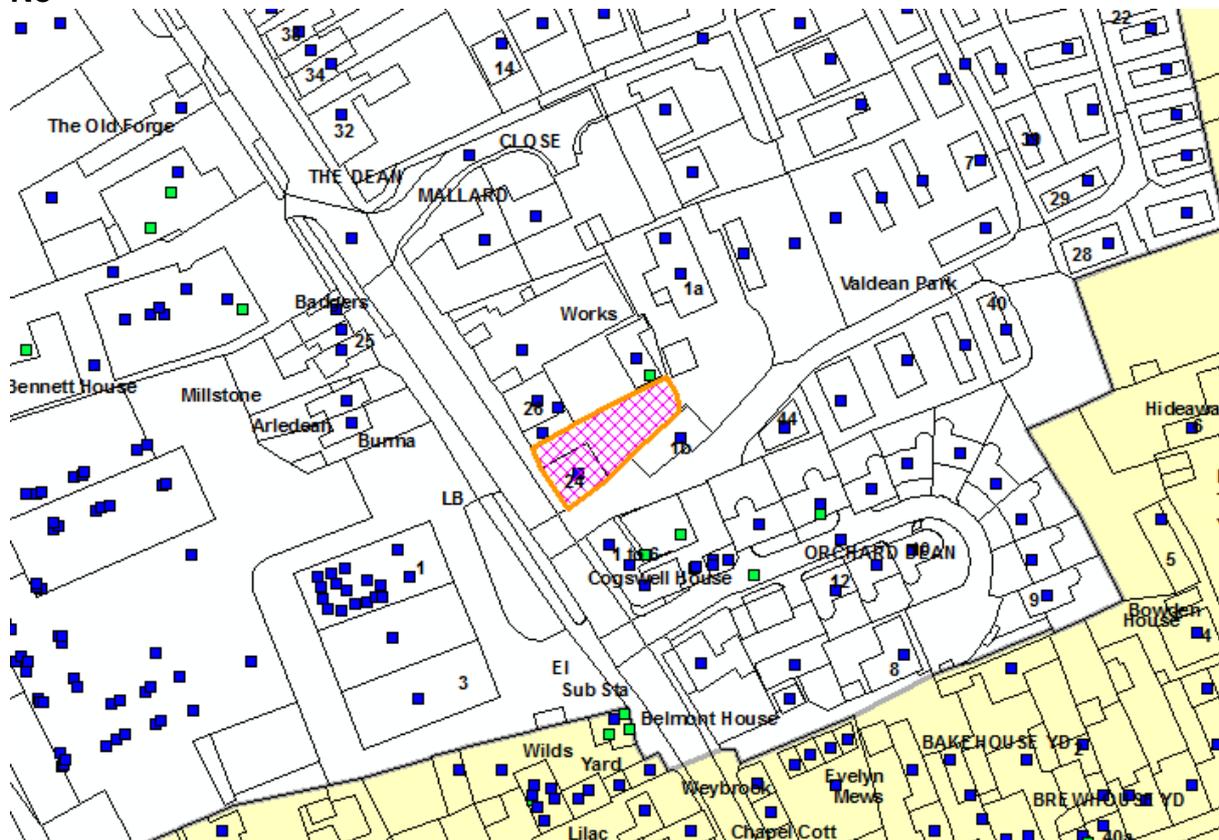


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/01914/FUL
Proposal Description: Change of use from therapy centre (D1) to funeral directors (A1). Alteration of window to doorway on rear elevation.
Address: 24 The Dean
Alresford
SO24 9AZ
Parish, or Ward if within Winchester City: New Alresford Town Council
Applicants Name: Mr Graham Deacon
Case Officer: Alexander Strandberg
Date Valid: 05/09/2019
Recommendation: Application Permitted

Pre Application Advice:
No



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General Comments:

The application is reported to Committee at the request of a Councillor whose comments have been attached as an appendix to this report.

Site Description:

The application site is located on the south-eastern side of The Dean in Alresford, approximately 40 metres south of the junction between The Dean and Mallard Close. The property comprises a single storey brick building, with a car park to the rear providing parking for five vehicles. This car park is accessed from The Dean on the northern part of the property. The building is currently in use as a complimentary therapies centre, and has three treatment rooms as well as a kitchen, storeroom, toilets and a reception area.

The area surrounding the property is characterised by a mix of commercial and residential uses. To the north of the application site are a number of commercial properties. To the east of the site is the Valdean mobile home park, while to the south is Cogswell House, which is a residential development. Across the highway from the property are a number of industrial units set back from the road, with associated parking.

Proposal:

The proposal seeks to change the use of the premises from the existing complimentary therapy centre, a D1 use, to a funeral director, an A1 use. The proposal further seeks to remove an existing window on the eastern elevation of the building, located within the enclosed car part to the rear of the property and to be replaced by a doorway. This proposed doorway would provide a wider access point to the rear of the building.

Relevant Planning History:

- 80/01541/OLD, Erection of building to be used for storage. PER: 03.09.1980.
- 84/01424/OLD, Change of use from J3762 dairy to offices and tool hire store. PER: 16.07.1984.
- 85/00942/OLD, Use of part of building for retail purposes and display of tools and alterations to front elevation. PER: 12.06.1985.
- 02/01867/FUL, Change of use from builder's office/yard to complementary therapy centre. PER: 23.09.2002.
- 03/00952/AVC, One non-illuminated fascia sign on the front of the shop. PER: 11.06.2003.

Consultations:

WCC Environmental Health

No objection

- The use hereby permitted shall only open to customers between the hours of 07:00 to 23:00 Monday to Sunday, condition no. 5.

Southern Water

No objection

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- No new surface water flows will be permitted to be discharged to the public foul sewer. Alternative means of draining any additional surface water runoff from this development are required.

Hampshire Highways

No objection

- The change of use from a class D1 therapy centre to a class A1 funeral directors is unlikely to result in any material highway/transportation implications.
- The available onsite parking provision is likely to be adequate for this type of use.

Representations:

New Alresford Town Council.

- No objection.

1 representation comprising a petition containing 39 signatories from 31 addresses objecting to the proposed development for the following material reasons:

- There will be an increased volume of traffic generated by the development.

2 other representations objecting to the proposed development for the following material reasons:

- The proposed commercial development will not be in keeping with the planned redevelopment of The Dean into a residential area.
- An increase in traffic within an already difficult road junction.
- The location is unacceptable for the proposed use close to residential properties.
- The proposed development would have a serious harm on the character and appearance of the locality and the residential amenity of neighbouring residential properties.
- There will be an adverse impact on the implementation of the housing allocation policy under NA2 and Policy DM17 as the locality will be less attractive to house providers and potential occupiers.
- Overnight and out of normal hours activity at the building could have the potential to generate higher noise levels than the ambient levels currently experienced by local residents.

Reasons aside not material to planning and therefore not addressed in this report

- The siting opposite a larger number of retirement homes will have an upsetting emotional impact on people.
- The business will adversely impact the buying and selling potential of residential properties in the immediate vicinity.

No representations received in support

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1 – Development Strategy and Principles
- MTRA1 – Development Strategy Market Towns and Rural Area

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- MTRA2 – Market Towns and Larger Villages
- CP8 – Economic Growth and Diversification
- CP13 – High Quality Design

Winchester Local Plan Part 2 – Development Management and Site Allocations

- DM1 – Location of New Development
- DM7 – Town, District and Local Centres
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18: - Access and Parking
- DM34: Signage

National Planning Policy Guidance/Statements
National Planning Policy Framework 2018

Supplementary Planning Documents
High Quality Places

Other Guidance
National Design Guide 2019

Planning Considerations

Principle of development

The application site is located within the settlement boundary of New Alresford where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

The operations proposed as part of the change of use to a funeral director would involve carrying out funeral arrangements, dealing with relatives of the deceased, providing information for the general public, the preparation of the deceased for burial and the conducting of visits for relatives of the deceased. There is no embalming proposed to be carried out at the property. As such, the proposed usage would fall under use class A1 (Shops). If embalming operations were to be carried out, the business would be considered to fall under a *sui generis* use class.

The property is located within an area which is designated part of the town centre of New Alresford where policy DM7 is relevant. This policy states that these areas primarily consist of Use Classes A1-A5, B1, C1, D1 and D2. A change of use from D1 to A1 therefore accords with this policy.

Impact on character of area

The application site is on the eastern edge of The Dean industrial estate. The surrounding area therefore comprises a mix of commercial buildings and residential dwellings. The proposal seeks to change the use of the existing complimentary therapy studio to a funeral director. The only external changes proposed to the existing building will be replacement of a rear window with a door to allow for access

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at the rear of the property. It is not considered that the proposed external changes will have any significant impact upon the character of the existing building or the surrounding area.

The application site is located towards the edge of the established town centre of New Alresford. Within the designated town centre, A1 use classed businesses are prevalent and encouraged. The Dean industrial estate is currently subject to a proposed redevelopment as part of policy NA2, The Dean Housing Allocation, of Winchester District Local Plan Part 2, whereby the existing structures will be replaced by a mixture of about 75 residential dwellings, as well as commercial and parking uses. Although the application site is outside the NA2 policy area opposite, the A1 use proposed reflects the intended mixed commercial and residential character of The Dean in accordance with the policy. It is therefore considered that the proposed use and the external changes proposed are in keeping with the character of the existing property and of the surrounding area.

Impact upon the residential amenity of neighbouring properties

It is not considered that the proposed external works to the existing building at the property will have an unacceptable adverse impact on adjoining land, uses or property by reason of overlooking, overshadowing or by being overbearing.

The operations of the proposed funeral directors will not include any embalming, and as such, no hazardous chemicals or liquids will be generated by the business. Some clinical waste such as gloves, clothing and sheets will be generated which will be placed and locked in a secure bin at the property which is collected once a month. It is therefore not considered that the proposed operations will result in any potential hazard to the residents of neighbouring properties by way of the generation of waste products.

The property is located adjacent to a residential development, Cogswell House, which lies to the south of the application site. Due to the close proximity of residential dwellinghouses to the site, a restriction of opening hours of the business is recommended. A condition is therefore included whereby no customers will be permitted on the premises outside the hours of 07:00 and 23:00 Monday to Sunday, in the interests of protecting neighbouring amenity, condition no. 5.

The proposal involves the retaining and reusing of three air conditioning units which are currently in use on the premises for the existing business. The proposals do not involve the addition of any further air conditioning units. It is therefore not considered that the proposals will result in an increase in noise levels at the property which would impact the amenity of neighbouring residential properties.

Highways and Parking

It is considered that the proposed change of use from an alternative therapies centre to a funeral director is unlikely to result in any significant highway implications for the surrounding area. It is considered that the proposed funeral director use will likely result in a decrease in the number of vehicles accessing the site compared to the existing usage as a therapy centre due to the differing natures of the two business types.

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There is an on-site car park to the rear of the property which can accommodate up to five cars, which is considered to be sufficient for the nature of the operations proposed. A condition is however included to ensure that the number of existing car parking spaces is retained, condition no. 4. It is therefore not considered that the proposed use will result in any parking implications for the surrounding area along the Dean. The restriction on opening hours to customers will also ensure the impact of this is minimised.

Conclusion

The proposal is not considered to have a significant adverse impact upon the character and appearance of the property and area or amenities of the neighbouring properties.

The proposal accords with policies DS1, MTRA1, MTRA2, CP8 and the CP13 of the Winchester District Local Plan Part 1 and policies DM1, DM7, DM15, DM16, DM17, DM18 of the Winchester District Local Plan Part 2 as well as the High Quality Places SPD and National Planning Policy Framework Section 16.

Recommendation and Conditions:

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 The development hereby approved shall be constructed in accordance with the following plans:

- Location Plan and Block Plan, drawing no. 1286.01. Received: 05/09/2019.
- Existing Floorplans and Elevations, drawing no. 1286.02. Received: 05/09/2019.
- Proposed Floor Plan and Elevations, drawing no. 1286.03. Received: 05/09/2019.

Reason: In the interests of proper planning and for the avoidance of doubt.

03 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in section 7 (materials) of the associated application forms.

Reason: To ensure a satisfactory visual relationship between the new development, the existing and the surrounding area in accordance with Policy DM15, DM16 of Winchester District Local Plan Part 2 (2017) and The High Quality Places SPD (2015).

04 The development hereby permitted shall only be used as a funeral parlour (A1) and for no other retail or purpose set out in the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, or in any provision equivalent to

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the Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: To enable the Local Planning Authority to exercise control over the use of the building.

05 The parking area shall be laid out in accordance with the approved block plan drawing no. 1286.01, received 05/09/2019 prior to the commencement of the use hereby approved, and shall thereafter be retained for the lifetime of the permission hereby granted.

Reason. To protect the amenities of the occupiers of nearby properties.

06 The use hereby permitted shall not be open to customers outside the hours of 07:00 – 23:00 Monday to Sunday.

Reason. To protect the amenities of the occupiers of nearby properties.

Informatives:

This permission is granted for the following reasons:

1 The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1 (2013): DS1, MTRA1, MTRA2, CP8, CP13

Winchester District Local Plan Part 2 (2017): DM1, DM7, DM15, DM16, DM17, DM18

Winchester District High Quality Places Supplementary Planning Document

3 In accordance with paragraph 38 of the NPPF (July 2018), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.
- In this instance a site visit was undertaken with the agent and the applicant.

4 All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

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5 During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6 Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice on this please refer the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-consideratepractice>

7 Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

8 No new surface water flows will be permitted to be discharged to the public foul sewer. Alternative means of draining any additional surface water runoff from this development are required.

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Appendix 1 – Councillor Jackie Porter request for this application to be determined by Planning Committee

Request from Councillor Jackie Porter
Case Number: 19/01914/FUL
Site Address: 24 The Dean, Alresford
Proposal Description: A change of use from a therapy centre to a funeral directors
Requests that the item be considered by the Planning Committee for the following material planning reasons: <ol style="list-style-type: none">1. The change of use is for the establishment of Funeral Director directly adjacent, in full sight of and opposite to older person's homes which local residents believe would be detrimental to their mental health.2. The change of use may require the careful disposal of fluids which are not outlined in the application.3. The traffic generated so near to residential homes will inevitably result in night time activity at the site, the noise and light of which residents' believe, will affect the amenity and enjoyment of their property.

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if Members can indicate their preferred outcome to avoid it going to the committee unnecessarily

Once completed, please email this form to the relevant Planning Case Officer and the Head of Development Management.