

Planning, Design & Access Statement

**Site at
First Floor (Part Only) at Nos. 286-288
London Road, Waterlooville, PO7 7DS**



**In support of a planning application for
the conversion of 1 flat to form 2 flats
(net increase of 1)**

1.0 Introduction

- 1.1 This Planning, Design & Access Statement has been prepared by Allen Planning Limited on behalf of the Applicant in support of an application to convert a large existing flats (Approved Flat 3) on the first floor of this “converted” residential building into 2 flats, thereby a net increase of 1 flat, on part of the first floor as identified on the proposed plans.
- 1.2 No operational development is required in such respects and the floorspace on the first and second floor benefits from two separate prior notification consents for the conversion of this space from commercial to residential use comprising a total of 18 flats and these works are nearing completion in terms of these changes of use.
- 1.3 This application would therefore create 1 additional flat within what is now an entirely lawful residential use of the two upper floors of the building, which if approved overall would thereby provide for 19 apartments on the two upper floors.
- 1.4 The purpose of this Statement is to address the relevant planning policy context and justification for the development being sought having proper regard to the character of the area within which the application sites lies.
- 1.5 Given the sustainable nature of the site and that it forms previously developed land the advice in the Framework at P124 is noteworthy given that amongst other matters it advises that planning decisions should:
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)*
- 1.6 In addition to this Statement and the proposed plans it is submitted that there is no requirement to address matters of biodiversity net gain as this application simply seeks the subdivision of existing flats and in addition a Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment accompanies this application pursuant to the “additional flat” proposed.
- 1.7 The approved Flat 3 was a large one bed two person unit, some 22m² larger than that required by NDSS with a very unusual layout. Through redesign this “overly large” one bed unit can now be reconfigured to form a studio flat and a one bed 2 person unit compliant with NDSS requirements.

2.0 Site Description

- 2.1 The overall application site is formed by a three storey commercial building (Nos 286-288) which fronts the pedestrianised London Road with vehicular access and servicing provided from the service road to the rear known as Dukes Walk.

- 2.2 The site is not listed and does not lie within a Conservation Area and whilst it was last used for purposes falling under Class E of the UCO the upper two floors have been converted into residential apartments.
- 2.3 This site is located within Waterloooville Town Centre and forms a primary shopping frontage. At ground floor level the site previously housed Peacocks retail use which has since closed down. To the rear of the site is the Dukes Walk Service Road where the building overhangs at first and second floor level.
- 2.4 To the south west of the application site there are buildings which back on to the site the full length of the side elevation of the. There are six windows which are located to the rear of no 7 Stakes Hill Road, 3 of which serve a landing and 3 which serve bedrooms of the apartments located within the building on three of the floors.
- 2.5 To the north east side elevation there are two windows on the side elevation of no 292-294 London Road however the planning history identifies that these windows are not in residential use.
- 2.6 The general location of the site is shown in Figure 2 below.

Figure 2 – Site Location

3.0 Key Planning History

- 3.1 There are two prior notification permissions on the site (no change of use of the ground floor) the most recent being a prior notification consent under LPA reference APP/23/00528 for the conversion of part of the second floor to form one apartment.

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- 3.2 In terms of the first and second floors Prior Notification consent was granted under LPA reference APP/22/01165 for conversion to form 17 apartments and appropriate ecological mitigation for these units was approved under LPA reference APP/24/00533.
- 3.3 Turning to operational development planning permission was granted for the creation of numerous new windows (Installation of 9 No windows including 2No on south elevation, 4No on west elevation and 3No on east elevation) an external alterations to the building under reference APP/23/00403.
- 3.4 Overall therefore the site is now a lawful Class E use on ground floor with 18 apartments within the two upper floors.

4.0 Planning Policy

- 4.1 For the purposes of Section 38 of the Planning and Compulsory Purchase Act the Development Plan is made up of the revised National Planning Policy Framework (NPPF), and the Havant Core Strategy & Site Allocations Plan.

National Policy - Revised National Planning Policy Framework, 2023

- 4.2 Turning first to national guidance **Paragraphs 8 -10** of the NPPF advise:

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

*10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).*

- 4.3 **Paragraph 11** identifies the fundamental thrust of the guidance which states that Plans and decisions should apply a presumption in favour of sustainable development which for decision taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷;*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*

Housing/Best use of land

- 4.4 Paragraph 70 advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should amongst other matters:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;*
- c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;*
- d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*

- 4.5 Furthermore, paragraph 123 adds that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 4.6 In addition amongst other matters paragraph 124 adds that planning policies and decisions should:

“c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁵⁰; and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height

and form of neighbouring properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. They should also allow mansard roof extensions on suitable properties where their external appearance harmonises with the original building, including extensions to terraces where one or more of the terraced houses already has a mansard. Where there was a tradition of mansard construction locally at the time of the building's construction, the extension should emulate it with respect to external appearance. A condition of simultaneous development should not be imposed on an application for multiple mansard extensions unless there is an exceptional justification."

Design

- 4.7 In terms of design paragraph 131 advises that:

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

- 4.8 Paragraph 135 adds that planning policies and decisions should ensure that developments:

"a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c)are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d)establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live,work and visit;

e)optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space)and support local facilities and transport networks; and

f)create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

- 4.9 Furthermore, Paragraph 139 adds that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) 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

The Havant Development Plan

4.10 Given that this application seeks to reconfigure existing flats to create additional flats in the upper floors it is submitted that the relevant development plan policies relate to matters of new housing, design and impact upon neighbouring buildings' amenity.

4.11 **Policy CS6** addresses matters of the regeneration of the borough advising:

"Planning permission will be granted for development which positively contributes by type of use and design and by its comprehensive approach to the social, economic and/or physical regeneration of the whole borough; particularly when it is focused in the following places as shown on the Proposals Map."

4.12 Turning now to housing policies **Policy CS 9** advises:

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 avoid unnecessary development on greenfield urban extension sites.*

4.13 **Policy CS16** seeks high quality design adding:

"Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

1. Responds to, draws inspiration from and respects local context and:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*

2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:

- a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
- b) New streets are not dominated by vehicular traffic;*
- c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.*

3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.

4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.

5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.

6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.

7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.”

4.14 The Site Allocations document also contains some relevant development control policies including **Policy AL1** set out below:

Policy AL1 Presumption in Favour of Sustainable Development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this local plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or*
- 2. Specific policies in the NPPF indicate that development should be restricted*

4.15 Furthermore **Policy AL2** adds:

“The urban area boundaries for Emsworth, Havant and Bedhampton, Hayling Island, Leigh Park and Waterlooville are defined on the Policies Map.

The Borough’s undeveloped gaps are those areas between the urban area boundaries of Waterlooville, Leigh Park, Havant, Emsworth; together with the undeveloped gaps between them and neighbouring boundaries with Portsmouth, Winchester, East Hampshire and Chichester.

Planning permissions will be granted for developments within the undeveloped gaps that help to define the separate identity of settlements and prevent their coalescence, and meets any of the following:

- 1. Relates to small scale householder development.*
- 2. Meets an overriding public need e.g. For community or recreation use, that cannot be accommodated elsewhere in the Borough.*
- 3. Meets the policies for exceptional development in ‘rural areas’, set out in the NPPF.*

Land outside the defined urban area on Hayling Island is ‘non-urban’ rather than undeveloped gap. Development of exceptional affordable housing in the non-urban areas of Hayling Island is not considered appropriate or necessary and is likely to be refused planning permission.”

5.0 Planning Assessment

Land Use

- 5.1 The application site is located within Waterlooville Town Centre and there is a strong policy presumption against the net loss of commercial floorspace within the Town Centre area.
- 5.2 Generally such non retail/employment generating uses as proposed in this application, namely an additional flat, would prejudice the adopted policies of the Local Plan in such regards in a location such as this.
- 5.3 In this case however the implemented Prior Approval Consents for the change of use of the two upper floors of this building from Class E to C3 residential use have already been granted and the flat proposed to be subdivided/reconfigured already exist and therefore the principle of development of further residential use is established in the case of the upper floors of this particular building.
- 5.4 **On the basis of the above there would be support for further residential development given that the site itself is highly sustainable and, in accordance**

with paragraph 124 of the Framework, would make best use of existing previously developed land (buildings).

5.5 Against the backdrop of such compliance with land use policy and given the above policy support for the principle of further residential development on this site we submit that the key considerations in this case thereby relate to:

- Whether the development would create satisfactory living conditions for future occupiers of the proposed flats.
- Design and Townscape
- Whether the amenities of adjoining occupiers are adversely affected
- Matters of highway safety
- Biodiversity and Ecology

Design

5.6 Development requiring a high standard of design forms part of the backbone of the NPPF and also various policies within the development plan, including Policy CS16.

5.7 In respect of this application no external changes are proposed to the building and on that basis no harm would result to the host building or the wider townscape as a result of these proposals.

5.8 Given the form of development proposed in this application it is submitted that there would be no material change in the appearance of the building or indeed its setting within its wider context and such would therefore constitute, in itself, a high standard of design in accord with development plan policies creating sustainable housing within an existing building.

Dwelling Mix and Standard of Residential Accommodation

5.9 The development proposed is the reconfiguration of 1 existing “larger” flat in order to create 2 smaller flats thereby creating one additional unit on the site.

5.10 The approved Flat 3 was a large one bed two person unit, some 22m² larger than that required by NDSS with a very unusual layout. Through redesign this “overly large” one bed unit can now be reconfigured to form a studio flat and a one bed 2 person unit.

5.11 Each “new” flat proposed would exceed the minimum requirements for a studio and 1 bed 2 person flats as set out within the NDSS. The proposed flats (net increase of one) are described as Flats A & B on the proposed floor plans with their respective floor areas shown below.

- | | | |
|-----------------|-----------------------------------|------------------------------|
| • Flat A Studio | NDSS requirement 37m ² | Actual Size 37m ² |
| • Flat B 1B 2p | NDSS requirement 50m ² | Actual Size 50m ² |

5.12 Both the “new” apartments proposed would benefit from the substantial light of the existing (approved) windows in the building and would therefore receive good levels of daylight and sunlight to their habitable rooms on the first floor.

5.13 Given the location of the flats (one additional) no external amenity space would be created as is the case for the approved flat also, and indeed all of the flats in the upper floors of this building.

- 5.14 In such regards the intended residents would however have easy access to all of the public open space and leisure amenities of the town centre on foot.
- 5.15 Given the constraints of the site it is submitted that not only would this proposal make best use of this previously developed land/building but it would also create an appropriate dwelling mix helping to meet the housing needs of the borough overall.
- 5.16 Given the above assessment it is submitted that these proposals overall would result in good quality accommodation in accord with the policies of the development plan.**

Impact upon neighbouring buildings

- 5.17 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core principles of the NPPF and of course similar policy aspirations exist within the development plan.
- 5.18 In this regard Policy CS16 adds:
- “e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.”*
- 5.19 In terms of neighbouring buildings to the south west of the site there are buildings which back on to the site the full length of the side elevation.
- 5.20 This application does not seek to increase the height or massing of the building in any respects or indeed introduce any additional fenestration and the areas where “additional flat” is to be created already possesses residential permission.
- 5.21 On the basis of the above it is submitted that these proposals would result in no unacceptable impacts upon the amenities of any neighbouring or nearby residential properties.**

Transport Matters

- 5.22 Turning to matters of car parking the revised NPPF in matters of sustainable development, transport and car parking advises at paragraph 110 that: -
- “110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that*
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*
- 5.23 Importantly Paragraph 111 of the Framework advises that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 5.24 In terms of the use of parking standards paragraph 108 of the recently revised NPPF advises:

108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

- 5.25 As per previous approvals for residential development on this site no formal car parking would be provided, though the remaining rear service area could be used on an ad hoc basis for delivery, emergency vehicles etc.
- 5.26 The site is sustainable location within Waterlooville Town Centre with nearby amenities and public transport links and whilst there is no parking provision, as noted above, being in a sustainable location a car free scheme would be acceptable and therefore, it is submitted that the proposal would not result in any highway safety or capacity issues.
- 5.27 As part of the previous approvals provision has made for an internal bike store for 23 cycles, accessed off the rear service yard, together with an external bin store in this service area.
- 5.28 Plan are also submitted showing the same cycle storage and refuse area to serve the overall development of 19 apartments, should this application be approved, which would be sufficient to meet such sustainable transport objectives.
- 5.29 On this basis we submit that the application would result in no harm to matters of highway safety and are wholly “in step” with sustainable transport and development policies of the Framework and the development plan.**

Ecology and Biodiversity Net Gain Issues

- 5.30 These proposals, if approved, would result in the delivery of one addition flat, but no additional residential floorspace, and Regulation 75 of the Conservation of Habitats and Species Regulations 2017 sets out that any development which is likely to have a significant effect on a European site must not be begun until written notification of an appropriate assessment has been undertaken in accordance with Regulation 77.
- 5.30 Given the small scale of development as proposed and that the LPA has undertaken a Habitats Regulations Assessment (HRA), the information submitted with this application seeks to provide for an Appropriate Assessment under Regulation 63 and the applicant has thereby indicated their willingness to enter into a legal agreement to secure appropriate mitigation.

- 5.31 In terms of Bio Diversity Net Gain (BNG) we submit that this site is de- minimis as a result of the fact that no additional floorspace is being created and this floorspace already possesses residential consent.

6.0 Conclusion

- 6.1 This application scheme accords with the objectives of the NPPF, and also the Development Plan by promoting the effective use of a highly sustainable residential building in order to provide for an additional new home achieved through reconfiguration of a large existing flat with a somewhat unusual layout to form 2 flats within the existing built form on part of the first floor.
- 6.2 The scheme also offers to add to the existing dwelling mix which is appropriate for the context, and goes towards meeting the Borough's current and future housing needs. Therefore, the principle of further residential development within this residential building is indeed supported in this location.
- 6.3 The scheme being effectively an internal conversion only and would therefore avoid any adverse impacts on the appearance of the building itself or the wider street scene. Furthermore, the application would not have any harmful impacts on the amenities of adjacent or nearby properties in terms of overshadowing, loss of outlook or privacy, light or indeed any increased sense of enclosure.
- 6.5 The proposed dwellings have been designed to meet the Council's residential standards on matters of internal layout criteria and also offer good accessibility to public transport, public open space and shops and other services within the town centre.
- 6.6 Accordingly, the development proposal should be granted planning permission in accordance with the NPPF which for decision-taking means *"approving development proposals that accord with an up-to-date development plan without delay."*