MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. C/16/78447

DESCRIPTION/ ADDRESS	Change of use from A2 to mixed A1 (retail) and D1 (gallery/ teaching space) The Old Post Office High Street Hamble-Le-Rice Southampton SO31 4HA

SITE VISIT DATE	01st June 2016			
ARE PLANS ACCURATE?	x	Yes		
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	x	Yes		

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Change of use from A2 to mixed A1 (retail) and D1 (gallery/ teaching space) to allow for retail space along side art gallery/exhibition with arts and crafts classes and workshops					
SITE AREA	174.50 sq metres					
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A					
TOPOGRAPHY	x	Level		Sloping …..		Other …
TREES	x	No		Yes		
BOUNDARY TREATMENT		Open frontage, with premises opening onto a wide step raises from the level of the public footpath. Enclosed to the rear				
SITE CHARACTERISTICS	The premises was historically a Post Office and previously a letting agency (A2 Use) comprises a semi-detached building with an existing shop frontage facing onto Hamble Square. There is a residential unit above. No current signage.					
CHARACTER OF LOCALITY	Site is within Hamble Square, a designated Local Centre comprising a variety of commercial premises and residential properties. The existing uses include several pubs/restaurants, a variety of retail premises, estate agency and a bank. Hamble Accommodation, the applicant's business, is currently run from a premises in the High Street, within the Hamble Square Local Centre.					

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
C/10/66545	Change of use from A1, to a Lettings Agency (Use Class A2)	Permitted 2010
X/16/78448	Relief of condition 2 of planning permission C/10/66545 to allow extended hours	Pending

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Neighbouring occupier – St Albans House	Proposal fully supported - Gallery and Workshops are vital for the community art scene and we welcome the opening of the Gallery

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
HAM	No objection
Highways	The Council's Engineering unit raise no objection to the proposal
Environmental Health	raise no objection to the proposal

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
• Within Built-Up Area Boundary • Within Established Residential Area • Within Designated Conservation Area • Within Hamble Square Local Centre

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

Eastleigh Borough Local Plan Review (2001-2011) 59.BE, 139.TC, 169.LB

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'
- DM1, DM20 (changes of use in retail frontages in district and local centres)

Supplementary Planning Guidance: Quality Places

CHARACTER APPRAISAL AREA

N/A

SPECIAL POLICY AREA

N/A

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework - Para 14 – sustainable development

POLICY COMMENTARY

The above policies combine to form the criteria on which this application will be assessed with particular regard to the principle of the proposed development, impact on the amenities of neighbouring residents and impact on the surrounding Conservation Area.

COMMENT ON CONSULTATION RESPONSES

	See below		N/A

COMMENT ON REPRESENTATIONS RECEIVED

	See below		N/A

PLANNING OBLIGATION/CONSIDERATIONS

N/a

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.

Saved Policy 139.TC states that proposals for development of and change of use of the ground floor of premises from A1 to A2, A3, A4 and A5 use, will be permitted in the local parades/village centres identified on the proposals map provided that no more than 35% of the total shopping frontage length of the centre would be given over to non-A1 retail uses as a result.

MATERIAL CONSIDERATIONS

Principle

The application falls within the urban edge where the basic principle of development is considered to be acceptable, as well as forming part of an established local shopping area. This being the case, the most relevant policy is 139.TC. The policy aims to protect a choice of day to day shops locally which reflects the Council's commitment to maintaining a strong core of retail uses in designated centres.

The impact of the proposal on the vitality, viability and character of the neighbouring parade:

Based on the councils most recent published figures available (July 2015 – details of occupancy of occupancy background papers) which are consistent with the current situation in the area. In Hamble square the percentage of A1 retail frontages stands at 36% whilst 13% are noted to be non-A1.The proposal would provide a retail frontage whilst the mixed use D1 (art studio) element would reside in a room to the rear of the unit therefore restoring a positive contribution to footfall and active frontage as positively expressed by the policy provision. In principle the application is considered to be in accordance to the adopted and emerging policy by allow the reinstatement of a retail use to the area whilst the studio space would add positively to the vitality and viability of the village centre.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Amenity:

In addition the proposal also seeks permission for a variation to the hours of opening. Whilst Monday- Friday, Saturday and Sunday are considered a minor variation, exhibitions and classes would be held twice weekly from 6pm to 9pm either on Tuesday, Wednesday or Thursday evening. Whilst we acknowledge the proximity of residential uses adjoining and above the host premises, the officers and Environmental Health Officer see no additional harm as a result of the use and extended hours, therefore no impact is considered to neighbouring occupiers by the type of D1 use subject to the hours of operation.

Highways:

The use class is considered not to impact on highways provision, a non-objection is raised by the Highways Engineer therefore the officers accept no significant impact as a result of the proposal.

Overall, for the reasons as outlined above, the application is considered to comply with the requirements of the relevant development plan policies, associated supplementary planning guidance and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

The recommendation is to permit subject to condition.