
Site Address: 75 Greywell Road, Havant
Proposal: Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination.
Application No: APP/15/00520 Expiry Date: 08/07/2015
Applicant: Mr N Watson Team: Team 2
 Sinclair Clark Allegra Ltd
Agent: Mr Ian Knight Case Officer: Daphney Haywood
 Knight Architectural Design
Ward: Battins

Recommendation:

1 Site Description

The application site lies within the Greywell Centre and comprises a first floor unit above ground floor commercial premises.

2 Planning History

APP/15/00012 New and replacement windows Approved

Other sites in Greywell

APP/15/00438 35 Greywell Road Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination. Not yet determined

APP/15/00439 -37Greywell- Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination- Not yet determined

APP/15/00437 65 Greywell Road-Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues, retail impact, design and external appearance and contamination. approved.

APP/00517- 69 Greywell- Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination- Not yet determined

APP/15/00518 -71Greywell- Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination- Not yet determined

APP/15/00519 - 73Greywell- Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination- Not yet determined

APP/15/00521- Greywell- Prior notification for change of use from a retail use (class A1/A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination- Not yet determined.

3 Proposal

Prior Notification under Class M of the new consolidated GPDO 2015 for change of use from a retail use (class A1/A2) or a mixed retail and residential to a residential use falling within Class C3. This stipulates that, amongst other things, if the area of change of use is less than 150 sqm, and the building is not extended externally, then the change of use is permitted development subject to this prior approval procedure which must consider: transport and highways impacts; contamination risk; flood risk; impact on adequate provision of services falling within A1/A2 and sustainability of the shopping area where applicable; and the design or external appearance. It should be noted that whilst part 'M' has a cumulative floorspace limit within a building of 150sqm and there other current applications at 69, 71, 73, and 77 Greywell under part M change of use, the definition of a building within the GPDO includes part of a building and therefore it is not considered that the floorspace restrictions to the part M have 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

Development Engineer - Highways

This comment applies to all the prior not for blocks 35-37, 65, 69-77

The Highway Authority has no adverse comment on the change of use from retail to residential.

Environmental Health Manager, Community Group

No adverse comment on contamination grounds.

There may be comments/concerns that Environmental Health may wish to raise which fall outside the scope of comment under the prior notification procedure, including :-

- The proximity of residential areas & operational retail storage on the same level that could be a source of noise nuisance without appropriate acoustic separation.
- Concerns in respect of shared access corridors, and the potential for blocking of fire escapes (for 35-37, doorway adjacent Flat 4 for example).
- noise from external sources affecting future residents (indoor noise levels, and attenuation of external noise - e.g. by means of vest / glazing etc.)

officers note- These matters which lie beyond the scope of this application

have been forwarded to the agent who has advised that:- Metal shutter to fire escape are being removed and new escape doors fitted servicing the flats over and retail escape respectively. Suitable signage of 'Fire Escape, keep clear' and painting to the repaired steps also proposed.. There are no outlets/flues. The access stair is being alarmed for both retail & residential users to the fire escapes (centre management & retailers are responsibility to ensure the doorway is kept clear).

Economic Development -

No adverse comments

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: 15

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

- (i) Transport and highways impacts of development

- 7.2 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. Consequently with regard to contamination risks,

there are no concerns.

(iii) Flooding risks on the site

- 7.4 This application site is not within either Flood Zones 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) Adequate provision of services with Use Classes A1 / A2

- 7.5 The site is at first 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 It is proposed to provide additional windows to serve the residential floorspace. These would be in keeping with those nearby and planning permission has already been granted for these changes which would not result in harm to the visual appearance of the building or the street scene.

(vi) Solent Recreation Mitigation Project

- 7.7 CIL is liable as the premises have not been occupied in the last 3 years. As the change of use would result in new residential dwellings, the applicant is required to pay a contribution of £172 per dwelling (plus administrative and monitoring fee) towards the SDMP 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 - however the applicant has taken the opportunity to make the payment as part of this application.

8 Conclusion

- 8.1 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 Executive Head of Planning and Built Environment be authorised to for application APP/15/00520

subject to the following conditions