

Planning Application Response of Planning Policy

Application No:	APP/19/00324
Site Address:	5-7 Station Road, Hayling Island
Development:	Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store.
Case Officer:	Mr S Weaver
Comments by:	Jade Ellis
Date of Comments:	29 April 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
- CS4 Town, District and Local Centres
- CS9 Housing
- CS21 Developer Requirements
- AL3 Town, District and Local Centres
- DM3 Protection of Existing Employment and Tourism Sites
- DM13 Car and Cycle Parking on Residential Development
- DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

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

- E1 Protection of existing employment sites
- C6 Local centres, local shops and services
- IN1 Effective provision of infrastructure
- IN3 Transport and parking in new development
- E16 Solent Special Protection Areas
- H1 High quality new homes
- H2 Affordable housing
- H3 Housing density
- H4 Housing mix

Principle of Development:

The site falls within West Town Local Centre as defined by Policies CS4 and AL3, and Policy C6(5) in the emerging Local Plan. The submitted information indicates that commercial units would front onto Station Road and would therefore potentially provide an active ground floor frontage in conformity with Policy CS4 (5).

The submitted Planning Statement refers to these as “business units” though does not clarify their proposed use class. To be capable of support, the development proposal would need to include main town centre uses¹ to demonstrate that it would contribute to the vitality and viability of West Town Local Centre.

¹ As currently defined in Annex 2 of the 2019 NPPF

Policy C6 of the emerging Local Plan further clarifies that community, healthcare (D1) and small-scale main town centre uses (except offices B1a) will be permitted where they are proposed at ground floor level. However, there is currently insufficient information to conclude the development proposals would offer an active ground floor use and/or contribute to the vitality and viability of West Town Centre.

The submitted “Marketing Statement” indicates there are a total of 8 units on the site comprising a mixture of sui generis and B2 uses - though we would recommend undertaking a thorough planning history search to confirm the authorised use for each unit. For example, we note the last occupier of Unit 5A was ‘Cash for Clothes.’ In this respect, Policy DM2 (and emerging Policy C7) resist the loss of any premises or land last used for community facilities, including local shops.

Policy DM3 seeks to protect land or premises last in use for B use class employment purposes. An active and exhaustive marketing exercise would normally be required to demonstrate the site is no longer suitable for B use class employment. However, the submitted information argues there is no need to undertake a marketing exercise on the basis that the existing users are relocating (or have vacated) and highlights that the site could be completely empty by the end of 2019. In the absence of an active and exhaustive marketing exercise, a policy objection would normally arise.

Notwithstanding the policy objection in the context of the Adopted Local Plan, emerging Policy C1 in the Pre-Submission Havant Borough Local Plan 2036 can be afforded limited weight which may mean there is justification to deviate from this requirement: The site is not proposed to be defined within one of the established employment areas through emerging Policy C1 – though a wider interpretation of employment uses is to be taken, which would include automotive uses which currently operate from the site.

Outside of established employment areas, criterion a. of the policy permits the redevelopment of a non-employment use where there are available and suitable alternative premises within a reasonable distance of the employment site which enable the occupier(s) to relocate. Paragraphs 7.15-16 of the supporting text indicate that development proposals should be submitted with evidence from the occupier(s) which confirms there is available and suitable alternative accommodation which enables them to relocate. This could take the form of a letter on company headed paper or electronic correspondence from an official company e-mail address.

Where occupier(s) are unwilling to provide such evidence, the applicant should provide information detailing the number of businesses occupying the site/premises, the remaining lease length for each of the occupiers and evidence of suitable and available alternative accommodation which would enable the business to relocate. The submitted information includes some of the latter details, though it is recommended that primary evidence is obtained from the occupiers that demonstrates there is available and suitable alternative premises which enables them to relocate.

Parking:

Policy DM14 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new residential and non-residential development in the borough.

Emerging Policy IN3 in the HBLP 2036 expects Electric Vehicle charging infrastructure to be provided for each new residential unit with private off-street parking, as well as an appropriate number of spaces in shared parking at residential and commercial development

where long-term parking for staff or residents is provided. The Council expects 10% of spaces to have Electric Vehicle charging points in commercial developments as a minimum.

Recommendation:

The adopted local plan supports offices (B1) as a main town centre use and would therefore be supported in policy terms, though the emerging policy would not permit office uses at ground floor. As such, the development proposals would provide an active ground floor frontage in the context of the adopted local plan – but would not be supported under the emerging Plan.

In terms of the loss of the existing units, it is recommended the authorised use of each unit is confirmed, particularly with regard to whether Policy DM2 of the Adopted Local Plan should apply in terms of the loss of any “local shop”.

A policy objection would normally arise in respect of the absence of an active and realistic marketing exercise for the loss of the existing Class B units, though the site is not included as one of the Borough’s “established employment areas” (as proposed by emerging Policy C1). Further evidence, preferably in the form of primary evidence from the existing occupiers is required to demonstrate that there is available and suitable alternative premises which enables the business to relocate, including the existing automotive uses given they are vulnerable to displacement. Only then may this be sufficient to justify a deviation from the requirements of Policy DM3 (and Policy DM2) of the Adopted Local Plan.