
Site Address: 40 North Street, Havant, PO9 1PT
Proposal: Change of use from independent first floor flat (C3) to ancillary retail use (A1) in association with ground floor shops, alterations to fenestration.
Application No: APP/18/00784 Expiry Date: 10/10/2018
Applicant: Ms Lacoste
Agent: Mr Oliver Case Officer: Rachael McMurray
 The Town Planning Experts
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located in Havant Town Centre and within the St Faiths Conservation Area, on the eastern side of North Street on the junction with Prince George Street. The site comprises a 2-storey building with 2 retail units fronting onto North Street and a separate workshop to the rear which is currently accessed by one of the retail units. There is a public car park located to the rear of the building in Prince George Street and other commercial uses are close by to the site given the town centre location.

2 Planning History

95/58400/000 - Change of use from A1 retail to B1 offices, PERM,04/04/1995
APP/18/00568 - Change of use from workshop (B1c) to ancillary retail use (A1)., PERM,02/08/2018
APP/18/00787 - Prior notification for change of use of workshop from Class B1(c) use to C3 residential use subject to prior approval covering flooding, highways and transport issues, contamination and impact on industrial services., PAYA,17/09/2018

3 Proposal

Change of use from independent first floor flat (C3) to ancillary retail use (A1) in association with ground floor shops; alterations to fenestration.

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

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)

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

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Location of staircase and clearance of entrance door does not comply with Approved Document K (400mm clearance needed)

Fire Authority will be consulted under Building Regulations

Location of solid waste storage is not shown on plans (possibly existing) but should comply with Approved Document H requirements

Separation of units should comply with Approved Document B (Fire) and E (Sound)

Building Regulation application will be required

Conservation Officer

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

I have no objection to the principle of changing the use of the building to retail. However, I object to the removal of the two chimneys. They are important features that add variety to the roofscape of the building and add a richness and character to the area. If the chimneys are removed the building will have a very plain appearance that will detract from its current character. This in turn will have a negative impact on the conservation area.

I would also recommend that the fenestration detail to the south elevation is altered. I see no benefit in removing/altering the current fenestration to the first floor which has some decorative lintels. This should be retained in situ. The new ground floor windows would also benefit from having similar dimensions/proportions to the sash windows on the first floor.

As such the proposals would not currently meet the test to preserve or enhance the conservation area. I would therefore recommend the application is amended to reflect the comments above.

Further response following the submission of amended plans:

- Welcome the retention of the chimneys
- Windows still need to be addressed to first floor (above existing shop). Original windows need to be retained. I believe they will provide better light to the space and the proposed smaller window appears out of keeping. However, I am happy with the retention of additional window.
- Floor plan of first floor also does not match that of proposed (fenestration position).

If these details are amended I would have no objection to the scheme.

Officer Note - Amended plans were submitted which addressed the CO requirements listed above.

Developer Services, Southern Water

The attached plan shows that the existing development lies over a public foul sewer.

Any changes to the building foundations will require Southern Water approval. An investigation of the sewer is required to ascertain its condition, size and depth.

The design for erection of additional floor and extensions should take into account additional load of that construction that will be affecting the public apparatus. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Southern Water requires a formal application for a connection to the foul and surface water sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Officer Note - *The application does not require any further extensions to the building and solely relates to a change of use. The suggested informative will be attached.*

Environment Agency

No response provided.

Planning Policy, PPUD

Policy Status:

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough. In addition, the Local Plan Housing Statement (LPHS) and its guiding principles. Also, relevant to this proposal, though with limited weight, is the emerging Havant Borough Local Plan 2036, in preparation of which a Regulation 18 consultation took place in January and February 2018.

The following policies are of particular relevance:

- . CS4 - Town, District and Local Centres
- . CS6 - Regeneration of the Borough
- . CS 17 - Concentration and Distribution of Development within the Urban Area
- . AL2 - Urban Area Boundaries and Undeveloped Gaps between Settlements
- . AL3 - Town District and Local Centres

This application seeks the change of use of the first floor from C3 residential to A 1 ancillary which will support the A 1 shop below.

Principle of Development

The site falls within the Havant Town Centre as shown in Policies CS4 and AL3 but, outside the primary and secondary frontages. These policies encourage appropriate town centre development proposals which support small and independent businesses. Moreover Policy CS4 specifically seeks to promote vitality and viability of the identified town and district centres. Criterion 5) of Policy CS4 supports proposals which "encourage high quality mixed use development in designated centres that retain active ground floor frontages"

The regeneration of the centre needs to improve the quality of commercial uses (along with the public realm and highway improvements). Policy CS6 states that planning permission will be granted for development which positively contributes by type of use, design, and its comprehensive approach to the social, economic, and/or physical regeneration of the Borough. This will potentially be relevant with regards to the improvement to the building and shop front which forms part of this application. As specified in paragraph 4.08 of the Havant Borough Core Strategy:

"The area around the railway station, North Road, and Market Parade is an important entrance to the town, yet most noticeably in need of physical regeneration"

The change from C3 residential use on the first floor to A1 ancillary on the first floor will support the A1 use on the ground floor which, helps to maintain the vitality and viability of the town centre. There is no specific guidance however, there would be no objection in principle to the change of use.

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: 9

Number of site notices: 1

Statutory advertisement: Yes.

Number of representations received: 1 no objection was received which is summarised below:

Comment	Officer Comment
Loss of the existing flat at a time when Havant Borough Council are having to provide sites for over 9,000 homes for the period up to 2036.	Please see Planning Policy response in Section 5 of the officer's report. This advises that: 'The change from C3 residential use on the first floor to A1 ancillary on the first floor will support the A1 use on the ground floor which, helps to maintain the vitality and viability of the town centre. There is no specific guidance however, there would be no objection in principle to the change of use'.
The loss of the two chimneys would be adverse to the character of the conservation area.	The chimneys are now being retained.
Why are the two large windows being replaced on the south elevation with ordinary domestic windows.	This will reduce the visual impression of a shop frontage facing onto Prince George Street however, the shop front on North Street is being retained. Also the application is not for a change of the retail units so these will be retained in retail use.

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 conservation area
- (iii) Impact upon residential amenity

(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 application relates to a change of use of the first floor flat from a residential unit to

ancillary retail use in association with the ground floor shops, as well as physical alterations to the building. The application would result in the loss of a residential unit associated with the shop use. However, the unit is located in the town centre and as advised by the HBC Planning Policy Team, the change from C3 residential use on the first floor to A1 ancillary on the first floor will support the A1 use on the ground floor, which in turn helps to maintain the vitality and viability of the town centre. As such, there is no objection in principle to the change of use.

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

- 7.3 The main alteration to the external appearance of the building would be to the south elevation which fronts onto Prince George Street. Currently the unit has large shop front windows on the west and south elevations at GF level. It is proposed to change the windows on the south elevation to 4no. smaller windows, alter the existing side entrance door with a less glazed version and add a further entrance door of a similar design next to this door. This would result in a less active shop frontage however, the front display window on North Street would still be retained and the floor plans still show retail use at ground floor.
- 7.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area. It is considered that based on the amended plans submitted, which in particular retain the existing chimneys on the building, on balance the proposal does preserve the character and appearance of the area.

(iii) Impact upon residential amenity

- 7.5 It is considered that the proposed works would have a limited and acceptable impact on surrounding and neighbouring properties and in this regard, is in accordance with Policy CS16 of the adopted Local Plan 2011.

8 Conclusion

On balance it is considered that the proposed works would preserve the character of the conservation area and support the vitality and viability of the shop unit within the town centre, and these considerations outweigh the loss of residential accommodation involved. It is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00784 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:
Site Plan - DN: 200
Block Plan - DN: 201 Rev A
Proposed elevations - DN: 215 Rev C
Proposed GF plan - DN: 208 Rev E
Proposed FF plan - DN: 209 Rev F
Reason: - To ensure provision of a satisfactory development.
- 3 No works shall commence until manufacturers and other details of all new fenestration and doors have been submitted to and approved in writing by the local planning authority. The details to comprise:-
a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
b) full size glazing bar section,
b) the method of opening and external finishes.
All work shall be carried out in full accordance with such approval and be retained thereafter.
Reason: To ensure the detailing is appropriate to the character of the St Faiths Conservation Area policies CS11, DM20 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.