
Planning Statement

Prior Notification for the conversion of office into residential accommodation of 1 x 1 bedroom apartment

At 76 Station Road, Hayling Island

Mr Braggins

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1.0 Instructions and Introduction

- 1.1 Neame Sutton Limited, Chartered Town Planners, are instructed by Mr Braggins ("the Applicant") to prepare and submit this Prior Notification application for:

The conversion of an office to 1 x1 bedroom apartment at 76 Station Road, Hayling Island.

- 1.2 The office has been empty since December 2018 and a new kitchen and a shower have been installed at the office. This is proposed to be used for the residential use but is equally available for the existing office use. A residential use has not been implemented as no one has resided in the unit, which has been empty as stated above.

2.0 Site Description

- 2.1 The site is within Station Road which is a built up area of Hayling Island, consisting of mixed development of shops in the centre of Station Road and housing and some commercial moving towards Shore Road, where the site is located.
- 2.2 The unit is in a block of previous commercial, which have been converted to residential. Number 78 Station Road is a Physiotherapist and there is an empty shop on the corner of the road.
- 2.3 Close to the site is Jewsons builder's merchants and also a new housing development.
- 2.4 Above the site is a flat which is occupied.

3.0 Planning History

- 3.1 Application reference 98/52079/006 for the conversion of the office to a 1 bedroom flat was refused.

3.0 Legislative Context

(i) General Permitted Development Order (2015) as amended

- 3.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (herein referred to as "the Order") set out within Schedule 2 a series of Classes of Development that benefit from permitted development rights.

- 3.2 Schedule 2, Part 3 Class O Offices to Dwellinghouses sets out the circumstances where the change of use of an office to residential use is considered to be permitted development as follows:

O.1 Development is not permitted by Class O if;

(a) the building is on article 2(5) land;

(b) the building was not used for a use falling within Class B1 (a) (offices) of the Schedule to the Use Classes Order-

(i) on 29th May 2013, Or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;

(c) the use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 30th May 2016;

(d) the site is, or forms part of a safety hazard area;

(e) the site is, or forms part of a military explosives storage area;

- (f) the building is a listed building or is within the curtilage of a listed building; or
- (g) the site is, or contains a schedule monument.

Conditions

Q 2 Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority for a determination as to whether the prior approval of the authority will be required as to-

- (a) transport and highways impacts of the development;
- (b) contamination risks on the site; and
- (c) flooding risks on the site,

and the provision of paragraph W (prior approval) apply in relation to that application.

3.3 Procedure for applications for prior approval under Part 3

W.-(1) The following provisions apply where under this Part a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.

(2) (a) a written description of the proposed development, which, in relation to development proposed under Class C, M, N, Q, of this Part, must include any building or other operations;

(b) a plan indicating the site and showing the proposed development;

(c) the developer's contact address;

(d) the developers email address if the developer is content to receive communications electronically; and

(e) where sub-paragraph (6) requires the Environment Agency (7) to be consulted, a site-specific flood risk assessment;

Together with any fee required to be paid.

(3) The local planning authority may refuse an application where in the opinion of the authority;

(a) the proposed development does not comply with or;

(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

(4) Sub-paragraphs (5) to (8) and (10) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(5) Where the application relates to prior approval as to transport and highways impacts of the development, on receipt of the application, where in the opinion of the local planning authority the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site, the local planning authority must consult-

(a) where the increase or change relates to traffic entering or leaving a trunk road, the highway authority for the trunk road;

(b) the local highway authority, where the increase or change relates to traffic entering or leaving a classified road or proposed highway, except where the local planning authority is the local highway authority; and

(c) the operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport, where the increase or change relates to traffic using a level crossing over a railway;

(6) Where the application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency (8) where the development is-

(a) in an area within Flood Zone 2 or Flood Zone 3; or

(b) in area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc) (ii) in the Table in Schedule 4 to the Procedure Order.

(7) The local planning authority must notify the consultees referred to in sub-paragraphs (5) and (6) specifying the date by which they must respond (being not less than 21 days from the date the notice is given).

(8) The local planning authority must give notice of the proposed development-

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which-

(i) describes the proposed development;

(ii) provides the address of the proposed development;

(iii) specifies the date by which representations are to be received by the local planning authority; or

(b) by serving a notice in that form on any adjoining owner or occupier.

(9) The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include-

(a) assessments of impacts or risks;

(b) statements setting out how impacts or risks are to be mitigated; or

(c) details of proposed building or other operations.

(10) The local planning authority must, when determining an application-

(a) take account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);

(b) have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012 (9) so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and

(c) in relation to the contamination risks on the site-

(i) determine whether as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 (10) and in doing so have regard to the Contaminated Land Statutory Guidance issued by Secretary of State for the Environment, Food and Rural Affairs in April 2012 (11) and

(ii) if they determine that the site will be contaminated land, refuse to give prior approval.

(11) The development must not begin before the occurrence of one of the following-

(a) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(b) the receipt by the applicant from the local planning authority or a written notice giving their prior approval; or

(c) the expiry of 56 days following the date on which the application under sub-paragraph (2) was received by the local planning authority by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused.

(12) The development must be carried out-

(a) where prior approval is required, in accordance with the details approved by the local planning authority;

(b) where prior approval is not required, or where sub-paragraph (11) (c) applies, in accordance with the details provided in the application referred to in sub-paragraph (1)

Unless the local planning authority and the developer agree otherwise in writing.

(13) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

(ii) Other Policy Considerations

The Planning policy framework relevant to the determination of this Prior Approval application includes the National Planning Policy Framework 2019 (NPPF) and Havant Borough Local Plan.

3.5 The object of national planning is for sustainable development, and to support the Government's objective of significantly boosting the supply of homes, it is important that sufficient amount and variety of land can come forward where it is needed.

3.6 Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.

Local Development Plan

Havant Borough Local Plan Core Strategy 2011

The relevant policies are:

CS9 Housing

CS19 Effective Provision of Infrastructure

CS20 Transport and Access Strategy

CS21 Developer Requirements

CS14 Car and Cycle Parking

CS15 Flood and Coastal Erosion Risks

CS17 Concentration and Distribution of Development within the Urban Areas

DM3 Protection of Existing Employment and Tourism Sites

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The Havant Borough Draft Local Plan 2036;

The relevant policies are below:

DR1 Delivery of Development and Regeneration

IN1 Effective Provision of Infrastructure

IN3 Transport and Parking in New Development

E6 High Quality Design

E12 Managing Flood Risk in New Development

E13 Drainage Infrastructure in New Development

3.7 The proposal is in accordance with these National and Local Policies

4.0 Planning Considerations

(i) The Application Proposals

- 4.1 The Application Proposal is for the conversion of a previous office into a one bedroom apartment with a kitchen area and shower room,
- 4.2 The internal conversion has already taken place, however, the unit is empty with no-one occupying it. The proposed use has not been implemented as no one has resided at the unit which remains empty. The upgraded kitchen and shower facilities are available for the existing office use.
- 4.3 There is an existing car parking already to the front of the unit for 3 spaces, to share, as currently, with the residential unit above.

(ii) Compliance with Requirements of Class O

- 4.4 As described above, under Part 3 of the GPDO the change of use from an office to residential is permitted under Schedule 2, part 3, class O, subject to meeting certain requirements.
- 4.5 The building became vacant in December 2018 and the last use was an office, and during the period of 29th May 2013, substantiated by the site history. The site is not part of a safety hazard area, or within the curtilage of a listed building or schedule monument.
- 4.6 The conditions applying to this proposal are that the applicant shall apply to the LPA to determine whether prior approval will be required as to;
- Transport and highways impacts of the development – in this case, it is considered that there are no such impacts as the car parking remains the same as existing for the former office and a residential use is less intensive than a commercial use in most cases. The proposal is for a one bed room apartment which is unlikely to generate any additional traffic movements than the previous use.
 - Contamination risks on the site – there are no known contamination risks at this site and the proposed use for residential is not expected to generate any contamination risks by definition.

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- Flooding risks on the site – the site is in flood zone 1 which is of low risk of flooding. The residential use would not intensify any flood risk.

4.7 A written description of the proposed development is required – in this case, the building is an empty unit at ground floor level, with residential apartment above, which is occupied. There is hardstanding to the front of the site for 3 car parking spaces which is shared with the flat above. The unit has been converted to provide residential accommodation provided by a separate access door to the side of the building (the upstairs unit has an access door to the front of the building). Inside the unit is an office to the front with kitchen facilities which it is proposed as a living room/diner with storage area. To the rear is a separate office which is proposed as an en-suite bedroom. There are windows to the front and side for the living area, within side windows for the bathroom and one for the bedroom. There is an undercroft to the side of the unit for access through to the dwelling at the rear.

4.8 There are no proposed external alterations to the building.

4.9 All the internal alterations from office to residential has taken place.

5.0 Conclusion

5.1 The Applicant is seeking Prior Approval for the conversion of an office to residential for a 1 bed apartment.

5.2 The proposal is in accordance with the GPDO (2015 as amended) Schedule 2, Part 3 Class O as well as relevant policies in the Local Plan Core Strategy and the NPPF with reference to matter covered by the scope of Prior Approval.

5.3 It is therefore considered that the proposal is permitted development and that the scale of the change of use is small and does not require any further technical input.