REF. NO. F/15/77374

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Change of use from A1 (retail) & C3 (dwellinghouse) to ground floor office (B1 use) & first floor 2 bed flat (C3 use) with associated elevational alterations to building. 108 Park Road, Chandler's Ford, Eastleigh, SO53 1HY

SITE VISIT DATE – 18/11/2015

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The shop has ceased trading and has been closed for some time. The existing residential element of the site is directly linked to the retail and is not and has not been used as a separate residential dwelling/flat.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DENSITY (NET)	No change from existing.
TOPOGRAPHY	Flat and level site.
TREES	There are no trees on or adjacent to the site which would be affected.
BOUNDARY TREATMENT	Open onto Park Road at the front, a 1.8 metre high timber fence to the southern boundary with No.106, a 1.8 metre high brick wall along the adjacent rear access drive and open to the rear onto a parking area.
SITE CHARACTERISTICS	Two storey end of terrace shop/dwelling dating from 1900 and was built as a purpose built shop and house. According to records held at the Civic Offices, it has been used as a shop of one sort or another since that time except for a short period between 2005 and 2008 when it was used purely for residential purposes. In 2008 permission was again given for the property to be turned back into a retail unit with associated residential accommodation. To the front is an area of hardstanding which can accommodate two cars with a shared access drive down the side leading to a decent size rear garden and informal parking area.
CHARACTER OF LOCALITY	The surrounding area is predominantly residential in nature and made up of a mixture of detached, semi-detached and terraced dwellings of varying ages, sizes and architectural styles. the small group of terraced properties of which the application site forms a part is a little unusual when compared to the majority of surrounding development.

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RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/08/63569	Change of use from residential (Use Class C3) to convenience store (Use Class A1).	Approved Oct 2008
F/04/52547	Retrospective application for change of use from retail shop to residential.	Approved Sept 2005
Z/05465/010/00	New shop front.	Approved May 1993
Z/05465/007/00	Single storey side extension.	Approved Aug 1988
Z/05465/006/00	Two storey rear extensions.	Approved Nov 1987
Z/05465/002/00	The erection of storage building for use in connection with grocery business	Approved Mar 1965

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Rashleigh – 112 Park Road	Object on the grounds of impact of proposed parking to the rear upon neighbouring properties.
Phyllis Pace – 110 Park Road	Object. Concerns with regards to use of access to the rear for parking and whether there is sufficient space in which to turn a car. Also concerned with regards to safety and use of No.110's side door onto the access, as well as use of the building by non-residents.
Paul Pace – 114 Park Road	Object. Side access is for use of residents and has never been used for parking, concerns that access will be blocked together with safety concerns.
Miller – 106 Park Road	Concerns with regards to access and parking at the rear.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation & Engineering	No objection in principle, subject to: Commercial use. 1. Parking to the rear for 4 vehicles is accepted, however there is a 'blocking' vehicle shown that should be relocated as this could become obstructive to other users of the rear access 'track'. There is adequate rear garden space that could be extended into to provide the additional bay. 2. It is understood that the 'track' is utilised for rear access to adjacent properties. As such, there should be adequate space retained for the turning of these vehicles. 3. All 4 spaces to the rear should be marked up via Condition E04 (provision of parking prior to occupation). As such, revised plans should also include demarcation lines. Residential use. The parking for 2 vehicles to the front is acceptable, and access to these already exists. A cycle store in the rear garden should be provided, but the residential element is otherwise acceptable.

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POLICY CONTEXT

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

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

Eastleigh Borough Local Plan Review (2001-2011), saved Policies 25.NC, 59.BE, 101.T & 120.E

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, DM9, DM11, DM12, DM24 & DM37

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

NATIONAL PLANNING POLICY GUIDANCE

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be "out-of-date". The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

Paragraph 17 sets out twelve core principles that underpin the planning system, one of which is that planning should "always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings". However, another of these core principles is that planning should "proactively drive and support sustainable economic development."

Paragraph 19 goes on to state that "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the principle of that proposed, issues of layout and design, parking and highway matters, residential amenity, area character and nature conservation.

COMMENT ON CONSULTATION RESPONSES

All comments are noted and responded to where appropriate below.

COMMENT ON REPRESENTATIONS RECEIVED

All comments are noted and responded to where appropriate below.

PLANNING OBLIGATION/CONSIDERATIONS

In accordance with the provisions of the following;

- National Planning Policy Guidance
- Community Infrastructure Levy Regulations 2010 (SI 2010/948) as amended by the Community Infrastructure Levy (Amendment) Regulations 2011 (2011/987)
- Saved policy 101.T of the Eastleigh Borough Local Plan Review 2001-2011
- Emerging policies DM23 and DM37 of the Submitted Eastleigh Borough Local Plan Review 2011-2029
- Supplementary Planning Document – Planning Obligations

Planning obligation contributions may be sought to offset the impact of the development on local infrastructure, in this instance towards Sustainable Transport works. However, in this case given that the previous shop use would have generated significantly more multimodal trips than the proposed uses, contributions are not required.

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."

In this case policy issues for consideration include:

Principle – The main Local Plan policies in this instance are saved Policies 120.E and 59.BE of the Eastleigh Borough Local Plan Review (2001-2011).

Saved Policy 120.E allows for the redevelopment of new and existing employment sites which are within the urban edge but which are not within identified employment areas, which would include the application site. This policy sets out a number of criteria which must be met in order for a development to be considered acceptable. The most relevant in this case are criterion i. & ii. These state that proposals will be permitted provided: i) it will “cause no demonstrable harm to the amenities and environment of occupiers of nearby existing or proposed housing”; and ii) will “not generate traffic which would result in unacceptable traffic levels on adjoining roads or endanger other road users”.

Saved Policy 59.BE of the Local Plan which 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes.

While not the most obvious location for an office development, in planning principle terms there is nothing to prevent such a use within this predominantly residential area. The issue therefore is whether the use will have any adverse or unacceptable impact upon the amenities of neighbouring occupiers or the area on general.

Layout & Design – Externally the building would appear little different other than a general refurbishment which would improve its appearance. The main works would be internal to form a self-contained office on the ground floor and two bedroom flat on the first floor. This flat would utilise an

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

existing side access door and the office the existing front shop door. The patio area immediately behind the building would be retained for use by the office, with the remainder of the rear garden given over to the flat as an external amenity area. The very rear part of the site will be tidied up and used for parking. In terms of layout and design there are not considered to be any issues of concern.

Parking & Highway – Concerns have been raised that the rear parking area is not sufficiently large enough to accommodate the level of parking proposed. It is a little unclear on the ground exactly where the site ends but there is more than sufficient space to use some of the rear garden for additional parking should it be required and without adversely impacting the usability of the external amenity space for the flat. The Head of Transportation and Engineering has requested a condition to ensure that the parking area is provided prior to occupation of either the office or flat.

More than sufficient off-road parking for both the office and residential use can be provided on site and in such a way that should not result in blocking access to neighbouring properties. Equally the level of traffic associated with the uses would be less than when the shop were in operation, so there would be no adverse or unacceptable impact upon the local highway network.

Residential Amenity – The main amenity concerns raised relate to use of the side access track for parking to the rear, as well as its use by non-residents. While it is acknowledged that the rear parking area may never have been used on a regular basis when the shop was in operation, there was nothing in place to prevent this rear area being used for parking. Given that it does appear to be used by some residents for parking their vehicles it would be unreasonable to prevent either of the proposed uses from doing so, provided it was done in a considerate manner. Damage to the access track has been raised but this is a matter to be resolved between the relevant land owners and there is nothing to suggest that the track would be subjected to any more intensive use than if it was for purely residential purposes. It is unlikely that that the level of use would result in any unacceptable impact upon the amenity of adjacent residents over and above a busy residential use. This could not therefore be used as a reasonable grounds for refusal.

Equally, given that the nature of an office use of this modest scale would be much less intensive than the previous retail use of the site, it is again unlikely that there would be any adverse impact upon neighbouring occupiers in terms of noise or disturbance. However, it is recommended that the hours of use for the office be restricted in order to ensure that the amenity if the occupier/s of the first floor flat and neighbouring attached property are protected.

Area Character – While an office use is a little unusual in this residential area, there is nothing in planning terms which states that such a use would be unacceptable. It has also been shown that the intended use is unlikely to have any more impact than the previous retail use. That being the case it is not considered that the office use would have any unacceptable impact upon the general character of the surrounding area.

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.

OTHER MATERIAL CONSIDERATIONS

Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not to be adopted in its present form, it does give an indication of what the current local plan's replacement would include. 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.

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CONCLUSIONS

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