

This Prior Notification Application is to be considered under Class M, of the new consolidated Town and Country Planning (General Permitted Development) Order 2015, 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

Mr P Marshall, Development Engineer - No Objection
Planning Policy -

he building is not located in one of the borough's local centres and it has been noted that the viability of retail in Creek Road has been diminishing. Therefore, it is unlikely that the building would be able to continue to provide associated services

Environmental Health Manager, Community Group - No Objection

Retail and Town Centres The viability of retail in Creek Road has been diminishing for some time, it is regrettable that the shop will close with loss of local employment / community facility.

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: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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 general permitted development rights for such changes to take place with only a 'prior approval' process to go through. As ancillary storage to the A1 unit below that can only be accessed via the shop, then it is considered the authorised use can be considered A1 for the purposes of Class M of Part 3 of the GPDO. 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 the development
- (ii) Contamination risks in relation to the building
- (iii) Flooding risks in relation to the building

- (iv) Adequate provision of services with Use Classes A1 / A2
- (v) Design or external appearance of the building
- (vi) CIL and Solent Disturbance Mitigation Project

7.2 (i) Transport and highways impacts of development

Whilst the change of use has the potential to generate additional traffic, the change is not considered so great as to result in material detriment and the Development Engineer has been consulted and does not raise objection.

(ii) Contamination risk on the site

7.3 There are no known contamination issues on this site, and this development comprises of conversion works only at ground floor level. Consequently with regard to contamination risks, there are no concerns.

(iii) Flooding risks on the site

7.4 This application site falls on the edge of Flood Zones 2/3 although the building itself is in Flood Zone 1 (low flood risk) and in accordance with the regulations the Environment Agency have therefore been consulted on the application. However no response has been received. Since the building itself is outside the flood risk area, the main issue relates to access by emergency services in times of flooding to surrounding roads. An informative has been added regarding a flood evacuation plan.

(iv) Adequate provision of services with Use Classes A1 / A2

7.5 The site is at ground floor and not located within a designated shopping frontage and the change of use to C3 will not negatively impact the vitality or viability of the area.

(v) Appropriateness of the design

7.6 The only external alterations proposed are changing the shop windows to residential windows and removing the shop sign. These proposed changes are not considered to have a significant adverse impact on the street scene.

(vi) CIL and Solent Recreation Mitigation Project

7.7 The change of use of floorspace to residential is potentially CIL liable. However, the floorspace has been in use for at least 6 months during the last 3 years (it has only recently been emptied ready for this conversion - and since there is no additional floorspace proposed then there is in this instance no CIL charge.

7.8 As the change of use would result in new residential dwelling, the applicant is required to pay a contribution of £176 per dwelling (plus administrative and monitoring fee) towards the SDMP to comply with the Habitat Regulations for mitigation measures to protect the habitats and species of the Borough's European sites. This payment is not part of the Prior Notification process and needs to be satisfied prior to commencement of development, this payment has been received and therefore this proposal has adequately addressed the SDMP.

8 **Conclusion**

The change of use proposed is supported by the current GPDO arrangements and the NPPF, and prior approval for the change of use, whilst required, should be permitted as there are considered to be no adverse impacts relating to flooding, transport, contamination risk, retail impact or appearance created by this proposal.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to for application APP/16/01303

(A)

(B) for the following reasons/subject to the following conditions