MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/17/79749

DESCRIPTION	Change of use from storage (use class B8) to office (use class B1)
ADDRESS	36 Hiltingbury Road Chandler's Ford Eastleigh SO53 5SS

SITE VISIT DATE	17/1/17 SN
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	• The application is proposing the change of use from storage (use class B8) to office (use class B1)
SITE AREA	• 210sqm.
TOPOGRAPHY	• The site is relatively flat and level
TREES	• There will be no trees affected by the proposed development.
BOUNDARY TREATMENT	• The site is open onto the service area which serves No. 36 and the neighbouring premises. There is close-boarded timber fencing marking the rear boundary with Lakesbury Mews.
SITE CHARACTERISTICS	• The application site contains a detached building situated to the immediate rear of No. 36 Hiltingbury Road within the service area which provides for rear access to both this as well as the other premises within the terrace that it forms part of • The building has a small kitchen and WC facility, at one side part of the building has been blocked up with a roller shutter and is the provision of a bin and cycle store
CHARACTER OF LOCALITY	• The site falls within a mixed-use area and within the boundary of the Hiltingbury Road (Eastern End) Neighbourhood Parade as designated within the Council's adopted Local Plan. This parade is

THE SITE AND ITS SURROUNDINGS

	formed of a mixture of retail and commercial uses with offices immediately above. There are further office buildings to the immediate rear of the site with residential uses beyond. The neighbourhood parade is served by a frontage car parking area which is accessed from Hiltingbury Road.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/09211/001/00	Erection of illuminated projection sign	CONSENT TO ADVERT DISPLAY – 31/10/1974
A/09211/002/00	Illuminated fascia	CONSENT TO THE ADVERT DISPLAY – 02/08/1979
Z/09211/003/00	Erection of single storey replacement storage building at rear	PERMIT – 06/02/1981
Z/09211/005/00	Erection of prefabricated storage building at rear	PERMIT – 07/12/1998
F/15/75960	Erection of building for storage (B8) and ancillary office, following demolition of existing	PERMIT – 03/06/2015
F/16/77814	Retrospective: Addition of wall mounted refrigeration unit to south - eastern side elevation of building	Withdrawn
F/15/77665	Erection of independent detached building for storage (B8) with ancillary office & associated car parking	PERMIT 26/1/2016

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
34 Hiltingbury Road	COU will have an impact upon existing businesses as there is insufficient parking for additional vehicles

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Chandlers Ford Parish Council	No comments received.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Transportation and Engineering	No objection. The proposed conversion will extend the existing (B1) office space (currently approx. 27sqm) by approximately 25sqm with the removal of the storage area (B8). As such, whilst more multi modal trips are associated with B1 compared to B8, the impacts on the local highway network would not be anticipated to be severe, in line with the requirement from NPPF for a justified reason for refusal on highway grounds. There will however be an impact on the local highway network, accumulative with other development in the vicinity, and for this reason a proportionate Transport Developer Contribution is requested. In line with the HCC Transport Contributions Policy, this equates to £535 (+ indexation) to be utilised on local highway improvements of benefit / mitigation to the site.
Head of Environmental Health	No objection, if external plant is required than add condition that none shall be installed without prior permission.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Designated Neighbourhood Parade – Hiltingbury Road East

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

Eastleigh Borough Local Plan Review (2001-2011), Saved Policies 59.BE, 101.T, 120.E, 133.TC.

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, DM11, DM20, DM23, DM24.

Supplementary Planning Guidance: Quality Places (2011)

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

Supplementary Planning Document: Planning Obligations (2008)
Town Centres, Local Centres & Shopping Parades – Details of Occupancy Background Paper (2016)

CHARACTER APPRAISAL AREA

NA

SPECIAL POLICY AREA

NA

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework (NPPF):

The NPPF sets out a presumption in favour of sustainable development which lies at the heart of the Framework (para. 14). It also requires that development does not undermine quality of life, emphasizes the importance of good quality design, the creation of attractive places, as well as the ensuring of a good standard of amenity for existing and future residents (para. 17).

It states that the planning system should support sustainable economic growth (para. 18), promote competitive town centre environments that provide customer choice and reflect the individuality of town centres, and recognise town centres as the heart of their communities and pursue policies to support their viability and vitality (para. 23).

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 and use of the development proposed, layout and design, residential amenity, highway matters, and the impact of the proposals upon both the character of the area and the vitality and viability of the designated Hiltingbury Road East Neighbourhood Parade.

COMMENT ON CONSULTATION RESPONSES

Noted. The Head of Environmental Health has requested a condition be added that if any external plant equipment is required then permission be sought. The previously approved application did not add such a condition and it is onerous to add the condition for this application.

COMMENT ON REPRESENTATIONS RECEIVED

The neighbouring business has objected to the proposal stating that it would have an impact upon parking for the neighbouring businesses. The Head of Transportation and Engineering has raised no concern that the proposal will impact upon the parking situation. The building is of modest size therefore it will only be able to accommodate a certain amount of individuals. There is parking at the front of the shop/businesses and in the case of the objector, their business has parking which is secured and not accessible to others.

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 policy DM23 of the Submitted Eastleigh Borough Local Plan Review 2011-2029.
- The Council's adopted Supplementary Planning Document – Planning Obligations

Planning application F/15/75960 (Erection of building for storage (B8) and ancillary office, following demolition of existing) did not seek transport contributions as the building was in relation to the existing shop. Planning application F/15/77665 (Erection of independent detached building for storage (B8) with ancillary office & associated car parking), sought money and contributions were secured via an up - front payment. In this instance it is not considered necessary to seek further monies. While the Head of Transportation and Engineering has said the use is likely to impact upon the transport network it is considered onerous to seek contributions for the same site where an office was proposed albeit ancillary approved January 2016.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

Development Plan Policies:

Eastleigh Borough Local Plan Review (2001-2011):

Saved 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, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, provision to be made for refuse and cycle storage, and development to avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Saved Policy 101.T states that development which results in additional traffic on the local road network greater than the levels of growth permitted by the RTRA targets for the Borough of Eastleigh will: (i) only be permitted if the Council is satisfied that there is a proven need for the development in the location proposed and; (ii) be subject to the provision of contributions towards the implementation of the Local Transport Plan and/or other transport proposals set out in this local plan. Any such contributions will be set at a level appropriate to the scale and impact of the development.

Saved Policy 120.E states that within the urban edge, proposals for B1, B2 and B8 uses on new sites will be permitted providing all the following criteria are met. They: (i) cause no demonstrable harm to the amenities and environment of occupiers of nearby existing or proposed housing; (ii) do not generate traffic which would result in unacceptable traffic levels on adjoining roads or endanger other road users; and (iii) do not conflict with Policy 134.TC on the location of office development.

Saved Policy 133.TC: Whilst this policy relates to further development for retail and town centre uses or other community services in identified district, village and local centres and neighbourhood parades, and it is acknowledged that in the strictest terms the development proposed is not categorized as such a use, given the location of the site it is still considered that its criteria are of relevance to this application. These require that development: (i) does not undermine the commercial coherence of the existing centre; (ii) it is not of a format or scale which would increase distances travelled or which would undermine the role of another centre; (iii) provides a continuous visible retail frontage, which avoids creating blank frontages; (iv.) shows that all storeys are designed for active use such as housing or office use; (v.) enhances and adds vitality to the centre, by providing a varied and interesting design and conforms to policy 59.BE; and (vi.) enhances

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community safety.

Saved Policy 139.TC states that proposals for the development of or 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.

Saved Policy 140.TC states that proposals for development or change of use on ground floors from a shop, financial service, restaurant, drinking establishment or hot food takeaway (use classes A1, A2, A3, A4 and A5) to a use which does not attract customers, within the shopping areas identified on the proposals map, will not be permitted.

MATERIAL CONSIDERATIONS

Principle:
The application site lies within the urban edge where Saved Policy 120.E does allow for development proposals for B8 uses subject to a number of criteria being met. The site also, however, lies within a designated neighbourhood centre where Saved Policies 139.TC and 140.TC seek to ensure that ground floor premises are protected for town centre uses and those that attract customers. Whilst in the strictest terms, the proposals are contrary to these latter two policies, in this case there are deemed to be material considerations that weigh in favour or the proposals as set out below.

The use of the development, its layout, design and impact upon the character of the area:
This application has been submitted following an approval for the 'Erection of independent detached building for storage (B8) with ancillary office & associated car parking', F/15/77665 in January 2016. The assessment made in regard to the previous application which is of material consideration and for the purpose of clarity and consistency the assessment will be included.

Saved Policy 120.E permits proposals for B1, B2 and B8 uses on new sites providing all the following criteria are met: (i) cause no demonstrable harm to the amenities and environment of occupiers of nearby existing or proposed housing; (ii) do not generate traffic which would result in unacceptable traffic levels on adjoining roads or endanger other road users; and (iii) do not conflict with Policy 134.TC on the location of office development. The previous planning application recognised that the building/site did not meet Saved Policies 139.TC and 140.TC which seeks to ensure that ground floor premises are protected for town centre uses and those that attract customers. It was considered that the proposal would not undermine the vitality or viability of the designated

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local centre, and this is still the case. The structure is sited at the rear of the main retail buildings, adjacent to other office uses and within an area that is currently used for storage. This area and as such the proposed building itself has limited visibility from the public realm and in this regard will have no notable increased material impact relative to the current structures to be removed.

The application is seeking the change of use of the building from storage (B8) to office (B1), following an approval for an independent detached building for storage (B8) with ancillary office & associated car parking in January 2016. This was further to an extant permission F/15/75960 for the purposes of ancillary storage associated with 36 Hiltingbury Road. The building has already been constructed and from a recent site visit no concerns are raised in respect of the design, scale or form of the physical structure itself or its resulting visual impact upon the character of the area. The building is modest in size and while an office is likely to generate more trips this is usually arriving and leaving an office during working hours with the possibility of an additional trip. It is not therefore considered that the use of the building as a B1 office would result in notable material harm to the character or vitality and viability of the designated local centre and there is no conflict with Saved Policy 133.TC of the Local Plan in this regard.

Residential amenity:

Saved Policy 59.BE (vii.) requires that development avoids unduly impacting upon the amenity of the occupiers of neighbouring uses, in particular by way of overbearing impact, loss of light or outlook, and overlooking. Whilst many of the upper floors within the parade have been converted to commercial and office uses, there remains residential occupation above No. 36 itself, as well as, it is understood, above Nos. 62-66 further along the parade. Given that the building itself has already been consented as noted above and taking account of its particularly limited size, it is not considered that its proposed use will generate any additional impact upon neighbouring amenity. The proposals are therefore deemed to comply with Saved Policy 59.BE (vii.) in this respect.

Highway matters:

Saved Policy 59.BE (v.) requires that development provides a satisfactory means of access and layout for vehicles which includes an appropriate level of parking provision. In this respect, the proposals are considered to be acceptable and no objection has been raised to the application by the Council's Head of Transportation and Engineering.
The previously approved application noted that there was the potential for one vehicle space to be lost, but the Head of Transportation and Engineering questioned whether it was actually useable owing to its siting between the existing structures. The use itself is also unlikely to require more than minimal parking, notwithstanding which there is

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additional capacity available within the main car park which serves the wider neighbourhood parade. In terms of access, whilst the building is situated to the rear of the service road which serves No. 36 and the adjacent units, it is not considered that this would unduly impede access or cause undue disruption to neighbouring uses, with access being available from both ends of the service road.

Conclusion:

Overall for the reasons as set out above, the development is considered to comply with the relevant development plan policies, associated supplementary planning documents, and national planning policy.

OTHER MATERIAL CONSIDERATIONS

Also of relevance 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

It is recommended that planning permission be granted.