

Recommendation:

**CIL Team**

As the shop has only recently been vacated and there is not additional floorspace, no CIL will be due and this will be confirmed when the application is decided. With regards to SRMS, as this is a prior approval, we would strongly encourage the applicant to submit a completed unilateral agreement accompanied by the appropriate fee.

### **Environmental Health Manager, Community Group**

No objection to this application in principle. Please include the following informatives:

#### **External lighting:**

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details. To protect the occupants of nearby residential properties from light disturbance /pollution.

#### **BS8223:2014 standards:**

The applicant to ensure that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

#### **Hours of Work:**

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

#### **Dust Control:**

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.

#### **Bonfires:**

No bonfires to take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action. This is in order to protect the occupants of nearby residential properties from smoke pollution.

### **Natural England**

**No objection**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

**Highways Engineer, Development Engineer**

The Highway Authority has no adverse comment to this application but the red line shown on the location plan does not include the parking off Prince George Street for 4 vehicles (as stated in the revised statement) and also the red line does not extend to the adopted highway.

**Officer comment:** *The GPDO only requires that a plan 'indicates' the site and shows the proposed development; it is considered that the submitted plans meet that requirement.*

**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: 26

Number of site notices: 1

Statutory advertisement: 24/08/2018

Number of representations received: 0

**7 Planning Considerations**

- 7.1 The change of use of the premises proposed is the subject of recent changes to the General Permitted Development Order (GPDO) which have given a general permitted development right for such changes to take place with only a 'prior approval' process to go through. Consequently the principle of the change of use is considered acceptable. Having regard to the relevant conditions of the GPDO it is considered that the main issues arising from this application are:

- (i) Transport and highways impacts of development
- (ii) Contamination risks on the site
- (iii) Flooding risks on the site
- (iv) Where the authority considers the building to which the development relates is within an area that is important for providing industrial services or storage or distribution services or a mix of those services, whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services

(i) Transport and highways impacts

The site lies within the town centre. The submitted planning statement advises that there are 4no spaces to serve the existing and proposed residential accommodation. Being in a town centre location, which is highly sustainable, the parking standards advised that minimal parking provision can be accepted in this location. The Highways Engineer has been consulted and not raised any concerns other than an incorrect red line place which has now been corrected.

(ii) Contamination risk on the site

Given the nature of the workshop, having previously been used in association with the adjacent shop and independently as an electricians work-shop, no contamination is anticipated. No excavation is proposed with the conversion.

(iii) Flooding risks on the site

The site is not within either Flood Zones 2 or 3 and as such there are no flood risks concerns associated with the proposal.

(iv) Where the authority considers the building to which the development relates is within an area that is important for providing industrial services or storage or distribution services or a mix of those services, whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services

The site is located within the commercial setting of Havant Town Centre and is surrounded by offices, retail and other residential properties. On this basis, it is not considered to lie within an area important for providing industrial services, and no concerns in that regard arise.

(v) Other matters

Under the Habitat Regulations the proposal results in a new dwelling, for which avoidance and mitigation measures must be secured to protect the habitats and species of the Borough's European sites. To comply with these regulations the applicant is required to make a financial contribution towards the Solent Mitigation Project before development commences.

In this case, the applicant has paid the relevant contribution of £727.70 and submitted a signed copy of the Payment Form/Deed. The requirement of the Habitat Regulations have therefore been met.

## 8 **Conclusion**

The proposed change of use is supported by the current GPDO and the NPPF, and there are considered to be no adverse impacts relating to flooding, transport, contamination or industrial services arising from the proposal. Prior Approval is therefore required and granted subject to relevant conditions and informatives.

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## 9 **RECOMMENDATION:**

That the Head of Planning be authorised to for application APP/18/00787 subject to the following conditions:

- 1 The development shall be completed within a period of 3 years starting with the date of this prior approval.

**Reason:** To comply with the requirements of Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) Order 2015 as amended.

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

Amended existing Block Plan - DN: 201 Rev A3

Amended Location Plan - DN: 200 Rev A3

Proposed ground floor plan - DN: 218750-206 Rev A

**Reason:** - To ensure provision of a satisfactory development.