

P/14/0468/CU

WARSASH

MR P SMITH

AGENT: MR P SMITH

CHANGE OF USE FROM A1 (RETAIL) TO A2 (ESTATE AGENT)

5 BROOK LANE WARSASH SOUTHAMPTON SO31 9FH

Report By

Graham Pretty (Ext.2526)

Site Description

The application site is located adjacent and to the north of the commercial garage located on the northwest side of the Brook Lane roundabout at the centre of Warsash. The unit is currently empty and is detached from the parade of 6 commercial units to the north. There are three empty units in the parade in addition to the application site.

The roundabout is dominated by non-retail uses, being two car showrooms, a bank and a pub.

Description of Proposal

The proposal is to change the use of the application premises from retail (A1) to an estate agent (A2).

Policies

The following policies apply to this application:

National Planning Policy Framework

Approved Fareham Borough Core Strategy

CS3 - Vitality and Viability of Centres

Development Sites and Policies

DSP34 - Development in District Centres, Local Centres, and Local Parades

Fareham Borough Local Plan Review

S7 - Non-Retail Uses in the District and Local Centres

Representations

Five representations have been received, objecting for the following reasons:

- Retail outlets are needed, not estate agents
- Will tip the balance against Warsash as a place to visit
- Business rates need to be reduced to keep independent retail units

Planning Considerations - Key Issues

The key issue in this case is:

Policy concerning non-retail uses in District Centres -

The application proposal falls to be considered under Policy CS3 of the Core Strategy, saved Policy S7 of the Local Plan Review and emerging Policy DSP34 of the Local Plan

Part 2: Development Sites and Policies which may be afforded significant weight.

The adopted Policies stipulate that changes of use will be supported where they do not result in the extension or consolidation of non-retail uses within centres to the extent that they "...dominate the character of the area".

The emerging Policy refers rather to the creation of an unacceptable continuous group of non-retail uses on the same side of the street. Whilst not adopted the emerging Policy is one which is unlikely to be significantly altered through the adoption process of the plan and may therefore be afforded significant weight in determining applications.

The Retail Health Check (Summer 2013), evidenced that of the 26 units recorded in Warsash:

- 42% were retail (A1)
- 19% were within use class A2. Of the 5 A2 units; 2 were Estate Agents.
- 39% other non-retail uses

The recent Health Check therefore sets out that 58% of the units in Warsash are in a non-retail use. As such it is clear that the non-retail uses are already 'dominant'. The key assessment is whether the further loss of a retail (A1) unit to a non-retail use would, in extending the non-retail uses, lead to a domination on non-retail uses to the detriment of the character of the area.

The objections received all relate to the loss of a further retail outlet which would adversely affect the balance retail outlets to the detriment of the centre.

The proposal will adjust the above percentages as follows:

- 38% retail A1
- 23% within use class A2.
- 39% other non-retail uses

At face value this would further increase the non-retail uses however the key assessment in policy S7, as set out above, is whether this extension of non-retail uses would be harmful to the character of the area.

It is also noted that the emerging Local Plan policy does not use the same basis for assessment of proposed changes of use as saved policy S7, referring to the creation of an "unacceptable continuous group of non-retail uses on the same side of the street".

In this part of Brook Lane, excluding the car sales use on the corner with Shore Road, there is a nail parlour, a take-away, a restaurant and and three retail units (including the application site). Of these six units three are currently empty. It may be argued, therefore given this mix of uses, that the change of use of this retail unit would not lead to an unacceptable continuous group of non-retail uses.

Additionally paragraph 5.151 of the Emerging Policy, in support of policy DSP34, sets out that "...in order to protect parades from inactive frontages, proposals for alternative uses in units that have been vacant for a reasonable periods of time will be favourably considered". In this case there is no marketing information submitted in support of the application but the vacancy of other units is noted and the potential for an occupied and active unit would not result in the 'dominance' of non-retail uses to such a degree that there is demonstrable harm to the character of the area. Additionally criterion b) of policy S7 does provide support

for the change of use insofar as the proposed use is one of those identified in the policy as "...appropriate to a shopping centre".

A further material planning consideration is paragraphs 21/22 of the National planning Policy Framework (NPPF). The NPPF stresses the need to support the economy and emphasises that "Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances". It is evident from the high percentage of empty units in this parade that the market for retail units in Warsash is not buoyant. National Policy therefore supports the promotion of the economic re-use of the site.

On balance, it is considered that the proposed change of use whilst further increasing the percentage of non-retail uses, will not result in the extension of non-retail uses becoming so dominant that the scheme would be harmful to the character of the area and that shoppers would be discouraged from using the parade because of the dominance of non-retail uses. The proposal would represent the economic re-use of an empty unit in a position where there is a current level of empty units such that the benefits of the unit being used outweigh any policy concern with regards to further extending the number of non-retail uses.

Background Papers

P/14/0468/CU

FAREHAM

BOROUGH COUNCIL



5 BROOK LANE
SCALE: 1:1,250

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