

Policy PS3 Issues

In light of complicated issues raised by a number of recent applications the Chairman of NAC raised has a number of issues for the Forward Planning service to address.

How long do sites need to be advertised for before they can apply for a change of use, what type of advertising is needed.

The advice consistently given by Forward Planning is that a premises should be marketed for a period of 6 to 9 months as a minimum. This is consistent with the advice given in respect of Agricultural Occupancy conditions and any other similar cases.

Advertising would normally consist of

- Marketing via a local estate agent, or in specialist cases, particular trade journals (e.g. there is a sales journal for Publicans). It would be an expectation that adverts would be included within property pages for at least 2 weeks (although preferably once a month for 6 months)
- The offer of sale of the property (i.e. details advertised via an estate agent) would need to be fair of potential buyers (i.e. freehold purchase without restrictive clauses, etc)
- In cases where marketing has been undertaken thoroughly details of individuals showing interests have been submitted by applicants as a means for officers to follow up reasons.

All of this advertising would be in addition to

- The need to provide financial information relating to declining trading conditions or patronage.
- An assessment of how the business had been run. For example, if a pub started serving food and holding events would the business viability be restored. This aspect is particularly important where there is a suspicion that a service is being deliberately run down.

It should be noted that the requirements for a pub or shop would vary from those for other types of services and facilities which may be proposed for change of use. For example, redundant churches or meeting halls would be expected to be advertised to local public organisations or voluntary groups to ensure that opportunities are not lost

What the future policy will be - on the understanding that a new policy will be included in the LDF. What will it say, what will the criteria be for advertising etc.

As stated above, there have been a number of cases where PS3 has been poorly applied through a mixture of inconsistent advice or a lack of consultation. However, there is no doubt that PS3 is in need of revision to enable it to be more reflective of changing conditions and pressures. It has already been highlighted by members as an area for early review in the new Local Development Framework (LDF) process

In terms of what a revised PS3 might say, it remains that the revision of policy in the LDF is still emerging and the approaches used elsewhere will be more thoroughly examined as a basis to formulate a revised policy. National and regional policy will also need to be looked at, but clearly there will be an opportunity for members to make sure that policy responds to what is trying to be achieved.

In terms of broad concepts,

- it is already apparent that PS3 needs to include a wider scope of settlements - namely small villages, local centres (e.g. Wilton, Durrington) and suburban communities (e.g. Bemerton Heath, St Pauls Dene, Butterfield Down).
- there is no doubt (in light of recent cases) that a clear schedule of requirements should be set out for applicants to refer to, although officers and members will need to ensure that flexibility exists to consider

all types of proposals. It may be the case that a brief Supplementary Planning Document will accompany the revised policy to address this and other matters of detail.

- In terms of extending the burden on applicants to prove their case, there may be other aspects which can be added in (drawn from suggestions and best practice from elsewhere) however, members must recognise that there will be occasions where, however unsupported, certain premises do become unviable. A policy which is over restrictive will only create vacant boarded up eyesores, rather than allowing the creation of a new house or workshop.
- The current policy only requires that alternative similar uses are looked at rather than any alternative community service use. For example, the recent case of a former bank premises in Durrington restricted the alternative uses to financial services, rather than looking into opportunities for shops or other non-residential uses. The intention is to alter the emphasis to seek any community/service use under the broader banner of creating and maintaining “Sustainable Communities” as advocated by the Office of the Deputy Prime Minister (ODPM).

A final point to note is that a revised PS3 is only part of the solution. PS3 is a negative policy in that it is trying to curtail a form of development when, instead, local communities, should be encouraged to bring forward positive proposals to improve the vitality and viability of settlements. For example, in larger settlements such as Wilton, Amesbury and Durrington, Market and Coastal Town and Parish Plan exercises are being undertaken to chart a way forward - in effect tackling the problem rather than letting it develop. The LDF, through local Action Area Plans, can then take community proposals forward to give them weight in the determination of planning applications, but also enable investment to be attracted from public or private sources.