

Recommendation: **GRANT PERMISSION**

3.1 Variation of Condition 4 of Planning Permission APP/12/00073 to enable detached two storey outbuilding to the west of 2 New Road to be used for independent commercial

use (office and car parking).

- 3.2 The applicant has stated that the nature of the use of the building will remain the same but the removal of condition 4 will allow the building to be used as an independent commercial premises and as such capital will be able to be raised on the premises.

4 Policy Considerations

National Policies

The National Planning Policy Framework, March 2012

Core Strategies 2011 forming part of the HBLDF

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM14	(Car and Cycle Parking on Development (excluding residential))

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer - has agreed with the principle of the development so long as the office parking and turning area are conditioned and that two parking spaces are conditioned to be retained on the dwelling site

Network Rail - no comments

Environmental Health - No adverse comments. It might be prudent to re-iterate that under no circumstances should it ever be considered for living accommodation.

Economic Development - Economic development has no objection to this application.

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: 6

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: None.

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 neighbours
- (iii) Highway implications
- (iv) Design and effect on the streetscene

(i) Principle of development

7.2 The proposed development is an office within the urban area and in principle, the proposals are acceptable subject to the usual Development Control criteria.

7.3 It should be conditioned that the office is not converted to living accommodation, as would be permissible under the prior notification regulations, as the site is located in close proximity to the Portsmouth to London (Waterloo) railway line and to the B2149 (New Road) and the levels of noise recorded on the site indicate that it falls with Noise Exposure Category (NEC) C of Planning Policy Guidance Note 24, Planning and Noise and as such, planning permission for housing should not normally be granted.

(ii) Effect on neighbours

7.4 It is considered that the variation of condition would not be detrimental to the occupiers of the neighbouring dwellings; the manner that the building is being used currently will not change and furthermore they are all set sufficient distance from the site so as not to be detrimentally impacted by the proposals.

(iii) Highway Implications

7.5 The variation of condition 4 is acceptable so long as the parking shown on plan for both the dwelling and the office is conditioned to be retained and the turning circle as shown on plan is conditioned. The Core Strategy requires 1 parking space per 30sqm of office space and this office is a total of 63 sqm. As such the two parking spaces for the office as shown are acceptable and the dwelling is a three bedroom property requiring two spaces as proposed.

(iv) Design and effect on the streetscene

7.6 This is a mixed streetscene already with both commercial and industrial buildings and as such it is not considered that the change from a two storey home office to independent commercial unit will be detrimental so long as it is conditioned that the render finish is completed within 4 months of the date of any planning permission.

8 Conclusion

8.1 It is not considered that the variation of condition 4 to allow the home office to be used for independent commercial use will be detrimental to the amenities of the occupiers of the adjacent dwellings or negatively impact the visual amenities of the streetscene. Therefore it is recommended that permission be granted subject to planning conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/01277 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:

Site Plan Ref.No 001041722 received 6 January 2014
Proposed and Existing Plans Drwg.No 5058.12 rev.C received 4 February 2014

Reason: - To ensure provision of a satisfactory development.
- 3 Notwithstanding the provisions of Part 3 Class J of the Town and Country Planning General Permitted Development Order (as amended) or any Order amending, revoking or re-enacting this order the office hereby permitted shall not be converted to living accommodation without the prior written approval of the Local Planning Authority following the granting of a planning permission.
Reason: The site is located in close proximity to the Portsmouth to London (Waterloo) railway line and to the B2149 (New Road) , planning permission for housing should not normally be granted as it would result in an unacceptably poor living environment for the occupiers and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and to Planning Policy Guidance 24 (Planning and Noise).
- 4 The development shall not be brought into use until a minimum of 2 parking spaces have been provided within the curtilage of the office site and 2 spaces within the curtilage of the dwelling house 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 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The turning space within the curtilage of the office as shown on plan 5058.12 rev c shall be retained to enable vehicles to enter and leave in a forward gear and this shall be maintained and kept available for that purpose at all times.
Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The proposed render, K-Rend, colour Arran, shall be applied to all elevations of the office building within 4 months of the date of this planning permission.
Reason: To secure a satisfactory form of development and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011

and the National Planning Policy Framework 2012.