

Planning Policy Comments

Application No	APP/22/01148
Address	8 South Street, Emsworth, PO10 7EH
Development	Change of use from Class E (Estate Agency office) to C3 (Dwelling) and minor alterations
Case Officer	LW
Comments By	JB
Date of Comments	2 March 2023

Policy Status

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. In addition, in Emsworth, the [Emsworth Neighbourhood Plan](#) forms part of the development plan. The Council has also adopted a [Housing Delivery Position Statement](#), which is a material consideration in the determination of applications.

Impact on the vitality and viability of the town centre

In policy terms, the key consideration in this proposal is the likely impact of the conversion of a commercial use to residential in the heart of Emsworth District Centre. The does not lie within the defined primary or secondary frontage, but does lie within the wider boundary of Emsworth District Centre. As such, policies CS4 and AL3 of the Local Plan apply. These policies seek to protect the vitality and viability of the borough's town centres.

Policy CS4 states that planning permission will be granted for appropriate town centre developments which

1. Promote and enhance the following hierarchy of identified centres
2. Enhance the evening economy of the town and district centres.
3. Retain and enhance local markets.
4. Support small and independent businesses.
5. Encourage high quality, mixed-use development in designated centres that retain active ground floor frontages.

It is not considered that the scheme supports points 1-4. Elaborating on bullet point 5, the supporting text at paragraph 3.54 acknowledges the role that residential uses can play in supporting town centres, but goes on to explain that any new homes should be located on upper floors above town centre uses with active ground floor frontages. The text explicitly states that the loss of ground floor town centre uses to residential development will be resisted.

Policy AL3 sets a number of criteria for acceptable uses in the town centres. These primarily relate to the primary and secondary areas of the centre. Since the site lies outside of the primary or secondary frontage as defined in the policy, but within the wider town centre, the only criterion within AL3 that applies is criterion 1. This gives support to proposals 'that provide main town centre uses ..., and so contribute to their vitality and viability.' The NPPF, while acknowledging a role for residential development in town centres', does not class them as main town centre uses (see NPPF glossary).

The Emsworth Neighbourhood Plan contains a policy for the town centre, Policy C2 'Retail, High Street & Food / Drink Uses'. This policy supports commercial, business and service uses (class E), and pubs or other drinking establishments on South Street. It is silent on residential conversions, but the supporting text goes on to explain that a healthy mix of economic and social uses within the town centre will be required to maintain and enhance the attractiveness of Emsworth.

Policy DM2 of the Local Plan contains a marketing requirement for local shops and community facilities. It is not considered that the estate agents office falls within this category, and as such it is not suggested that the applicant needs to comply with the provisions of this policy. Nevertheless, it is noted that the applicant has stated that the unit was marketed for 18 months for commercial use and no occupier was found.

Housing Need and Planning Balance

It is acknowledged that the Borough can not currently demonstrate a 5 year housing land supply. Due to this shortfall, the relevant development plan policies are deemed to be out of date.

Both national policy and the Council's own Housing Delivery position statement accept that this tilts the planning balance towards granting permission for housing proposals under the presumption in favour of sustainable development at paragraph 11 of the NPPF. However, it does not follow that permission should automatically be granted in these circumstances.

It is suggested that a number of matters should be considered in the planning balance in this context:

- The fact that only a single dwelling is proposed, which will not make a notable contribution to supply
- The listed building status of the property and the acceptability of the proposal in heritage terms, noting that heritage assets are an NPPF footnote 7 constraint in the context of the presumption in favour of sustainable development.
- Whether adverse impacts of approval would significantly and demonstrably outweigh the benefits of granting permission – this consideration may take into account the policies in the development plan as set out above. It is considered that the aims of these policies – to protect the vitality and viability of town centres - remain consistent with the policies in the NPPF when read as a whole.

Conclusion

Policies in the development plan indicate that a conversion to residential in this location should be resisted, and therefore, an in principle policy objection arises. However, the presumption in favour of sustainable development is also acknowledged and must be weighed in the planning balance.