

Planning Application Response of Planning Policy

Application No:	APP/22/00202
Site Address:	250 Havant Road, Hayling Island, PO11 0LN
Development:	Change of use from Bed and Breakfast (Class C1) to dwelling house (C3).
Case Officer:	Joseph Toole
Comments by:	Jade Ellis
Date of Comments:	5 th 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 Adopted Local Plan policies are of particular relevance:

- CS5 – Tourism
- CS9 – Housing
- CS17 – Concentration and Distribution of Development within the Urban Areas
- DM3 – Protection of Existing Employment and Tourism Sites
- AL1 – Presumption in Favour of Sustainable Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

Principle of Development:

The site lies within the urban area as defined by policies CS17 and AL2 of the adopted local plan. As such, the principle of development is acceptable subject to other material considerations.

Loss of tourist accommodation:

As the existing property is currently used as bed and breakfast accommodation with owners' accommodation at first floor level, Policies CS5 and DM3 are of relevance. Paragraph 3.64 of the Core Strategy supporting text sets out:

“Policy CS5 will protect all existing tourist facilities and accommodation that are fit for purpose. However, the council recognises the need for flexibility in order to respond to an evolving tourist and day visitor market. The Development Management Policy DM3 deals with the protection of existing tourism sites. All applications that would result in the loss of land or premises used for tourism must comply with all aspects of this policy and thus prove through an active and exhaustive marketing exercise that the site is no longer fit for purpose.”

Policy DM3 indicates the change of use or development of land or premises currently or last used for tourism purposes to non-tourism uses will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for any tourism use. The active and exhaustive marketing process should cover 12 months and as a minimum should include:

- 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 of an appropriate quality, size, scale, location and number, during this time, on the premises.

- 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).
- v) Evidence of marketing via the internet.

The submitted Planning Statement indicates there has been protracted attempts to market the dwelling as a current B and B and "no interest" has been shown in the business. Whilst there was not any evidence to substantiate this statement, the applicant has subsequently provided the following:

- Email correspondence from High Hickman & Son which confirms that the premises were marketed from 2017 until the property was removed from the market in January 2022, including a copy of the property particulars.
- Copies of marketing information from Christie & Co including analysis of marketing, in terms of an email campaign, online marketing and the level of interest received as a result which was limited.

Whilst the applicant has not completely fulfilled the requirements for an active and exhaustive marketing process, it is evident that the premises have been actively and appropriately marketed for an extensive amount of time with no reasonable offer for sale and rent. On this basis, it is considered unlikely that a policy objection could be sustained in the context of Policies CS5 and DM3.

Housing land supply:

It should be noted that the Council is not currently able to demonstrate an up-to-date five year housing land supply. Whilst the existing premises hosts a linked dwelling to the current B and B, it is noted that the change of use would result in the creation of a permanent dwelling which would be available on the open market. This must be afforded weight in the overall planning balance.

Summary:

Though the change of use is acceptable in principle, there is a need to show the tourist accommodation is no longer fit for purpose and/or no longer financially viable. The applicant has submitted evidence which indicates the premises have been marketed for an appropriate length of time and on an appropriate basis. On this basis a policy objection could not be sustained in the context of Policies CS5 and DM3. It is also noted that the restoration of a permanent dwelling which would be available on the open market in the context of the Council's housing land supply should also be afforded weight.