
Site Address: 92 Elm Grove, Hayling Island, PO11 9EH
Proposal: Prior notification for change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination.
Application No: APP/18/00501
Applicant: Ms A Collins
Agent: Mr M Critchley
Ward: Hayling East

Expiry Date: 03/07/2018
Case Officer: Karen Wooden
CAAD

Recommendation:

1 Site Description

- 1.1 The application site is currently a vacant ground floor office (Class B1) located on the corner of Elm Grove and Palmerston Road in Hayling Island, and forms the end of a terrace of a mix of ground floor commercial units and first floor residential units.
- 1.2 The unit the subject of this application has been vacant since November 2016.
- 1.3 The first floor and rear of the site are currently in residential use.

2 Planning History

- 2.1 No relevant planning history.

3 Proposal

- 3.1 This prior notification application under Part 3, Class O of the Town and Country Planning (General Permitted Development) Order 2015 as amended seeks prior approval for the change of use of the existing two storey building (use Class B1(a)) to C3 residential use.
- 3.2 Under the prior approval procedures the authority is only able to consider (a) transport and highway impacts; (b) contamination risks; (c) flooding risks; and (d) noise issues in connection with the development.

4 Policy Considerations

- 4.1 This prior notification application can be considered under Part 3, Class O of the Town and Country Planning (General Permitted Development) Order 2015 as amended, and as such there are no specific policy constraints on the development other than the National Planning Policy Framework 2012.

5 Statutory and Non Statutory Consultations

Community Infrastructure, Planning Policy & Urban Design

CIL Team will be required to issue a 'no liability' letter if prior approval granted.

Additionally, instructions should be passed by the Case Officer to the CI Team to issue

the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of dwellings and their respective number of bedrooms, in this case 1 dwelling with 2 bedrooms. As this is a prior approval we would strongly encourage the applicant to submit a completed unilateral undertaking accompanied by the appropriate fee. See <http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

Environmental Health Manager, Community Group

Recommended informatives which have been added to the planning permission with regard to hours of working, bonfires, dust control and light pollution.

Contamination

I have no adverse comment as regards this PN application, and do not consider it necessary to impose any conditions on any positive determination.

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment to this application.

Natural England Government Team

No comments received

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: 12

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

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 risk on the site
- (iii) Flooding risks on the site
- (iv) Impacts of noise from commercial premises on the intended occupiers of the development

(v) Other matters

(i) Transport and highways impacts of development

The site lies within Gable Head Local District Centre of Hayling Island. The submitted information confirms the provision of two parking spaces will be available within the curtilage of the property. This complies with the Havant Borough Residential Parking Standards, which require a minimum of 2 car parking spaces be available within the curtilage for a 2 bedroom property. Furthermore the site is located in an accessible and sustainable location. The Highways Engineer has raised no concerns with regard to the impact on the highway or transport issues.

(ii) Contamination risk on the site

The existing building is currently mixed use and in this sense the proposed change of use will not materially alter the conceptual risk profile of the site. There is no proposal to remove existing hard standing, or to create any private garden or soft landscaping areas, and the Environmental Health officer considers the proposed use to be at minimal risk of contamination. Consequently with regard to contamination risks, there are no concerns.

(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) Impacts of noise from commercial premises on the intended occupiers of the development

The site is located with a mixed commercial and residential setting, with residential units above and to the rear. On this basis, it is not considered that there are any in-principle noise concerns associated with the surroundings which will prejudice the amenity of the future occupiers of the development.

(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 £531.35 (which includes the financial contribution of £487.00 for a two bedroom dwelling, an administration fee of £20 and a monitoring fee of £31.85) and submitted a signed copy of the Payment Form/Deed. A draft Habitats Regulations Assessment has been carried out by the Council and consultation is taking place with Natural England. The development cannot take place until the HRA has been completed. An informative is therefore recommended in this case to advise of this as development prior to the issuing of the HRA would be in breach of the Habitat Regulations and would not represent permitted development. As this is outside the scope the Prior Approval process the prior approval can be determined.

The proposed development is CIL liable under the CIL Regulations, however there is no new floorspace created and the building has been in use for 6 months of the last 36 months.

8 Conclusion

8.1 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 noise arising from the proposal. Prior Approval is therefore required and granted subject to relevant conditions regarding contamination.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/18/00501 subject to the following conditions

- 1 The development shall be completed within a period of 3 years starting with the date of this approval notice.
Reason: To comply with the requirements of Part 3, Class O 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:

Marketing and policy statement
Location and block plan - 17016-101
Existing floor plans - 17016-201
Proposed floor plans - 17016-401
Existing and proposed elevations - 17016-301
Email from agent confirming parking spaces - 02.07.18

Reason: - To ensure provision of a satisfactory development.