

Recommendation: **GRANT PERMISSION**

Discharge of Condition No. 1 of Planning Permission APP/13/00926. Withdrawn.

APP/15/00125

Change of use and alterations of part of rear ground floor from banking use to form 1 new 1 bedroom flat and repositioning of external staircase. Withdrawn.

APP/15/00138

Listed Building Consent for alterations of part of rear ground floor from banking use to form 1 new 1 bedroom flat and repositioning of external staircase. Withdrawn.

APP/15/00191

Variation of Condition 3 of Planning Permission APP/11/01282 to vary approved plans. Withdrawn.

APP/15/00192

Partial Discharge of Conditions 2c and 2e of Listed Building Consent APP/11/01323. Withdrawn.

APP/15/00193

Partial Discharge of Conditions 1.1, 1.2 and 1.4 of Listed Building Consent APP/13/00926. Withdrawn.

APP/15/00194

Variation of Condition 4 of Listed Building Consent APP/11/01323 to vary approved plans. Withdrawn.

APP/15/00306

Listed Building Consent for conversion of ground floor of the building from an unused bank (Use Class A2) to a dentist's practice (Use Class D1); renovation of existing first and second floor flat; refurbishment of external building; single storey extension to rear of ground floor; removal of external steel stair fire escape; creation of separate front entrance at ground level for flats on upper floors; creation of stair core for fire egress. Current Application.

3 Proposal

The current application proposes the conversion of the ground floor of the building from an unused bank (Use Class A2) to a dentist's practice (Use Class D1), the renovation of the existing first and second floor flat, refurbishment of an external building, a single storey extension to the rear of the ground floor, the removal of an external steel stair fire escape, the creation of a separate front entrance at ground level for the flats on the upper floors and the creation of a stair core for fire egress.

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)
CS4	()
DM14	(Car and Cycle Parking on Development (excluding residential))
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

DM17 (Contaminated Land)
DM20 (Historic Assets)
AL3 (Town, District and Local Centres)

Listed Building Grade: Grade II
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Development Engineer - Highways: The Highway Authority have no adverse comment to this application.

Environmental Health Manager (Pollution): We have agreements to insert informatives for the following: Time of operation; Dust control; Bonfires. I would be grateful if the informatives are inserted within any agreement you may grant.
NB: Informatives recommended.

Environmental Health (Soil Contamination): I made comment on the previous application (APP/15/00125), recommending that groundworks proceed under a watching brief for gross contamination. The reasoning was based principally on the sensitivity of the proposed ground floor use (residential) to contamination that could potentially be present. As was previously highlighted, no specific contamination source has been identified from the available information sources - rather the possibility has been assumed from the position/context of the building, and the configuration changes that have occurred during its history. The revised proposals place a commercial land use within the ground floor extension. The exposure risk associated with employees (being of an age group excluding developmental and formative years and the elderly) is greatly reduced, and consequently the threshold of 'significance' of any contamination that might be present is increased. Whilst the assessment of likelihood of encountering contamination on site remains broadly as for the previous proposals (site context remains unchanged, and new construction proposed that would involve foundation and service trench excavations etc.), the lower sensitivity of proposed ground floor use diminish both concern in respect of potential contamination within the site context (outlined previously), and the need for applicant confirmation that no suspected contamination was encountered (as conveyance/finance for commercial property tends to take a more pragmatic approach to risk than is typically applied to residential transaction). I therefore have no adverse comments, and withdraw the recommendation for a condition relating to the encountering of material (soils/water) that is suspected of being contaminated. It may be useful however to include an appropriate informative suggested wording below: "You are hereby requested to ensure that where soil or groundwater that appears to be impacted by contamination is found to be present during groundworks, no further development be undertaken until an appropriate assessment has been undertaken, and a report detailing how that contamination is to be dealt with has been agreed with the Local Planning Authority. The works outlined in the agreed report shall be adhered to. (e.g. stained or discoloured soils or groundwater – occurrence of unexplained oil sheens within excavations, solvent or oil odours, or the occurrence of skin irritation or other acute symptoms). This is to ensure that future employees and customers are protected from unacceptable exposure to chemical contaminants that could be present as a result of historic land uses both on and adjacent to the application site; to protect the fabric of the building, address the site

owners potential environmental liabilities, and protect the commercial value of the property”.

NB: Informative recommended.

Conservation Officer: In response to amended drawings: I am satisfied this addresses the principal points set out in my [pre-application] e-mail. The reduction in the size of the rear extension is a further benefit.

Crime Prevention: None received.

Natural England: (Summary): This application is in close proximity to the Warblington Meadow Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. This application is also in close proximity to the Chichester Harbour SSSI. This SSSI forms part of the Solent Maritime Special Area of Conservation and Chichester and Langstone Harbours Special Protection Area and Wetland of International Importance under the Ramsar Convention. Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Solent Maritime and Chichester and Langstone Harbours have been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives. In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Chichester Harbour SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Natural England does not wish to comment on this development proposal [in respect to Protected Landscapes]. The development, however, relates to the Chichester Harbour AONB. We therefore advise you to seek the advice of the AONB Conservancy. We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

Chichester Harbour Conservancy: 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: 13

Number of site notices: 1

Statutory advertisement: 03/04/2015

Number of representations received: 1

Summary: Likely trip generation would be over and above that generated by the

previous bank use and would bring additional parking and congestion to Emsworth Town Centre. Where currently located in Palmers Road, the existing dental practice does not cause any such effect on the town centre and the existence of a larger public car park provides for visitors to that use. The design and access statement sets out that the practice has 5000 patients registered with them and that they wish to expand the business. Having a business in Emsworth High Street, my client is acutely aware how important parking (or lack thereof) is to people and their customers, who express passionate views about it. Most Emsworth Resident Association meetings have lengthy debates (with 200-300 people in attendance) on parking. From the current practice figures of 5,000 patients, it is argued that this is potentially an average 19,250 visits per year (2 dental, 2 hygiene and 1 other [eg for treatment]). If half of the people drive this would result in 9625 vehicles seeking a parking space per annum. There is no public off-street parking to support the proposed change of use. Also, people bank whilst on the high street. Dentistry requires a very specific visit to the high street (the objector has a dental practice and experience suggests specific visits to the town centre and not in conjunction with any other shopping or banking etc). This means new traffic and visits will increase per se. Such a volume of trips, which are likely to be individual trips for a sole purpose, as people are generally likely go home straight after an appointment, would far exceed that which might have been expected to visit the previous bank. TRICS data will confirm this if researched by the council. Having regard to the Emsworth Residents' Association Village Design Statement (2008), Policy 22 seeks the continued preservation and enhancement of the Emsworth CA. Congestion blights the character and appearance of the CA and if the proposals are approved, they will only contribute to that negative environmental effect, in what is also a historic townscape within an AONB. It is noted that a stated objective of the council's own Management Plan related to the Emsworth CA states: *Take a planned approach towards the resolution of any traffic and parking problems in consultation with residents and traders in the town centre*. The proposed change of use will not resolve existing parking and congestion issues, but instead compound them, contrary to Policies CS11, CS12, CS20 (2), DM11 (4) and DM14 of the adopted Core Strategy. Notwithstanding comments about likelihood of re-use of the building for retail purposes, a shop could be accommodated, meeting the aims of Policy CS24, enhancing Emsworth primary shopping frontage in accordance with AL3 (2). It is therefore requested that this application be considered by elected Members, rather than be determined under Officer delegated powers.

Response of Highways Engineer: The Formal Comments of the Highway Authority remain the same. These statutory comments are only with regard to the effect of the development on the network with particular reference to junction capacities within peak periods and using guidance given in the NPPF. The other matters raised are not within the Highway Authority consideration.

Applicants response: HBC Highways have not objected or made any comments regarding the 'trip generation'; There will be fewer traffic movements than the former bank. Any other proposed use will also have traffic movement; If the amount of 'trips' is as high as suggested then this will bring trade to Emsworth as highlighted in our Design and Access Statement; There is ample car parking in Emsworth, especially in the designated car parks off South Street and Palmers Road; This objection must be read in context with the fact that it is from a director of another dentistry in very close proximity.

Comment: The objector was advised that the application would remain at delegated level unless referred for Committee consideration by a Council Member - no such referral request has been received. The profession of the objector is not a material

planning consideration. The impact of traffic connected with the proposal is discussed below.

7 Planning Considerations

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 on the application site (including the Listed Building)
- (iii) Impact on the locality (including the CA and AONB)
- (iv) Impact on neighbouring amenities
- (v) Traffic Impacts

(i) Principle of development

Policy CS4 is supportive of appropriate town centre development proposals that promote and enhance Emsworth District Centre and support small and independent businesses. Policy AL3 is also supportive of proposals that contribute to the vitality and viability of the District Centre. This policy provides specific criteria aimed at retaining suitable levels of retail (A1) use premises in both primary and secondary shopping frontages. However, the application site is not currently in A1 use, so there would be no detriment in this respect. Policy DM2 provides criteria for the protection of existing community facilities and shops. It is considered that the current proposal would meet these criteria in that the former bank would be replaced by an alternative use that would provide a beneficial facility to the local community.

(ii) Impact on the application site (including the Listed Building)

Implementation of the proposal would bring the vacant listed building back into suitable use. Three large windows to the ground floor front elevation of the building would be retained and would be clear glazed to serve a lobby and reception area, presenting a more 'open' and welcoming frontage than the more security focussed former bank use. Historical and heritage features would be appropriately retained within the building. A Heritage Statement has been submitted with the application and the Conservation Consultant is satisfied with the proposals.

(iii) Impact on the locality (including the CA and AONB)

With the exception of refurbishment works, the external proposals would be located to the rear of the building and would only be viewed from a limited area outside the site, and not at all from within the public domain. The AONB Conservancy has not objected to the proposal and, as noted above, the Conservation Consultant is satisfied. It is therefore considered that the proposal would not have any material impact on the locality, including the CA and AONB, in visual or character terms.

(iv) Impact on neighbouring amenities

The north elevation of the proposed rear extension would immediately adjoin the boundary with the garden area of 28 High Street. However, the extension would sit entirely below the existing boundary wall. The extension would reduce the already limited area available for external storage or activity. It is therefore considered unlikely that the proposed D1 use of the site would result in any material increase in noise or other disturbance to nearby residential properties, over and above that resulting from

the previous A2 use.

(v) Traffic Impacts

The objection to the proposal raises concerns over traffic impact, not only in terms of highways and parking but also the introduction of additional traffic to the CA and AONB. It should be noted that there have been no statutory objections to the proposal on these grounds.

TRICS data has been provided regarding traffic movements associated with a D1 use. However, there appears to be no similar evidence available for A2 uses. Similarly, the Borough has car parking and cycle storage standards for a dentist's surgery, but not for A2 uses. It is asserted by the objector that banking tends to be carried out in conjunction with other high street activities, whereas dental appointments would normally entail a special journey. This is based on personal experience but there appears to be no data to support the claim or otherwise.

The Applicant's current business is located at 2 Palmers Road, where there are 140 pay and display parking spaces within 150 metres (at Palmers Road and North Street) with some limited street parking available. The pay and display car park in South Street (with 100 spaces) is approximately 400 metres from the premises. At the application site the business would have the 100 spaces at South Street within 100 metres, 23 spaces at South Street approximately 200 metres away and 117 spaces at Palmers Road approximately 300 metres away, again with some limited street parking available. The premises at Palmers Road are less than 500 metres from the application site and both sites, and all three car parks, lie within the defined District Centre. Given this, and the presence of bus stops close to each site, it is considered that overall the proposed business use would not have a detrimental impact on the highway network.

The question of whether there would be additional traffic impact on the CA and AONB, and what that impact would be, is more difficult to quantify. It is acknowledged that, as South Street is covered by these designations and North Street and Palmers Road are not, then there is likely to be a preference for driving and parking where there might be less impact. However, the site is currently vacant and (if banking is normally carried out as part of a 'combined' visit as is claimed) then the same could probably be said of any proposed re-use of the application site, particularly for any community facility purposes. On balance, it is considered that any likely traffic impacts would be outweighed by the benefits of bringing a vacant listed building, within the District Centre, CA and AONB, back into a beneficial community use.

8 Conclusion

The proposed change of use and works would be acceptable in principle, and would not have a detrimental impact on the character and appearance of the application site (including the Listed Building), the locality (including the CA and AONB) or the amenities of occupiers of neighbouring properties. Traffic generated by the proposals would not have a detrimental impact on the highway network and likely impacts on amenity-designated areas would be outweighed by the benefits of bringing a vacant listed building, within the District Centre, CA and AONB, back into a beneficial community use. The planning application should therefore be approved.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00305, 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:

15-027_01_Planning (Proposed Site/Block Plan)

15-027_02_Planning A(Proposed Ground Floor Plan)

15-027_03_Planning A (Proposed First and Second Floor Plans)

15-027_04_Planning A (Proposed Elevations)

Reason: - To ensure provision of a satisfactory development.

- 2 Construction of the development hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.