
Site Address: Tealwood Co Ltd, Sultan Road, Emsworth, PO10 7PP
Proposal: Change of use from B1 commercial / industrial to residential use for 4No. dwellings comprising of 3No. 2 bed terraced houses and 1No. 3 bed detached house, with associated landscaping and parking, utilising existing access. (Resubmission).
Application No: APP/15/00573
Applicant: Mr Budd
M&J Budd Construction
Agent: Mr Bloomfield
Bloomfield Parker Architects Ltd
Ward: Emsworth
Expiry Date: 17/07/2015
Team: Team 2
Case Officer: Daphney Haywood

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies between Sultans Road and Seagull Lane and comprises vacant industrial premises. Sultans Lane is primarily residential in character, whilst that of Seagull Lane is more mixed with a number of large commercial premises involving the movement of heavy goods vehicles and employee traffic.

2 Planning History

APP/14/01301 Change of use from B1 commercial / industrial to residential use for 4No. dwellings comprising of 3No. 2 bed terraced houses and 1No. 3 bed detached house, with associated landscaping and parking, utilising existing access. Withdrawn as marketing had not been carried out.

3 Proposal

Change of use from B1 commercial / industrial to residential use for 4No. dwellings comprising of 3No. 2 bed terraced houses and 1No. 3 bed detached house, with associated landscaping and parking, utilising existing access. (Resubmission).

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS2	(Employment)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer - Highways

The Highway Authority has no adverse comments to this application. I would point out that the HBC Parking Standards are two spaces per two bed properties and two spaces for a three bed property. This application only achieves one space per property. If the Planning Authority accepts this shortfall I would suggest that one spaces is allocated to each of these properties by means of a planning condition.

Economic Development -

The revised application will result in a loss of employment space which would be difficult to support. However as the current premises have been empty for a period of time along with the condition it is in, will inevitably make it difficult for a business to take up.

The access statement declares the area is primarily terraced housing, this may be true for Sultan Road but not the case for Seagull Lane. This raises concern that the existing businesses in Seagull Lane would be adversely affected by the residential development. This is due to the nature of these long established businesses that constitute the movement of heavy goods vehicles and the employee traffic. This may cause disruption to the future residents. Although unclear on how this can be mitigated in the future without causing disruption to the businesses.

I can only support this if a safeguard is put in place to prevent any resident on the Seagull Lane Plot raising objections to the commercial activity via a covenant on the freehold or tenancy.

Officer Note - *It is not possible to require a covenant and this matter would not support refusal. It is also noted that there are a number of other residential properties in close proximity to these industrial sites, which suggests that the uses can co-exist.*

Planning Policy Comments

The Local Plan now comprises of the Core Strategy (2011) and the Allocations Plan (2014). It should be noted that Saved Policies are no longer relevant.

The Proposal: The site lies between Sultans Road and Seagull Lane and the proposal is to convert the existing offices fronting Sultans Road to 3 no. 2 bed dwellings, and to demolish the rear workshop and construct a 1No. 3 bed detached house. Four parking spaces would be provided with access off Seagull Lane to serve the proposed development.

Promoting Havant Boroughs Economy: This would result in loss of 73.1 square metres of B1 (a) Office Use and a further loss of 340.7 square metres of B1 (c) Light Industrial Use. Policies CS2 (Employment) and DM3 (Protection of Existing Employment and Tourism Sites) of the Local Plan (Core Strategy) protect employment premises that are fit for purpose.

Policies CS2 and DM3 of the Core Strategy seek to protect existing employment sites

and changes of use to non B use classes will only be permitted where it has been demonstrated that the site is not fit for purpose and financially unviable for B use class purposes.

DM3 requires a period of 12 months continuous marketing and it is disappointing that this has not been provided in this instance; however a detailed six months marketing strategy has been provided to support the application:

Vail Williams, who carried out this marketing, state that ‘...due to the type, location and configuration of the building it is not viable to undertake works to the building and to put it into a marketable condition.’ They have nevertheless carried out marketing in the spirit of that required by Policy DM3. There has been some interest amongst parties looking to purchase a freehold commercial property, however ‘when the practicalities of occupying the building in terms of access, loading/unloading, staff car parking and conflicts with residents were investigated, the buildings were dismissed from their search. The report goes on to state that there are other more suitable premises on available estates in recognised business locations.

The report concludes that the current premises do not ‘suit the needs of a modern commercial occupier’ and that the enquiry schedule supplied ‘demonstrates that there is an equal amount of enquiries from investors and developers who, without prompting, have identified the site for a potential alternative use, and we believe that our marketing activity over the last 6 months clearly demonstrates that this property is no longer fit for purpose as a commercial building and the best re-use to secure the future of this building is the conversion to residential accommodation.’

Housing: The site is located in a predominantly residential area. The proposal can be considered to be in a highly sustainable location due to its proximity both to Emsworth Train Station and the centre of Emsworth providing a good range of local services and amenities. The provision of four new homes will contribute to meeting the Borough’s housing requirement set out in Policy CS9 of the Core Strategy.

Policy DM13 provides detail on Car and Cycle Parking on Residential Development. The standard levels of allocated parking are two car parking spaces for each two bed unit and two car parking spaces for a three bed unit.

Whilst ameliorated standards are not set for the location of this site within the Havant Borough Residential Parking and Cycle Provision SPD, it would be unreasonable not to regard this brownfield site as being a highly accessible area due to the proximity of public transport, local shops and facilities, so a reduction of one space per dwelling in this particular instance seems reasonable.

Cycle provision of 2 spaces per unit is required, this is to be provided within the shed storage provided for each unit.

Policy Principle of Development: No objection in principle given the observations above, however it is recognised that to comply fully with Policy DM3, 12 months marketing should be provided.

Environmental Health Manager

No comments received

Engineering/Drainage

No comments received

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: 27

Number of site notices: At least one site notice exists

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

- Insufficient car parking in the area and the proposal will make the congestion and problems of access for emergency vehicles worse.
- overdevelopment with insufficient car parking, 2 spaces per dwelling should be provided

Comment: see section 7

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 street scene
- (iii) Impact upon residential amenity
- (iv) Access and Parking Issues
- (v) CIL, and 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.

Policies CS2 and DM3 of the Core Strategy seeks to protect existing employment sites and changes of use to non B use classes will only be permitted where it has been demonstrated that the site is not fit for purpose and financially unviable for B use class purposes. Where this is demonstrated then other types of economic development providing employment opportunities should be considered in the first place. Only if another type of economic development cannot be found will other uses be considered. It is therefore necessary to test the viability of the site by marketing, in accordance with the details set out in policy DM3. A detailed six months marketing strategy has been provided to support the application: this demonstrates that this property is no longer fit for purpose as a commercial building and the best re-use to

secure the future of this building is the conversion to residential accommodation. Whilst the marketing only covers 6 months Planning Policy have assessed it and considered it robust and acceptable. The site is located in a residential area north of Seagull Lane and in a sustainable location where the provision of new homes is acceptable in principle.

(ii) Impact upon the street scene

The existing 2 storey office building would be retained and converted to 3 No. 2 storey houses, and the 3 garage openings infilled with a window and a garage. As such the impact on Sultans Lane would be fairly limited and provides a modest enhancement. In respect to Seagull Lane the proposed 2 storey 3 bed house is of traditional design and appropriate for the street scene. Four parking spaces would be located to the front of the dwelling, directly off Seagull Lane. A number of properties in the road have rear parking or garaging off Seagull Lane and in this context the parking would not be incongruous and is considered acceptable.

(iii) Impact upon residential amenity

The main impact here relates to 1 Sultans Road, and properties fronting North Street. In respect to 1 Sultans Road, which is the adjoining terraced property to the east, there would be some additional bulk at first floor immediately adjacent the dwelling house, and the 2 storey house to the rear, however, the impact would be offset by the demolition of the buildings to the rear and the proposal is not considered to result in detriment.

Regarding the existing dwellings in North Street appropriate separation is achieved and the proposal is not considered to result in loss of amenity.

In respect to amenities for the proposed dwellings, each dwelling would be served by one parking space and cycle parking. The site is well located for public transport and this is considered acceptable. The converted dwellings would be served by 7m deep gardens (including shed), and the house onto Seagull Lane by approx 10m by 6m garden. The garden sizes are small but similar to those on the other side of Sultans Road whilst the proposed dwellings are of modest size, and in this particular case garden provision is considered adequate. In respect to privacy of the garden for the detached dwelling, this will be overlooked by the bedroom windows to properties in Sultan Road, and whilst not ideal, the proposed sheds and boundary fencing will provide some screening which could be further enhanced by soft landscaping, and this aspect of the scheme is considered adequate.

Openings in the rear elevation of the proposed detached house have been restricted to roof lights to maintain privacy, and there are no first floor windows in the side elevation of this plot.

The site adjoins a Public House, which has the potential to cause nuisance, however, the entrance and outside seating for the PH are in North Street, and the relationship is considered acceptable.

(iv) Access and Parking Issues

The representation makes reference to insufficient parking, however, the proposed use is considered to have less impact than the existing and the site is highly accessible area due to the proximity of public transport, local shops and facilities, so a

reduction of one space per dwelling in this particular instance seems reasonable. The Development Engineer has not raised objection.

(v) CIL and contributions

As the site has been occupied for more than 6 months within the last 3 year and there is no increase in floor area no CIL is payable.

The development would increase the number of dwellings within the 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. The measures of mitigation adopted by the LPA at the end of June this year requires a payment of £172 per dwelling to the Solent Disturbance Mitigation Project. This payment has been paid and the relevant form has been completed by the applicant.

8 Conclusion

The application is considered acceptable and to comply with the overall objectives of the Local Plan and approval is recommended.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00573 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:

existing plan 14007/PL/110
Proposed plans 14007/PL/111 and 112

Reason: - To ensure provision of a satisfactory development.
- 3 Construction of the new dwelling and the alterations to the existing building on the Sultan Road frontage hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials has been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 No development hereby permitted (other than demolition) shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not

proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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.

- 5 No development (other than demolition) shall commence until a parking allocation plan has been submitted to and approved in writing by the Local Planning Authority in relation to the dwellings hereby approved, and no dwelling shall be occupied until space for the parking of vehicles has been provided within each site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no extensions, alterations, buildings or structures permitted under Schedule 2, Part 1, Classes A, B, C and E of the Order shall be constructed at or erected within the curtilages of the dwellings hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to maintain control of such additions in the interests of the character and appearance of the development and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Framework

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) Measures to control the depositing of dirt and mud on surrounding roads during construction.
- e) Measures to control the emission of dust and dirt during construction.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

