

PLANNING COMMITTEE



Meeting Date	08/08/2019
Application Address	83 The Grove, Christchurch, Dorset, BH23 2EZ
Proposal	Construct 2-storey office building to rear with revised parking layout.
Application Number	8/18/3552/FUL
Applicant	Elcock Associates
Agent	Elcock Associates
Date Application Valid	1 February 2019
Decision Due Date	29 March 2019
Extension of Time Date (if applicable)	
Ward	Commons
Recommendation	Grant, subject to conditions in accordance with the details within the report.
Reason for Referral to Planning Committee	<p>This application is brought to the Planning Committee at the request of Christchurch Borough Councillor Mrs Margaret Phipps who considers the application contrary to saved Policy H12 of the Christchurch Local Plan and Policy HE2 of the Core Strategy for the following reasons:</p> <ul style="list-style-type: none"> · The design of the new proposed building is totally out of keeping with properties in the area · The new building will overlook the garden and adjoining property at 2 Elm Avenue, spoiling their enjoyment of their home · The new building looks as though it will be in front of the building line of other properties along the Avenue which will make it overbearing in its location · There is so little space on the plot that I consider the proposal to be overdevelopment

Description of Development

- 1 Planning consent is sought to construct a 2-storey office building to rear with revised parking layout.
- 2 The applicant has provided the following information:

	Existing	Proposed	Difference
Site Area (ha)	0.009	0.009	NA
Use	Car park with 8 spaces serving existing offices	Two storey detached office building and 5 parking spaces	2 storey building 89m ² B1 use, loss of 3 parking spaces
Number of employees	5 full time 1 part time	12 Full time	+6
Approximate Eaves & Ridge Height (m)	NA	Eaves 3.4m Ridge 6.3m	
Approximate Depth (m)	N/A	10.4m	
Approximate Width (m)	N/A	5.3m	
Distance from Site Boundary	N/A	0.8m	
No. of Storeys	N/A	2	
Parking Spaces	8	5	-3
No. of Residential Units	N/A	N/A	
No. of Affordable Housing Units	N/A	N/A	

Key Issues

- 3 The main considerations involved with this application are:

- The principle of the development
- Impact on character and appearance of area
- Economic benefits of the scheme
- Impact on residential amenity
- Parking provision
- Landscaping

These matters will be discussed in the planning assessment at para's 22 - 44 below.

Planning Policies

- 4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise.

Development Plan:

The development plan in this case comprises the Christchurch and East Dorset Local Plan 2014 and saved policies of the Christchurch Local Plan 2001.

Christchurch and East Dorset Core Strategy 2014

- ENV 1 Waste Facilities in New Development
- ENV 21 Landscaping in New Development
- ENV 5 Drainage and New Development
- ENV 6 Connection of Development to Mains System
- H16 Crime Prevention and Design
- HE2 Design of new development
- HE3 Landscape Quality
- KS1 Presumption in favour of sustainable development
- KS2 Settlement Hierarchy
- KS5 Provision of Employment Land
- KS12 Parking Provision
- ME1 Safeguarding biodiversity and geodiversity
- ME3 Sustainable development standards for new development
- P5 Replacement for Loss of Car Parking
- PC1 Christchurch and East Dorset Employment Land Hierarchy
- T16 Access for those with impaired mobility

Supplementary Planning Documents:

Christchurch Borough Wide Character Assessment 2003

The site is within The Grove character area which has a "leafy suburb Sylvan character" and the Assessment acknowledges the broad mix of detached house types set back from the roads in large plots. The buildings are generally of similar scale which contributes to a cohesive character and there are mature oak trees in gardens and as street trees. The Assessment also acknowledges that the well vegetated character is sensitive to enlargement of the properties or further infill.

The National Planning Policy Framework (2019)

The guidance contained in the National Planning Policy Framework (NPPF) is a material consideration.

Paragraph 11 Sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits

when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Para 80 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Para 127 requires that development should add to the overall quality of the area. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions (para 130).

Para 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Para 170 advises that decisions should contribute to and enhance the natural and local environment.

Relevant Planning Applications and Appeals

5 8/18/0624/OUT

The construction of new offices within the parking area. This will be a two storey (rooms in roof) development for Class B1 use. The parking layout to the site is to be amended to provide 5 off road parking spaces for staff and an extension to the dropped kerb on Elm Avenue. (Application withdrawn November 2018)

6 8/16/1970/COU

Change of use from D1 (Doctor's surgery) to B1 (professional offices). The change of use of the premises to an office (Class B1) at ground floor and a Class D1 use (Physiotherapy Practice) at first floor with alterations to the internal layout of the ground floor of the building.

7 8/85/047

Erection of replacement doctor's surgery (over two floors) with associated car parking (10 spaces) and formation of vehicular access from Elm Avenue
Approved 2005

Representations

8 In addition to letters to neighbouring properties a site notice was posted outside the site on 19 February 2019 with an expiry date for consultation on 12 March 2019.

- 9 A total of 19 representations of objection have been received. The issues raised comprise the following material considerations:
- Overdevelopment of site
 - Detrimental impact on character and appearance of the area
 - Overbearing scale and design of proposed building
 - Siting of building forward of building line
 - Inappropriate choice of materials (wood, glass and zinc)
 - Loss of parking spaces/substandard parking spaces
 - Highway hazard from additional on street parking and additional non-residential traffic
 - Intensification of business use on the site inappropriate in a residential area
 - Precedent for other non-residential development in the area.
 - Unspecified hours of business
 - Impact on light, privacy and amenities of neighbouring properties
 - Approval of proposal would reduce opportunity to restore the site to residential use
 - Extension to existing building is a more appropriate way of accommodating additional employees
 - Proposal will exacerbate parking problems likely to arise from approval of a redevelopment of no.74 The Grove
 - Concerns about arrangements for refuse collection
 - Insufficient opportunity for surface water soakaways
 - Impact from external lighting
 - Increased risk of crime in area
 - Proximity of building and choice of roof material will result in a noise impact on no.2 Elm Avenue
 - Disturbance and highway safety concerns during construction
 - Precedent for the conversion of residential properties to offices.

10 **Consultations**

11 Dorset Highways Authority - Received 22/03/2019

No objection – subject to condition to secure turning & parking construction prior to occupation

12 **Constraints**

- 13 SSSI Impact Risk Zone
- 14 Highways Inspected Network
- 15 Heathland 5km Consultation Area
- 16 Airport Safeguarding
- 17 Wessex Water Sewer Flooding

18 **Planning Assessment**

19 **Site and Surroundings**

- 20 The application site comprises a detached, single storey property located on the east side of The Grove and occupying a position at the junction of that highway with Elm Avenue. The property was previously used as a doctors' surgery and has the benefit of a parking area to the rear (with access off Elm Avenue). The existing built form has a pyramidal roof form with accommodation in the roof space served by a dormer in the elevation facing the Grove and two roof lights in the elevation facing 2 Elm Avenue. There is a large street tree on the Grove Road frontage and the rear parking area is surrounded by hedging.
- 21 The site is located within an established residential area comprising dwellings of mixed scale and varying design. The area has a mature, established character, with dwellings generally set back behind small enclosed gardens with low walls/hedges along the frontages and long rear gardens. The immediate locality is primarily residential in terms of use, although there are retail/commercial uses located to the south of the site.

22 **Key Issues**

23 **Principle of Development**

- 24 Both paragraph 14 of the NPPF, and KS1 of the Local Plan place a presumption in favour of sustainable development. This site falls within the urban area of Christchurch, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. This includes employment development.

- 25 The proposals are acceptable in principle.

26 **Impact on character and appearance of area**

- 27 The Grove contains a variety of dwelling sizes and types and a building of two storey scale would not appear incongruous in this context. 85 The Grove is a detached two storey dwelling with a hipped tiled roof and rendered elevations.

2 Elm Avenue is a detached chalet dwelling with brick and rendered elevations and accommodation in the gabled slate roof.

28 The proposed two storey building would be located close to and parallel with the common boundary with 2 Elm Avenue. The proposal has a steeply pitched roof, with a brick and timber clad elevations and a glazed frontage, partly covered by a louvered timber screen. Due to the variety of designs and materials in the surrounding area, the design is considered to be compatible with the character of the area. The proposed building would have a comparable ridge height to no.2 Elm Avenue and would project slightly further forward (approximately 1m at the closest point) in the streetscene than this neighbour.

29 When viewed from the west the building would be read as largely subservient structure within the curtilage of and sharing access to the car park of the commercial unit at no.83. When viewed from the south the impact of the glazed gabled elevation is moderated by the first floor timber screen/sunshade, and when viewed from the rest of Elm Avenue the perspective of the building is partially screened by the forward projecting gable at no.2 and the existing fence along the common boundary with that property.

30 The proposal seeks to retain hedging along the front and rear boundaries. The rear of the site is currently wholly hard surfaced and the proposed building is not considered to represent an overdevelopment of the site. Having regard to the variety of property types in the immediate vicinity it is not therefore concluded that the proposed built form would result in any significant harm to the character and appearance of the area.

31 Economic Impacts of the scheme

32 The Local Plan notes that in Christchurch almost half of employment in the Borough is in distribution, hotels and restaurants and public administration, education and health (Key Facts para. 16.3). Where employment is heavily reliant in the town on a limited number of sectors, weight will be attached to supporting existing businesses which increase the range of job opportunities on offer. The applicants are an existing practice of Chartered Surveyors and the proposals will double employment levels at the site. The proposals support an existing practice providing professional services and therefore high-quality jobs and additional weight is given in this respect although it is noted the site could be occupied by any B1 office use.

33 The Local Plan notes there is a shortage of available employment land and states "*In this respect it is important to retain employment sites in sustainable locations well served by infrastructure that enable the future employment land requirements of the housing market area to be met.*" (para.16.12). There are no policies in the Local Plan preventing or resisting employment proposals within residential areas and para.80 of the NPPF advises; "*Significant weight should be placed on the need to support economic growth and productivity,*

taking into account both local business needs and wider opportunities for development.” The proposals therefore support and expand an existing business within a sustainable location with a use which is compatible with a residential area. The scheme therefore results in long-term positive economic benefits in addition to the construction phase. Substantial weight is attached to this aspect in the balancing exercise and any negative impacts of the proposals would need to significantly and demonstrably outweigh these benefits.

34 Impact on residential amenity

35 The facing gabled elevation of 2 Elm Avenue has a bedroom window at first floor level (subject to a condition on a planning consent to be obscure glazed) and there is also a roof light in the roof slope facing the application site. There is a ground floor window in the facing elevation of no.2 approx.4m away from the proposed building. This room has a restricted outlook across the driveway of No.2 to the boundary and has been converted to a bathroom with obscured glazing. The common boundary with the application site is marked by a brick wall topped by close boarded fencing to a height of approx. 1.8m. This existing screen combined with the 3.4m eaves height and the roof pitching away from the common boundary helps to mitigate the physical impact of the proposal on the occupiers of no. 2. Similarly, the absence of any first floor windows facing no.2 in the side or rear elevations of the proposed building ensure that the proposal would not result in any overlooking or loss of privacy to no.2.

36 The elevation of the proposed building facing the car park would be between 9 and 15m from the nearest corner of the two storey dwelling at no.85. This separation distance and offset position combined with the retention of the boundary hedging is considered sufficient not to result in an overbearing relationship of built form to no.85. Notwithstanding that the intention is to retain the hedging along the common boundary with that property, it is considered that the cranked windows serving the stairwell and first floor office of the proposed building should be conditioned (no.7) to be obscure glazed in order to prevent overlooking of and loss of privacy to no.85.

37 The glazed front gable of the proposed building would be approx. 20m away from the rear elevation of no.81 and combined with the first floor timber screen/sunshade this separation distance is considered sufficient not to result in any significant overlooking or loss of privacy to no.81 The Grove.

38 Subject to conditions to manage the construction process and limit hours of use of the new building (nos. 5 & 6) it is considered that the proposal would not result in any significant harm to the living conditions of nearby residential properties.

39 Parking Provision

40 The proposal would result in an additional 89m² B1 floorspace and the loss of 3 parking spaces. There is no minimum parking provision for the use on this site. It is therefore necessary to consider whether the level of parking provision

is likely to be adequate for the operational needs of the future occupiers. Whilst the responses of third parties are noted, there is limited evidence to support a position of substantial parking demand or pressure in the surrounding area. Having regard to:

- the sustainable location in the urban area (opposite a bus stop),
- the provision of cycle spaces and shower facilities
- the association of the new floorspace to the current occupation of no.83 which can be secured by a condition
- the absence of any objection from the Highway Authority

it is considered that the LPA would be unable to defend a refusal reason on the basis of inadequate parking provision.

41 **Landscaping**

42 There are no trees near to the proposed two-storey structure. However, there is hedging running along the boundaries with Elm Avenue and 85 The Grove. The Council's Tree and Landscape officer advises that this vegetation provides a useful level of amenity and breaks up the built form. Its retention is important.

43 The officer's view is that the proposed removal of a small section of the hedging (approx. 1.5m), as shown on the Location and Block Plan will not have a significant detrimental impact on the remaining hedging on site. However, there is concern that this vegetation could be physically damaged and/or its rooting area dug up, during the development stage, if planning is approved. A condition (no.6) is therefore, recommended to ensure that the applicant demonstrates what measures will be put in place to safeguard the hedging and to ensure its long term retention.

44 **Summary**

- The proposal seeks development in a sustainable location within the urban area.
- The development is not considered to significantly impact on the character and appearance of the area.
- The development provides significant economic benefits
- No significant harm occurs to the living conditions of neighbouring properties or the occupiers of the proposed dwellings.
- The access and parking arrangements are considered to be acceptable.
- The proposal would not result in the loss of any significant trees

45 **Planning Balance**

46 The scheme will result in the doubling of existing staff on the site. The scheme provides positive economic benefits in a sustainable location and substantial weight is given to this in the balancing exercise. It is acknowledged that the intensification of use of the site may potentially result in some additional

demand for short-term on-street parking in The Grove or in roads nearby. However, there is limited evidence to support a position of excessive parking pressure or demand in the surrounding area such that this would result in unacceptable harm to the area or highway safety. The council encourages sustainable development and seeks to strike a balance between the benefit of development, the impact on the surrounding area, and on residential amenity.

- 47 The proposal therefore has positive economic benefits and neutral environmental and social factors. Any impacts from the scheme are demonstrably outweighed by the benefits of the development and the proposals are recommended for approval.

Recommendation

Grant permission with the following conditions, which are subject to change by the Head of Planning & Regulation provided any alteration/addition does not go to the core of the decision:

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
100 Location and Block Plan
101 Proposed Plans and Elevations
102 Proposed Site Plan

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

3. Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

4. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 102 Proposed Site Plan must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

5. The hours of use for the 2 storey office building hereby permitted shall be restricted to:
08:00 – 18:00hrs Monday to Friday

Reason: In order to protect amenities of neighbouring properties

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. measures to control the emission of dust and dirt during construction
 - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - vii) what measures will be put in place to safeguard the hedging on the site boundaries, and to ensure its long term retention.

Reason: This information is required prior to commencement to safeguard the amenity of the locality, to protect existing hedging and to ensure that highway safety is not adversely impacted upon.

7. Both in the first instance and upon all subsequent occasions the cranked windows serving the stairwell and first floor office of the proposed building shall be glazed with obscure glass and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of overlooking.

Reason: To preserve the amenity and privacy of the adjoining property.

Informatives:

NA

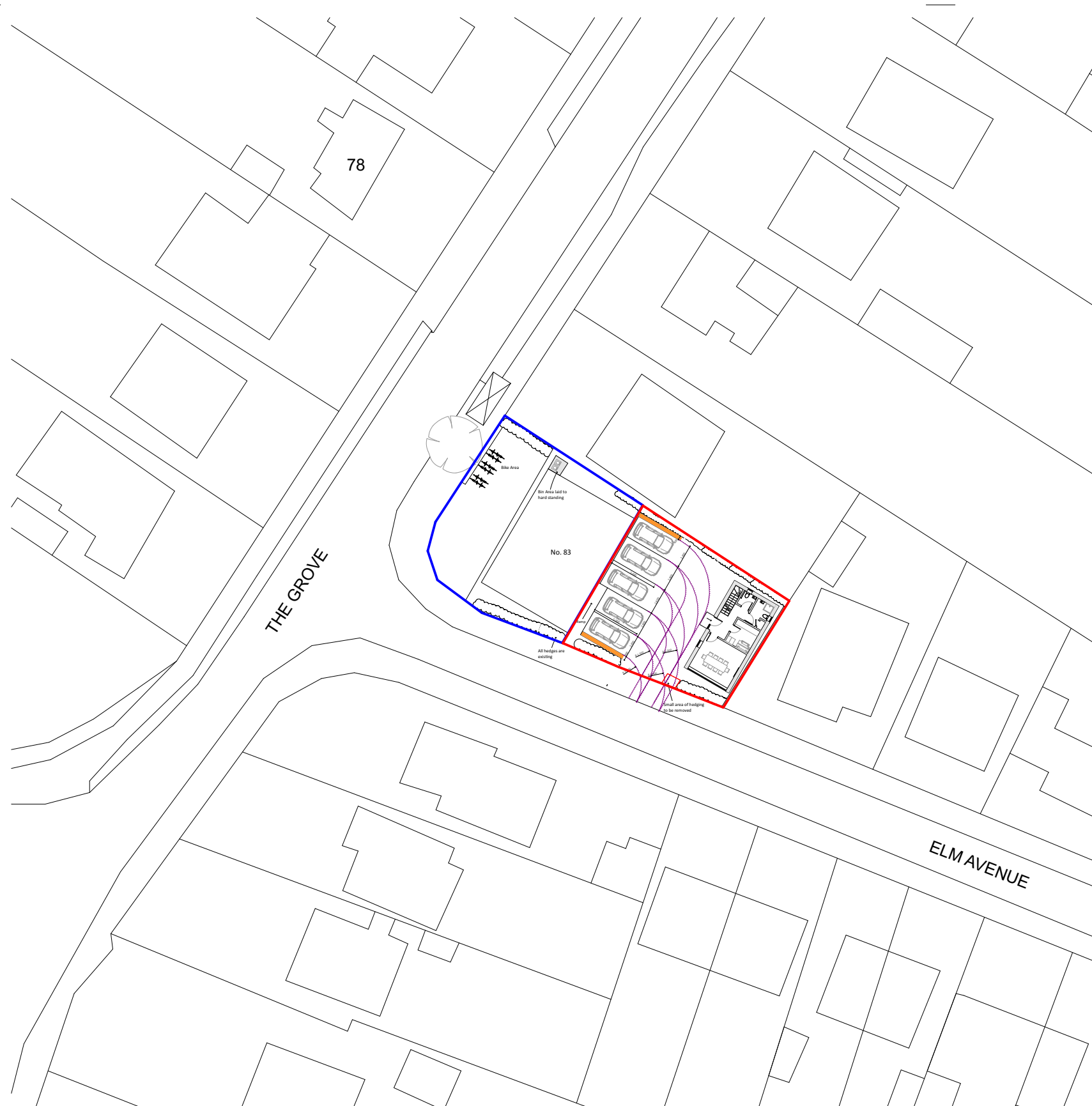
Background Documents:

Case File - 8/18/3552/FUL

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

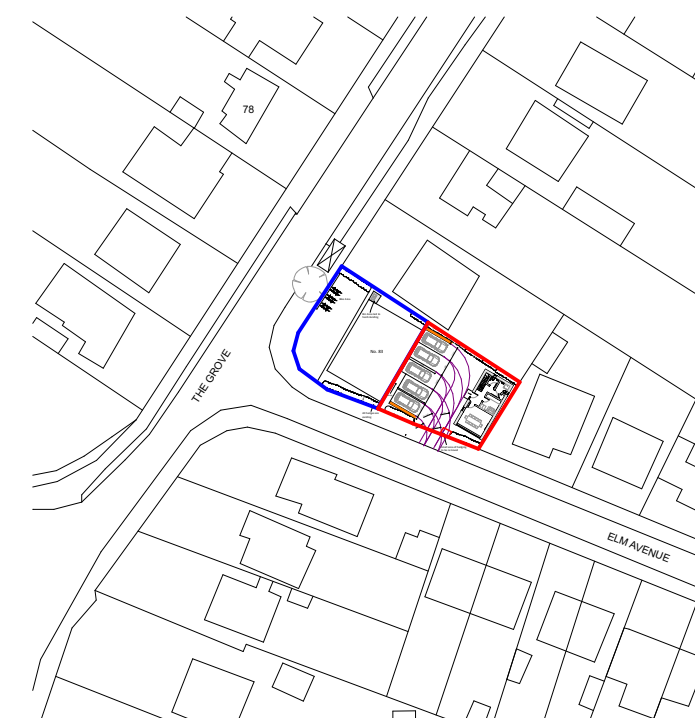
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Case officer: Kevin Chilvers



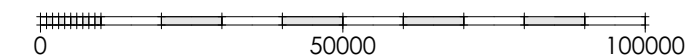
Block Plan

Scale 1:500



Location Plan

Scale 1:1250

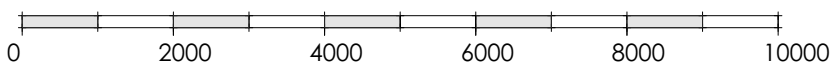


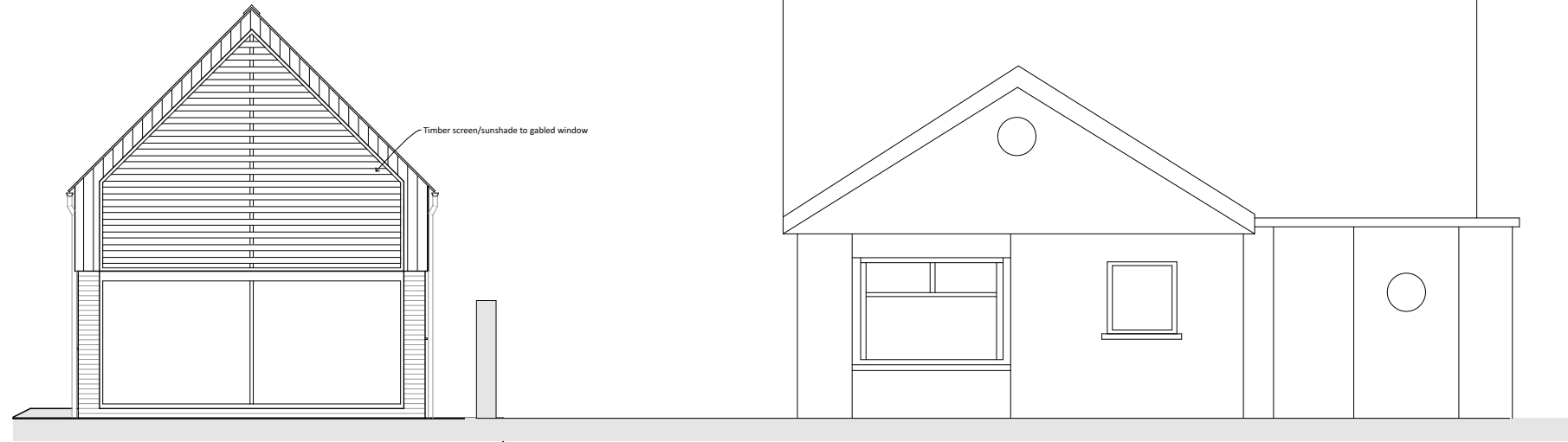
Application Site
Site Ownership



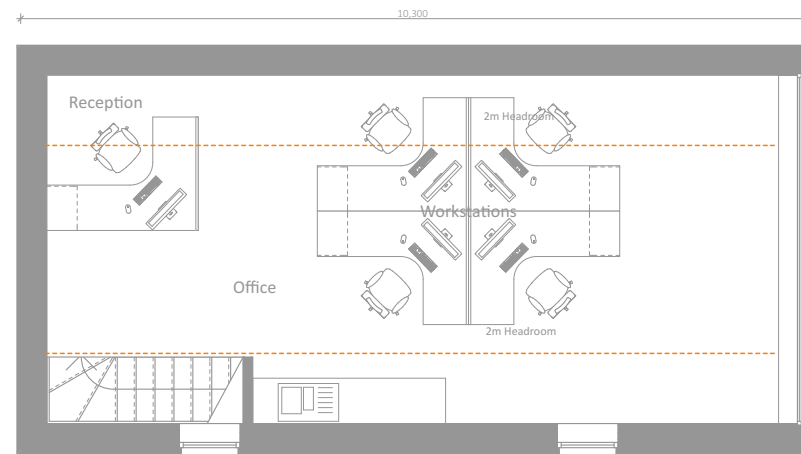
102 Proposed Site Plan

Scale 1:100

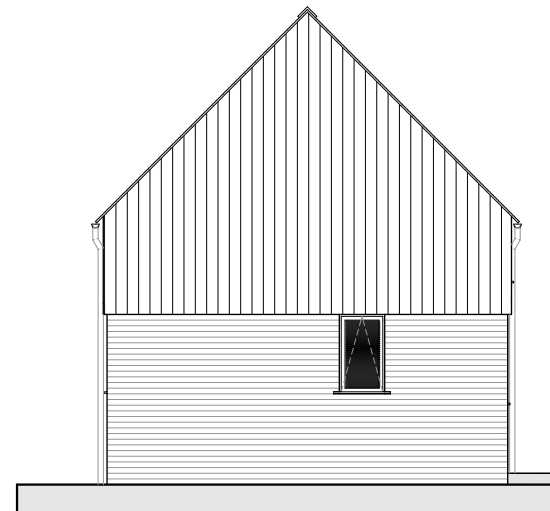




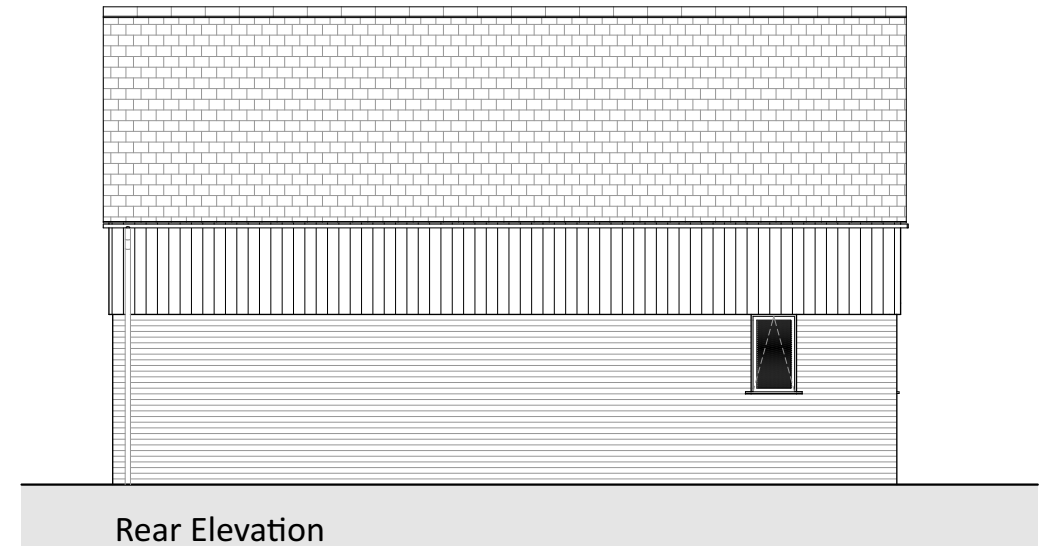
Side Elevation / Street View



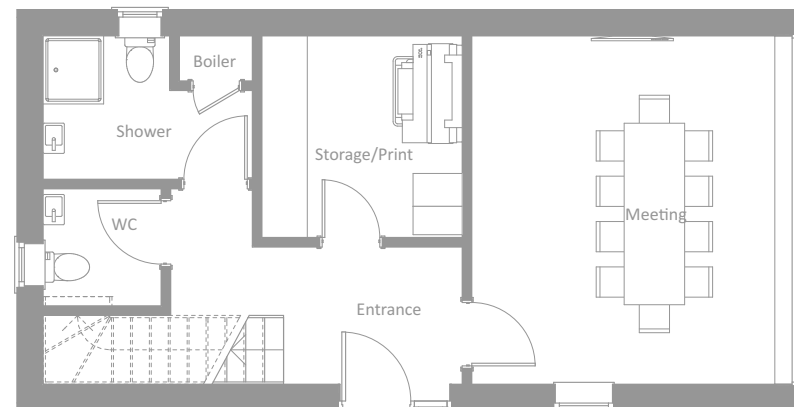
First Floor



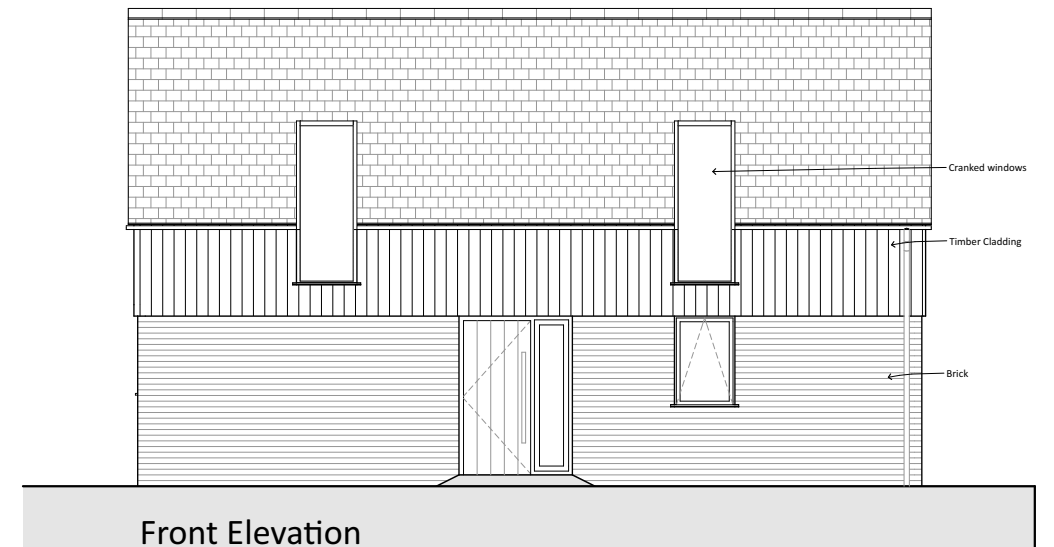
Side Elevation



Rear Elevation



Ground Floor



Front Elevation

Scale 1:100

