who are likely to link trips to other uses taking place within Waterlooville Town Centre. It is considered that the use would add to the vitality and viability of the town centre.
2. In relation to the primary shopping frontage, the emphasis within such areas is the provision and retention of retail uses and this is discussed below, however it is recognised that the unit, that is understood to have been empty since 2012 is currently a negative feature in this important location.

3. There is a requirement to retain at least 50% of the units in an unbroken run of primary frontage in retail A1 use subject to the exceptions if more than 25% of units are vacant. In this case the Primary Frontage is fronting The Precinct. This includes a run of 11 units, at the time of the Planning Officers visit to the site there were 6 retail units and 4 vacant units (including the application site). Therefore even with the change of use proposed there would remain 54.5% of the units in this part of the Primary Shopping frontage within A1 use. In terms of vacant units in the Primary Frontage 36% are currently vacant which exceeds the threshold where other uses would also be considered as an exception. In relation to The Precinct frontage the policy requirements are satisfied both in relation to the 50% retail use and the exception part of the policy.

4. In relation to the Secondary frontage, there is a requirement to retain at least 25% of units within A1 use. In this case there is a short secondary frontage of two units to consider and the other unit is a sweet shop (A1 use). Therefore 50% of the units would remain in A1 uses.

5. The requirement for generating pedestrian activity during the day is also met by the business opening times proposed between 8am and 10pm.

6. In relation to the provision of an appropriate shopfront a window display area would be retained and a planning condition is recommended should planning permission be granted to ensure that a shopfront display is provided and maintained.

7.12 Notwithstanding the above the proposal has raised much local concern given the location, prominence and size of the premises and the nature of the use. The applicant has been asked to provide a detailed marketing report. This demonstrates the following:

- (i) The site has been actively marketed since September 2012 on various property websites including Hampshire Council's property web-site.
- (ii) A "To Let" board was erected at the same time.
- (iii) Direct targeted marketing has taken place. The property has been extensively circulated on the open market in addition to a list of applicants registered on the marketing companies mailing list with requirements for Waterlooville. Regional property agents were also sent the details for their retained client's requirements.
- (iv) As the marketing agent acts as the landlord's letting agent for all the shops in The Boulevard they have incorporated all the available retail units into a combined schedule which has been used in general circulation on the open market since 2013 and any interested parties have received information with regard to all the vacant units.
- (v) During the period of marketing there have been various enquiries, mostly from A3/A5 catering type operators, including two separate lease offers, however these subsequently failed to proceed.
- (vi) The marketing agent states that the prime corner position and the associated rental has proved prohibitive to the majority of local retail applicants, some of which have taken more affordable space elsewhere within The Boulevard, whilst there also remain five other units available within the same parade.
- (vii) There have been extremely few enquires from national retailers, as very few have Waterlooville registered as a priority target town for opening, which has been exacerbated by the recessionary economic trading period, during which the property has been available.

7.13 It is considered that the marketing undertaken by the marketing agent has been significant and extensive since 2012. Whilst there has been some interest shown by potential occupiers of the premises this has been limited and has not led to rental of the unit.

7.14 Following a visit to the site by the Site Viewing Working Party on 19<sup>th</sup> May 2016 the following information was requested:

(i) The Market rate for rent on the property:

The marketing information provided by the agent states that the rent is £29,950 per annum. The agent has stated that Betfred have negotiated a reduced rent due to the lack of demand as follows:

*Stepped – Year 1 £22500pa. Year 2 - £23000pa. Year 3 - £23500pa. Year 4 - £24000pa. Year 5 - £24500pa, with 6 months rent free.*

(ii) The level of Business Rates applied to the property:

The marketing information provided by the agent states that the rates payable to 31<sup>st</sup> March 2016 were £19,473.50.

The Council's Estates Team have confirmed that these figures are appropriate for the unit in this location.

7.15 In conclusion the premises has been empty for a considerable period of time starting in 2012, the change of use to a non-retail use would be acceptable in principle in terms of the town centre Primary and Secondary frontage policy AL3 and in addition the agent has demonstrated that the premises has been suitably and extensively marketed at appropriate rental levels but without success. It is therefore considered that the proposed change of use is acceptable in principle in bringing back a long vacant building into active use with the associated economic benefits to the town centre, and it is noted that this is supported by the Councils Economic Development Team.

(ii) Impact upon the character and appearance of the area

7.16 The proposed development includes alterations to the shop frontages with more vertical sub-division and slightly less high openings to allow for advertisement space. The adverts themselves would be subject to separate advertisement consent. The doors would also be altered to centre them in the corner section of the building. No changes are shown above ground floor level. These changes are considered to be acceptable in the street scene and in the context of the town centre.

7.17 It is considered appropriate to retain window displays at the premises and a planning condition is recommended to ensure that an active frontage is provided.

7.18 Concern has been expressed with regard to the change in character of the area arising from the provision of a betting shop in this prominent corner site. In this regard it is considered that the provision of an active commercial use in the premises is clearly preferable to the building continuing to remain vacant, which when combined with other vacant premises nearby has a negative impact on the character and appearance of the area.

(iii) Impact upon residential amenity

7.19 The premises lies within the town centre and adjacent to other commercial uses. It is not considered that the use of the premises as proposed would have any significant impact on residential premises in the area.

(iv) Other Matters

- 7.20 A number of concerns have been raised in relation to gambling and whether this use is appropriate in this location within Waterlooville Town Centre. Whilst the concerns raised are noted, it is not considered that there are any legitimate means in terms of planning legislation to object to the proposed uses on moral grounds. The proposed use is legal and subject to separate licensing rules, it also represents an appropriate town centre use.
- 7.21 Concern has also been raised about potential fire risk at first floor level resulting from the removal of a staircase. This issue has been raised with the Councils Building Control section and they have confirmed that these matters would be addressed under the separate Building Regulations requirements.

## **8 Conclusion**

- 8.1 In reaching decisions on planning applications in pursuit of the sustainable development agenda, the NPPF identifies three dimensions for consideration – economic, social and environmental. The proposed change of use, in seeking to establish a policy-compliant town centre use in a long-vacant premises in Waterlooville Town Centre, will provide both economic and environmental benefits. The use itself is not considered to give rise to any direct social impacts – and whilst a number of concerns have been raised about the nature of the use in more general terms, the operation of the business would be subject to suitable safeguards through the separate Licencing requirements.
- 8.2 In conclusion, the proposed change of use and physical alterations are considered to be acceptable for the reasons set out above and Planning Permission is therefore recommended.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00182 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.  
**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Notwithstanding any description of materials in the application no shopfront works shall take place until samples and a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.  
**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.
- 3 The premises shall only be open for trade or business between the hours of 08.00 hours and 22.00 hours on Mondays to Saturdays inclusive and from 09.00 to 22.00 hours on Sundays and Bank Holidays.



**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.

- 4 The ground floor windows shall at all times incorporate and maintain a window display to the satisfaction of the Local Planning Authority.

**Reason:** In the interests of visual amenity and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL3 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Statement 2012.

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

Planning Statement dated February 2016

Location Plan Licence No. 100022432

Existing and Proposed South West Elevation Drawing No. 1156BF-SF2

Existing and Proposed North West Elevation Drawing No. 1156BF-SF1

Existing and Proposed Ground Floor Drawing No. 1156BF-LP

**Reason:** - To ensure provision of a satisfactory development.

**Appendices:**

(A) Location Plan

(B) Existing and Proposed Floor Plans

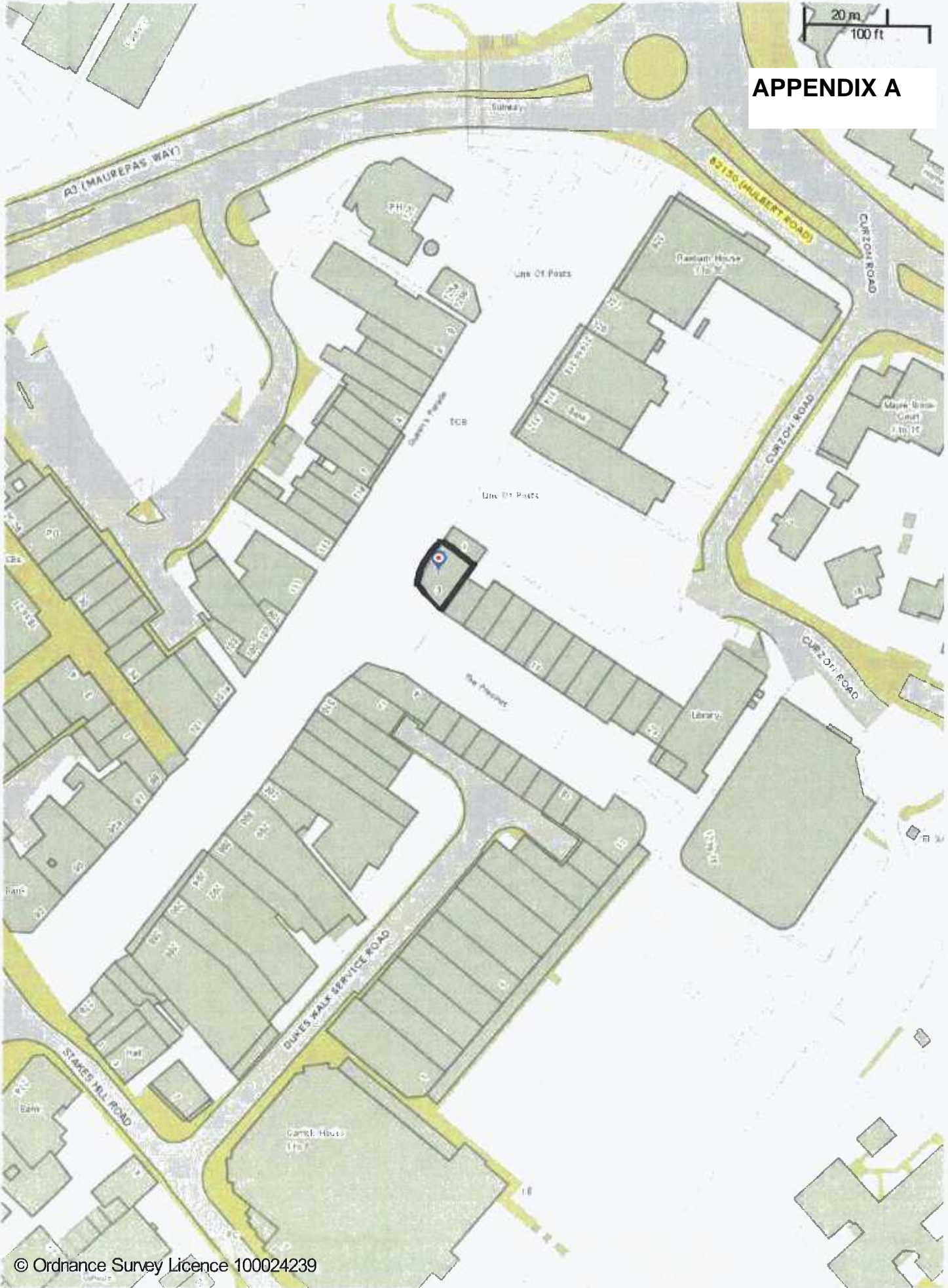
(C) Existing and Proposed North West Elevation

(D) Existing and Proposed South West Elevation

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20 m  
100 ft

# APPENDIX A



© Ordnance Survey Licence 100024239



Unit 3 The Precinct, Waterlooville, PO7 7DT APP/16/00182  
Please note objectors are not marked on this plan

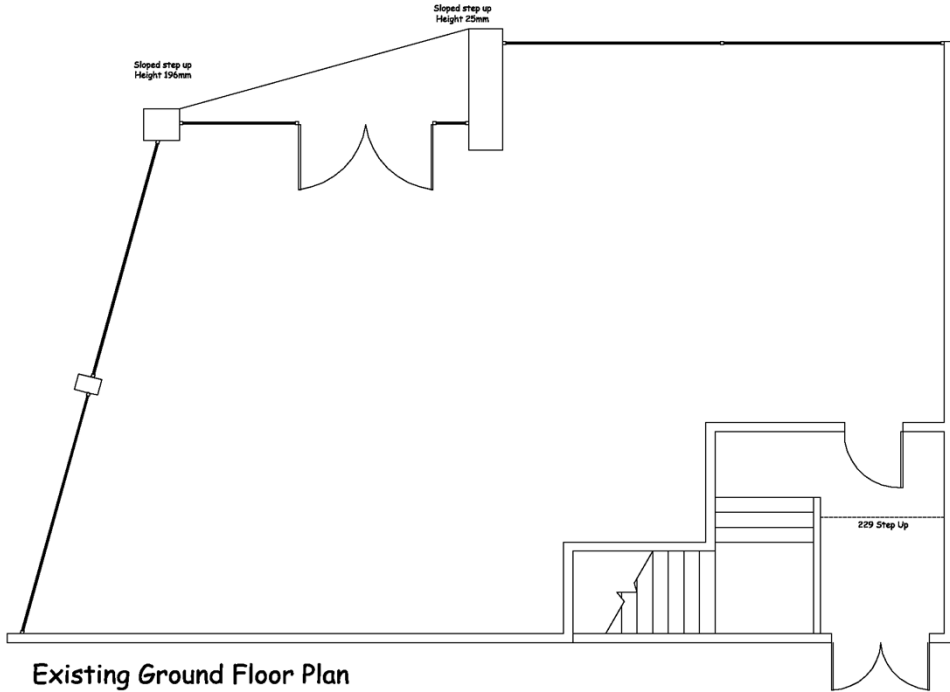
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**Havant**  
BOROUGH COUNCIL

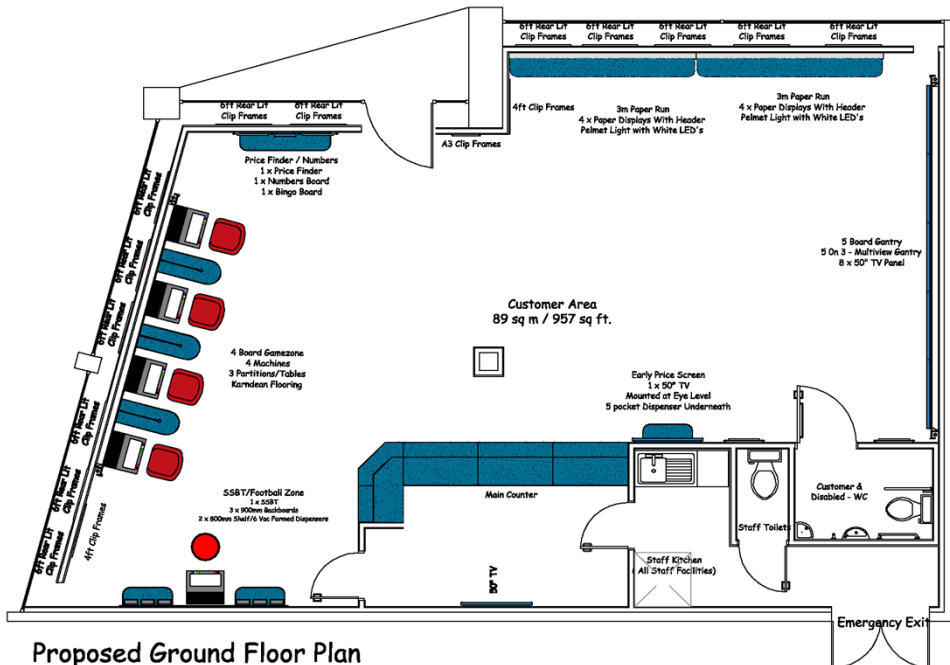
© Havant Borough Council

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EXISTING & PROPOSED FLOOR PLANS

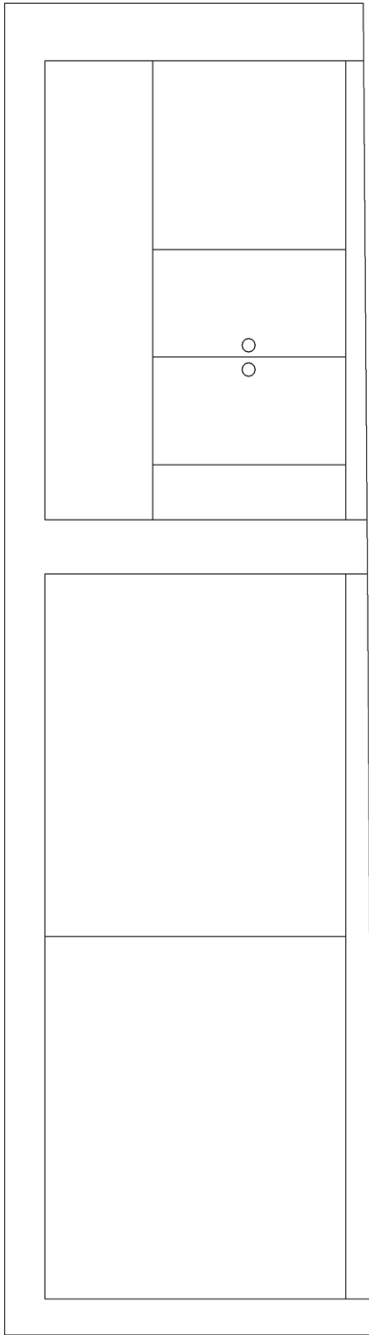


Existing Ground Floor Plan

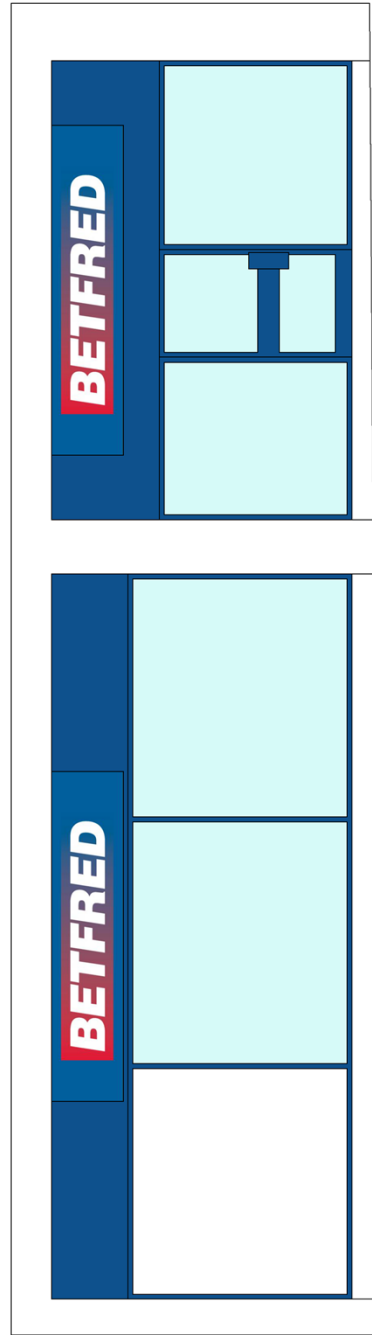


Proposed Ground Floor Plan

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Existing North West Elevation

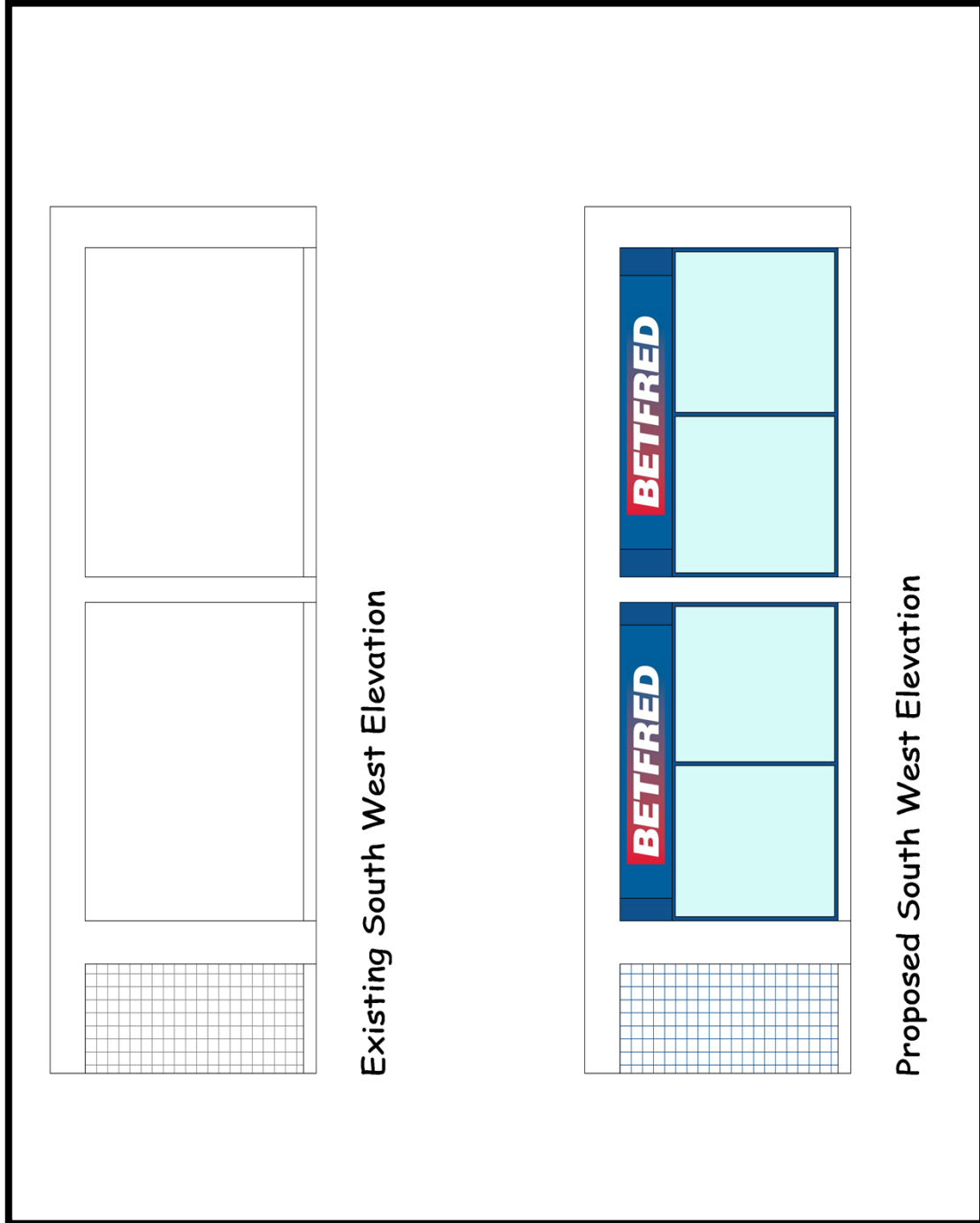


Proposed North West Elevation

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EXISTING & PROPOSED SOUTH WEST ELEVATION



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**The order of members to serve as Chairman for the Development Management Committee on a rotating basis.**

- Cllr P Buckley
- Cllr C Howard
- Cllr D Keast
- Cllr D Patrick
- Cllr J Perry
- Cllr L Quantrill
- Cllr C Satchwell

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