
Site Address:	10 High Street, Emsworth, PO10 7AW		
Proposal:	Conversion of office spaces on the first floor into two self contained apartments.		
Application No:	APP/15/00706	Expiry Date:	23/11/2015
Applicant:	Mr Ganatra	Team:	Team 2
Agent:	Mr Irani	Case Officer:	Tina Pickup
	Citadel Design & Development Ltd.		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site relates to the first floor of No 10 High Street which is a three storey building located on the east side of the High Street. The ground floor and first floor are currently vacant and were formerly occupied by Barclay's bank ie A2 use on the ground floor. The first floor was apparently last used as offices by Barclay's but it is unclear whether this was on the basis of A2 financial services offices or B1(a) offices.

Pedestrian access to the site and the first floor is taken at the rear of the site, across a courtyard off Spring Gardens. There is an external staircase leading up to a first floor covered walkway leading to 3 maisonettes and another door which in turn leads to an internal staircase up to a flat above and the application site area which is proposed to be subdivided into the two flats. Therefore the only access to the site is via the rear courtyard and using the existing external staircase, there is no internal access to the first floor from the ground floor unit.

The site falls within Emsworth Conservation Area.

2 Planning History

Numerous applications for signs, air con units, windows etc but none of particular relevance to this application

APP/15/00259 - Application for Certificate of Lawfulness relating to the conversion of first floor office space to 2No. dwellings Refused 12 May 2015 - Insufficient information relating to current use of building to prove permitted development under either Class G or O of the GPDO 2015

3 Proposal

Following the refusal of the Certificate of Lawful development the applicant's aim is to still convert the middle floor of the building to two self contained flats - accordingly this application is for full planning permission to convert the first floor from the currently vacant office to two self contained flats. The former internal stairwells from the bank below and up to the second floor have already been removed and that space floor boarded over to create additional floorspace. The proposal will involve internal partitions and works to create two flats: one two bed flat located at the front half of the building and a second one bed flat would be created in the rear half.

An amended red line site location plan has been received including the rear courtyard area over which pedestrian access is required to gain access to the site. The applicant also owns this courtyard and whilst there is no need to serve notice on anyone else as a result of the extended red line, a revised dated Certificate A has been received to concur with the revised red line.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS4	()
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL3	(Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy - no objection subject to appropriate financial contribution towards avoiding recreational disturbance in the Harbour
Conservation Officer - This is a modern 1980/1990's building. The works for the change of use affect primarily the upper two floors. The ground floor (previously occupied by Barclay's Bank) is to continue in retail use. The internal works are of no consequence from a Heritage perspective. No changes are stipulated for the exterior.

There will therefore be no material impact on the character and appearance of the conservation area. In general residential uses are to be supported in town centres for the potential additional vitality they can contribute and in helping to support the provision of local services. No objection

Development Engineer - Highways - no access route shown within red line; no cycle parking provision

Economic Development - Commercial and Housing

Planning Policy - based on a change of use from A2 to C3 then policy DM2 which requires marketing to justify the loss of either a community facility or shop is not considered relevant; reoccupation of this vacant first floor use with residential is unlikely to be detrimental to the High Streets vitality and function as a primary

shopping frontage & have a positive effect through increased trade; internal works only would have no visual impact on AONB and policy CS12; only 2 dwellings proposed so affordable housing under policy CS9 not required; no CIL required; SRMP contribution required by policy DM24.

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: 23

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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 streetscene and Conservation Area
- (iii) Impact upon residential amenity
- (iv) Parking and highways
- (v) Developer Contributions

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. For the purposes of the previous legal determination there was insufficient evidence to legally assess whether the first floor of this 3 storey building had been used as an A2 office available for visiting members of the public in association with Barclay's bank below or whether it was more private B1 (a) office. However, for the purposes of this full planning application it is going to be assumed that the first floor was used as A2 offices in direct association with the bank below - this is based on the balance of probabilities rather than a legal determination which is sufficient for the judgement necessary to determine a full planning application.

Class G of Part 3 of the newly consolidated Town and Country Planning (General Permitted Development) (England) Order 2015 allows for the permitted change of a building to a mixed use including up to 2 flats. However because there are already 3 residential maisonettes and a flat on the first and second floors, then the additional flats proposed would exceed the 2 allowed for the building/planning unit as a whole under permitted development - hence the need for this application.

As a former A2 office then policy DM2 is not considered relevant - this policy requires marketing information if there is a loss of an existing community facility or shop - but an A2 office is not a shop. Therefore there is no objection in principle to the proposed change of use; in general residential uses above shops in town centres is supported.

(ii) Impact upon the streetscene and Conservation Area

The proposed works are all internal and will have no adverse impact on the street scene or Conservation Area.

(iii) Impact upon residential amenity

The surrounding uses to the sides and above are all residential, with the vacant A2 unit below which could be occupied as an A1 unit in the future under pd. These uses are considered compatible and appropriate in a town centre location - the noise attenuation/insulation between units would be covered by Building Regulations. There is unlikely to be any detrimental effect on adjacent residential amenity.

(iv) Parking and highways

The rear courtyard included within the extended red line includes parking space for a couple of vehicles and an area for deliveries/service vehicles. Whilst each of the proposed flats will not have their own space they will be able to share the service area. This area would also be available to them for cycle parking. In this highly accessible town centre location this access to a service area and cycle parking is considered acceptable.

(v) Developer Contributions

Since the proposed new floorspace created by the infilling of the stairwells is less than 100 sqm then the conversion to two flats is not CIL liable.

However the proposal does result in a net gain of 2 dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £174 per dwelling to the Solent Disturbance Mitigation Project. For the proposed additional 2 flats, plus admin and monitoring fee, the appropriate payment of £385.40 has been paid and the relevant form has been completed by the applicant.

8 Conclusion

The proposed conversion of the first floor of this building in this town centre location from an A2 office to two residential flats is considered compliant with policy and an appropriate town centre use that will have no adverse effect on either adjacent amenity or the street scene in the Conservation Area. Accordingly the proposal is recommended for permission.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00706

(A)

(B) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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:

1:1250 site location plan Drawing No 1501-SV 01A received 28/09/2015
Existing First Floor Plan Drawing No 1501-SK 02
Proposed First Floor Plan Drawing No 1501-SK 04
Proposed Ground Floor Plan Drawing No 1501-SK 03

Reason: - To ensure provision of a satisfactory development.