

Planning, Design and Access Statement



PLANNING APPLICATION BY:

MR & MRS SIMPSON

RELATING TO:

**10 PENFOLD WAY
HAVANT
PO9 4DF**



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1. INTRODUCTION

1.1. I am instructed by my clients Mr & Mrs Simpson to prepare this Planning, Design and Access Statement in support of an application for retrospective planning permission for the following development at 10 Penfold Way, Havant:

“Part conversion of garage to provide dining/play room (retrospective).”

1.2. I am familiar with the site and the surrounding area and have studied carefully the site’s planning history and have then advised on the preparation of this application for retrospective planning permission.

1.3. It is important to emphasise that the applicant’s did not undertake the works to the garage. The conversion was undertaken by the previous owners.

1.4. This statement should be read in conjunction with the drawing package prepared by Thorns Young Architecture.

2. THE APPLICATION PROPOSAL/PURPOSE OF APPLICATION

- 2.1. Retrospective planning permission is sought for the part conversion of the garage into a dining / playroom. The works were undertaken by the previous owners prior to the applicant's moving in. The Council's Enforcement Team has requested that this application is submitted.
- 2.2. As shown on the below plan, only the rear of the garage has been converted into habitable space, with the front portion of the garage remaining as a store.

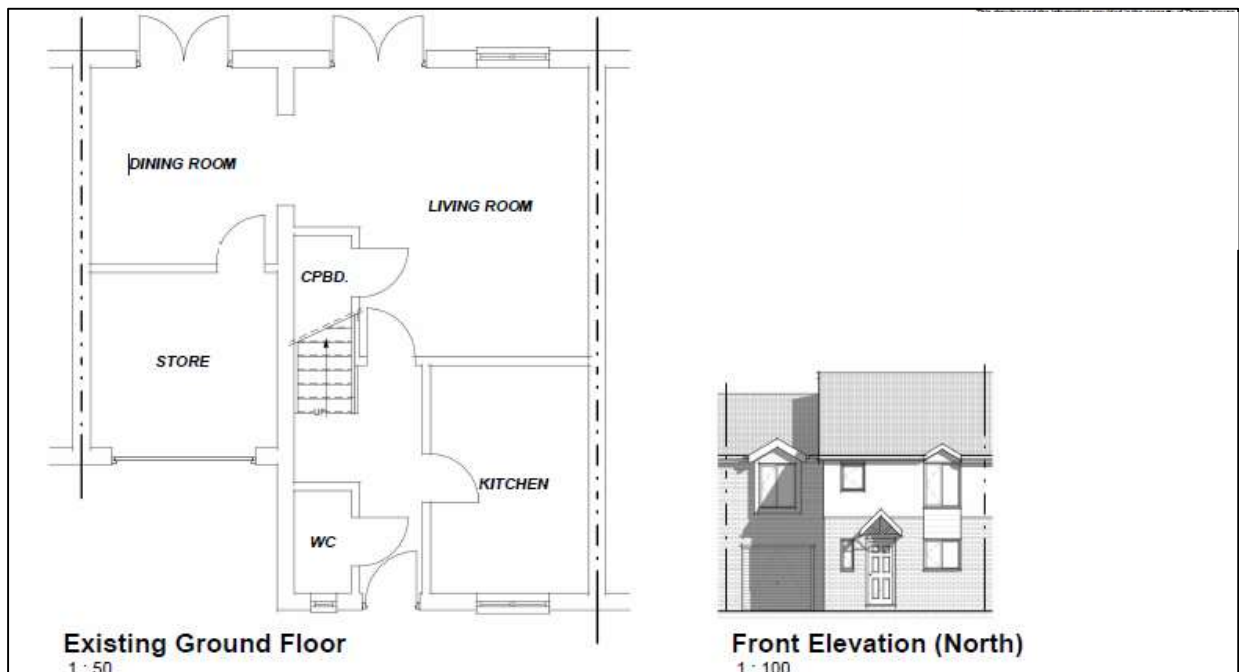


Figure 1: Floor and elevation plans.

- 2.3. There have been no changes to the external appearance of the dwelling, with the front garage door remaining in place.

3. THE APPLICATION SITE AND SURROUNDING AREA:

- 3.1. The application site is situated on the southern side of Penfold Way, opposite the junction of Freeley Road on the north-eastern side of Havant, east of Neville's Park.

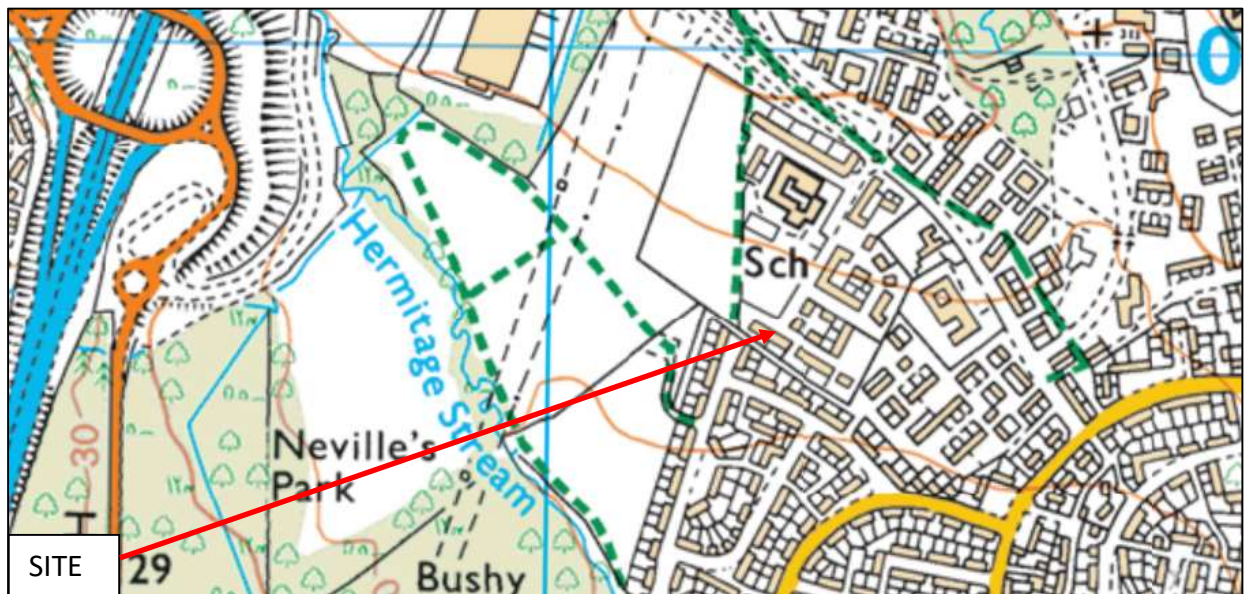


Figure 2: OS Map of site.

- 3.2. The site comprises a two storey terraced 3no. bedroom dwelling, consisting of gable roof and render and brick facades. The property has a driveway which provides off road parking and there is also an integral garage at ground floor. The dwelling has a good sized south facing garden which has rear access onto Ramsdale Avenue.



Figure 3: Front elevation of application property.

- 3.3. The site is situated within a planned estate layout which is sited on the former Ramsdale Playing Fields. The development permitted 135 dwellings and associated open space. The estate exhibits a cohesive character of regular buildings lines and matching materials.



Figure 4: Penfold Way street scene.

3.4. As shown in the below extract of the Council's Proposals Map, there are no planning designations associated with the site.



Figure 5: Extract from Proposals Map.

4. **RELEVANT PLANNING HISTORY:**

(i) **Site**

- 4.1. The dwelling was originally permitted under outline planning permission 03/61332/002 which approved 135no. residential dwellings on the former Ramsdale Playing Fields. Under this permission, condition 8 stated:

'No dwelling shall be occupied until car and cycle parking has been provided for that dwelling in accordance with the Council's adopted car and cycle parking standards and in accordance with details approved under the reserved matters. All such car and cycle parking provision shall thereafter be kept available for such purposes at all times'

- 4.2. Under Reserved Matters consent 08/61332/004 the Council permitted the following layout and floor plan of the application property:



Figure 6: Application site known as unit 131.



Figure 7: Approved layout (handed)

- 4.3. As shown on the plans the intention of the approved scheme was to provide 2no. tandem spaces, with one parking space being provided within the garage.

(ii) Adjoining / Nearby Properties

1 Shearer Close

- 4.4. The Council refused planning application APP/14/00191 which sought to convert the garage for habitable accommodation. The property is a 3 bedroom dwelling albeit a different house type

(Type 2) to the application site. As shown in the below plan, the garage was also part converted, with the front portion of the garage remaining:



Figure 8: Floor plan.

4.5. The Council refused the application on the following ground:

1. Due to the site's location within a high density development, having extremely limited on-street parking available, the loss of the parking space provided by the original garage, would leave only 1 space serving this 3 bed house which is contrary to the adopted parking standards. This lack of adequate on site parking would increase the risk of indiscriminate parking elsewhere in the locality which would interrupt the free flow of traffic causing congestion and be detrimental to residential amenity through the inconvenience caused to local residents. Furthermore the proposal would create an undesirable precedent, making it hard to resist similar applications in the future, the cumulative effect of which would exacerbate the congestion and loss of amenity to local residents. The proposal is therefore considered to be contrary to policies DM13 and CS16 of the Havant Borough Local Development Framework Core Strategy 2011 and the Havant Borough Residential Parking and Cycle Provision Supplementary Document, 2010

4.6. The owners appealed the decision. The Planning Inspectorate allowed the appeal. The following conclusions are pertinent to this planning application (the full decision is outlined in **APPENDIX 1**).

8. The Council accept that the scheme would not result in direct highway safety danger to pedestrians or traffic. However, they are concerned that the scheme would cause displacement of parking, resulting in congestion. I appreciate that the appellant has only one car. However, I have taken into account that over time, the requirements of different households in relation to car ownership will vary. Notwithstanding this, the number of vehicles, including service vehicles that would park elsewhere as a result of the scheme, is unlikely to be significant.

9. In addition, at the time of my site visit during mid morning, there was one vehicle parked on the corner of Shearer Close and Spinner Drive. A very small number of cars were parked in the road opposite the school and at this point Freeley Road is wide enough to allow cars to pass. There were parking bays with free spaces on Freeley Road to the north and west of the appeal site. A number of marked visitor parking spaces were available at the southern end of Shearer Close, fairly close to the appeal site. Whilst that was only a snapshot in time and availability may vary during different times of the day, it seemed to me that there would be sufficient spaces within the area to accommodate any additional parking, without resulting in an appreciable increase in on-street parking.

10. I have no evidence before me to indicate that congestion is a particular problem within the area. I noted that Shearer Close, Freeley Road and Spinner Drive were all quiet roads with very little traffic, although Woolston Road to the north of the appeal site was a little busier. The Council refer to parking at the nearby school; however, there is no indication that visitor parking and peak times for school traffic are an issue or negatively affect local residents' parking or highway safety in the area.

11. Having regard to all these considerations, I am not persuaded that the development would compromise parking within the area or lead to a detrimental increase in on-street parking. It would not cause harm to highway safety and would not be in conflict with Policy CS16 of the CS, as far as it relates to the layout of development and where streets are not dominated by vehicular traffic. It would not conflict with the National Planning Policy Framework (the Framework) where it relates to promoting sustainable transport.

12. I have considered the Council's concerns that the grant of planning permission would set a precedent for other similar developments. However, there is nothing before me to suggest that there is a likelihood of this scheme being repeated by the occupiers of nearby properties. Nor have any other similar or comparable sites been identified by the Council within the rest of the estate or Shearer Close to which this might apply. Each application must be determined on its individual merits, and a generalised concern of this nature does not justify withholding planning permission in this case.

5. PLANNING POLICY:

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the development plan contains relevant policies, applications for development which are in accordance with the plans should be allowed unless material considerations indicate otherwise.
- 5.2. The National Planning Policy Framework (2021), the Planning Practice Guidance (PPG), the National Design Guide are material considerations.
- 5.3. The council has an adopted local plan. This is made up of the Core Strategy (2011) and the Site Allocations Plan (2014). The following Supplementary Planning Documents (SPD) have also been reviewed as part of this submission:
- Borough Design Guide SPD (Adopted December 2011)
 - Parking Supplementary Planning Document (SPD) (Adopted July 2016)
- 5.4. The New Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. Stage 1 of the Local Plan examination hearing sessions, which dealt with some of the more strategic matters, concluded on 16 July 2021. However, the Council chose to withdraw the Local Plan in February 2022.

National Planning Policy Framework (NPPF) (2021)

Section 2 - Achieving Sustainable Development

- 5.5. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

5.6. Paragraph 8 outlines that the planning system has three overarching objectives to achieve sustainable development:

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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

5.7. So that sustainable development is pursued in a positive way, paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

5.8. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.

Section 9 - Promoting sustainable transport

5.9. Paragraph 111 states 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.

Section 12 – Achieving well designed places

5.10. Paragraph 126 states 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.

5.11. Section 130 outlines 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;
- 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 users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Havant Core Strategy

5.12. Policy CS16 states that 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.

5.13. Policy DM13 states that residential development will only be permitted where it provides car parking and cycle storage in accordance with the standards set out in the Residential Car Parking and Cycle Provision Supplementary Planning Document.

Parking Supplementary Planning Document (SPD) (Adopted July 2016)

5.14. This document states that the minimum car parking requirements for a 3 bedroom property is 2 spaces. In regard to cycle spaces, 2 spaces should be provided for 3 bedroom units.

5.15. The following guidance is provided in respects of garages and tandem spaces:

Garages and Car Ports

4.09 A single garage/car port should measure a minimum of 3m in width by 6m in length internally and a double garage/car port 6m by 6m internally. This will allow room for a modern car to be parked and still allow room for access down the side of the vehicle. The length is to allow room for storage, particularly cycles.

4.10 A reduced size of garage/car port is unlikely to count as a vehicle parking space as it is unlikely to provide sufficient space for a modern vehicle and/or some storage.

Tandem Parking

4.11 Tandem parking (i.e. one car behind another) will be acceptable for individual properties. However, only one space behind the other will be acceptable - including garage parking provision. S

6. PLANNING MERITS:

6.1. In light of the above planning policy review, the following main issues will be considered as part of this planning assessment:

- Design, Scale and Bulk – Street Scene
- Residential Amenity
- Highways

Design, Scale and Bulk – Street Scene

6.2. The part conversion of the garage has resulted in no change to the external appearance of the dwelling, with the garage door being retained and visible from the street scene. On this basis the conversion is in line with Section 12 of the NPPF and Policy CS16 of the Havant Core Strategy.

Residential Amenity

6.3. The part conversion of the garage has not added any new windows or additional mass to the property. On this basis there is no impact on neighbouring amenity and will therefore be in accordance with Section 12 of the NPPF and Policy CS16 of the Havant Core Strategy.

Highways/Parking

6.4. The part conversion of the garage was undertaken prior to the applicant's moving into the property. The rear portion of the original garage has now been converted into a dining room/playroom. The front portion of the garage is used as a store and has ample room to store 2no. bicycles. There is also a good sized rear garden with rear access onto Ramsdale Avenue for any other storage purposes.

- 6.5. The application site is situated in Penfold Way near to the junction with Freeley Road. The property has a long dropped kerb, spanning the neighbouring property and which then extends in front of the dwelling. There is a no-through road heading west along Penfold Way towards Ramsdale Road, with a turning circle providing at the eastern end of the road.
- 6.6. The pedestrian footpath has a dropped kerb at the end of Freeley Road which then connects to the other side of the pavement in Penfold Way, then providing access to Ramsdale Avenue.
- 6.7. The garage fails to meet the width standards of the Council's Parking SPD, with it being 2.9m wide. The garage door is also narrow being just 2.2m wide, meaning it is only suitable for smaller cars.
- 6.8. Given the tandem arrangement of the parking space, there will always be conflict between users of cars within a household. In terms of convenience there will always be a high probability of on-street parking given the tandem arrangement regardless of a parking space being available within a garage. Issues of opening and closing garage doors also reduces the convenience of a garage parking space.
- 6.9. Notwithstanding the layout and usability of the garage, an Inspector has recently permitted the part conversion of a garage elsewhere in the estate at 1 Shearer Close (**APPENDIX 1**). This property was also a 3 bedroom dwelling with an identical parking arrangement to the application site. Crucially, the Inspector concluded that:

I am not persuaded that the development would compromise parking within the area or lead to a detrimental increase in on-street parking. It would not cause harm to highway safety and would not be in conflict with Policy CS16 of the CS, as far as it relates to the layout of development and where streets are not dominated by vehicular traffic

- 6.10. Given the above considerations and the assessment made by the Inspector of 1 Shearer Close, on balance and in this instance, the part conversion is in accordance with Section 9 of the NPPF and the Council's Parking SPD.

7. CONCLUSION

- 7.1. This Planning Design and Access Statement has demonstrated that the part conversion of the garage to habitable space is acceptable in terms of design and its impact on neighbouring amenity.
- 7.2. In terms of highways and parking it has also been outlined that on balance, despite a minor transgression in respect of the Council's Car Parking Standards, the part conversion does not compromise parking within the area or lead to a detrimental increase in on-street parking. It also does not cause harm to highway safety and would not be in conflict with Policy CS16 of the Core Strategy. As shown in **APPENDIX 1**, this is a view shared by an Inspector at appeal.
- 7.3. In view of the above, it is concluded that the part conversion of the garage is consistent with the aims and detailed requirements of the National Planning Policy Framework and as such, should be given planning permission.

8. APPENDICES

APPENDIX 1: - APPEAL DECISION – 1 SHEARER CLOSE