
Site Address:	Leydene House, Waterberry Drive, Waterlooville, PO7 7XX		
Proposal:	Change of use from B1(b) and (c) use to open B1 use and repositioning of smoking shelter and bike shed.		
Application No:	APP/20/00317	Expiry Date:	26/06/2020
Applicant:	Central Business Hub Limited		
Agent:	Mr J Hanna	Case Officer:	David Eaves
	Vail Williams Llp		
Ward:	Waterloo		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application property lies at the junction of Elettra avenue and Waterberry Drive and is a two storey modern light industrial unit. There is an area of parking to the rear/side with cycle store and smoking shelter, these have been moved so that they are now adjacent to the building rather than within the car park. The area is characterised by industrial and office development.

2 Planning History

99/52626/005 - Provision of 132m2 additional floor space at first floor level within existing building with associated modifications to its North West Elevation and existing on-site parking layout, PERM,24/06/1999

95/52626/003 - Erection of light industrial unit with provision of ancillary office accommodation at first floor level with associated car parking., PERM,01/06/1995

APP/16/00561 - Subdivision of existing light industrial unit into 2no. units plus addition of new external entrances., PERM,21/07/2016

This permission included the following condition:

3 Notwithstanding the provisions of any Town and Country Planning General Development or Use Classes Order, no unit of building accommodation on the land shall be used at anytime for any purpose not falling wholly within the scope of part(s) (b) and (c) of Class B1 in the Schedule of the Town and Country Planning (Use Classes) Order 1987, as now amended.

Reason: *To safeguard the adequacy of parking provision on site having due regard to Policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

3 Proposal

Change of use from B1(b) and (c) use to open B1 use and repositioning of smoking shelter and bike shed.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS2 (Employment)
DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Havant Borough Pre Submission Local Plan 2036

DR1 (Delivery of Sustainable Development)
IN3 (Transport and parking in new development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Economic Development

No comments received.

Hampshire Highways

The Highway Authority has reviewed the proposed change of use and does not consider that the proposal will result in a significant increase in vehicular trips. As such, no objection is raised to the proposal.

Property Services Manager, Corporate Group

HBC are the freehold owner of the site. The applicant, Central Business Hub Ltd, are our tenant of the premises. I can confirm that this change of use is covered within the existing permitted user clause contained within Central Business Hub Ltd lease. Therefore no further consent from HBC, as landlord, is required and I have no adverse comments on the application.

Traffic Management, East Hampshire District Council

Further Comments:

The Traffic Team have no adverse comment to make with the confirmation on the amount of car park spaces now available.

Original Comments:

The Traffic Team would raise concerns over the amount of car park space available, including disabled parking, should the change of use be given permission. As per HBC Parking Supplementary Planning Document.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

No comments received

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon parking and highway

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The proposal is to extend the range of B Class uses at the site to include B1 (a) in addition to the existing B1 (b) and (c) currently permitted. B1 (a) uses are defined in the Use Classes Order as:

B1 (a) Offices - Other than a use within Class A2 (therefore excludes Financial and professional services).

Such a B1 (a) use is considered acceptable in principal in this business area subject to the considerations below.

It is noted that the changes to the Use Classes Order have amended Class B1 to Class E. However, for any planning application submitted before 1st September 2020, the Use Classes in effect when the application was submitted will be used to determine the application. This is set out in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

This defines the 'material period' as:

"the material period" means the period beginning with 1st September 2020 and ending with 31st July 2021.

4. If prior to the commencement of the material period, a relevant planning application was submitted, or was deemed to be submitted, to the local planning authority which referred to uses or use classes which applied in relation to England and were specified in the Schedule to the Use Classes Order on 31st August 2020, that application must be determined by reference to those uses or use classes.

This application was submitted prior to the commencement of the 'material period' and therefore falls to be determined on the basis of the use classes pertaining at the time of the application.

(ii) Impact upon the character and appearance of the area

7.3 The proposal is for a change of use with changes to the location of the cycle store and smoking shelter. The physical alterations which include disabled car parking alterations are modest and it is therefore considered that the development would have

an acceptable impact on the character and appearance of the area.

(iii) Impact upon parking and highway

7.4 In terms of parking and highway matters it is noted that the existing and proposed car parking would remain the same with a total of 44 spaces provided including 2 disabled parking spaces. The car parking provision has been assessed against the requirements of the Havant Borough Council Parking SPD 2016 (partly updated September 2019).

7.5 The parking standard requires in Table 2 the following in terms of Car Parking - B1 (a) minimum parking standard 1 space per 30 sqm. For B1 (b) and (c) the requirement is 1 space per 45 sqm. The current proposal would allow in the worst case parking scenario for the whole building to be in B1 (a) use, therefore requiring 1 space per 30 sqm.

The floorspace of the building is 1150sqm and this would require 39 space and 44 are provided at present. It is noted that 2 disabled spaces should be provided and amendments have been secured to provide 2 disabled spaces.

7.6 In relation to cycle parking the floorspace would require 8 long stay and 3 short stay spaces. The plans show a bike shed with 15 spaces and this is considered acceptable.

8 Conclusion

7.7 In conclusion, the proposed open B1 use is considered to be acceptable in principle, there is no impact on the character and appearance of the area. The development meets the Councils car parking standards.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00317 subject to the following conditions

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and Proposed Floor Plan and Site Plan Drawing No.

DWG100-CBH-AREA DESIGNATIONS v2

Location Plan Licence No. 100022432

Planning Statement March 2020

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning General Development or Use Classes Order, no unit of building accommodation on the land shall be used at anytime for any purpose not falling wholly within the scope of part(s) (a), (b) and (c) of Class B1 in the Schedule of the Town and Country Planning (Use Classes) Order 1987, as amended.

Reason: To safeguard the Business use of the site and the adequacy of parking provision on site having due regard to Policies DM3 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted shall not be occupied for any B1 (a) use unless and until the car parking including disabled parking spaces shown on Drawing No. DWG100-CBH-AREA DESIGNATIONS v2 has been provided on site. The approved parking and cycle parking shall thereafter be retained and kept available for the approved use.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.