
Site Address:	135 Elm Grove, Hayling Island, PO11 9ED		
Proposal:	Demolition of retail premises and erection of a two storey building comprising 2No. 2 bed flats.		
Application No:	APP/14/00142	Expiry Date:	16/04/2014
Applicant:	Mr D Wilson	Team:	Team 2
Agent:	Mr G Duffett	Case Officer:	Rachael McMurray
	GJ Duffett		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The existing site consists of a vacant ground floor, commercial unit fronting onto Elm Grove. The site is located within the parade of similar units which run from No's 127 to 139. No's 127 and 137 have first floor accommodation. There is a service area at the rear which is accessed from St Mary's Road. This area also serves as a parking area to a 3 –storey block of flats fronting onto St Mary's Road to the west of the application site known as Claremont Court. Four of the parking spaces at the rear are within the ownership of the application site.

Whilst the vicinity of the application site is of a mixed use character with both residential and commercial units, the shopping parade on the west side of Elm Grove has changed in character following a number of recent approvals for ground floor retail units to change to residential units due to a lack of interest in occupancy for commercial purposes. The application site has been vacant since 2004.

2 Planning History

None relevant to this application

3 Proposal

Demolition of retail premises and erection of a two-storey building comprising 2No. 2 bed flats. This would include an entrance on the front elevation to the ground floor flat and a ground floor entrance to both the ground floor and first floor flat on the rear elevation. There would be four parking spaces (2 per flat) located at the rear of the site. The depth of the building would be 10m and it would include a pitched roof with a two-storey, flat roof extended section at the rear, very similar to the existing situation at No. 127.

4 Policy Considerations

National Policies
NPPF

Core Strategies 2011 forming part of the HBLDF
CS16 (High Quality Design)
CS9 (Housing)
DM10 (Pollution)

DM13 (Car and Cycle Parking on Residential Development)
DM2 (Protection of Existing Community Facilities and Shops)

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):

SW should be consulted as there is a public sewer within 3m.

Officer Note: The applicant will be advised of this via an informative

Development Engineer:

No adverse comments

Waste Services Manager:

No comments received

Regeneration & Development:

No objections

Environmental Health:

A condition should be included as per the example below which was applied for No. 137 Elm Grove:

"The development hereby permitted shall not commence until a scheme for protecting the proposed dwelling from traffic noise from Elm Grove has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

N.B. Maximum noise level (predicted 15 years from completion of dwelling) in habitable rooms, with windows closed and other means of ventilation provided:

Daytime *35 dB LAeq,16h*

Night time *30 dB LAeq,8h*

Reason: To safeguard the amenities of occupiers of the dwelling".

Crime Prevention:

There is no defensible space to the front or rear of the building which increases the opportunities for crime and anti-social behaviour and it is therefore recommended:

1. The external doors are certificated to PAS24:2012 standard
2. The ground floor windows are certificated to PAS24:2012 standard

3. Lighting should be provided at the entrance to the upstairs flat

Officer Note: The application will be made aware of these comments.

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: 20

Number of site notices: 1

Statutory advertisement: Not applicable.

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 an A1 retail unit
- (iii) Appropriateness of the design and Impact on the street scene
- (iv) Impact on the neighbouring properties
- (v) Parking provision
- (vi) Financial contributions

(i) Principle of development

7.2 The proposal is located in a urban area whereby development is considered to be acceptable in principle subject to other development management considerations. Since the determination of the last application, local planning policy has change and the Council have adopted the Core Strategy.

7.3 The site address was previously included within the boundary of a designated local centre in the Council's Local Plan. However, the boundary is proposed to be changed in the Draft Allocations Plan. This would mean that the site would fall outside of the boundary. The reason for this proposed change is that the majority of shop units in this section of Elm Grove have been vacant for a long period of time, with no new occupants coming forward, therefore suggesting a lack of commercial interest. Although this is not yet an adopted policy, it is a material consideration to be taken into account in the determination of this application.

(ii) Loss of an A1 retail unit

7.4 As mentioned above, the existing retail unit would have been unlikely to remain part of the local centre in the future if the draft allocations plan is adopted and therefore saved policy TC1 would not apply. The unit has been vacant for ten years and whilst no marketing evidence has been submitted as part of the application, the fact that it

has been vacant for such a long time suggests that the unit is not viable as retail or any other economic use. Furthermore, No's. 127, 135 and 141-143 Elm Grove have all recently been granted planning permission for a change of use of the retail units to residential properties which when implemented, will change the character of the shopping row to mixed use, as opposed to purely commercial use at ground floor level. The application for No. 141-143 did not include any marketing information and Planning Policy did not object to the application. Overall therefore it is considered that the loss of the unit would not have an adverse impact on the vitality and viability of the shopping row, when this viability has already reduced to a level where it is not considered that the site should be included as part of the local centre.

(iii) Appropriateness of the design and Impact on the street scene

- 7.5 The design of the two-storey building would feature a pitched roof and would be of a similar appearance and scale to No. 127 Elm Grove which was constructed in 2006 and also to the existing building at No. 137. It would appear as a dwellinghouse from the streetscene but would not be overly decorative so as not to stand out against the adjacent shop units at No's 129 and 133. A number of other converted units along the street have retained the shop front but altered doors to be more appropriate to residential accommodation. These can appear contrived however, the proposal would not replicate this. Overall, it is considered that it would not cause any adverse harm to the character or visual amenity of the streetscene.

(iv) Impact on the neighbouring properties

- 7.6 As the unit at No. 133 is single storey only with no windows in the side elevations, it is considered that the development would have minimal impact on this neighbouring unit. There is a 1.7m gap between No's 135 and 137 however, the new proposal would not have any windows in the side elevation which could result in a potential loss of privacy. No objections have been received.
- 7.7 The building has been designed so as to minimise the potential impact on the properties to the rear at No. 90 Claremont Court, as there would be no directly overlooking windows on the rear elevation at first floor level. The only windows would be either be obscurely glazed or comprise an oriel window which allows views southwards only. There would be a separation distance of approx. 18m which is considered to be acceptable in terms of the proposed first floor accommodation not to be overbearing, or result in a loss of outlook to the first and second floor rear facing windows within Claremont Court.

(v) Parking provision

- 7.8 There are four parking spaces located at the rear of the site which would be specifically for the use of the two flats. providing two parking spaces for each unit would be within the Council's Residential Parking Standards. The Highways Officer has been consulted and has not raised any objections.

(vi) Financial contributions

- 7.9 As new residential development is proposed, the application is CIL Liable for the amount of £11,200.

8 Conclusion

With the loss of the retail unit justified, the proposal is considered to be acceptable and is therefore recommended for permission.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00142 /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 Construction of the building 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 CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The development shall not be brought into use until a minimum of 4 parking spaces (2 spaces per unit) have been provided within the curtilage of the site as shown on Drawing No. 470.05 and thereafter all of those spaces kept available for such 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.
- 4 The development hereby permitted shall not commence until a scheme for protecting the proposed dwelling from traffic noise from Elm Grove has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

N.B. Maximum noise level (predicted 15 years from completion of dwelling) in habitable rooms, with windows closed and other means of ventilation provided:

Daytime *35 dB LAeq,16h*

Night time *30 dB LAeq,8h*

Reason: To ensure that the residential unit is adequately sound proofed in the interests of the amenities of the occupants of nearby premises and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The window at 1st floor level in the rear / west elevation which would serve a bathroom in the first floor unit shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

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

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and access statement (received on 7/2/14)

Site Plan

Existing elevations - Drwg No. 470.06

Proposed cycle store - Drwg No. 470.07

Proposed block plan and parking schedule - Drag No. 470.05

Proposed elevations, floor plans and section plan - Drwg No. 470.04

Reason: - To ensure provision of a satisfactory development.