**REF. NO. F/11/69039**

## PLANNING APPLICATION REPORT

| | | |
|---|---|---|
| DESCRIPTION/ ADDRESS | - | Change of use from office (B1) to residential.<br>Flat 6a Kingfisher House, 2-12 Hursley Road, Chandler's Ford, Eastleigh, SO53 2FU. |

SITE VISIT DATE – 15/06/2011

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

**THE SITE AND ITS SURROUNDINGS**

| | |
|---|---|
| DESCRIPTION OF APPLICATION | As above to convert a currently vacant office unit above a retail shop back to a residential maisonette. |
| SITE AREA | Approx 85 sqm. |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | 117 dwellings per hectare. |
| TOPOGRAPHY | Flat and level. |
| TREES | There are a number of trees within the main frontage area but none would be affected. |
| BOUNDARY TREATMENT | As the development is at first floor level and above, there are technically no boundaries to the site other than the walls of the unit. |
| SITE CHARACTERISTICS | Three bedroom former maisonette covering the first and second floors of a three storey terraced building. The application unit sits above a ground floor shop unit within a parade of other retail units. |
| CHARACTER OF LOCALITY | The area is quite mixed with retail units, offices, a garage and residential flats and houses, as well as a railway station very close by. |

**RELEVANT PLANNING HISTORY**

| REFERENCE | DESCRIPTION | DECISION |
|---|---|---|
| F/09/64799 (4a Hursley Road) | Change of use from B1 office to C3 maisonette. | Approved Jul 2009 |
| F/08/62872 (10a Hursley Road) | Change of use from B1 office to C3 dwelling. | Approved Aug 2008 |

**REPRESENTATIONS RECEIVED**

| SOURCE | SUMMARY OF CONTENT |
|---|---|
| None received. | |
| | |

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**CONSULTATION RESPONSES**

| CONSULTEE | SUMMARY OF RESPONSE |
|---|---|
| Chandler's Ford Parish Council | No comments received. |

**POLICY CONTEXT**

| DESIGNATION APPLICABLE TO SITE |
|---|
| Within Built-up Area Boundary<br>Within Mixed Use Area |

**DEVELOPMENT PLAN POLICIES**

Eastleigh Borough Local Plan Review (2001-2011) : 59.BE, 71.H, 120.E, 147.OS & 191.IN
Supplementary Planning Guidance : Residential Amenity in the Borough of Eastleigh
Supplementary Planning Document : Planning Obligations

**PLANNING POLICY GUIDANCE / STATEMENT**

PPS 1 - Delivering Sustainable Development
PPS 3 - Housing

**POLICY COMMENTARY**

The above policies combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed, its impact on residential amenity, the layout and design of that proposed and its impact upon the street scene and character of the area.

**COMMENT ON CONSULTATION RESPONSES**

n/a

**COMMENT ON REPRESENTATIONS RECEIVED**

n/a

**PLANNING OBLIGATION/CONSIDERATIONS**

In accordance with the requirements of Circular 05/05 and the guidance contained within Policies 101.T, 147.OS and 191.IN of the Eastleigh Borough Local Plan Review (2001-2011), this application is subject to developer's contributions towards the provision of social and recreational facilities, off-site public open space and transportation infrastructure in the local area.

The applicant has made an up front payment of the necessary contributions.

**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*

**ASSESSMENT OF PROPOSAL**

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

*made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

The proposal is considered to conflict with relevant Development Plan policies. However, in this instance an exception to policy is considered justified.

In this case policy issues for consideration include:

**Principle** – The application site lies within the urban edge where the principle of development is considered acceptable, provided the detailed design and impact of that proposed is considered to be appropriate. Of particular relevance in this instance are saved Policies 59.BE (design and amenity), 71.H (mixed uses) and 120.E (development of smaller employment sites) of the local plan. Policy 71.H encourages mixed use development where appropriate and 120.E allows the change of use of unidentified employment sites within the urban edge to residential, provided it is an appropriate location, the site is not more suitable to an industrial or commercial use, and that it does not markedly reduce the number and range of industrial/commercial premises.

Also of relevance in this case is the approval for a similar changes of use within the same block which were granted in July 2009 and August 2008. This application is submitted by the same applicant, who also owns a couple of other of these maisonette/office units within the building. A number of these have been vacant for some time with no interest shown by any commercial tenants, including the application property. Despite a Planning Policy objection to this application at the time, it was approved and therefore sets a precedent for this current planning application.

**Residential Amenity** – There are a number of issues with regards to residential amenity to be taken into consideration. These relate more to the amenity of future occupiers of the maisonette and how the remaining commercial units around it would impact their quality of life. The previous application required details of sound insulation measures to be submitted, in order to protect occupants from the neighbouring units. It is intended to repeat this condition.

A further issue is the lack of any external amenity area for the maisonette and is required by the adopted SPG on residential amenity. This requires at least 25 square metres per flat, although it could be argued that as this would be a three bedroom maisonette suitable for a family, that more external amenity space is required. However, the view was taken as part of the first approval that there is a suitable park within a few minutes walk which would adequately serve this need. It would also appear that there was little or no external amenity area provided when these maisonettes were originally built, before they were subsequently converted into offices.

While there are concerns in respect to residential amenity, the precedent has already been set and very recently. It would therefore be very difficult to refuse an identical application on these grounds.

**Layout & Design** – There would be very minimal internal alterations required to the building to convert it back into a domestic residential use, simply the provision of a kitchen and bathroom. Externally there would be no change.

In terms of parking arrangements, the existing situation uses a shared communal parking area to the front and rear of the building. The application unit would have a right to use these areas but there would be no specifically allocated spaces. The Head of Transportation and Engineering did not raise any concerns in this respect and was of the view that the change of use would improve the situation, the residential use requiring less parking provision than the

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**ASSESSMENT OF PROPOSAL**

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previous commercial use.

**Street Scene & Area Character** – As has already been stated above, the external appearance of the building would be unaltered, therefore having no impact upon the street scene. In terms of the character of the area, this is already mixed with commercial and residential properties being fairly close to one another. The proposed change of use back to residential will effectively convert the maisonette back to its original purpose and in turn will provide much needed cheaper living accommodation for the area. It is therefore felt that the proposal will not have an adverse or unacceptable impact on the general character of the area or result in any significant reduction in commercial premises, given that it has been empty for some time with no interest shown.

**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS**

For the reasons given above, the application is recommended for approval subject to conditions.