

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

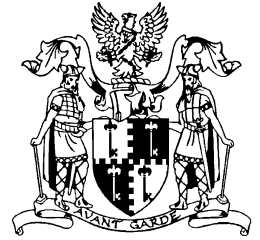
**90B Southwood Road, Hayling Island, PO11
9QF**

**Local Planning Authority Reference:
APP/22/01209**

Planning Inspectorate Reference:

APP/X1735/W/23/3318837

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR NOTLEY AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR THE DISABLED ACCESS RAMP TO THE SIDE OF THE PROPERTY AND INSTALLATION OF AN INTERNAL STAIRCASE TO HOUSE A STAIRLIFT AND ALLOWING FOR THE AMALGamation OF FLATS 90 AND 90B.

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LPA REF: APP/22/01209**

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 This application site comprises a detached apartment building located on the south side of Southwood Road, Hayling Island. This property has a pitched roof with brickwork to the elevations and directly faces towards the sea front . There are three apartment buildings of the same design which are separated from the road by a hardstanding area providing parking space for the residents.
- 1.2 Flat 90B is situated at ground floor level and flat 90 is situated directly above at first floor level.

2.0 PLANNING HISTORY

None relevant

3.0 THE APPLICATION

- 3.1 The application the subject of this appeal was submitted on the 6th January 2023 .
The application was subsequently refused for the following reason:
- 3.2 1. *The proposal would result in the loss of a residential unit, contrary to the*

borough's housing need requirements, and the submission has not demonstrated that this would be outweighed by wider benefits. Therefore, the proposal would result in an unjustified and unacceptable depletion of housing stock contrary to the aims and objectives of policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

The Officer report is attached at APPENDIX D and sets out in detail the planning considerations relevant to the case.

3.3

4.0 PLANNING POLICIES

National Policy

- 4.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Local Planning Policy

- 4.2 Havant Borough Local Plan (Core Strategy) March 2011 Policy CS9 'Housing' is considered particularly relevant to this appeal.

The relevance of the policy and guidance is considered further in part 6 of this Appeal Statement.

4.3

5.0 REPRESENTATIONS

- 5.1 No representations have been received in relation to this proposal.

6.0 PLANNING CONSIDERATIONS

- 6.1 The attached officers report (**APPENDIX D**) sets out the position of the Local Planning Authority in detail and the following comments are provided by way of amplification.

- 6.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise.

Reason for Refusal

- 6.3 In relation to the reason for refusal the NPPF states that

74. Strategic policies should include a trajectory illustrating the expected rate of

- housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁸, or against their local housing need where the strategic policies are more than five years old³⁹.
- 6.4
- 6.5 The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of: a) 5% to ensure choice and competition in the market for land; or b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan⁴⁰, to account for any fluctuations in the market during that year; or c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply⁴¹. 75. A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which: a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.
- 6.6 On page 36 the NPPF also states that : 125. Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies 37 and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 6.7 Havant Borough Council published its 5 year housing supply update in March 2023 whereby a significant shortfall in meeting housing supply figures was stipulated .

Policy CS9 of the Havant Local Plan states the following :

Loss of Dwellings Policy CS9

- Policy CS9 Housing Planning permission will be granted for housing proposals that will: - 1. Contribute to achieving a net total of 6,300 new dwellings between 2006 and 2026. 2. Deliver on average 30-40% affordable housing on sites of 15 dwellings (gross) or more and secure a suitable contribution, or on-site provision, equivalent to on average 30-40% on smaller housing developments between 5 and 14 dwellings (gross), unless a lesser requirement has been transparently justified on viability grounds. 3. Ensure mixed communities are created through the planned distribution and avoidance of a concentration of affordable housing. 4. Achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form. 5. Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities. 6. Provide accommodation for the ageing population in sustainable locations, taking account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care. 7. Contribute to achieving 450 extra-care dwellings between 2006 and 2026. 8. Ensure housing development is delivered in a phased manner with an appropriate proportion of previously developed land so as to
- 6.8

avoid unnecessary development on greenfield urban extension sites.

Relevant sub sections of Policy CS9 below :

6.26 The requirement to provide 6,300 new homes between 2006 and 2026 should not be offset by reductions in housing stock. The individual and cumulative loss of housing stock within the existing urban areas is likely to increase pressure and demand for the use of greenfield sites. Only in instances whereby the loss of dwelling(s) will be to achieve wider benefits in accordance with other objectives of this Core Strategy should proposals be considered favourably. In such instances written justification of the wider benefits should be submitted as part of a planning proposal.

6.9

6.27 The conversion of two or more smaller dwellings into larger units will be resisted as such proposals will negatively contribute to the objectives of this Core Strategy. In addition such proposals do not reflect the ongoing trend in declining household size and the need to maintain and provide smaller dwellings to meet the needs of smaller households and first time buyers.

To avoid repetition, the attached Officer's report (**APPENDIX D**) sets out in detail the planning position of the Local Planning Authority (LPA) in respect of the appeal. The appellants appeal submission states that the benefits of the proposal would include the provision of residential space for the elderly. Whilst this is understood , it is not made entirely clear as to why this could not be provided for within the ground floor flat which would negate the need for the amalgamation of the ground and first floor flats and subsequent loss of a dwelling. In addition the council would not be able to control the future use of the residential dwelling for use by the elderly or those with a care need. Whilst the appeal submission statement is understood , this is not deemed to result in a wider public benefit in accordance with the other objectives of the Core Strategy . On balance, this is not considered to outweigh the loss of a dwelling , noting also that these flats consist of smaller dwellings which are particularly desirable in terms of need for housing stock within the borough.

6.10

7.0 CONCLUSION

7.1 The proposal would result in the loss of a residential unit , contrary to the borough's housing requirements and has not demonstrated that this would be outweighed by wider policy benefits which could not be achieved without the amalgamation, and would therefore result in an unacceptable depletion of housing stock. The proposal is thereby contrary to policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide SPD 2011 and the National Planning Policy Framework. The inspector is therefore respectfully requested to dismiss this appeal.

APPENDICES

APPENDIX A – Borough map
APPENDIX B – Location map
APPENDIX C – Decision Notice
APPENDIX D – Officers Report