

Planning Application Response of Planning Policy

Application No:	APP/13/00473
Site Address:	12 West Street, Havant, PO9 1PF
Development:	Conversion of part of first and all of second floors from office use (B1) to 2No. 2 bed flats (C3) and 1No. 1 bed flat; first floor rear extension; second floor rear extension; new dormers to front elevation; creation of new access passage from West Street and rear mews style courtyard; with parking, cycle and refuse storage facilities to rear with vehicular access from North Street and other minor alterations
Case Officer:	Stephen Cantwell
Comments by:	Robyn Lyons
Date of Comments:	25 June 2013

Draft Local Plan

It should be noted that the Draft Havant Borough Local Plan (Allocations) was published for public consultation under Regulation 18 on 3rd December 2012. This includes a number of draft strategic, allocation and development management policies that may be relevant to this proposal. Where relevant these are material considerations to be taken into account in the determination of planning applications by the Borough Council. Here is a link to the draft plan

<http://www.havant.gov.uk/planning-policy-design/draft-havant-borough-local-plan-allocations>

CIL Charging Schedule

On the 20 February 2013, the Council approved that the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule will take effect from the 1st August 2013. Therefore, from 1st May applicants will need to take the charging schedule into account when discussing developer contributions. More information is available on the Council's website <http://www.havant.gov.uk/planning-policy-design/community-infrastructure-levy>

Comments:

Promoting Havant Borough's Economy: The application site is located in Havant Town centre on an area of primary retail frontage as defined by Local Plan (Core Strategy) policy CS4 and saved Local Plan policies TC1 and TC6. It should be noted that the town centre boundaries and frontages were revised in the Draft Local Plan (Allocations). The site's designation was unchanged in this plan. The loss of a shop in the heart of the primary shopping area is strictly contrary to policy. A change to another town centre use may be acceptable subject to meeting the concentration test set in saved Local Plan policy TC6. The baseline figure drops from 60% to 50% in policy AL3 of the Draft Allocations Plan. Policy DM2 of the Local Plan (Core Strategy) is also relevant to this application as it deals with the loss of shops and community facilities. Evidence of a twelve month marketing exercise is required under this policy.

The alterations at the first and second floors include the conversion of B1 use and also some space used for staff and storage associated with the retail use. The proposal also includes a small extension. On this basis I am of the view that the

recent changes to the General Permitted Development Order that came into force on 30th May for the conversion of B1 to C3 could not apply to this proposal (notwithstanding the current uncertainty about whether flats count as dwellinghouses etc.). I am therefore of the opinion that there is no straightforward 'permitted development fall-back' position for the principle of the change of use. Therefore the proposal should be considered in relation to the Local Plan and NPPF.

Policy CS2(5) and DM3 seek to safeguard existing employment sites. Paragraph 3.18 of the adopted Core Strategy gives some explanation on the importance of B1 uses, particularly in town centre locations. Policy DM3 relates more specifically to the protection of existing employment sites. This policy requires it to be demonstrated that the premises are not fit for purpose and that they are financially unviable for B use class purposes. This would require 12 months marketing as outlined further in Policy DM3. The current planning application does not appear to include any information to address Policy DM3(1). Policy CS4 is also relevant to the proposal.

Conclusion:

The proposal currently fails to demonstrate compliance with Saved Policy TC6 (and emerging Policy AL3 from the draft Allocations Plan) in relation to loss of retail frontage. It also has not met the policy tests set in DM2.

Additionally in the absence of information to address Policies CS2 and DM3 I am of the opinion that the proposed change of use at first floor and above is contrary to the Local Plan.