

Planning Application Response of Planning Policy

Application No:	APP/21/01120
Site Address:	Fiscal House, 2 Havant Road, Havant
Development:	Change of use from B1A to C3 residential.
Case Officer:	Lewis Oliver
Comments by:	Emma Chisnall
Date of Comments:	11 th April 2022

NB Policy comments were previously provided in January 2021 in respect of planning application reference APP/20/01111, but the application was subsequently withdrawn. There has been a material change in the local policy position with the Havant Borough Local Plan withdrawn in March 2022.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.

Following the receipt of the Inspectors' Interim Findings, the Examination was concluded, and the Havant Borough Local Plan was formally withdrawn on the 16th March 2022.

The following policies are of relevance:

- AL1- Presumption in Favour of Sustainable Development
- AL2- Urban Area Boundaries and Undeveloped Gaps Between Settlements
- CS2 – Employment
- DM3 – Protection of Existing Employment and Tourism Sites
- CS9 – Housing
- CS11- Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS15- Flood and Erosion Risk
- CS16 – High Quality Design
- CS17- Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM3- Protection of Existing Employment and Tourism Sites
- DM8- Conservation, Protection and Enhancement of Existing Natural Features
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development
- DM20- Historic Assets
- DM24- Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

Principle of Development:

This application follows one submitted in January 2021 which proposed a change of use from Class B1A to C3 (change of use from an office to a dwelling). The previous application was withdrawn due to concern being raised regarding a lack of marketing detail, potential flood risk issues and the negative amenity levels caused to a future occupant. This consultation response shall address the above now that a revised planning application has been submitted.

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

Given the building's last use for office purposes, ALP Policies CS2 and DM3 apply. These policies seek to safeguard existing employment sites that are fit for purpose from development proposals for non-employment uses.

To demonstrate that the site is no longer viable for employment purposes and to comply with policy requirements, a 12-month marketing exercise has been carried out. This has included advertising the site online, in newspapers and via a marketing board on the site. Although this has resulted in interest in the site, no offers for using the site as an office (or for alternative economic purposes) have been made. It is therefore considered that the applicant has demonstrated that the site cannot be used as an office space and has therefore complied with the marketing requirements of policies CS2 and DM3. There is no policy objection to the principle of the change of use.

Flood Risk, Sequential Test and Exception Test

The site lies in Flood Zones 2 and 3, both in the present day and in the future. The proposal is for a change of use and as such, according to national and local guidance, a sequential test is not required. However, in line with national and local policy (ALP Policy CS15), the applicant must demonstrate that the development will be safe over its lifetime and will not increase risk elsewhere.

The applicant has submitted a Flood Risk Assessment, and it is noted that the Environment Agency have confirmed that they are satisfied with its contents. Subject to inclusion of the conditions suggested by the Environment Agency attached to any permission, no policy objection arises.

Design and Heritage

The adopted local plan requires high quality design in all development under policy

- CS16 High Quality Design (Core Strategy)

The site lies within the Conservation Area and as such a consultation with the Heritage team is recommended.

Noise and Amenity Considerations

It is noted that the site neighbours an office building to the south west and a church to the south east. As such there would be the potential for prospective occupiers to be subject to noise and over-looking. ALP Policy DM10 is of relevance in terms of whether there would be likely to be a significant negative effect on the amenity of the future occupiers. The Council's Environmental Health Team should be consulted given the potential for noise.

It is noted the proposed amenity space itself is modest in size and that the Borough Design Guide expects new dwellings to achieve a minimum 10m garden depth and for the space to be private. The surrounding development would also create shadowing and limit the amount of sunlight reaching the outdoor space and dwelling itself.

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 light of the information submitted with this revised application, it is considered that the previous concerns raised under application reference APP/20/01111 regarding the principle of the change of use and flooding have been addressed.

This application will need to ensure that the amenity of the prospective occupiers is considered having regard to the neighbouring uses in line with ALP Policy DM10.