

Planning Application Response of Planning Policy

Application No:	APP/19/00801
Address:	Unit 1 Lancer House, 1-5 Hussar Court, Westside View, Waterloooville, PO7 7SE
Development:	Retrospective change of use from Class B1 to Class D1 use (Personal Independence Payments Assessment Centre and associated physiotherapy)
Case Officer:	Bee Crawford
Comments by:	Jade Ellis
Date of Comments:	31 st October 2019

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 [Pre-submission Havant Borough Local Plan 2036](#) (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

The following policies are of particular relevance:

- CS2 – Employment
- DM2 – Protection of Existing Community Facilities and Shops
- DM3 – Protection of Existing Employment and Tourism Sites
- DM10 – Pollution
- DM14 – Car and Cycle Parking on Development (excluding residential)

In the Pre-submission Plan the following policies are of particular relevance:

- DR1 | Delivery of sustainable development
- C1 | Protection of existing employment sites
- C7 | Protection of existing community facilities and shops
- IN3 | Transport and parking in new development
- E22 | Amenity and pollution

These comments supplement the policy response dated 9th September 2019, and follow an amendment to the application description to a wholly Class D1 use, as opposed to a mixed A2/D1 use.

Principle of development:

Policies CS2 and DM3 of the Core Strategy generally seek to safeguard existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses. As such, an active and realistic marketing exercise would normally be required to demonstrate the unit is no longer fit for employment use.

This is reinforced under criterion c. of emerging Policy C1 of the Pre-Submission Local Plan which proposes to define the Brambles Industrial Estates as an established employment area (within which the application site falls) and generally protects employment sites from change of use or redevelopment to a non-employment use. Significantly, the latter takes a wider interpretation of employment generating uses, and recognises that complementary non-B class uses such as Class D1 may be appropriate (paragraph 7.10).

Criterion b. of the policy requires there to be no overall net loss in the number of jobs when compared to the current occupation or last occupation of the site for employment purposes, whilst Part d. of the policy also requires that such uses complement the function and

operation of the established employment area. In the context of criterion b., it is noted that the use supports four full-time employees. Though this is likely to be less than a Class B1 use, the unit has been occupied by a non-employment use since March 2017 and has otherwise prevented the premises from being vacant. In the case of the latter, it is considered the current use is complementary to the operation of the employment area and it is understood that the use has operated without complaint.

As Class D1 is generally considered to be a community use Policy DM2 in the Core Strategy and Policy C7 in the emerging HBLP are also of relevance in terms of safeguarding such a use. In this case, it is noted the applicant (Ascenti) helps to perform an important civic function, in terms of assessing whether members of the public are entitled to claim PIP. Furthermore, it is considered that its loss would reduce the community's ability to meet its day to day needs under paragraph 92 c) of the NPPF. As such, it is considered unlikely that a policy objection could be sustained on those grounds.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13, emerging policy IN3 and the Council's Parking SPD. The submitted Design and Access Statement indicates that the unit has 4 allocated parking spaces which is currently working well, being proportionate to the scale of the unit and the amount of assessment rooms. It should be confirmed with the applicant that there would unlikely any increased demand for parking associated with any physiotherapy treatment they wish to offer in the future.

Summary

In the absence of a realistic and active marketing exercise, there would normally be a policy objection to the loss of employment. However, it is noted that the use is complementary to operation of the employment area, and provides an important community function. As such, it is considered unlikely a policy objection could be sustained on those grounds.