
Site Address:	32 St Marys Road, Hayling Island, PO11 9DB		
Proposal:	Change of Use from Use Class D1 to residential Use (Use Class C3)		
Application No:	APP/18/00979	Expiry Date:	07/12/2018
Applicant:	Hampshire County Council	PAA	04/01/2019
Agent:	Mrs Roome	Case Officer:	Lewis Oliver
	HCC Property Services		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located within the settlement boundary on Hayling Island, along St Mary's Road. The street has a strong residential character, with a mixture of bungalows and detached and semi detached two storey dwellings. Directly adjacent to the east of the site is a block of flats.

The site is approximately 0.08 ha and is currently a vacant bungalow. It was formerly the site of Havant Day Services – St Mary's Road Annex. The property was vacated by Adult Services in April 2018, with the day services now being provided in a recently refurbished facility at Barncroft Way in Havant and the Hayling Island Community Centre as part of the Adult Services Learning Disabilities Transformation Programme.

2 Planning History

90/55232/000 - Single storey rear extension., PERM,16/08/1990
92/55232/002 - Change of use to create Day Centre Satellite for Social Services Department for people with a Mental Handicap, PERM,25/03/1993

3 Proposal

The proposal is for the Change of Use from Use Class D1 to residential Use (Use Class C3)

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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- DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
- AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment to this planning application.

Natural England Government Team

No Objection

Planning Policy, PPUD

Following the submission of further information the Planning Policy Team have No Objection to this application as we are satisfied that the community facility provided at this place, has been replaced by enhanced and improved facilities

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 10

Number of site notices: 1.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on highway/parking
- (v) Ecological considerations
- (vi) CIL

- (i) Principle of development

The site is located in an urban area whereby development for further residential

dwelling is acceptable in principle subject to other material considerations. For this application the main consideration would be the impact of the loss of a community facility, which loss is protected by Policy DM2 of the Local Plan (Core Strategy). Also the potential impact of the use in terms of impact on the nearby residential properties (considered further at (iii) below).

Policy DM2 Protection of Existing Community Facilities and Shops identifies that *"Development proposing the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where both the following criteria can 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."

Paragraph 10.06 of the supporting text confirms that the council will expect that in the case of a community facility, the marketing of existing land or building should explore 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 proposals.

The submitted Planning Statement indicates that a marketing exercise has not been conducted, but that it is not considered alternative D1 uses would be suitable in this residential setting and these circumstances. Nevertheless, in the absence of a marketing exercise, a policy objection would normally arise. However it is relevant in this case to consider the justification provided by the applicant with regard to the re-organisation of Adult Social care provision in the area.

The submitted Planning Statement also indicates the service previously provided at 32 St Mary's Road is now being provided within significantly improved facilities at the Havant Day Services Barncroft Way site. This facility provides a wide range of timetabled activities each day, including communication, music, and sensory activities. In addition, for those not wanting to travel, a service is also provided in the new room at Hayling Island Community Centre. The service on Hayling Island comprises a day service three times a week, which consists of two rooms which includes a kitchenette. The service provides support to the needs of the individual, with members of the public, who use the Community Centre for other activities, joining in with service users through group activities/events at the centre. It has been outlined by the applicant that this is part of the Adult Services Learning Disabilities Transformation Programme (LD). It has also been highlighted that HCC transport service users from Hayling to Havant twice a week so that they can benefit from participating in a variety of activities that the Hayling Base could not offer.

The LD transformation programme is intended to improve the service and accommodation provided to local residents with learning difficulties, an increasing proportion of whom have complex needs and require fully accessible facilities. It has been emphasised that 32 St Mary's Road is currently in need of considerable investment if it is to be made fit for purpose taking into account all the new requirements and advancements in providing care. Furthermore it has been outlined that the application site is relatively isolated, for users of the building, in terms of long distances to shops and other facilities. As such as part of the LD programme it has been outlined that by moving the day service to a more central point and actually

being part of the local community situated in the Hayling Community Centre, especially after its refurbishment, and given that this building is part of the wider community, compared with the application site which is isolated in terms of not being part of a wider community complex of uses.

It has also been noted that all of the proceeds from the sale of this building will be directed towards reinvestment in care and service improvements as part of this transformation programme, as evidenced by the County Council resolutions approved by the Executive Member for Adult Social Care at Hampshire County Council on 16th May 2011.

In conclusion on this matter Policy DM2 seeks to avoid the loss of community services and facilities, however in these circumstances it is considered that the change of use will not lead to a loss in provision, rather a relocation and improvement of the facilities offered by both Havant Day Services and at Hayling Island Community Centre. Whilst a marketing exercise has not been conducted, it is not considered that alternative D1 uses would be suitable in this residential setting and these particular circumstances. It is noted that emerging Policy C11 in the Local Plan 2036 does not impose the same marketing requirements, and as such this is the direction of travel as long as an alternative provision has been made of greater or equivalent community value, then the policy criteria will have been met. This direction of travel in policy is a material consideration, whilst acknowledging that this policy has limited weight at this time, given the current local plan timetable.

Nonetheless it remains that Policy DM2 seeks to protect the loss of community facilities and in these circumstances it is not considered that a loss has occurred, but has been re provided with enhanced facilities.

(ii) Impact upon the character and appearance of the area

The property was originally constructed as a residential dwelling and in use as such between 1960 when it was constructed and 1993 when Hampshire County Council bought the property. As such the reversion to a single dwelling would therefore be entirely consistent with the character of the street and adjacent properties, particularly since no external alterations are necessary. In this regard it is not considered that the proposal would have a significant adverse impact on the character and appearance of the property or area.

(iii) Impact upon residential amenity

As no external changes are proposed, and given that the change of use to a private dwelling would result in fewer vehicle movements and a less intensive use, it is not considered that the proposal would have a significant adverse impact on the amenities of neighbouring properties.

(iv) Impact on highway/parking

No alterations to the access arrangements are proposed. The property currently provides sufficient parking to meet with the 2 spaces required by the Council's Parking SPD. There is space within the garage for 2 bicycles in accordance with the policy requirements. Traffic generation for a single dwelling should result in fewer traffic movements compared to the existing use as a day centre. The Highway Authority have not raised an objection to this application and it is therefore considered that the development would not have a significant adverse impact on the safety or free flow of

the highway network.

(v) Ecological considerations

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. This is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area due to the increase in recreation as a result of the development. The planning application was then subject to an Appropriate Assessment under Regulation 63. This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant has indicated a willingness to enter into a legal agreement to secure the mitigation package. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation package.

The applicants have made the necessary planning obligation and returned the associated paperwork. As such the appropriate financial contribution has been secured and the development complies with the mitigation requirements as set out in the Solent Recreation Mitigation Strategy.

(vi) CIL

The proposal is for the change of use of the existing building, with no extensions proposed, and as such this development is not CIL liable.

8 Conclusion

Overall it is considered that the building is no longer required for a Community use as enhanced alternative facilities have been provided elsewhere. Whilst a marketing exercise has not been conducted, it is not considered that alternative D1 uses would be suitable in this residential setting and these particular circumstances. It is noted that emerging Policy C11 in the Local Plan 2036 does not impose the same marketing requirements and as long as an alternative provision has been made of greater or equivalent community value, then the policy criteria will have been met. This direction of travel in policy is a material consideration, albeit of limited weight.

In addition the proposal is not considered to have a significant adverse impact on the character and appearance of the area, residential amenities or highway safety. Furthermore the required contribution towards the SRMS has been secured.

Having regard to all of the foregoing considerations, this application is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00979 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

SITE LOCATION PLAN - P11340-HCC-ZZ-00-PL-UD-0001 P1

PROPOSED GROUND FLOOR PLAN - P11340-HCC-ZZ-00-PL-UD-0003 P1

Reason: - To ensure provision of a satisfactory development.