REF. NO. J/13/73734

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Change of Use from B1 office to 5 no. residential flats at first floor 1st Floor Offices South West Block The Mall 120 Winchester Road Chandler's Ford Eastleigh SO53 2QD

SITE VISIT DATE – 12/12/2013

ARE PLANS ACCURATE? – Basic but sufficient

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. This application has been submitted under the new Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, Schedule 2, Part 4, Class J which allows the conversion of B1a office uses to C3 residential. The Local Authority can only consider these applications on the grounds of the transport and highway impacts of the development, contamination risks of the site and flood risks of the site. However, this permitted change of use is only allowed for a temporary period ending on 30th May 2016.
SITE AREA	Approximately 450 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 111 dwellings per hectare.
TOPOGRAPHY	Flat and level.
TREES	None.
BOUNDARY TREATMENT	No boundaries as such because the site is at first floor level.
SITE CHARACTERISTICS	The current offices form the first floor of the south-western block of 'The Mall' development, which consists of retail units on the ground floor, offices on the first floor of one block and a currently disused club on the first and second floors of the north-eastern block. To the rear is a parking/service yard and bin storage.
CHARACTER OF LOCALITY	The Mall sits in the centre of the Fryern District Centre, the main commercial centre for Chandler's Ford, which has a good range of shops, cafes, restaurants, offices, community facilities and some residential properties.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
	Various changes of use and advertisements consents.	
Z/29229/000/00	Erection of eleven shops and four offices at ground floor with snooker lounge and offices above.	Approved Jan 1988

REF. NO. J/13/73734

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received.	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transport & Engineering	Concerns that the proposed parking arrangements do not meet the necessary Council standards but accepts that this is a district centre location where public transport, retail and job opportunities are in the locality. Residents will have to be made aware that they will not be entitled to resident parking permits and that there is no on-site parking available. The plans do not show where secure bin and cycle storage is to be accommodated, although there appears to be space in the rear service yard. Contributions towards transport measures have also been requested as is required by all new residential development.
Head of Environmental Health	No comments received.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Mixed Use Area

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

Eastleigh Borough Local Plan Review (2001-2011): 28.ES, 34.ES, 59.BE, 74.H, 101.T, 125.TC, 138.TC, 140.TC, 141.TC, 147.OS & 191.IN
Pre submission Eastleigh Borough Local Plan 2011-2029: DM1, DM2, DM21, DM23, DM24, DM25, DM28, DM29, DM32, DM35, DM37 & E7
Supplementary Planning Document: Quality Places
Supplementary Planning Document: Residential Parking Standards
Supplementary Planning Document: Environmentally Sustainable Development
Supplementary Planning Document: Planning Obligations
Supplementary Planning Document: Affordable Housing

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

The comments made by the Head of Transportation and Engineering with regards to lack of parking, details of bin and cycle storage, as well as transport contributions are noted. However, Class J states that only the three areas highlighted above (transport, contamination and flooding) can be considered, meaning that the issues of bin and cycle storage or car parking cannot be insisted upon or used as a reason for refusal. Notwithstanding these issues, the applicant has confirmed that secure bin and cycle storage will be provided as part of the scheme.

While no comments have been received from the Head of Environmental Health, in this instance, given that the proposal is for the conversion of a reasonably modern building, it is very unlikely that there would be any contamination issues related to the site which have not already been dealt with or which could not be dealt with via Building Regulations.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

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."

Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

In this case policy issues for consideration include:

Transport & Highway Impact – Given the relatively small scale of the proposal and its location in the heart of the district centre where various uses and facilities, including public transport are available, it is unlikely that the development would have any adverse or unacceptable impact upon the local transport network.

REF. NO. J/13/73734

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Contamination Risks – The site has previously been used for various retail and office purposes, as well as car parking. Given that there would be no ground works required, it is felt that the potential for land contamination, either from the site or surrounding sites, affecting future occupiers will be very limited.

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

Also of relevance is the Revised Draft Eastleigh Borough Local Plan 2011-2029. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

While the nature of the change of use proposed may not usually be considered acceptable, due to issues of providing suitable parking and amenity space for future residents, these are issues which either cannot be considered under Class J, or which carry little weight. As such it is recommended that prior approval is granted.