

It should be noted that whilst part 'M' has a cumulative floorspace limit within a building of 150sqm, as the application spans two buildings (no's 2 and 4), the floorspace afforded to permitted development is 300sqm (2 x 150sqm). It is therefore considered that the floorspace restrictions to the part M have not been exceeded in this case.

4 Policy Considerations

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

FAO Mr P Marshall, Development Engineer:

The Highway Authority has no adverse comment. However, there are no additional parking provided for the residential units.

FAO Environmental Health Manager, Community Group:

- No known land contamination issues.
- Form of development appears to exceed 150sq.m consisting of approx. 250sq.m on FF alone.
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Officer Note - the building spans two units and therefore benefits from 2 x 150sqm.

Given the proximity of existing commercial premises to the proposed residential units, nuisance issues may be foreseeable.

EH would like to comment on the application for full planning permission and would encourage the applicant not to utilise the PD rules for the purpose of implementing a lower building specification which might increase the potential for nuisance to be experienced by future occupants. An informative should be included to this effect.

Economic Development:

No objections

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: 16

Number of site notices: 1

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 general permitted development rights 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 the development
- (ii) Contamination risks in relation to the building
- (iii) Flooding risks in relation to the building
- (iv) Impact of noise from commercial premises on the intended occupiers of the development
- (v) Adequate provision of services with Use Classes A1 / A2
- (vi) Design or external appearance of the building
- (vii) CIL and Solent Disturbance Mitigation Project

(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

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

(iii) Flooding risks on the site

This application site is not within either Flood Zones 1, 2 or 3 and as such does not require the Environment Agency to be notified of this Prior Approval Application. Consequently there are no flooding risks associated with the development.

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

The Council's Environmental Health Officer has been consulted and has advised that in respect of the PN application, compliance with BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings" should be an informative for the application.

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

The overall scheme proposes to retain two commercial units at ground floor level and the change of use of part of the GF and the FF to Class C3 would not negatively impact the vitality or viability of the Park Parade shopping area.

(vii) Appropriateness of the design

The conversion proposes an additional window at FF level in the eastern elevation and one in the rear elevation. These would require planning permission and an informative will be attached to this permission to advise the applicant accordingly.

(viii) CIL and Solent Recreation Mitigation Project

CIL at £80 per square metre is applicable as the building has not been occupied for 6 continuous months in the last 3 years. Additionally as the change of use would result in new residential dwellings, the applicant is required to pay a contribution of £176 per dwelling (plus administrative and monitoring fee) towards the SRMP to comply with the Habitat Regulations. This payment is not part of the Prior Notification process and needs to be satisfied prior to commencement of development. An informative would be included on a decision notice to this effect.

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, noise or appearance created by this proposal.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/16/00860 .