

ATLAS

PLANNING GROUP

PLANNING STATEMENT

53A STATION ROAD, HAYLING ISLAND, PO11 0EB

SEPTEMBER 2022

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CONTEXT

SITE DESCRIPTION

The application site comprises an existing mixed-use building with a commercial unit at ground floor with one residential flat above at first floor level.



Figure 1: Front elevation of 53a Station Road

There is no available planning history of the site on Havant Borough Council's website.

THE PROPOSAL

Schedule 2 Part 20 Class AB of the GPDO 2015 (as amended) allows new dwellinghouses on terrace buildings in commercial or mixed use. As such, an additional floor is proposed.

This application seeks to determine if prior approval for the proposed development is required from the Council in respect to the specific matters outlined at AB.2. These matters are addressed at a later section of this Statement.

The GPDO outlines circumstances where development is not permitted:

Development Not Permitted by Class AA if:	Analysis
AB.1 Development is not permitted by Class AB if – (za) the permission to use the building as a dwelling has been granted only by virtue of Class MA of Part 3 of this Schedule;	The existing residential aspect of the building (1 st floor) was not granted by virtue of Class MA.
(a) The building was constructed before 1 st July 1948 or after 5 th March 2018;	The dwellinghouse was constructed within the acceptable date range.
(b) On 5 th March 2018 the building was in a use other than – (i) A use or mixed use within paragraph AB(2)(a) or (b); or (ii) A use falling within Class C3 of the Schedule to the Use Classes Order;	The building was in the same use (commercial ground floor and first floor residential) on the 5 th March 2018.
(c) The additional storeys are constructed other than on the principal part of the building;	The upwards extension is on the whole area of existing roof of the building.
(d) The floor to ceiling height of any additional storey, measured internally, would exceed the lower of – (i) 3 metres; or (ii) The floor to ceiling height, measured internally, of any storey of the principal part of the existing building;	The lower of the two criteria in this case would be ii) as the first-floor floor to ceiling height is 2.5m. The proposed floor to ceiling height does not exceed 2.5m.
(e) The new dwellinghouses are not flats;	The new dwellinghouse is a flat.
(f) The height of the highest part of the roof of the extended building (not including plant) would be greater than 18 metres.	The building will be 8.5m tall.
(g) The height of the highest part of the roof of the extended building would exceed by more than 3.5metres the height of the highest part of the roof of every other building in the row of terrace buildings of which it forms part (not including plant, in each case);	The height of the extended building would not exceed by more than 3.5m the height of the highest part of the roof of every other building in the terrace.

(h) The height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building (not including plant, in each case) by more than – (i) 3.5 metres, where the existing building consists of one storey; or (j) 7 metres, where the existing building consists of more than one storey;	The additional storey is less than 3.5metres tall.
(i) The existing building has been enlarged by the addition of one or more storeys above the original building, whether in reliance on permission granted under this Part or otherwise;	No reliance is upon permission granted under PD rights.
(j) development under Class AB(3)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;	The stairs will be attached to the exterior of the building (rear) but are not a support structure.
(k) Development under Class AB (3) (a) would consist of engineering operations other than works within the existing curtilage of the building to – (ii) Strengthen existing walls; (iii) Strengthen existing foundations; or (iv) Install or replace water, drainage, electricity, gas or other services;	Aside from the external staircase (in place of the existing), no engineering operations are proposed.
(l) In the case of Class AB(3)(b) development there is no existing plant on the building;	No plant is required as part of the proposal.
(m) In the case of Class AB(3)(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured	No plant is required as part of the proposal.

from the lowest surface of the existing roof on the principal part of the existing building	
(n) Development under Class AB(3) (c) would extend beyond the curtilage of the existing building;	The external stairs do not extend beyond the curtilage of the existing building.
(o) Development under Class AB (3) (d) would – (i) Extend beyond the curtilage of the existing building; (ii) Be situated on land forward of a wall forming the principal elevation of the existing building; or (iii) Be situated on land forward fronting a highway and forming a side elevation of the existing building; or	No works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses are proposed outside of the curtilage of the building. The new bin and cycle store is to the rear of the building within the site boundary.
(p) The land or site on which the building is located, is or forms part of – (i) Article 2(3) land; (ii) A site of special scientific interest; (iii) A listed building or land within its curtilage; (iv) A scheduled monument or land within its curtilage (v) A safety hazard area; (vi) A military explosives storage area; or (vii) Land within 3km of the perimeters of an aerodrome.	The site is not within any of the areas mentioned.

As the development passes all the above ‘tests’ it is considered that development is permitted, subject to the Council considering that prior approval is not required for the matters outlined below.

PLANNING CONSIDERATIONS

Paragraph AB.2 sets out that the developer must apply to the local authority for prior approval of the authority before beginning the development. The matters for consideration are as follows:

- a) Transport and highways impacts of the development;
- b) Air traffic and defence asset impacts of the development;

- c) Contamination risks in relation to the building;
 - d) Flooding risks in relation to the building;
 - e) The external appearance of the building, including –
 - (i) The design and architectural features of –
 - (aa) the principal elevation; and
 - (bb) any side elevation that fronts a highway; and
 - (ii) The impact of any works under paragraph AB(3)(c) or (d);
 - f) The provision of adequate natural light in all habitable rooms of the new dwellinghouses;
 - g) Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
 - h) Impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;
 - i) Impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business, or other use of land in the area;
 - j) Whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the SoS,
- And the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

The following sections therefore consider compliance with the above criteria.

TRANSPORT & HIGHWAYS

A TS has been provided by Paul Basham Associates which states how the site is located within West Town Village Centre, which is host to numerous local facilities. There are also several opportunities to promote walking and cycling for local journeys and bus and rail services for destinations further afield. The site is located within an established residential area which can support sustainable travel and is therefore considered a suitable location to support residential development.

The development is proposed to be car-free and pedestrian and cycle access to the property would remain as existing via Station Road. Cycle parking for the additional flat will be provided in excess of HBC's cycle parking standards to support a sustainable development, with cycle parking spaces provided to the rear of the building in a sheltered area.

Refuse collection would be on-street from Station Road. The additional dwelling will have their own two wheel refuse container which will be stored in the same location as the existing flat, which operates well and is therefore considered suitable.

Based on the TRICS assessment, the proposed development is anticipated to generate no new vehicle movements during both the AM and PM peak periods and up to 3 two-way vehicle movements daily (0700-1900). The impact of the proposed development is therefore expected to be negligible.

Overall, the development would not have a severe impact on the local road network.

AIR TRAFFIC AND DEFENCE ASSET IMPACTS

The proposed works would have no impact upon air traffic or defence assets. Therefore, prior approval is not considered to be required in this regard.

CONTAMINATION RISKS

The proposal is limited to constructing an additional storey on an existing building and so there is no risk of contamination being encountered.

FLOODING

According to the Environment Agency's Flood Map for Planning the site is wholly within Flood Zone 1 where there is the lowest risk of flooding. No additional built footprint is proposed and therefore there are no impacts on the existing drainage at site.

EXTERNAL APPEARANCE

The design of the additional storey has replicated the existing first floor, and will comprise of brick and a flat roof to match the existing building, along with white uPVC windows. Rainwater goods will be black uPVC.

NATURAL LIGHT

The proposed dwelling will benefit from large windows to the front and rear elevations along with three rooflights (one in each room). As such, the dwelling will benefit from ample natural light to all habitable rooms.

RESIDENTIAL AMENITY

The proposed floorspace of the unit is 47sqm and is intended to be 1b1p flat. This exceeds the Nationally Described Space Standards which suggest 39sq.m for a 1b1p flat.

There will be no loss of amenity for residents at first floor level and in fact, they will benefit from new larger windows to the front elevation.

NOISE FROM COMMERCIAL PREMISES

The existing commercial premises nearby are not inherently noisy and the existing residential use at first floor level successfully coexists with the ground floor commercial uses along Station Road. It is therefore reasonable to assume that the proposed second floor will not suffer from noise impacts from any commercial premises.

IMPACT OF THE INCREASE IN RESIDENTIAL USE ON THE CARRYING ON OF TRADE

The increase of one additional residential unit in the area would not interfere with the ongoing use of the land in the area. Indeed, the area is mixed use in nature.

IMPACT ON PROTECTED VIEWS

The proposed development would have no impact upon statutory protected views and prior approval should not therefore be required in this regard either.

CONCLUSION

It is proposed that an additional floor is created above the existing building under Schedule 2, Part 20, Class AB of the General Permitted Development Order 2015 (as amended). The proposal ensures that all relevant criteria of Class AB are met.

For these reasons, we commend the proposals to you and respectfully request that prior approval is granted without delay.