REF. NO. J/15/76497

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Prior Notification: Change of use from B1a (office) to C3 (residential) to create 5no. one bedroom & 3no. two bedroom flats. 101 - 103 Desborough Road Eastleigh SO50 5NT

SITE VISIT DATE – 04/06/2015

ARE PLANS ACCURATE? - Yes

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 388sqm / 0.038ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	Approximately 206 dwellings per hectare.
TOPOGRAPHY	Flat and level.
TREES	None on or adjacent to the site.
BOUNDARY TREATMENT	The building is hard up against the pavement to the front and side. The rear has a canopied car port. The courtyard area is enclosed by a combination of the building and a 1.8-2m fence and wall.
SITE CHARACTERISTICS	The site was originally two separate dwellings both of which have, following extensive extensions been converted to office accommodation. The building now takes up a large proportion of the plot. The previously enclosed front garden areas have been opened up to provide 1-2 parking spaces. To the rear is a service road/back-way which serves all the properties in this section of Desborough and Cranbury Roads. Off this back way are 3-4 car parking spaces and a side access leading to a small internal courtyard area.
CHARACTER OF LOCALITY	Residential area close to the town centre with a strong character. Predominantly Victorian/Edwardian terraced housing in a regular gridiron format with shallow set back properties addressing the street with enclosed front yards.

REF. NO. J/15/76497

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/14/75295	Conversion of under croft parking to 1No. one bedroom flat.	Approved Dec 2014
J/14/74822	Prior Notification: Change of use from B1a (Office) to 2No. studio, 5No. one bedroom and 2No. two bedroom flats.	Prior Approval not required, Aug 2014
J/14/74666	Prior Notification for: Change of use from B1a (Office) to C3 (Residential) to create 2no. 3 bed and 1no. 4 bed dwelling.	Prior Approval not required, 17th July 2014
F/14/74007	Change of use of office to 2no. 3 bed dwellings and 1no. 4 bed dwelling.	Refused 1st April 2014
Z/12222/005/00	Erection of two storey office with car parking at rear.	Permitted Jan 2001
Z/12222/04	Demolition of existing buildings and erection of 2 storey office.	Permitted Nov 1989

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None received.	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	In terms of transport impact, which can form an objection to a 'J' application, there is no objection, subject to a wall or similar physical structure being provided along the front boundary to prevent vehicle parking in a location too close to the 4-way junction. In terms of additional vehicle trips on the local highway network, this change will be negligible compared to the existing use, and due to the lack of parking, it is likely that the development will essentially be car free, with only minimal shared parking available on-site, and no resident entitlement to become members of the EBC Controlled Parking Zone – which future residents must be clearly informed of prior to signing purchase / rental agreements.
Head of Environmental Health	No comments received.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

REF. NO. J/15/76497

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 28.ES, 34.ES, 59.BE, 74.H, 101.T, 125.TC, 138.TC, 140.TC, 141.TC, 147.OS & 191.IN

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014' Policies DM1, DM2, DM21, DM23, DM24, DM25, DM28, DM29, DM32, DM35, & DM37

Supplementary Planning Document: Quality Places
Supplementary Planning Document: Character Area Appraisals – Eastleigh (ELAC 15)
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 concerns with regards to vehicles using the frontage for parking are noted but it is believed that this land is not within the control of the application site and is in fact highways land. It would therefore not be possible to insist upon the applicants building a wall or other physical structure to prevent unauthorised parking. However, an advisory note to the applicant can be included.

COMMENT ON REPRESENTATIONS RECEIVED

n/a

PLANNING OBLIGATION/CONSIDERATIONS

While planning obligations towards Community Infrastructure, Public Open Space, Sustainable Transport and Affordable Housing may 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.

REF. NO. J/15/76497

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 very near to the town 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.

Contamination Risks – The site has previously been used for various residential, retail and office purposes. 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.

Nature Conservation – The proposal is not considered to result in a likely significant impact on a European Protected site (SPA, SAC or Ramsar). HRA (Habitat Regulations Assessment) screening was not required for this development as it falls outside the designated zone of impact.

The site falls outside the 5.6km buffer zone for the Solent SPA. A contribution of £170 per dwelling is not therefore required and cannot be secured via this 'J' Class procedure, to mitigate the increased recreational pressure resulting from the development.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. 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 and has previously been refused, 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 considered that prior approval is not required.

REF. NO. J/15/76497