

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 29 Carlton Crescent			
<b>Proposed development:</b> Change of use of existing office (Use Class B1) to a Physiotherapy Clinic (Use Class D1)			
<b>Application number</b>	13/01425/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Joanne Hall	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	31/10/2013	<b>Ward</b>	Bevois
<b>Reason for Panel Referral:</b>	Departure from the Development Plan	<b>Ward Councillors</b>	Cllr Stephen Barnes-Andrews Cllr Jacqueline Rayment Cllr Derek Burke

<b>Applicant:</b> Mr Amos And Mrs Brodrick	<b>Agent:</b> Metroscope Design Ltd
--	-------------------------------------

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
-------------------------------	------------------------------

<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
---	-----------------------

**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. It is considered that the loss of office space would not significantly reduce the employment opportunities in the city and it is unlikely that a D1 use would result in an unsatisfactory change to the area. Other material considerations including the effect on highways, the impacts on the character of the area and the impact upon neighbouring properties have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied 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, SDP7, SDP9, HE1 and HE3 of the City of Southampton Local Plan Review (March 2006); and CS1, CS3 and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

## **Recommendation in Full**

### **Conditionally approve**

#### **1.0 The site and its context**

- 1.1 The application site comprises a single ground floor room (Room 11) to the rear of the property. Access is gained from a communal hallway via the main entrance to the building from Carlton Crescent. The property itself is a listed building within the Carlton Crescent conservation area. The room is currently not being used and will therefore be let out in order to help cover costs. There is a rear car park with disabled access for those with mobility problems together with cycle and refuse storage facilities.
- 1.2 The area is characterised by office use and is safeguarded for such use under Local Plan policy REI 15 (see section 6.3.1).

#### **2.0 Proposal**

- 2.1 It is proposed to change the use of the room to a physiotherapy clinic. No structural changes are proposed either internally or externally. The only alteration would be to remove some of the ephemeral fittings such as the existing floor covering and replace with a more hygienic, easy to clean material.
- 2.2 There are two original pillars within the fabric of the walls in the room. It is not proposed that these will be affected by the proposal. There is an area within the entrance of the building which is currently being used as a waiting room and this would continue being used as such for clients of the physiotherapy clinic.

#### **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 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes

and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4.0 Relevant Planning History**

- 4.1 07/00829/LBC - Listed Building Consent for the erection of a three-storey office extension with external and internal alterations and the installation of an external lift – CAP 18/07/2007
- 4.2 07/00827/FUL - Erection of a first and second floor rear office extension & installation of external lift – CAP 19/07/2013
- 4.3 04/01919/LBC - Internal and external alterations to the existing building and the erection of a three storey rear extension with car-parking at ground floor level – REF 24/03/2005
- 4.4 04/01918/FUL - Erection of a three storey rear extension with car-parking at ground floor level – REF 24/03/2005
- 4.5 There are other applications relating to the building as a whole but are not deemed to be relevant planning history for this room in particular.

#### **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 undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report 0 representations have been received from surrounding residents.

#### **5.2 Consultation Responses**

##### **5.2.1 SCC Highways -**

The site is located within a city centre location where local streets contain parking restrictions limiting any potential overspill. However, there are many pay and display parking spaces which can provide for visitors who wish to arrive by car.

The location and the very small scale of this development will generate minimal impact to the area in terms of highways.

Recommendation

I raise no objections therefore recommend APPROVAL

- 5.2.2 **SCC Heritage** – I have no objections to this application, provided that there are no internal alterations to room 11.

## **6.0 Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:

- Principle of development
- Loss of office floor space
- Impact upon character of the property and local area
- Impact on amenity of surrounding properties
- Parking and highway safety.

### **6.2 Principle of Development**

6.2.1 The principle of the development is to bring back into use an area of the building which is currently vacant. The proposal seeks to not only help cover costs of the building by renting out this room but will also provide an employment site, although small, and provide a service to members of the public. It is deemed that the positives of this would outweigh the departure from the Local Plan which safeguards the area for office use.

### **6.3 Loss of office floor space**

6.3.1 The area in which this site is located is safeguarded for office uses under Local Plan policy REI15 which state there should be no net loss of office floor space. However the City Centre Action Plan is at an advanced stage in preparation. The proposed submission version was approved by Cabinet in March 2013. This takes a more flexible approach to safeguarding office areas and is more consistent with the latest national guidance / economic circumstances. This does not safeguard this site for office use. The area of floor space which would be lost would be approximately 24 square metres which is judged to be an insignificant reduction.

### **6.4 Impact upon character of the property and local area**

6.4.1 The proposal does not include any physical changes to the building and therefore there would be not effect of the character with regard to any change in appearance. The use would not significant alter the character of the area as the proposal is small scale and an appointment only service and is therefore not deemed to change the professional, office environment which characterizes the area.

### **6.5 Impact upon amenity of surrounding properties**

6.5.1 As the area is predominantly used as office space, it is not deemed that the proposed hours of used (8.00am-5.30pm with occasional later appointments as necessary) would not be significantly different to a typical office use and therefore would not have an impact upon the amenity of the neighbouring properties. The use of the clinic would not result in excessive noise, traffic or waste that would impact upon surrounding properties.

## 6.6 Parking and highway safety

6.6.1 Parking is provided to the rear of the premises along with disabled access. Pay and display parking is also available in Carlton Crescent. The application proposed that the clinic would be used on an appointment basis which could be secured by conditions. The combined effect of these measures would help mitigate the impact of any increase in pedestrian or vehicular traffic although it is likely to be a very minimal impact overall due to the scale of development.

## 7.0 Summary

7.1 The impact of the application would be minimal due to the modest scale of the proposal and therefore no harm would be caused as a result of permission being granted.

## 8.0 Conclusion

8.1 Having considered the aforementioned issues, the application is deemed to be acceptable and is therefore recommended for approval subject to conditions.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1 (a) (b) (c), 2 (b) (d), 3 (a), 4 (kk), 7 (a).

#### **JOAHAL for 15/10/13 PROW Panel**

### **PLANNING CONDITIONS**

#### **01. APPROVAL CONDITION - Full Permission Timing Condition - Change of use**

The use hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990(as amended).

#### **02. 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.

03. APPROVAL CONDITION - No internal or external alterations (Performance condition)

No alterations to the fabric of the building, either internally or externally, shall be undertaken without prior written approval by the Local Planning Authority. In particular, the original pillars within Room 11 adjacent to the protruding elements of the wall shall not be removed, painted or in any other way altered.

Reason:

In the interest of preserving the original features of the Listed Building

04. APPROVAL CONDITION - Restricted number of customers and appointment booking.[Performance Condition]

The premises shall only be attended by one customer at anyone time and appointments shall be pre booked with no passing trade taking place.

Reason:

To allow the local planning authority to control the specific nature of the use and range of the likely associated activities.

05. APPROVAL CONDITION - Opening Hours

Unless the Local Planning Authority agree in writing, the premises to which this permission relates shall not be open for business outside the hours specified below:

Monday to Friday 8am to 8pm (0800 to 2000 hours)

Saturday 9am to 1pm (0900 to 1300 hours)

Reason:

In the interests of the amenities of the area

06. APPROVAL CONDITION - Room 11 only

This permission relates solely to changes of use from B1 (Office) to D1 (Physiotherapy clinic) of Room 11 of 29 Carlton Crescent and will at no time apply to any other part of the building without seeking the relevant permission(s) from the Local Planning Authority.

Reason:

In the interest of proper planning and the avoidance of doubt.

07. APPROVAL CONDITION - Reverting back to B1(a) office use

If at any time Room 11, Carlton Crescent ceases to be used as a physiotherapy clinic (D1 use), the use shall be reverted back into office (B1(a) use) unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To protect the amenity of the building and wider local area.

## 00. Reason for Granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. It is considered that the loss of office space would not significantly reduce the employment opportunities in the city and it is unlikely that a D1 use would result in an unsatisfactory change to the area. Other material considerations including the effect on highways, the impacts on the character of the area and the impact upon neighbouring properties have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied 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, SDP7, SDP9, HE1 and HE3 of the City of Southampton Local Plan Review (March 2006); and CS1, CS3 and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS1	City Centre Approach
CS3	Promoting Successful Places
CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS8	Office Location
CS13	Fundamentals of Design
CS14	Historic Environment

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP11	Accessibility & Movement
HE1	New Development in Conservation Areas
HE3	Listed Buildings
REI15	Office Development Areas

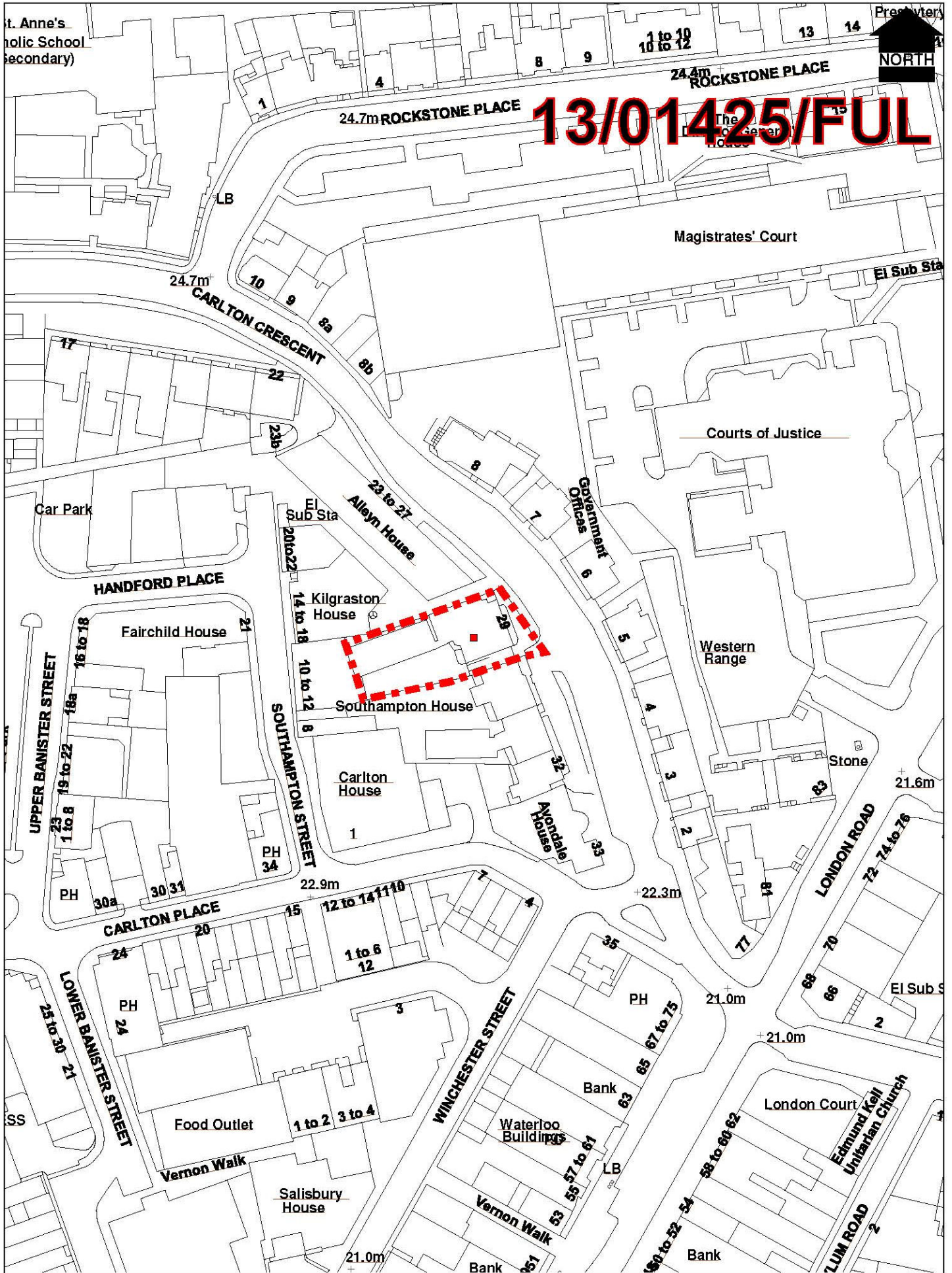
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012





Scale : 1:1250

Date :02 October 2013

© Crown copyright. All rights reserved. Southampton City Council 100019679 2004.

