
Site Address:	Broad Oak Hotel, Copse Lane, Hayling Island, PO11 0QB		
Proposal:	Change of use from hotel (Use Class C1) to residential home (Use Class C3).		
Application No:	APP/14/00542	Expiry Date:	23/07/2014
Applicant:	Mr Levy	Team:	Team 1
Agent:	Mr Critchley	Case Officer:	David Eaves
	Martin Critchley, Architect		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies outside the built up area to the north of Copse Lane on Hayling Island. The building is sited in a ribbon of mainly residential development fronting the north side of Copse Lane. To the north of the site are a number of holiday lodges and to the south open fields eventually leading to Chichester Harbour AONB and Special Protection Area.
- 1.2 The existing building was previously used as a hotel which appears to have been closed since 2004 (further comments below). The building is a substantial building which includes various extensions. It retains a generally residential external appearance notwithstanding its previous hotel use. The building is white painted with concrete tiles.

2 Planning History

APP/12/00362 Change of use from redundant rural building to 1No. 3 bed dwelling. Refused September 2012

APP/10/00431 Outline application for a 16 bedroom two storey extension to existing hotel, 7No. self catering holiday lodges, 10No. caravan touring pitches, toilet block, staff accommodation, car parking and associated landscaping. Withdrawn December 2010.

06/50931/018 Change of use from class C1 hotel to class C2 Care Home. Refused March 2007

96/50931/016 Single storey block of 10 No. lodges linked to hotel by covered walkway together with associated parking and landscaping, including removal of preserved trees Refused June 1996

95/50931/014 Single storey side extension dining area. Permitted August 1995

94/50931/013 Two storey side extension, first floor rear extension including new vehicular access previously approved. (Amendment to P.P. 94/50931/11) Permitted July 1994

94/50931/011 Two storey side extension, two storey rear extension, first floor rear

extension, including new vehicular access previously approved under Planning Permission 92/50931/ Permitted March 1994

92/50931/009 Variation of condition 4 and relief from condition 5 of No.91/50931/3 to allow dining room and bar to be used by no residents. Permitted June 1992

92/50931/008 New vehicular access and closure of existing access. Permitted March 1992

91/50931/006 Relief from Conditions 4 and 5 of planning permission No. 91/50931/3 to allow dining room to be used by non- residents. Refused December 1991

91/50931/003 Two storey side and first floor rear extensions. Permitted May 1991

90/50931/002 Temporary siting of mobile home for existing hotel proprietors accommodation pending implementation of refurbishment of Hotel building. Permitted March 1991

89/50931 Erection of 20 bedroom hotel, swimming pool and associated facilities, formation of new vehicular access. Permitted January 1990.

3 Proposal

Change of use from hotel (Use Class C1) to residential home (Use Class C3).

4 Policy Considerations

National Policies

National Planning Policy Framework 2012.

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS5	(Tourism)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Planning Policy

In relation to tourism Core Strategy Policy CS5 seeks to safeguard existing tourist facilities. Paragraph 3.59 of the Core Strategy is of note. It recognises the need for budget hotel accommodation and that there may be scope for a small boutique hotel

development as part of the regeneration of Hayling Island seafront. Paragraph 3.64 expands on the protection of existing tourism facilities and accommodation where they are fit for purpose.

Policy DM3 (2) requires it to be demonstrated that the premises are not fit for purpose and that they are financially unviable for tourism use. This states that a 12 month marketing exercise should be undertaken.

The application submission includes a Marketing and Policy Statement. It is clear that the site is in a relatively unsustainable location only readily accessible by private vehicle. Originally a dwelling house, the conversion to hotel use was approved in 1990. It is clear that some of the original conditions on the permission may well have limited the potential financial returns of the hotel business.

It has been noted that the hotel has apparently been closed since 2004 (10 years) and that no staff have been employed since that date. On this basis I believe it would be unreasonable to suggest that the closure of the premises would have a negative impact on the tourism economy of the borough or in relation to job loss. I am therefore of the opinion that it would be difficult to argue that the proposal is contrary to policies CS5 and DM3.

Paragraph 3.59 of the Core Strategy refers to the potential demand for a budget hotel (which this facility is not) and a recent budget hotel has opened at Langstone. This paragraph also highlights that there may be scope for a small boutique hotel development, but this is as part of the wider regeneration of the more sustainable and prominent location at the Seafront.

Comment:

There is planning consent for a budget hotel at Langstone.

The submitted Marketing and Policy Statement (paragraph 5.4) highlights that the Havant Hotel Futures Study did not include the Broad Oak Hotel as at the time of the report being produced (2008) it was already closed. This study acted as evidence base to underpin the adopted Local Plan.

With the above in mind I feel it will be difficult to justify a refusal of the proposal. This is due to the period of time that the hotel has been shut (and therefore not providing a tourism or employment function), the findings of the Council's Hotel Futures Study (which would indicate the demand for this type of hotel is not as strong as others) and the overall lack of sustainability of the site. However, technically the proposal does not appear to have satisfied Policy DM3(2) in relation to the extent of marketing required. Paragraph 5.17 of the submitted Marketing and Policy Statement refers to marketing undertaken in 2007. It would be useful if further information on this point could be provided to more satisfactorily address the requirements of Policy DM3.

If further information is sought from the applicant it would also be useful for them to provide a clear/concise overview of why the premises are not fit for purpose (the other requirement of DM3(2)).

With the period of the time the hotel has not been operating it may be arbitrary to seek fresh marketing of the site and the applicant has made a valid point in paragraph 5.19 of their report, referring to the governments stance on making use of underused employment buildings to provide dwellings. Although this is in the context

of B uses, some of the principles arguably still apply particular when considering the period of time that the hotel has not operated.

Economic Development - Commercial and Housing

No comments received.

Development Engineer

No highway objection, this change of use should reduce traffic.

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: 3

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1 (N.E. Hayling Residents Association)

Summary:

The hotel ceased to be a viable proposition some years ago. It is neither a large hotel or a B&B. Tourism on the Island has reduced since the necessary sea defences have taken away the sand, and we have no tourist information office even in Havant.

Couple this with the Local Allocation Plan which could include the removal of the Fun Fair and there is nothing to attract families to holiday in Hayling.

It is currently used as a private residence and has been for some years. If the application is taken at face value and it will be purely used as one residential unit, ie family in residence, then we do not have any adverse comments. However any conditions on an approval should reflect the need to re apply if the dwelling was to be used as any other residential format.

Comment:

Planning permission would be needed for a change to more than 1 residential unit.

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 including the loss of Tourist accommodation
- (ii) Highway matters
- (iii) Impact on the character and appearance of the area

(i) Principle of development

7.2 With regard to the principle of the development, the main issue here is considered to be whether the loss of tourist accommodation in this property and its replacement by a

single residential use can be justified.

7.3 In this regard policy CS5 seeks to safeguard existing tourist facilities and policy DM3 requires it to be demonstrated that the premises are not fit for purpose and that they are financially unviable for tourism use. This states that a 12 month marketing exercise should be undertaken.

7.4 The applicants have submitted a Marketing and Policy Statement with the application and this has now been augmented by a Fitness for Purpose statement together with information to demonstrate when the hotel ceased use and further marketing. This information is considered to demonstrate:

The site is relatively unsustainable and not readily accessible by public transport;

The property was originally a dwelling house;

The conversion to a hotel was granted in 1990;

Planning conditions imposed may have limited the potential financial returns of the business;

The premises have been closed since 2004 (10 years);

No staff have been employed since that date;

7.5 On the basis of the closure of the hotel having taken place 10 years ago it is very difficult in my view to argue that the current proposal would lead to the loss of employment and tourism accommodation. On this basis it would be difficult to argue that the proposal would be contrary policies CS5 and DM3.

7.6 The submitted Marketing and Policy Statement refers to the Havant Hotel Futures Study (2008). This report did not include the Broad Oak Hotel as at the time of the report being produced (2008) it was already closed. The study acted as evidence to underpin the Local Plan. This report considered the market and essentially shows that demand for this type of hotel is less strong than others (for example sea-front boutique hotel).

7.7 The applicant has provided some limited marketing information for 2005 and 2007, this resulted in limited interest from potential purchasers, with the only serious interest in alternative uses. This is evidenced by a number of planning applications over the years. Although this marketing is limited and does not meet all the requirements of policy DM3, given the other factors associated with the hotel use highlighted above and below it is considered unreasonable to seek further marketing at this stage.

7.9 The agents Fitness for Purpose Statement considers the viability of the hotel use and confirms that the location, size and restricted use of the property mitigates against the hotel being viable. It is considered that the points raised together with the above assessments do make the re-instatement of a viable hotel use highly unlikely.

7.10 In conclusion, it is considered that the change of use to a single residential property can be supported in principle.

(ii) Highway matters

7.11 The proposal would result in a decrease in traffic and car parking requirements at the site when compared to the hotel use of the building. No objection has been raised in relation to the proposals by the Development Engineer.

(iii) Impact on the character and appearance of the area

7.12 the proposals relate to a change of use only and at this stage no physical works are proposed. On the basis that the residential use is likely to generate less activity on site than the hotel use it is considered that the proposed change of use would have a limited and acceptable impact on the character and appearance of the area.

8 Conclusion

- 8.1 In conclusion, the proposed change of use is considered acceptable in principle, and would not lead to additional impact in terms of traffic, parking or activity. No physical changes are currently proposed.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00542

(A) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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:

Policy and Marketing Statement April 2014
Fitness for Purpose Statement July 2014
Martin Critchley Chartered Architect Letter dated 31st July 2014 with supporting information
Location Plan Drawing No. 201
Block Plan Drawing No. 202
Site Plan Drawing No. 203

Reason: - To ensure provision of a satisfactory development.