
Site Address:	137 Elm Grove, Hayling Island, PO11 9ED		
Proposal:	Change of use from ground floor shop to 1No. bed residential flat.		
Application No:	APP/13/00613	Expiry Date:	28/08/2013
Applicant:	Mrs Ford	Team:	Team 2
Agent:	Mr Critchley	Case Officer:	Rachael McMurray
	Martin Critchley, Architect		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1. 1 Site Description

The site consists of a ground floor, commercial unit fronting onto Elm Grove, with a first floor residential flat above. The site is located within the parade of similar units which run from No's 127 to 139. There is a service area at the rear which is accessed from St Marys Road and this also provides access into the first floor flat. 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. This area contains 13 parking spaces, 2 of which are used by No. 127 Elm Grove and 7 of which are allocated to the flats fronting St Mary's Road.

2 Planning History

APP/10/00020

Change of use of ground floor retail unit to residential flat. refused - 2/6/13

Reason for refusal:

The proposed change of use would result in the loss of a retail floor space situated within a designated District Centre which would have an adverse impact on the retail character and vitality of this shopping centre. The proposal is therefore contrary to saved Policy TC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 4.

3 Proposal

The proposal is to change the use of the ground floor commercial unit from A1 use to a residential flat, accessed from Elm Grove. This will include the alteration of the fenestration on the front elevation, including a new door and an addition of a new door in the side/north elevation. The parking space is and would be located at the rear of the property, accessed from St Mary's Road.

4 Policy Considerations

National Policies

NPPF

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)

CS9 (Housing)

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

Building Control;

Bin stores to be provided and windows to have means of escape.

Development Engineer:

No objections

Environmental Health:

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have to object to this application due to lack of information regarding the internal noise environment in the proposed flat. We currently have no data on which to base an assessment of the external noise climate at the site associated with the high traffic levels along Elm Grove nor regarding the effectiveness of the glazing to the front elevation which appears to be largely unaltered from the current shop window.

If you are of a mind to grant consent I would ask that the following condition be applied to any consent granted:

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.

Regeneration & Development:

No objections

Crime Prevention:

To the front of the property there is no defensible space, which increases the opportunities for crime and anti-social behaviour. To reduce these opportunities I recommend that the front door is certificated to PAS24 standard and that the window is reduced in size to be more in line with a front room window.

A pedestrian access gate to the rear of the premises is located adjacent to the north side of the building. To provide for the security of the dwelling this gate should be of robust construction at least six feet high and fitted with a key operated lock that can be operated from either side of the gate.

There is gated access to the rear of the dwelling from Saint Marys Road. This access is more secluded. To provide for the security of the dwelling I recommend that the external doors are certificated to PAS24 standard and the windows are certificated to PAS24:2012 standard.

An external light should be provided at the rear access door.

Officer Note: These comments will be attached as informative so that the applicant is aware of the requirements.

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 effect on the streetscene
- (iv) Parking provision
- (v) CIL

(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 retail unit is 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 since the 2010 application was made and whilst no marketing evidence has been submitted as part of the application, the fact that it has been vacant for 4 years suggests that the unit is not viable as retail or any other economic use. Furthermore, No. 127 Elm Grove and 141-143 have both recently been granted planning permission for a change of use of the retail unit 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 effect on the street scene

- 7.5 Minimal changes of the facade to the building are proposed including only those to the entrance door and the addition of a new door on the north / side elevation. It is considered that these would not result in harm to the visual appearance of the building or the street scene.
- 7.6 No details were submitted with the application to explain how mitigation measures against noise pollution would be incorporated. However, the Environmental Health Officer is satisfied that this information could be secured via a planning condition.
- 7.7 Policy CS14 of the Local Plan requires all new homes to be built to Level 3 on the Code for Sustainable Homes. However, whilst this proposal would create new homes, the units would be created within an existing building which has not been built to this level. It would therefore be considered unjustified to require the existing building to be adapted and as such, a condition should not be applied in this instance.

(iv) Parking

- 7.8 The unit has one parking space available at the rear of the building, accessed from St Marys Road. This would be retained for the flat. Therefore the proposal is in accordance with the Council's parking standards for residential accommodation.

(v) CIL

- 7.9 As the site has not been in use within the last six months, it is liable for a CIL payment. A Liability Notice will be sent out with the decision notice.

8 Conclusion

Due to the determination of other similar applications in the immediate vicinity, the likelihood that the site would be excluded from the local centre boundary in the future

and that the unit has been vacant since 2009, the loss of the retail unit is considered to be acceptable and the application is recommended for approval.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00613 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 external materials to be used shall match in type, colour and texture those on the existing building, unless agreed otherwise in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Site plan - 201
Block plan - 202
Existing and proposed floor plans - 0949-302A
Existing elevations - 0949-401
Proposed elevations & Section - 0949/402A

Reason: - To ensure provision of a satisfactory development.

- 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.