

Planning Application Response of Planning Policy

Application No:	APP/22/01071
Site Address:	26-30 London Road Waterlooville, PO8 8DL
Development:	Partial Change of use from surgery (Class E) to 1No one bedroom residential unit (Class C3) on the second floor of Cowplain Medical Centre.
Case Officer:	Tina Pickup
Comments by:	Emma Chisnall
Date of Comments:	1 st February 2023

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 Emsworth Neighbourhood Plan](#) also forms part of the development plan in this area.

The following policies within the Adopted Local Plan (ALP) are of particular relevance:

- CS9 | Housing
- CS16 | High Quality Design
- CS17 | Concentration and distribution of development within the urban areas
- CS21 | Developer Requirements
- DM2 | Protection of Existing Community Facilities and Shops
- DM10 | Pollution
- DM14 | Car and Cycle Parking on Development (excluding residential)
- DM13 | Car and Cycle Parking on Residential Development
- AL1 | Presumption in favour of sustainable development
- AL2 | Urban Area Boundaries and Undeveloped Gaps between Settlements

Principle of development

The site lies within the urban area as defined by policies CS17 and AL2 of the adopted local plan. As such, the principle of development is acceptable subject to other material considerations.

The proposal seeks to convert part of the existing medical centre into a No 1 bedroom residential unit on the 2nd floor. Given that medical centres are considered to provide a community use policy DM2 of the adopted local plan (ALP) applies.

This policy seeks to safeguard existing community uses. Specifically, policy DM2 indicates that a loss of a community facility will only be permitted where it has been demonstrated through an active marketing process that the premises or land are no longer viable over a 12 month period. It is important that the marketing of the existing land or buildings explores all alternative community uses; that the marketing price is realistic; the marketing has been appropriate and genuine; and that a record of all the marketing is presented with the application proposal.

The type and scale of marketing should be commensurate with the scale of the facility proposed to be lost. The council will expect that, for proposals on sites involving community services and facilities and shops in primary and secondary retail frontages, the marketing exercise should be completed for a minimum of 12 months:

“In all cases the marketing process requires as a minimum:

- i) Confirmation by the marketing agent on headed company paper that the premises were appropriately and extensively marketed for the required length of time as set out by the council.*
- ii) Dated photographs of marketing board/s on the premises of an appropriate quality, size, scale, location and number during this time.*
- iii) An enquiry log, how it was followed up and why it was unsuccessful.*
- iv) A copy of all advertisements in the local press and trade journals (should be at least four weeks' worth of advertisements, spread across a six month period).*
- v) Evidence of marketing via the internet.”*

It is noted that no marketing information has been submitted as part of the application. Within the planning statement, it is noted site has been vacant for 3 years however, this would not prevent the above criteria being met.

As well as the above and in order to be considered acceptable the below criteria would be required to be met:

1. It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.
2. The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve.

Again, the applicant has not demonstrated that the site is financially unviable for a community use in the form of a viability assessment and there are no financial documents submitted in line with Policy DM2.

Therefore, in the absence of evidence which satisfactorily demonstrates that an active and realistic marketing exercise has been carried out, a policy objection would arise.

Housing/5 Year Supply

The Council's [Five Year Housing Land Supply Update \(November 2021\)](#) indicates that the Council has 3.9 years supply with a 20% buffer applied. This is below the five year supply threshold. The lack of five year supply triggers a presumption in favour of sustainable development, in line with paragraph 11d of the NPPF.

It does not follow that planning permission should automatically be permitted for development which would boost housing supply. However– permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The Council adopted a [Housing Delivery Action Plan](#) in January 2021 which outlines the Council's response to the lack of a five year housing land supply. It is noted that the proposed scheme is not in the five year supply in whole or part.

It is acknowledged that the proposal would contribute 1 unit to this need but this is considered to be a modest contribution. It is noted that this would need to be weighed carefully in the planning balance against the harm arising as a result.

High Quality Design and Amenity Considerations

More generally the adopted local plan require high quality design in all development under policy:

- CS16 High Quality Design (Core Strategy)

The design of the building is unlikely to change significantly with the addition of a window in the front elevation.

It would be recommended that the case officer reviews the application to ensure any amenity space provided is sufficient and adequate for any potential future occupier of the proposed space. It is not clear from the application whether any is provided at this stage.

Parking

The change of use of the site would trigger a reassessment of the parking and cycling provision. This would be required to accord with the Council's parking SPD for any residents and visitors and staff of the medical centre.

Conclusion

In the absence of satisfactory evidence to demonstrate that an active and realistic marketing exercise has been carried out, a policy objection would arise in the context of ALP Policy DM2.

In addition to this, it is noted that the amenity of the prospective occupiers will need to be considered having regard to the neighbouring uses in like with policy CS16.