MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. J/17/80435

DESCRIPTION ADDRESS	Prior approval for change of use from office (use class B1a) to provide 5no. one bedroom flats (use class C3) 44 Leigh Road, Eastleigh, SO50 9DT

SITE VISIT	Yes
ARE PLANS ACCURATE?	The plans are sufficient to determine the application
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	Prior approval for change of use from office (use class B1a) to provide 5no. one bedroom flats (use class C3)					
SITE AREA	Relatively flat					
RESIDENTIAL DEVELOPMENT DENSITY (NET)	89 dwellings per hectare					
TOPOGRAPHY	X	Level		Sloping …..		Other …
TREES	None affected					
BOUNDARY TREATMENT	Mixture of high fencing and walls around rear yard.					
SITE CHARACTERISTICS	Two storey detached building with single storey rear extension. There is a shared access along the side of the building leading to a large rear parking court.					
CHARACTER OF LOCALITY	Mixture of residential and commercial properties located close to Eastleigh Town Centre.					

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
Z/25466	Change of use No. 44 to dentist with offices over	Permit (06/07/1982)
Z/10481/001	Change of use of ground floor from residential to offices	Permit (21/09/1982)
J/15/77087	Prior Notification: Change of use from B1a (office) to 8no. C3 residential flats (at 38-40 Leigh Road)	Granted (14/10/15)

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
None	

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within the Town Centre Renaissance Quarter Within Eastleigh Commercial Centre

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

Eastleigh Borough Local Plan Review (2001-2011) saved Policies:
• 53.BE (Urban Renaissance Quarter)
• 59.BE (Development Criteria)
• 104.T (Parking)

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising of the 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' Emerging Policies:
• DM1 (Development Criteria)
• DM24 (Parking)
• DM25 (Residential Development)
• E7 (Urban Renaissance Quarter)

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

CHARACTER APPRAISAL AREA

Not within Eastleigh Character Area

SPECIAL POLICY AREA

None

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

COMMENT ON CONSULTATION RESPONSES

N/A

COMMENT ON REPRESENTATIONS RECEIVED

N/A

PLANNING OBLIGATION/CONSIDERATIONS

None

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."

MATERIAL CONSIDERATIONS

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."

MATERIAL CONSIDERATIONS

On 9 May 2013, secondary legislation was laid before Parliament which permits the change of use of any building falling within class B1(a) (office) to a C3 (dwelling house) subject to an application to the LPA to determine whether prior approval is required, with the ONLY matters for consideration being the transport and highway impacts, contamination risks, and flood risk.

In determining whether the original use falls within class B1a, the previous history has been reviewed. The ground and first floor was given permission to be used as offices in 1982, under two planning applications (Z/25466 & Z/10481/001). The building is currently being advertised for sale as B1 Offices and this use was evident in a recent site visit. As such the building is eligible for the prior notification process.

Transport & Highway Impact

There is space at the property for 5 parking spaces, which provides one space per flat with visitor parking available within Eastleigh Town Centre. Given the relatively small scale of the proposal and its location in the heart of the town centre where various uses and facilities, including public transport are readily available, it is unlikely that the development would have any adverse or unacceptable impact upon the local transport network.

Contamination Risks

The proposal would not require any ground works and the site is not known for contamination or risk of contamination therefore there is minimal risk.

Flood Risks

The site is outside of any at risk flood zones, meaning that flooding is unlikely to be an issue in this instance.

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

In view of the above it is recommended that prior approval be granted, with informative relating to parking, cycle and bin storage.