

and Drink). Change of use of first and second floors to create 2No. 1 bedroom apartments. Demolition of chimneys and creation of five parking spaces to rear
Permission 10/10/2019

3 Proposal

Change of use of ground floor from Sui Generis (Sorting Office) to mixed use A1/B1a/A2/A3 (Shop/Business/Financial and Professional Services/Food and Drink). Change of use of first and second floors to B1a/A2 (Business/Financial and Professional Services). New roller shutter door in west elevation.

During the course of determining this application amended plans have been received, revising the garage opening detail in the west elevation and indicating that the ground floor rear warehouse area would be used for ancillary storage only. As such the description of the development has been amended to:

Change of use of ground floor from Sui Generis (Sorting Office) to mixed use A1/B1a/A2/A3 (Shop/Business/Financial and Professional Services/Food and Drink) and ancillary storage. Change of use of first and second floors to B1a/A2 (Business/Financial and Professional Services). New folding vehicular door in west elevation.

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)
CS4	()
DM14	(Car and Cycle Parking on Development (excluding residential))
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM21	(Shopfronts, Signs, Security Shutters and Advertisements)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan 2019 - 2036

C1 - Community & Public Services Hub
C2 - Retail, high street & food/drink uses
H2 - Building of Local Historic interest
M1 - Cycle Storage provision
D1 - General Design Policy
D2 - Height, mass & materials

also of limited relevance, the emerging Havant Borough Local Plan 2036
Policies IN3, E1, E22, E23, C4

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Community Infrastructure

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

The rate for Retail – Town Centre is zero rated.

Notwithstanding this, we also understand from APP/19/00638 that the existing floorspace was in use at 1 January 2019 and there is no new floorspace proposed.

Economic Development

None received

Environmental Health Manager

I would reiterate my prior comments (made under APP/19/00638) – “...From a contamination perspective, the material fact is whether ground-floor residential accommodation is proposed (or not). ...in line with comments provided previously under GEN/19/00152 (08/04/2019)... If the single storey sorting office ...forms part of the flexible commercial use - contamination may be considered to be 'not material' to these proposals. As previously advised, I have no air quality or other pollution concerns.”

Obviously, under the scope of the current application, these comments apply, and contamination is not a material consideration at this time. No adverse comment.

Hampshire Highways

The amended scheme is little different to the scheme already recently granted planning permission. I therefore have nothing further to add to my earlier comments on APP/19/00638

Previous Comments:

This site clearly has a planning history and benefits from a rear car park accessed via a very narrow access with inadequate visibility splays. The access also serves another car park to a separate building.

In view of the inadequacies of the existing access the use of it by vehicles should be minimised and therefore subject to the LPA's view on the volume of parking spaces. I confirm I am happy to see a reduction in the number of on site parking spaces, and if the number of spaces could be further decreased by the provision of more space to turn vehicles that would be beneficial.

I confirm the Highway Authority have no objection to this proposed development.

On Amended scheme with A3 use

In my earlier response I expressed the Highway Authority's concern relating to an increase in the use of the existing access because of its narrowness (single track width) and inadequate visibility splays where it meets the highway. The adding of an A3 use to the description could generate significantly more traffic than the other uses and therefore I am inclined to object on the following grounds :-

The proposed development is likely to lead to a significant increase in turning traffic on North Street which is a busy Class 2 Traffic Route from an inadequate access which is likely to lead to a large increase in hazards to highway users.

That said, if it is acceptable to restrict by condition the use of the rear car parking space to occupiers of the building there would be no change to my earlier recommendation.

Planning Policy POLICY STATUS

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. The [Pre-submission Havant Borough Local Plan 2036](#) (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

In addition, the Emsworth Forum submitted their neighbourhood plan to the borough council in April 2019. The examination to place during 2019, and the examiner's report was received in January 2020. It recommends that, subject to a number of amendments, the plan meets the basis requirements and should be sent to referendum. The council has decided to send the plan to referendum. The emerging neighbourhood plan may therefore also be afforded some weight.

PRINCIPLE OF DEVELOPMENT Emsworth District Centre

This site falls within the Emsworth District Centre as defined by Policies CS4 and AL3 of the adopted local plan. These policies seek to promote main town centre uses, in order to protect and enhance the vitality and viability of the centre, with a focus on shopping uses, particularly in those parts of the centre defined as the primary shopping area. Similar aims are carried forward into the Pre-Submission Local Plan 2036, in policy C4 Emsworth District Centre. In both plans, the application site lies outside of the primary shopping area.

High quality, mixed-use development that retains active ground floor frontages is supported in principle across the centre in the adopted Local Plan policy CS4.

Under the emerging policy, development proposals in the town centre outside of the primary shopping area are supported where:

- Proposals maximise opportunities for residential or office at upper floors
- Ground floor uses have active frontages
- Community, health care and main town centre uses (except B1a) are proposed at ground floor
- They enhance the evening economy and/or tourist offer of Emsworth.

Business (B1(a) / A2 use at upper floors

The proposal is for business use above on the first and second floor. High quality, mixed-use development that retains active ground floor frontages is supported in principle across the centre in the adopted Local Plan policy CS4, and the business use at upper floors is therefore considered to be in line with that plan. Proposals that maximise opportunities for office at upper floors are also actively supported in the emerging plan Policy C4.

Commercial Use of ground floor frontage

The application proposes A1/B1a/A2/A3/ uses at ground floor. All of these are town centre uses, but in the emerging Local Plan B1a office uses are specifically excluded from the list of acceptable ground floor uses. Under the adopted plan, proposals are encouraged which support small and independent businesses. A small unit for A1, A2, A3 or B1a use could be considered to support this aim. An A3 use also has the

potential to enhance the evening economy and/or tourist offer of Emsworth, which is an aim of the emerging Local Plan.

However, that plan can be given only limited weight at this time. This includes the restriction on B1a uses in the emerging plan. In any case, it must be noted that permitted development rights exist for the change of use of small scale A1 or A2 uses to B1a. Therefore, even if this use was not proposed now, there would be no control over a later change.

The emerging Emsworth Neighbourhood Plan seeks to create a community hub in this area, under policy C1. The proposal for A1/A2/A3/B1a is unlikely to meet this requirement, although this does of course depend on the nature of the end user, which could have a community focus or not. The Emsworth Neighbourhood Plan, in Policy H3, also seeks the retention of this building, which is seen to have historic character, architectural merit and strong local interest. Bringing it back into use will help achieve this aim. Similarly to policy C1, preferred uses under Policy H3 are public or community uses. Again, this will depend on the end user, but A1, A2 and A3 uses can certainly be considered public. The neighbourhood plan more generally supports A1, A2 and A3 uses in North Street, where it can be demonstrate that they add to a safe, vibrant and attractive street scene.

Overall, the proposed range of uses on the ground floor is considered appropriate, as town centre uses are support in this location in principle, and the more restrictive emerging policies may be given only limited weight at this moment in time.

Loss of last use

It is worth noting that Policy DM2 of the adopted Local Plan seeks to prevent the loss of community services and facilities, including shops, and Policy DM3 protects employment (B class uses) or tourism uses. Both policies set requirements for marketing to see whether alternative occupiers can be found before the loss of the use is accepted. The last use of the building was a sui generis royal mail sorting office. Unlike a post office counter this is not considered to be a community use or local shop to which policy DM2 would apply. Similarly, policy DM3, which protects employment uses, is also not deemed to be relevant, given that the policy wording restricts the requirements to B class uses. I therefore consider that under the adopted local plan, there is no requirement for marketing, and I note that none has taken place.

DETAILED CONSIDERATIONS

Design

Both the adopted and the emerging local plan require high quality design in all development, and consideration of the historic environment under policies

- CS16 High Quality Design (Core Strategy) and
- E1 High Quality Design (HBLP2036)
- DM20 Historic Assets (Allocations Plan)
- DM21 Shopfronts, Signs, Security Shutters and Advertisements (Site Allocations)
- E13 Historic Environment and Heritage Assets (HBLP2036)

On this tight site, the relationship with surrounding uses is crucial in terms of the design and configuration of the development.

The emerging Emsworth Neighbourhood Plan includes a suite of design policies, and a design checklist, which may be given limited weight in decision making.

Parking & Access

Parking standards apply under the adopted and the emerging local plans (see Parking Standards SPD).

7 spaces are to be provided – 5 external and 2 internal via roller shuttered entrance at the rear of the building. In accordance with comments made on the previous mixed commercial and residential scheme, it is accepted that this is sufficient. However, it must also be considered:

- Whether, in a historic building anew opening with roller shutter to facilitate parking is acceptable
- Whether there is sufficient turning space on site (The emerging Local Plan policy IN4 requires vehicles to leave and enter the highway in forward gear (Policy IN4 of the HBLP2036)).

It is acknowledged that the requirements for parking provision, and the consideration of the impacts on the historic building, and for turning on site may have to be balanced.

Conclusion

In policy terms, the key consideration is whether the proposal supports and enhances the vitality and viability of Emsworth District Centre.

The office use at upper floors is supported in principle, subject to detailed development management considerations. The proposed ground floor uses, though partially contrary to emerging policy, are also considered appropriate on balance.

This in principle support will need to be considered alongside detailed amenity and design considerations.

Traffic Management

The Traffic Team have no adverse comment to make

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: 21

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None 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 and proposed uses

- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and parking
- (v) CIL
- (vi) Contamination

(i) Principle of development and proposed uses

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Being within the defined Emsworth District Centre policies CS4 and AL3 promote town centre uses in order to protect and enhance the vitality and viability of the centre with a focus on shopping uses to retain active ground floor frontages. The current application proposes a flexible mixed use of the front part of the ground floor which would include A1 (retail) A2 (financial & professional services) A3 (Restaurants & cafe) and B1a (business office) with ancillary storage and an internal garage space within the rear warehouse area. As outlined in detail within the Policy Teams consultation response, the ground floor A uses would all provide active frontages, serve the local community and represent appropriate traditional town centre uses, appropriate to the Secondary Frontage.

Whilst it is noted that the proposed ground floor B1(a) office use is excluded from the list of acceptable ground floor uses within the emerging policy C4 and directed to the upper floors, this policy can currently only be afforded limited weight. This ground floor B1(a) use was recently approved under APP/19/00068 when the agent previously provided an in depth justification and it was noted that new permitted development rights would allow for a change of use of A1 or A2 to B1 and that the emerging policy is not fully aligned with that approach. It is further noted that office workers and visitors to a B1(a) use would patronise and therefore support the existing shops, cafes, restaurants in the area etc and hence would not undermine the overall aim of maintaining the vitality and viability of Emsworth District Centre. The building does not have large traditional shop front windows and may be suitable for a B1 use without harming any active shop display. Overall, it is considered that the proposed B1(a) use at ground floor as one of the flexible uses, would continue to be acceptable in this instance.

This application varies on the ground floor slightly from that previously permitted under APP/19/00068 in that the rear warehouse area is now included within the application area (previously excluded) and now proposes this area for ancillary storage to the main building ie it would be available for use by any future user of either the ground floor or upper floors. This rear area has no street frontage and as such would not be visible, and would support other uses within the building, and as such ancillary storage is considered an appropriate use for this back area.

The proposed first and second floor uses also vary to that previously approved under APP/19/00068 and now propose flexible B1(a) or A2 offices, instead of the previous residential flats. Office uses are considered appropriate town centre first floor uses that would result in a mixed use site to compliment the wider Emsworth District Centre.

Since the issue of APP/19/00068, the Emsworth Neighbourhood Plan 2019 - 2036 has had a successful examination and can now be given significant weight in decision making. This plan identifies the site as within a desired Community and Public Services Hub and as a building of Local Historic Interest. Whilst Policy C1 seeks

health or social care facilities within the hub, the supporting text recognises that if health services are not achieved, then ground floors should be safeguarded for community, social and/or commercial activity. The proposed uses would be commercial and would serve the local community. Overall, since this site, the old Post Office, is only one small site within the desired community hub, and it has an extant permission for A1/A2/A3/B1(a) uses, then it is not considered appropriate to refuse the application as contrary to policy C1 of the ENP.

Given that the application is speculative and seeking a variety of uses to enable marketing of the premises, and the limited weight of the emerging Local Plan policy, then overall it is considered that the range of uses sought would be appropriate to bring the unit back into active use.

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

The only external alterations of the property would be changing an existing window on the north (side) elevation to a door to serve the upper floors; and changing a window in the rear (west) elevation to a vehicular access door. The original roller shutter door proposed and its proportions were considered inappropriate to this historic building of local interest. Amended plans reduced the opening and introduced a curved header to reflect original openings, and now propose more traditional side hung folding opening doors. Otherwise the design and appearance of this traditional old building would be protected and retained in street scene terms.

(iii) Impact upon residential amenity

The proposed A3 restaurant or cafe use may require external extraction, which is unknown at this stage, but would need to be sensitively sited to protect both the visual appearance of the building and protect the amenity of neighbouring residents (particularly those that share the side access and have an outlook to the site). This can be conditioned. Otherwise the proposed uses would generally be compatible with the mixed character and context of the area and be unlikely to have any adverse impact on neighbouring amenity.

(iv) Highways and parking

The site was the former Post Office sorting office with a customer service/collection point. That use was permitted in 1995 with no conditions limiting hours of use or vehicle movements. As such, until this use ceased in early 2019, there would have been considerable activity and traffic movements associated with the site. There is a rear car park which is narrow but is shown to provide parking for 5 vehicles, utilising the shared access for turning. In addition this current scheme proposes the formation of an internal garage, accessed off the rear car park area, providing 6 spaces on site in total.

The on site parking need generated from the proposed development will vary according to the final user, as per the adopted Parking SPD. Due to the floor areas it is likely that there would be an under provision of parking for the whole site. However, the determination of this application must have regard to the past use of the site and the presence of nearby public car parks. The proposed uses would all likely result in a less intensive use of the rear car park and access than the former sorting office, with its associated postal vans coming and going.

The Highway Authority previously noted the narrow access and poor visibility to the

rear car park, and recommended minimising its use. Therefore relying on the sites relatively accessible location (easy walking distance from Emsworth railway station) and encouraging the use of nearby car parks, with less reliance on the sites rear car park, would help to reduce use of the side access and improve highway safety and amenity.

Other previous concerns raised by the Highway Authority related to the introduction of the A3 use, on the basis of generating more traffic than the other uses. However it is considered that customers to an A3 use (restaurant & cafe) are likely to be combining trips and would park in the nearby public car parks, in a similar way to customers of either an A1 or A2 use. The proposal is not for a take away which may generate more short term, collection only trips with greater impact on highway safety. Given the layout of the site and narrow access customers are unlikely to use the rear car park which would realistically be for staff and servicing only. There is also an existing outbuilding at the rear which is proposed to be used for secure cycle storage for staff. Having secure cycle storage and 6 car parking spaces available for staff and servicing is, on balance, considered sufficient to serve the proposed uses and would not result in harm to highway safety or amenity.

(v) CIL

In terms of CIL, there is no new floorspace proposed, the application is a change of use only. The building was in use for its lawful use for 6 continuous months within the previous 36 months and as such under Regulation 40 of the CIL Regulations 2010 (as amended 2014) then CIL is not charged for any part of the original building that is re-used in these circumstances.

Therefore there would be no CIL liability for this application. The CIL team will confirm this on decision.

(vi) Contamination

As per Environmental Health's consultee response above, the potential contamination risks of the site relate to a residential use of the ground floor from residual fuel storage and vapour ingress. However the proposed development does not include any ground floor residential use and therefore at this stage there is no need for any contamination investigations.

8 Conclusion

It is considered that the proposed flexible ground and first floor uses would support the vitality and viability of the Emsworth District Centre and enable marketing of the site to bring a currently vacant building back into active use. The development is therefore supportable in principle and recommended for conditional permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00068

(A) 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 & Proposed Site Plans Drawing Number 550-19-101

Proposed Plans & Elevations Scheme 2-Non Residential Drawing Number 550-19-103A

Planning Statement by Acorn Planning dated December 2019

Reason: - To ensure provision of a satisfactory development.

- 3 No externally visible or audible plant, machinery or structures required for extraction, ventilation or filtration purposes shall be installed at the premises until and unless details of the external siting, appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual appearance of the site and locality and the amenities of nearby residential properties, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The car parking, including internal garage and opening doors, cycle storage, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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.