

PLANNING APPLICATION RESPONSE OF PLANNING POLICY

Application No:	APP/20/00692
Site Address:	2A Seagull Lane, Emsworth
Development:	Change of use from Class B2 (General Industrial) to D2 (Assembly & Leisure) and erection of new building to serve primarily as a boxing gym
Case Officer:	SD
Comments by:	JB
Date of Comments:	11 September 2020

NB The application refers to the use classes as they were defined prior to the national use class changes coming into effect on 1 September 2020. Policies also refer to the old use classes. The policy considerations in this case are expressed in terms of the old use classes. Conclusions remain the same under the new use classes.

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 Havant Borough. The following policies and documents are of particular relevance:

- CS2 Employment
- CS17 Concentration and Distribution of Development within the Urban Areas
- DM3 Protection of Existing Employment and Tourism Sites
- DM13 Car and Cycle Parking on Residential Development
- Havant Borough Council Parking SPD (July 2016).

The [Pre-Submission Havant Borough Local Plan 2036 \(September 2020\)](#) can only be afforded very limited weight at this stage but may be afforded greater weight as the Plan progresses towards examination. The following policies are of particular relevance

- DR2 | Regeneration
- IN3 | Transport and parking in new development
- E2 | Health and wellbeing
- E11 | Sports and recreation
- C1 | Protection of existing employment sites

[The Emsworth Neighbourhood Plan](#) is also relevant to this proposal. Although it has not been 'made' following delays to the referendum due to Covid-19, this plan may be given significant weight.

Loss of employment

Policies CS2 and DM3 in the adopted local plan seek to safeguard existing employment sites that are fit for purpose from development proposals for non-employment uses. 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, through an active marketing exercise.

The emerging Policy C1 of the Pre-Submission Local Plan introduces greater flexibility, and can be taken as the direction of travel. The application site is not

within one of the defined established employment areas in the emerging policy. That being the case redevelopment to a non-employment use will only be permitted where:

It can be demonstrated that either:

- *It is not financially viable for employment purposes considering the costs of any redevelopment or refurbishment; or*
- *No reasonable offer for employment purposes has been received for sale or rent, following a realistic and active marketing exercise; or*
- *There would be no net loss in the number of jobs when compared to the current occupation or last occupation of the site for employment purposes.*

Further, the Emsworth neighbourhood plan, in policy W3a also seeks the protection of employment sites, stating that

'Any application to change the use of land from industrial to other uses will only be granted in exceptional circumstances and where it can be demonstrated that continuing provision cannot be made for land use class B2 General Industrial, or B1 Business (offices and light industry) on a proportion of the site without harm to residential amenity.'

The applicant does not appear to have addressed any of these policies in their submission. In particular, I can see no evidence that the requirement for marketing in the adopted plan, nor the less stringent requirements in the emerging plan have been met. As such, a policy objection must be raised to this proposal, which it may be possible to remove if the applicant provides the relevant information.

Proposed Use as Boxing Gym

Policies E2 and E11 of the emerging local plan express clear support for development which promotes healthy lifestyles and which delivers new leisure and sports facilities.

Parking

Policy DM13 and the [Havant Borough Parking SPD \(July 2016\)](#) set out the parking standards for new development in the Borough. Table 8 sets out the expected standards for leisure uses. These are not met in the proposal, although it is also relevant to consider that there is public provision nearby.

Design

The proposal is for a basic 'shed'. While it may be an improvement on the existing buildings, its impact on the area must nevertheless be carefully considered. In the regard, Policy D1 and the associated design checklist in the Emsworth Neighbourhood plan provides a useful tool.

Summary

While sports facilities are supported in principle through policy, the loss of employment land is not, and policy requirements in this regard have not been addressed in the submission. It should be explored whether the applicant is able to produce information to address these matters, in addition to consideration of parking provisions and design.