HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. J/14/74619

DESCRIPTION	Prior Notification: Change of use from B1a (offices) to 4no. 1 bed flats
ADDRESS	113 Leigh Road Eastleigh SO50 9DS

SITE VISIT DATE	16th June 2014
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Change of use from B1a (offices) to 4no. 1 bed flats
TOPOGRAPHY	Flat level site.
TREES	No trees.
BOUNDARY TREATMENT	Open both front and rear with no discernable boundary treatments.
SITE CHARACTERISTICS	Semi-detached two storey house with a bow bay window at the front. To the rear its appears to have been substantially extended however no history to this effect could be located. Recently used as office for Architects, Personnel Management, and Website design offices but is now vacant.
CHARACTER OF LOCALITY	Within a section of Leigh Road containing Semi-detached two storey houses converted for business purposes, whilst retaining a predominantly residential frontage.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/1419/002/00	Change of use of ground floor to A1 (children's hairdressing)	Permitted 6.3.98

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Apex Dental Care	Observed that the proposed parking arrangements need to be provided to future tenants so that there is no conflict between the residential and adjacent business car parking spaces.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation and Engineering	No objection. There is existing parking at the rear for 7 vehicles, which conforms to the unallocated parking standards with additional spaces for potential visitors.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	It should howebver be noted that as a redevelopment / change of use, the properties will not be eligible to joint the CPZ Permit Scheme to park on the road. The applicant should be made aware of this, and must pass the information onto potential residents to avoid confussion. It is noted that a neighbouring property has raised concerns in regard to overspill parking onto their property. Whilst it is not believed this would necessarily happen as the site conforms to standards, and the locality lends itself to non-car use, if it were to become an issue this would be a private matter as the parking as it involves private land only not highway land. In regard to developer contributions, these will not be required as the proposed use would be anticipated to generate less trips than the existing use.
Head of Environmental Health	No comments received.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Eastleigh's Commercial Centre Within HCC Archaeological Area of interest

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011):

- 28.ES (Waste Collection/Recycling),
- 34.ES (Sustainability)
- 59.BE (Development Criteria)
- 72.H (Density)
- 100.T (Minimise Travelling)
- 101.T (Infrastructure Contributions)
- 104.T (Parking)
- 125.TC (General Town Centre principles)
- 130.TC (Leisure and Cultural)
- 141.TC (Upper Floors)
- 147.OS (Public Open Space)
- 191.IN (Social Infrastructure)

Amended Pre submission Eastleigh Borough Local Plan 2011-2029:

- DM1 (Development Criteria)
- DM2 (Sustainable Development)
- DM23 (Transport)
- DM24 (Parking)
- DM25 (Residential Development)
- DM21 (Upper Floors)
- DM29 (Internal Space Standards)
- DM32 (Public Open Space)
- DM35 (Community Infrastructure)
- DM37 (CIL/S106)
- E6 (Eastleigh Town Centre)

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

- E7 (Urban Renaissance Quarter)
- E8 (Public Realm Improvements)

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Planning Obligations

CHARACTER APPRAISAL AREA

Not within a Character Area

SPECIAL POLICY AREA

Not within a Special Policy Area

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that "These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application would usually be assessed. However, this is a prior notification application where only transport, land contamination and flooding can be taken into consideration.

COMMENT ON CONSULTATION RESPONSES

None received		See below	x	
Noted and informative added				

COMMENT ON REPRESENTATIONS RECEIVED

None received		See below	x	
Unfortunately, due to this application being a prior notification, the LPA cannot take the concerns raised by the adjoining resident into account. An informative regarding parking has been included on the decision highlighting the concerns of this resident.				

PLANNING OBLIGATION/CONSIDERATIONS

While planning obligations towards Community Infrastructure, Public Open Space, Sustainable Transport and Affordable Housing would usually be required for a residential scheme of this nature, under the Class J procedure, obligations cannot be insisted upon and do not therefore form part of the application or decision.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

MATERIAL CONSIDERATIONS

On 9 May 2013, secondary legislation was laid before Parliament which for a three year period between 30th May 2013 and 30th May 2016 permits the change of use of any building falling within class B1(a) (office) to a C3 (dwelling house) subject to an application to the LPA to determine whether prior approval is required, with the ONLY matters for consideration being the transport and highway impacts, contamination risks, and flood risk.

In determining whether the original use falls within class B1a, the previous history has been reviewed. The Land Use Gazetteer, a comprehensive guide to land uses and their use classes. In this publication, Solicitor's office is define as principally as B1, with an A2 use where for visiting members of the public. In reviewing the history for the site, there is no evidence to suggest the office was for visiting members of the public, therefore the use as define within the Gazetteer has been used.

This issue will be drawn to the attention of the applicant within the decision notice.

Transport & Highway Impact: Given the relatively small scale of the proposal and its location in the heart of the town centre where various uses and facilities, including public transport are readily available, it is unlikely that the development would have any adverse or unacceptable impact upon the local transport network. There is space within the site to provide parking and the Council's Engineering unit have raised no objection.

A note to applicant is included to make them aware that future residents will not be entitled to parking permits and that it is requested that good quality secure cycle/bin storage is provided for the development.

Contamination Risks: The proposal would not require any ground works and the site is not known for contamination or risk of contamination therefore there is minimal risk.

Flood Risks: The site is outside of any at risk flood zones, meaning that flooding is unlikely to be an issue in this instance.

OTHER MATERIAL CONSIDERATIONS

Under normal circumstances, the Revised Draft Eastleigh Borough Local Plan 2011-2029 would also be relevant. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. However, this is a prior notification application where only transport, land contamination and flooding can be taken into consideration.

CONCLUSION

In view of the above it is recommended that prior approval be granted, with informatives relating to parking, cycle and bin storage and noise insulation.