

Southampton City Planning & Sustainability
Planning and Rights of Way Panel meeting 21 August 2012
Planning Application Report of the Planning and Development Manager

Application address: Flat 3, 76 Anglesea Road			
Proposed development: Change of use of first floor from residential (Class C3) to office (Class B1 (a)) (Departure from the local plan)			
Application number	12/00945/FUL	Application type	FUL
Case officer	Bryony Stala	Public speaking time	5 minutes
Last date for determination:	26.04.2012	Ward	Shirley
Reason for Panel Referral:	Departure from Core Strategy policy CS16	Ward Councillors	Cllr Chaloner Cllr Kaur Cllr Mead

Applicant: The Freya Centre (Ms Susan Incambells)	Agent: Culverwell Consultina (Mr Jim Culverwell)
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Recommendation Summary	Approve temporary consent
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Reason for granting Permission

The application constitutes a departure from the Development Plan policy CS16 of the Local Development Framework Core Strategy (2010) but is compliant with the other relevant Policies of the Development Plan set out below. However, on the basis of the granting of a temporary consent for a period of two years, the local planning authority do not consider the loss of a residential unit of accommodation to be harmful to the city's housing stock. In addition, other material considerations, including the ability of the applicant to maintain an appropriate standard of business and provide an important health facility within the city in accordance with CS10 of the Core Strategy is considered to outweigh compliance with CS16 and is not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been allied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1 and SDP5 of the City of Southampton Local Plan Review (March 2006) and CS10 and CS19 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve subject to no additional planning objections being made following the expiration of the notice advertising the proposal as a departure from the local plan (30.08.2012).

1. The site and its context

- 1.1 The site is comprised of a three storey building comprising 5 flats with an adjoining two storey building which operates as a medical clinic (IVF) known as the Freya Centre. There is associated parking to the front of the site.
- 1.2 The site is located on the west of Anglesea Road just north of Medina Road and Harrison's Cut.

2. Proposal

- 2.1 The application seeks temporary planning consent for a change of use of a first floor two bedroom flat (flat 3) to office accommodation in association with the adjoining Freya Centre. There is a similar temporary planning consent (08/01316) for the use of the adjacent flat 4 currently operated by the same company. That consent expires in November 2014.
- 2.2 The proposal constitutes a departure from the local plan and it results in the loss of a residential unit. This is contrary to policy CS16 of the adopted Core Strategy.
- 2.3 The Freya Centre is outgrowing the current premises and additional administration space is urgently needed to accommodate the businesses growth. The clinic recognises that in the long term they will need to relocate to a larger site. However, in the short term, they seek additional administration space to enable the business to continue without difficulty.
- 2.4 The planning application states that at present a remote office would not be appropriate as it would create security risks by way of important and data protected information having to be regularly transferred from the remote office to the Freya Centre on Anglesea Road. In addition, such an arrangement would require a continual use of vehicles to transport information from one facility to the other.
- 2.5 There are no external alterations proposed.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Core Strategy policy CS10 advocates that proposals for the intensification of healthcare uses on existing sites in accessible locations will be supported subject to compliance with other adopted policy. In this instance the most relevant 'other adopted policy' is CS16 which seeks to protect the housing stock within the city.
- 3.3 The National Planning Policy Framework came into force on 27 March 2012. Having regard to paragraph 214 of the National Planning Policy Framework dated 27 March 2012 the policies and saved policies set out in **Appendix 1** which have been adopted since 2004 retain their full material weight for decision making purposes.

4.0 Relevant Planning History

- 4.1 03/00424/FUL - Construction of a 3 storey block comprising 5no. flats. (1x1 bed, 4x2 bed) Construction of a 2 storey attached block to provide a medical clinic (IVF) with associated car parking. - Approved. 15.12.2004
- 4.2 08/01316/FUL - Change of use of first floor flat to admin offices (class B1 a) for a temporary period of six years - Description amended following validation - TCON. 04.11.2008. Expires 04 November 2014

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, erecting a site notice 25.06.2012 and advertised as a departure from the local plan on 09.08.2012. At the time of writing the report 0 representations have been received.
- 5.2 **SCC policy** – No objections raised, subject to the granting of a temporary two year planning consent.
- 5.3 **SCC Highways** – No objections raised.

6.0 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are whether the proposed temporary use of a residential dwelling to office accommodation will have an adverse impact on the long term housing stock of the city.
- 6.2 Policy CS10 of the adopted Core Strategy advocates that proposals for the intensification of healthcare uses on existing sites in accessible locations will be supported subject to compliance with other adopted policy.
- 6.3 Core Strategy policy CS16 does not support the loss of family housing in the city unless an identical unit can be provided within the site. However, the flat only has two bedrooms and a family dwelling is defined as a unit with three bedrooms or more.
- 6.4 Saved policy H6 (Housing retention) of the local plan review (March 2006) states that planning permission which would result in the loss of dwellings would not be granted unless the use provides a necessary or desirable community facility designed to meet an identified need in the neighbourhood. Whilst the function of the Freya Centre is not a community facility by definition, it serves an important need within the local community and wider Southampton area.
- 6.5 The unit layout will easily be able to change back to a residential unit; as such the proposal will not result in the long term loss of a residential unit.
- 6.6 Although the city requires all types of housing, the temporary loss is not seen as being harmful to the availability of two bedroom flatted accommodation within the city. The exceptional circumstances surrounding the need for the residential unit to be temporarily converted into office accommodation are considered to be of

sufficient weight to support the proposal. However, the local planning authority do not consider this to be an appropriate long term approach to meeting the growing needs of the business and encourage the applicant to find alternative accommodation within the immediate future.

- 6.7 On balance, it is judged that a temporary use of flat 3 for a period of two years will not significantly undermine the delivery of housing within Southampton.
- 6.8 The use of the flat as administrative offices is not considered to harm the residential amenities of neighbouring occupiers. The nature of the use, operating hours and the limited number of additional staff on site is unlikely to generate unreasonable noise nuisance or trips.
- 6.9 The Freya Centre currently has 4 car parking spaces for users of the clinic. In addition, on street and free car parks are available within Shirley City Centre, a short walk from the site. These will serve both staff and customers of the centre.

7.0 Summary

- 7.1 The granting of a temporary office use for a period of two years would tie in with the expiration of consent 08/01316/FUL for the use of flat 4 as admin offices, which expires on the 4th November 2014. Following the expiration of both consents, flats 3 and 4 would revert back to residential accommodation. Such an arrangement gives the applicants sufficient time to explore options for alternative office accommodation, without compromising the long term housing stock of the city or their current business need.

8.0 Conclusion

- 8.1 It is recommended that planning permission is granted subject to the imposition of the recommended conditions.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d)

BS for 21.08.2012 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION - Time Limited (Temporary) Permission Condition - change of use

The use hereby permitted shall be discontinued at or before the expiration of the time period stated in this permission and the land and buildings restored to their former condition, the period specified in this permission being 4 November 2014.

Reason:

To enable the Local Planning Authority to review the special circumstances under which planning permission is granted for this type of development, given that it is not considered an appropriate permanent use for the premises.

2. APPROVAL CONDITION - Restricted employee numbers

Unless otherwise agreed in writing by the Local Planning Authority the temporary administrative office hereby approved shall be occupied by no more than 4 employees.

REASON

To safeguard the residential amenities of neighbouring occupiers and for the avoidance of doubt.

**3. APPROVAL CONDITION – Office use to be related to the Freya Centre.
(Performance Condition)**

The office use of the unit hereby approved shall be used in connection with the Freya Centre only and shall not at any time be used by any other business.

Reason

For the avoidance of doubt

4. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS10	A Healthy City
CS16	Housing Mix and Type
CS19	Parking

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
H6	Housing Retention

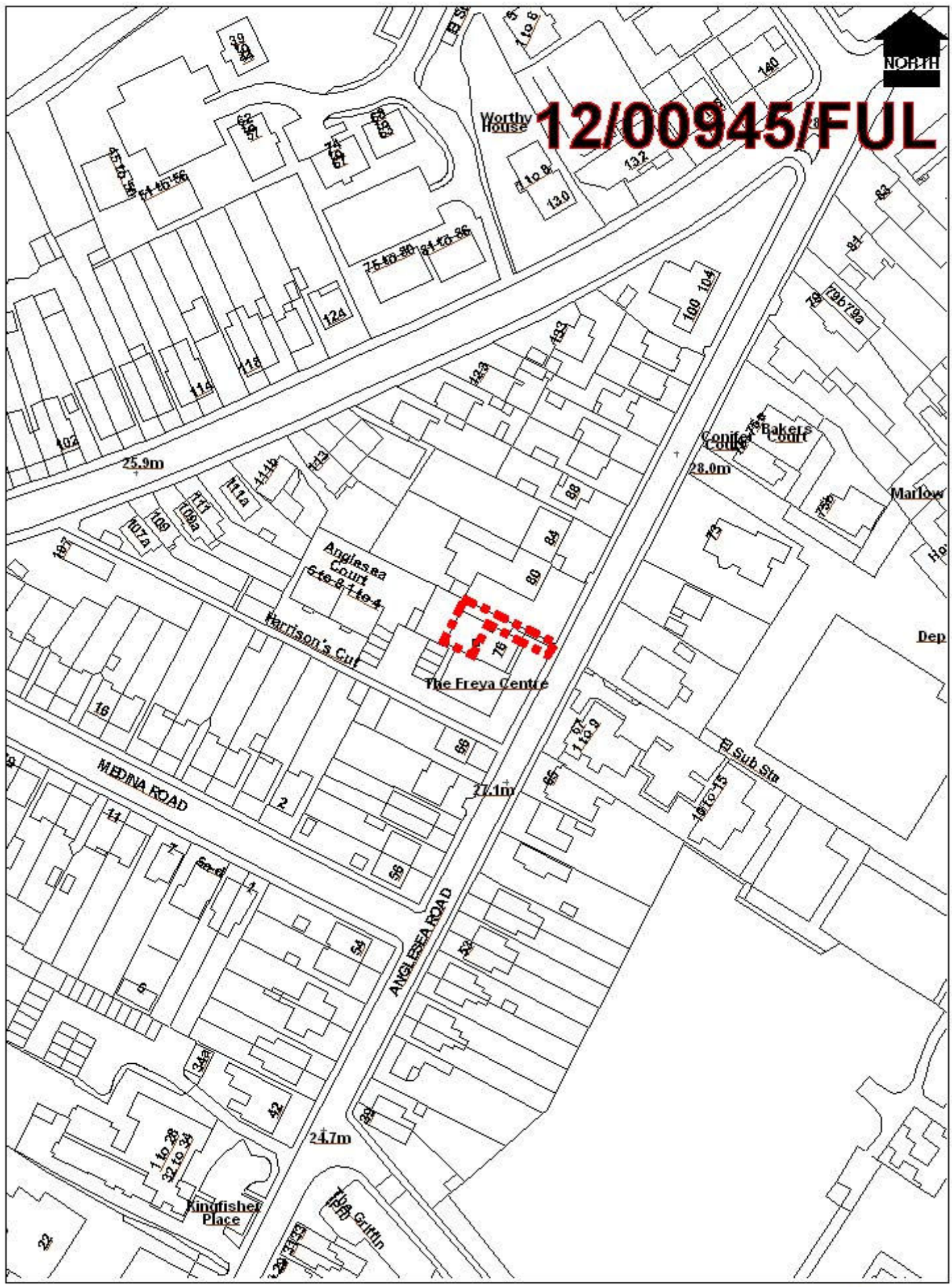
Supplementary Planning Guidance

Parking SPD (September 2011)

National Planning Policy Framework



12/00945/FUL



Scale : 1:1250

Date : 09 August 2012

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