

Planning Application Response of Planning Policy

Application No:	APP/22/01136
Site Address:	Fiscal House, 2 Havant Road, Havant
Development:	Alterations, extensions and change of use to the Single storey offices from B1a to residential. Alterations to APP/21/01120 at Fiscal House to allow for pedestrian access and the reallocation of parking. Erection of 1no. dwelling to the rear.
Case Officer:	Lesley Wells
Comments by:	Emma Chisnall
Date of Comments:	21/03/2023

Note: A previous application was submitted APP/21/01120 and was approved in July 2022

Policy Status:

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the borough.

The following policies are of relevance:

- AL1- Presumption in Favour of Sustainable Development
- CS2 – Employment
- DM3 – Protection of Existing Employment and Tourism Sites
- CS9 – Housing
- CS11- Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS15- Flood and Erosion Risk
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM8- Conservation, Protection and Enhancement of Existing Natural Features
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development
- DM20- Historic Assets
- DM24- Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

Principle of Development:

The site lies within the built-up area as defined by Policies CS17 and AL2 of the Adopted Local Plan. As such, there is a presumption in favour of sustainable development, subject to other material considerations.

Given the building's last use for office purposes, ALP Policies CS2 and DM3 apply. These policies seek to safeguard existing employment sites that are fit for purpose from development proposals for non-employment uses.

Specifically, Policy DM3 indicates that development of employment sites will only be permitted where it is demonstrated the land or premises are not fit for purpose and are financially unviable. This should generally be covered by an active and realistic marketing process for a minimum of a 12-month period.

“The change of use or development of land or premises currently or last used for B use class employment purposes to non-B use class employment will only be permitted where..... it has been demonstrated that the land or premises are not fit for purpose and financially unviable for B use class purposes. Where it is clearly demonstrated that the site is no longer suitable for B use class employment, other types of economic development should be considered in the first instance. These uses will be expected to provide employment opportunities of similar quality and quantity as those which previously existed. Only if another type of economic development cannot be found which provides similar quality and quantity of employment opportunity, will other uses then be considered”.

Under the previous planning application APP/22/01120 the applicant submitted detailed marketing information over a 12 month period which was considered to meet with the above requirements and policy DM3. No current/repeated information has been submitted with the latest application however, due to the agent and applicant being the same as the previous submission and the previous permission still being live it is considered that the past information submitted is still sufficient for the principle to be supported.

Flood Risk

A key constraint for development on this site is flood risk as it is affected by future flood risk as identified by the Environment Agency and is in flood zones 2 and 3. A sequential test is not required as the proposal is for a change of use but might be for the new proposed dwelling.

The Environment Agency will be able to advise further on the acceptability of the proposal and whether any conditions should be imposed as part of any subsequent permission for the new dwelling.

Design and Heritage

Both the adopted and emerging local plan require high quality design in all development under policies

- CS16 High Quality Design (Core Strategy)
- E1 High Quality Design (HBLP)

The site lies within the Conservation Area and as such a consultation with the Heritage team would be recommended.

Noise and Amenity Considerations

It is noted that the site would neighbour an office building to the south west and a church to the south east. Residential properties are to the south. As such there would be the potential for prospective occupiers to be subject to noise and over-looking. ALP Policy DM10 is therefore of relevance in terms of whether there would be likely to be a significant negative effect on the amenity of the future occupiers. The Council's Environmental Health Team should be consulted accordingly.

It is noted the proposed amenity space itself is modest in size. Sufficient private and/or communal outdoor amenity space should be provided and should be of a sufficient size and quality for the use by occupants. The Borough Design Guide also expects new dwellings to achieve a minimum 10m garden depth and for the space to be private. The surrounding development could also create shadowing and limit the amount of sunlight reaching the outdoor space and dwelling itself. This is likely to be compounded further by potential additional trees within the private garden area.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13 and the Council's Parking SPD.

Conclusion:

The principle of the change of use from office to residential has already been established and supported under APP/21/1120.

Flood risk and the amenity of the prospective occupiers will need to be considered having regard to the neighbouring uses in line with ALP Policy DM10. Amenity space is required to be provided in the interests of ensuring the health and wellbeing of its occupants.