

# HAVANT BOROUGH COUNCIL

## Town & Country Planning Act 1990

### Consultation on Planning Application

#### **MEMORANDUM**

|                              |                                                                                                                                                                                                                                |                  |                            |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|
| <b>From:</b>                 | <b>Environmental Health</b>                                                                                                                                                                                                    | <b>To:</b>       | <b>Development Control</b> |
| <b>Our Ref:</b>              | CONS/15/00733                                                                                                                                                                                                                  | <b>Your Ref:</b> | APP/15/00521               |
| <b>EH Case Officer Extn:</b> | 44 6677                                                                                                                                                                                                                        | <b>Date:</b>     | 08 June 2015               |
| <b>DC Case Officer:</b>      | Daphney Haywood                                                                                                                                                                                                                |                  |                            |
| <b>DC Case Officer Extn:</b> | 44 6513                                                                                                                                                                                                                        |                  |                            |
| <b>Application Number:</b>   | APP/15/00521                                                                                                                                                                                                                   |                  |                            |
| <b>Site Address:</b>         | 77 Greywell Road, Havant, PO9 5AJ                                                                                                                                                                                              |                  |                            |
| <b>Proposed Development:</b> | 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. |                  |                            |

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#### **Observations / Comments:**

I have reviewed the above referenced application & documentation.

#### *Contamination*

The site comprised open space (Billy Lawn) from <1867 to >1956. Greywell was constructed sometime before 1971 on previously undeveloped land. No potentially contaminating landuses are known to have been associated with the plot, or within 150m of property at Greywell, and it is consequently considered unlikely that any risks exist at the site that could be materially relevant to sensitive receptors located at first & second floor level(s).

Given the construction date, it is not unlikely that asbestos will be contained within the fabric of the existing building that may be disturbed during conversion works. This is considered to fall outside the scope of 'contamination' (meaning substances in association with soils/ground); instead falling within the general responsibilities of the site owners under the Control of Asbestos Regulations (2012, and previous), and for others (e.g. contractors) under Health & Safety at Work (etc.) Act 1974.

No adverse comment on contamination grounds.

#### *Other - Form / Amount*

I note that the submitted schedule of accommodation provides floor areas "attributed" to addresses. This is not necessarily the same as being "located within the boundaries of-" (addresses).

There may be comments/concerns that Environmental Health may wish to raise which fall outside the scope of comment under the prior notification procedure. The form / amount is relevant as if a development does not meet the permitted development criteria, and a full plans application is therefore required - Environmental Health would have a platform on which to voice concerns / request information / impose conditions (etc.).

With respect to the unit known as 73-77 Greywell, the internal unit divisions are unclear from both the supplied plan and on available mapping. The distribution of accommodation across the defined units is therefore similarly unclear.

I have overlaid the proposed floorplans over the site addresses, and it would appear that the area falling within the apparent logical boundary / curtilage of units 73,75 & 77 (73-75) Greywell is approximately 627.45 sq.m, comprising:

- 33% Flat 15 ( $66.2 \times 0.33 = 21.85$  sq. m approx.) (2nd floor)
- Flat 16 (66.1 sq. m) (2nd floor)
- Flat 17 (52.3 sq. m) (2nd floor)
- Flat 8 (64.9 sq. m) (1st floor)
- Flat 9 (70.9 sq. m) (1st floor)
- Flat 10 (54.6 sq. m) (1st floor)
- Flat 11 (53.4 sq. m) (1st floor)
- Flat 12 (54.6 sq. m) (1st floor)
- Flat 13 (71.6 sq. m) (1st floor)
- Flat 18 (58.6 sq. m) (1st floor)
- Flat 19 (58.6 sq. m) (1st floor)

Assuming that each unit is equally sized, and that accommodation equally distributed (which may or may not be appropriate, in consideration of the original layout of the commercial units), the area of proposed conversion to residential accommodation would be >209 sq.m / unit, exceeding the permitted development threshold, and therefore falling outside the scope.

It may be deemed to be appropriate to assign accommodation based upon the range of units covered (as has the applicant has sought to do), however I am uncertain as to what controls may be in place to prevent the 'unused' allocation associated with the physical address (for example, associated with #69 & #71 Greywell, ca. 180 sq. m tot) for further residential conversion in future. It would appear that there is a potential risk that a future occupant / owner may breach permitted development rules unknowingly by utilising a development allocation that has been assigned to another address.

It is an issue for Development Control to determine whether the current scheme falls within the scope of the prior notification provisions or not. In the event that it is determined that a full plans application is required, Environmental Health would wish to comment on a variety of issues - 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.
- Acoustic insulation between residences
- Concerns in respect of shared access corridors, and the potential for blocking of fire escapes (for 73-77, corridor between Flat 11 & Flats No.'s 8 & 9 for example).
- Noise from external sources affecting future residents (indoor noise levels, and attenuation of external noise - e.g. by means of vent / glazing etc.)

As with the associated applications (35-37, 65, 69 & 71 Greywell), I note that the associated

works to fenestration require consent and that an application has been submitted under separate cover. It is understood that this was determined to be minor works & not put out to consultation.

In the context of a permitted development conversion from "non-noise sensitive" to "noise-sensitive" landuse, I would argue that the specification of fenestration is a non-trivial issue, and that Environmental Heath would likely wish to review applications made under these circumstances.

If it were possible, I would have requested that a consultation be sent through for APP/15/00392 (65 & 69-77 Greywell, Glazing) so that there is opportunity to consider mitigation of external noise for future residents, as we would for a normal application.

Following our earlier email exchange however, it is understood that the glazing has now been granted consent.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Jonathan Driver', with a horizontal line drawn underneath it.

**Mr. Jonathan Driver**  
Environmental Control Officer