

1 Site Description

- 1.1 The site is on a corner in Creek Road with the redeveloped Kittiwake public house opposite to the north - now developed for 4 houses. To the south is a 2 storey pitched roof property with a single storey element on the front. It looks to be used as residential. To the rear is a single storey flat roofed building used as a fish and chip takeaway and restaurant.
- 1.2 The building itself is a 2 storey flat roofed property of render and brick.. The frontage is currently a tarmac forecourt but there is not a dropped kerb.

2 Planning History

51590 series in particular -
06/51590/005 - C/U from shop to denture repair centre. Permit 8/1/07.

3 Proposal

- 3.1 The proposal is to change the use of the ground floor from denture laboratory to a flat and to add a roof incorporating dormers to provide additional accommodation for the middle floor thereby resulting in an additional flat resulting in a total of 3 x 2 bed flats.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) 2011

CS16	(High Quality Design)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, (Fire Access Consultation)

Advice provided re bin storage and means of escape. (In consequence amended plans have been submitted)

Waste Services Manager

No response

Development Engineer

The number of trips from the proposal is less than existing so a highway safety reason for refusal is not proposed. However it provides a flat without any parking and it is a planning matter to decide if this produces an amenity problem.

Public Spaces Development Manager _

No implications

Planning Policy

To be assessed by Dev Management

Regeneration & Development

Economic development is not supportive of the current application as it would bring about the loss of employment space. There is no evidence in the form of estate agents reports of the property having being marketed for alternative commercial use. Economic development would re-consider any application if it can be shown that substantial effort has been made to market the property over a period of time.

Crime Prevention -Minor Apps

Advice provided on standard of doors and that an audio visual access control system should be installed. On site parking is recommended as incidents are likely for those parked on the highway.

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: One

Statutory advertisement: Not applicable.

Number of representations received:One

Summary: Concerned that no parking is provided. Neighbour currently suffers parking from the dental laboratory use.

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) Effect on Street Scene
- (iii) Effect on Neighbours' Amenitiy
- (iv) Highway and Parking Implications

(i) Principle of development

7.2 The site is in Creek Road which was a local centre under the HBDWLP but is not under the Core Strategy. It is not therefore subject to policies CS4 and TC1 (saved policy) re local centres. The property changed previously from a shop to the denture laboratory at ground floor having demonstrated there was no market for a shop. The policy that now impacts on the principle here is DM3. The applicant has detailed in a statement that due to lack of business it is only operating on two half days a week. The employee that is still employed will be relocated to Winchester. There will not therefore be an actual loss of employment. There has been an effort to gain business for the operation through Hampshire PCT in respect of NHS work and also to gain fee paying patients. However he has not been successful. The formal marketing requirements of DM3 have not therefore been met but if the applicant hasn't been able

to make his business operate viably another denture repair establishment is also unlikely to succeed. In the light of the current Government's approach to providing a flexible planning system for offices to change to residential and that this could be a legitimate step if the ground floor changed to offices (which does not need planning permission as both the existing and proposed use would be a B Class use) and as there is only the loss of a part time employee for this Borough it is not considered justifiable to object to the proposal on the basis that it does not meet policy DM3. It is therefore considered acceptable in principle to allow a change of use to residential on the ground floor despite the reservations of Regeneration and Development. It is considered that in this particular case the Government's aims to assist economic development have more bearing than the harm that would occur to the locality from resisting this proposal. In fact a refusal would be likely to result in a vacant ground floor unit to the detriment of the vitality of the Creek Road area.

- 7.3 There is not a policy objection to the addition of a further upper floor residential unit. Indeed the total creation of 3 residential units would be in accord with Policy CS9.

(ii) Effect on Street Scene

- 7.4 The premises is a flat roofed property with a two storey hipped roofed dwelling to the south and two and a half storey residential development on the south side of Sandy Point Road, opposite the site. There is a mixture of roof styles in Creek road and the addition of a pitched roof with the inclusion of dormers is considered to relate satisfactorily to its surroundings. On this basis the proposal is considered to accord with policy CS16.

(iii) Effect on Neighbours' Amenity

- 7.5 The extra height will not impact on the properties on the south side of Sandy Point Road and similarly the front dormers and additional roof will not adversely impact on the premises on the opposite side of Creek Road. On the south side of the property is a drive for the adjacent property and the additional height should not adversely impact on the amenities of the adjacent dwelling. To the rear is a flat roofed single storey restaurant/fish and chip premises and the additional dormers will look over the roof and not impact on any residential amenity. However, the windows are to bathrooms and so overlooking will be minimal in any event.
- 7.6 The neighbour is concerned about the impact of parking intruding on the neighbour's property. Whilst the present arrangement has an open frontage and there is no demarcation between the site and the dwelling to the south the scheme proposes a boundary wall around the property which will make it clear that parking cannot take place on the frontage. There should not be the same 'invitation' to encroach in the future. On street parking will be limited by the parking restrictions. It is therefore considered that policy CS16 will be met with respect to impact on neighbours' amenity.
- 7.7 It is proposed to have the bins stored adjacent to the southern boundary. In order to minimise nuisance it is considered a bin store would be appropriate so a condition is proposed to that effect.

(iv) Highway and Parking Implications

- 7.7 The current uses do not benefit from formal parking provision and as stated above the parking that has occurred has tended to cause neighbour issues. The intended

enclosure of the frontage area will remove the ability for indiscriminate parking but will result in no parking to serve the properties. With the frontage walled parking on street will be determined by the parking restrictions in the locality and the adjacent road junction is subject to restrictions. However, in Sandy Point Road there is a public car park in close proximity which has the capacity to provide parking, particularly if required over night. This would address the concerns raised by Crime Prevention in this respect. Whilst the proposal does not therefore provide parking to meet the requirements of DM13 it is considered that this is a site where it is not justifiable to recommend refusal on the lack of parking in view of the particular circumstances that pertain.

(v) Other Issues

- 7.8 Matters raised by Building Control with respect to means of escape have been addressed by a revised plan. As there is new floorspace at second floor there is a CIL requirement of £4,600.

8 Conclusion

- 8.1 Having regard to the considerations set out above the proposal is considered acceptable.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00545 subject to the following conditions