
Site Address:	171A & 171B Southwood Road, Hayling Island, PO11 9PZ		
Proposal:	Change of use from Retail (Class A1) to residential, to form 3No. 1 bed flats.		
Application No:	APP/13/00001	Expiry Date:	12/09/2013
Applicant:	Mr P Patel	Team:	Team 1
Agent:	Mr I Reed	Case Officer:	Heather Lealan
	Architectural Planning Ltd		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the corner of Southwood Road and Nutbourne Road and was formerly an A1 retail unit with residential accommodation above. For some years the whole of the unit has been converted to residential. There is parking provided on a hardstanding to the front and side of the property. The current layout consists of two flats - one a small bedsit and the other a large 5 bedroomed flat formed over the ground and first floor.

2 Planning History

No relevant previous planning applications for this unit. Submission of the application follows an enquiry received by the Council's planning enforcement team regarding the status of the property.

3 Proposal

Part Retrospective change of use from Retail Class A1 to residential to form 3No. 1 bed Flats. The application seeks to regularise the loss of retail use at the site and allow some small internal and external changes to form the 3No. 1 bed units now proposed. Car parking arrangements for 3 cars on the forecourt are to remain as existing.

4 Policy Considerations

National Policies

The National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS16	(High Quality Design)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

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

5 Statutory and Non Statutory Consultations

Economic Development -

No objection so long it has been advised for retail but with no takers.

Planning Policy -

The NPPF includes reference to local shops as community facilities (Paragraph 70 of the NPPF) and the importance of such facilities is further enhanced through Local Plan (Core Strategy) Policy DM2.

Policy DM2 is a criteria based policy that seeks to protect (amongst other community uses) premises currently or last used as a local shop. I have noted from the Design and Access Statement that accompanies the application that the shop apparently ceased trading in 2007.

Development Management will need to consider whether it is appropriate to gain further evidence/information to support this claim that the shop has not traded since 2007 and also further information to support compliance with Policy DM2.

Environmental Health Manager -

The old shop has at some point closed (our last record of it trading was a food hygiene inspection in September 2006) and been converted into a one bed flat, separate to the existing living accommodation which was already behind the retail element of the unit.

Development Engineer -

I recommend approval subject to the provision of one parking space per unit plus cycle facilities.

I assume this will be determined after 1 August and CIL will apply.

Comment - CIL will not apply as there is no increase in floor space. 3 parking spaces exist on site and they should be conditioned to be retained. There is adequate room within the rear garden for provision of secure cycle storage.

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: 21

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary: (with officer comments in italics)

a) This property has been used for many years as several bedsits - *Noted*

b) Bad workmanship to conversion has resulted in damage to adjacent dwelling - *This*

is a building control/civil matter

c) Sewers, drain and water supply do not have capacity to cope with additional occupation - *This is not a material planning consideration and furthermore the number of bedrooms within the site reduces from 6 to 3*

d) Current state of the dwelling devalues adjacent residential property - *Although this is not generally a material consideration given the breach of planning it is considered appropriate to apply a time limit for completion of the proposed works if the application is permitted*

e) What provision is there for parking as current cars block adjacent residents driveway and cause danger to children playing on the corner - *3 car parking spaces are proposed, as existing.*

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 residential amenity
- (vi) Effect on the character and appearance of area
- (v) Adequacy of parking

(i) Principle of development

7.2 It is considered that this proposal is acceptable in principle, having regard to the specific circumstances of this case. The loss of the A1 unit occurred some years ago (c.2007) and this has been corroborated by both the neighbour's representations and Environmental Health's consultation response. As a change of use from retail to residential would become lawful after only 4 years, it would not be possible to require the reinstatement of retail into this small unit which the applicant has confirmed was changed in 2007. Furthermore, given these circumstances it is not considered appropriate to require marketing information as none was created at the time of conversion. Therefore, whilst the detailed requirements of Policy DM2 have not been met in this case, the fact that the Authority is not in a position to enforce against the loss of retail use means that this cannot constitute a valid ground to resist the application. With regard to the works to reconfigure the residential accommodation at the site, this can be supported in principle given that, as considered in section (ii) and (iii) below, the current proposal improves the existing situation both in terms of the impact on the occupiers of neighbouring dwellings and the appearance of the property within the streetscene.

(ii) Effect on residential amenity

7.3 It is considered that the proposed change improves the existing situation, that being a small flatlet and a large flat with 5 bedrooms. Such a configuration is unbalanced and suggests that the larger unit could readily be let out as 5 separate letting rooms or to a large family, for whom the nature of the site - which does not benefit from significant private amenity space - would be unsuitable. The conversion to 3No. 1No bedrooms flats is considered to be an improved layout, which suggests a lower occupancy rate and possibly a lower turnover of tenants. It is considered that the proposal would be a

benefit over the existing situation to the amenities of the occupiers of the existing building and those of adjacent residential properties.

(iii) Effect on the character and appearance of area

- 7.4 There are small external changes proposed to the fenestration which should improve the design of the property and reinforce its appearance as a residential property rather than a former shop.

(vi) Adequacy of parking

- 7.5 It is considered that the parking provision currently on site is acceptable and that the 3 parking spaces should be conditioned to be retained. There is adequate room within the rear curtilage for provision of secure cycle storage. It is not considered that change from retail to residential and from 2 units comprising 6 bedrooms in total to 3 units comprising 3 bedrooms in total will represent a greater detriment to other users of the highway.

8 Conclusion

- 8.1 It is considered that a solely residential use is acceptable in this locality in terms of the impact on residential amenity and commercial provision in the locality given that the shop ceased trading some years ago and its loss is likely to be lawful now in planning terms. To this regard it is recommended that the application be permitted subject to planning conditions. No liability under the Community Infrastructure Levy arises from the development as there is no increase in floor space.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00001 subject to the following conditions:

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

Site Location plan OS.No 100047474 received 27 February 2013
Existing Floor Plans drwg. no Y2013/13/02/02 received 18 July 2013
Proposed Floor Plans drwg. no Y2013/13/05/05 received 18 July 2013
Existing and Proposed elevation Plans received 18 July 2013

Reason: - To ensure provision of a satisfactory development.

- 2 The works hereby permitted shall be completed in accordance with the approved plans within 10 months of the date of this permission.

Reason: Having regard to the retrospective nature of the application, in the interests of the amenities of the area and occupants of the application site and surrounding dwellings and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 3 The three flats hereby approved shall not be brought into use until a minimum of 3 parking spaces have been provided within the curtilage of the site 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.