

Planning Application Response of Planning Policy

Application No:	APP/21/01380
Site Address:	The Clock House, 83-91 London Road, Waterlooville
Development:	Change of use from A1 to C3 residential.
Case Officer:	Selina Donophy
Comments by:	Emma Chisnall
Date of Comments:	26th May 2022

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 following policies are of relevance:

- AL1- Presumption in Favour of Sustainable Development
- AL2- Urban Area Boundaries and Undeveloped Gaps Between Settlements
- CS2 – Employment
- CS4- Local District Town Centre
- CS9 – Housing
- CS16 – High Quality Design
- CS17- Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM2- Protection of Existing Community Facilities and Shops
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development
- DM24- Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

Principle of Development:

The site lies within the built-up area as defined by Policies CS17 and AL2 of the Adopted Local Plan and as such, there is a presumption in favour of sustainable development, subject to other material considerations.

Given the building's last use as an estate agents this would fall under Class E of the updated use class order and as such, shall be treated as having a current shop use. Policies CS2, DM2 and CS4 therefore apply as the site is located within the Local District Town Centre of Waterlooville.

DM2 seeks to safeguard and protect existing community facilities and in this case, local shops. The policy states that '*any development proposing a change of use or loss....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*

The policy goes on to state that '*Where a marketing exercise is required, planning permission will be granted where the applicant demonstrates that they have robustly*

marketed the land or building. In the case of local shops within identified local centres and small local shops meeting everyday shopping needs outside all identified centres, the premises must be marketed for at least six months. A marketing period of at least 12 months is required in the case of any other community facility or shop in a primary or secondary retail frontage.

As the site is within a secondary retail frontage the latter would apply and a 12 month marketing exercise would be required.

The policy continues that *'In all cases the marketing process requires as a minimum:*

- i) Confirmation by the marketing agent on headed company paper that the premises were appropriately and extensively marketed for the required length of time as set out by the council.*
- ii) Dated photographs of marketing board/s on the premises of an appropriate quality, size, scale, location and number during this time.*
- iii) An enquiry log, how it was followed up and why it was unsuccessful.*
- iv) A copy of all advertisements in the local press and trade journals (should be at least four weeks' worth of advertisements, spread across a six month period).*
- vi) Evidence of marketing via the internet.'*

Following an assessment of the application no supporting evidence has been submitted to satisfactorily address the above and as such, a policy objection arises.

It is noted that the site falls within policy WA2 of the Waterloo Mixed Use Allocation policy however this refers to a significantly larger site incorporating the ASDA superstore adjacent. As such, the single unit alteration proposed at No1 is considered to not fall within this policy and would therefore not be applicable to this application.

Design

The adopted local plan requires high quality design in all development under policy CS16 High Quality Design (Core Strategy).

Noise and Amenity Considerations

It is noted that the proposed dwelling is situated to the rear of No 1 at ground floor level. Following a desktop study there would appear to be limited to no amenity space with the area backing out onto a parking area with the police station and superstore adjacent. The Borough Design Guide expects new dwellings to achieve a minimum 10m garden depth and for the space to be private which the case officer would have to assess.

The site could also be impacted by shadowing and a lack of sunlight reaching it due to the surrounding area and therefore consideration should be given as to the standard of living afforded to any future resident. It would be advised that the case officer carries out an assessment on the impact this would have on the residents and that Environmental Health are consulted with given the potential for noise and smell pollution.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13 and the Council's Parking SPD.

Conclusion:

In the absence of satisfactory evidence to demonstrate that an active and realistic marketing exercise, a policy objection would arise in the context of policies CS2 and DM2.

Any application would need to ensure that the amenity of the prospective occupiers will need to be considered having regard to the neighbouring uses in line with policy DM10.