
Site Address: 42A East Street, Havant, PO9 1AQ
Proposal: Conversion of ground floor from class use (B1) to form 1No. 2 bed apartment with associated alterations.
Application No: APP/14/00121
Applicant: Zinstone Ltd
Agent: Mr Carter
Ward: St Faiths

Expiry Date: 09/04/2014
Team: Team 1
Case Officer: David Eaves

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies to the south of East Street and is a attractive building fronting directly fronting onto the road. The proposal relates to the ground floor and small rear courtyard area. The first floor is in residential use with a separate access. The ground floor is currently vacant and was last used as an office (Care Agency).
- 1.2 The site is located within St Faiths Conservation Area. Although the building is unlisted it does abut a Listed Building (No.40 to the west of the property). The site is located within the Town Centre boundary as defined in the emerging allocations plan but is outside the primary frontage.

2 Planning History

None relevant.

3 Proposal

Conversion of ground floor from class use (B1) to form 1No. 2 bed apartment with associated alterations.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS4	()
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
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
TC7 (Changes of Use - Secondary Frontages)

Havant Borough Local Plan (Allocations) Submission Version December 2013
(Emerging Policy)

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

Listed Building Grade: Not applicable.
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Conservation Officer

No objection. The change of use offers the opportunity to bring the building back to life. At some point in the past the ground floor has been altered. No changes are proposed to the external; appearance. The planned changes to the rear represent an overall enhancement. I recommend the imposition of a condition concerning meter boxes and flues as these have a habit of appearing late in the development process and can mar an otherwise sympathetic proposal.

CONDITION

Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason:

To protect the character and appearance of the conservation area.

Southern Water

Formal application to SW needed for any new connection to public foul and surface water sewer to be made by the applicant or developer.

Informative requested.

Crime Prevention -Minor Apps

No comments

Building Control

No comments received

Development Engineer

No adverse comment providing the cycle parking referred to in the design and access statement is provided and maintained.

Waste Services Manager

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: 11

Number of site notices: 1

Statutory advertisement: 28/02/2014

Number of representations received: 0

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) Loss of business use
- (iii) The impact on the character and appearance of the Conservation Area and the setting of a Listed Building
- (iv) Effect on neighbouring properties
- (v) Effect on residential amenity
- (vi) Highway implications/parking

(i) Principle of development

7.2 The site lies within the built up area and within Havant Town Centre. The principle of residential use has to be assessed against the town centre and loss of business policies of the Local Plan.

(ii) Loss of business use

7.3 The proposal would result in the loss of a B1 business use and therefore needs to be assessed against policy DM3 of the Local Plan. The applicants have submitted details of the use of the premises as follows:

2002 (July) 2004 (June)	BS Care Limited
2004 (June) - 2005 (March)	Vacant
2005 (March) - 2006 (May)	Floridian Villas Ltd - Ceased trading
2006 (May) - 2006 (Oct)	Vacant
2006 (Oct) - 2007 (Oct)	BS Care Ltd
2007 (Oct) - 2008 (March)	Vacant
2008 (March) - 2011 (Aug)	Spooks Cafe Clairvoyant use and cafe
2011 (Oct) - 2013 (Sept)	More Care Ltd (Care Agency)
2013 (Sept) - today	Vacant

All of the above uses were predominantly office uses.

7.4 Given that the uses fell primarily within B1 uses class it is necessary to apply the tests for a change of use imposed by policy DM3 to the proposal. This policy requires the following:

Loss of B uses only permitted where it has been demonstrated that the premises are not fit for purpose and financially unviable for B use class purposes.

Where it is clearly demonstrated site no longer suitable for B class employment, other

types of economic development should be considered in the first instance offering employment opportunities. Only if other economic development cannot be found will other uses be considered.

For the above tests this shall be demonstrated through an active and exhaustive marketing process for 12 months (in relation to this scale of use).

A number of minimum marketing requirements are provided.

- 7.5 In relation to the above requirements details have been provided by Holloway Iliffe & Mitchell (Chartered Surveyors Commercial Property Consultants). The history of uses as set out above shows a series of relatively short term lets interspersed by periods of vacancy.

Viability:

- 7.6 It is stated that the constant re-letting, making good the vacant premises and all associated legal and running costs have contributed towards making the commercial letting of this site unviable. The location of the site is outside the main retail area and outside the proposals map primary shopping frontage. Under saved policy TC7 the site would be within the secondary shopping frontage. As such it is not centrally located for an alternative business use. The area is mixed with residential and commercial properties in the vicinity of the site.
- 7.7 The accommodation provided has been assessed by the property consultant. The lack of car parking, the layout of the building which retains its cellular residential nature with solid brick walls is not considered to lend itself for easy alterations for any commercial occupier. The frontage also has a domestic appearance which is considered to further restrict a commercial occupier and how they would promote their services and the use inside. These limitations are considered by the consultant to put the premises at the bottom end of the office market.

Marketing

- 7.8 With regard to marketing a 12 month marketing period is required by policy DM3. The premises has been marketed from March 2013 which meets the 12 month marketing requirement. The application has been accompanied by the marketing agents marketing details. Marketing stickers have been placed in the window of the premises and a board placed on the front of the building. The property has been advertised on the agents website and other marketing websites and details have been emailed to 85 'live applicants'. The marketing agent has stated that they have received no interest in the property as a result of the marketing exercise.
- 7.9 In conclusion the property is considered to have a limited appeal for business or other commercial use, this is based in part on its peripheral location within the town centre at the mixed commercial/residential eastern end of East Street. This is away from the main commercial hub of the town centre as reflected by the emerging proposals map within the Allocations Plan which excludes the area from the secondary frontage. Furthermore the design of the premises is reflective of a residential layout (probably indicating its past use). The internal layout is cellular with small rooms and brick wall divisions. The front elevation also contains domestic scale windows. There is no car parking at the premises (although this is not unusual in the town centre). These features are considered to reduce the viability of the premises in terms of commercial use. This has been reflected in a series of short term lets and periods of vacancy

including the period since September 2013 to the present day. Finally it is recognised that market trends and Government policy in relation to 'permitted development' changes reflect trends in marginal town centre areas and the limited viability of some commercial properties. It is considered that the proposed change of use has, in this case been adequately justified and that the change of use to residential can be recommended in principle.

(iii) The impact on the character and appearance of the Conservation Area and the setting of a Listed Building

7.10 The site is located within St Faiths Conservation Area and is adjacent to No.40 East Street a Grade 2 Listed Building.

7.11 The proposed change of use would result in very limited changes to the external appearance of the building or its internal layout. The front elevation (north) and the footpath elevation (east) would be unchanged and these are the public elevations of the building. There would also no change to the south elevation. The internal 'courtyard' elevation (west) would under go some limited alterations with a replacement window, a door provided in place of a window and the blocking of an existing door. These amendments are considered to be very modest and acceptable. Bin storage would be provided beneath the stairway to the first floor use. The Councils Conservation Officer is satisfied with the proposals. It is not considered that the proposals would preserve the character and appearance of the area and the setting of the adjacent listed building.

(iv) Effect on neighbouring properties

7.12 The residential use of the site is likely to result in less activity overall at the premises when compared to a B1 or other commercial use. The proposal includes minor ground floor window and door changes, these are not considered to be significant in terms of neighbour impacts. Bin storage in the courtyard is considered acceptable and unobtrusively sited.

(v) Effect on residential amenity

7.13 In relation to the residential amenity of future occupants, the building would divide to provide a reasonable level of accommodation with a floorspace of 57 sqm for a two bedroom property. There would be a small courtyard area outside the unit providing a limited external amenity space and bin storage.

(vi) Highway implications/parking

7.14 The property is located in the town centre. Whilst no on site car parking is provided, the location is considered to be highly sustainable being close to shops, entertainment and employment opportunities. The site is well served by rail and bus services. The Development Engineer has raised no objection subject to cycle parking being provided and this can be accommodated within the building or in the courtyard. It is considered that the proposal is acceptable in relation to highways requirements.

8 Conclusion

8.1 In conclusion, the proposal is acceptable in principle and the loss of business use has been justified in this case. The impact on the character of the Conservation Area and the setting of the adjacent listed building is acceptable as is the effect on neighbouring

residents. A suitable level of amenity for the new dwelling is provided. The proposal is considered acceptable from a highways point of view. Planning permission can therefore be recommended.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00121

(A) 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 Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
Reason: To protect the character and appearance of the conservation area 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.
- 3 The residential use hereby permitted shall not commence unless and until the refuse storage provision shown on drawing No's 13-1969-101 Revision P3 and 13-1969-100 Revision P3 has been provided in accordance with the approved details. The refuse storage shall thereafter be maintained in accordance with these details.
Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework 2012..
- 4 The residential occupation of the building hereby permitted shall not commence unless and until the area for cycle parking shown on drawing number 13-1969-100 Revision P3 has been provided in accordance with the approved details. The area shall thereafter be retained and available for cycle parking.
Reason: In the interests of the sustainability of the use and to provide future occupiers with non car based travel options having due regard to policies CS10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement February 2014
Heritage Statement January 2014

Letter from Holloway Iliffe & Mitchell (Marketing details etc) dated 3rd February 2014

Email and attachments from PLC Architects dated 8th April 2014

Location Plan Drawing Number 13-1969-104 Revision P2

Block Plan Drawing Number 13-1969-103 Revision P2

Existing and Proposed floor and roof plans Drawing Number 13-1969-100
Revision P3

Proposed Elevations Drawing Number 13-1969-101 Revision P3

Reason: - To ensure provision of a satisfactory development.