

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

PLANNING, DESIGN AND ACCESS STATEMENT

46 Langstone Road, Hayling Island, PO9 1RF

On behalf of:
Mrs Snowdon-Darling

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Director

December 2012



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1.0 Instructions and Introduction

(i) Instructions

- 1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Mrs Snowden-Darling to prepare and submit an application to remove Condition 15 imposed on planning permission APP/11/00019 to allow for the retrospective change of use of the detached residential annex for business purposes, which is at present expressly prohibited.

(ii) Introduction

- 1.2 Planning permission (APP/11/00019) was granted in March 2011 for the demolition of existing house and garage and replacement with 1no. two storey four bed detached house and single storey annex with carport and store.
- 1.3 Condition 15 imposed a restriction on the single storey detached annex, that it could only be used for purposes incidental to the enjoyment of the dwelling house and as such shall not be used for any business commercial or industrial purposes what so ever.
- 1.4 The new dwelling and detached annex has recently been completed and occupied by the Applicant and her family.
- 1.5 The remainder of this statement is divided into four sections. Section 2.0 sets out a description of the site and surrounding area, Section 3.0 provide a description of the proposal. Section 4.0 examines the relevant planning policy framework and Section 5.0 explores the relevant planning considerations. The statement is drawn to a conclusion in Section 6.0.

2.0 Description of the Site and Surrounding Area

- 2.1 The application site comprises no.46 Langstone Road, a newly constructed 4 bed detached residential property with a detached single storey annex and car port with store, and is located on the southern side of Langstone village, some 1km south of the A27.
- 2.2 The property is situated on the western side of the A3023 Langstone Road, which provides access to Hayling Island further to the south.
- 2.3 The property is served by the provision of 3 car parking spaces laid out in accordance with Condition 11, and benefits from a larger area of hard standing providing sufficient space for several parked vehicles.
- 2.4 The single storey annex building is situated immediately to the south of the new property.

3.0 Proposed Change of Use

- 3.1 The owner of no. 46 Langstone Road, Mrs Snowdon Darling, currently runs her business, Balanced Wellness, from her detached annex building and is retrospectively seeking to remove Condition 15 to allow her business to continue to operate.
- 3.2 Balanced Wellness provides a private, bespoke Kinesiologist clinic offering alternative health treatments.
- 3.3 The use is ancillary to the main use of the dwelling and falls within use class D1: Non-residential institutions.
- 3.4 Mrs Snowdon Darling started her business from home in 2007 and temporarily operated from her parents address at no.40 Langstone Road, whilst her home was being rebuilt. Mrs Snowdon Darling has been operating out of the detached annex since March 2012.
- 3.5 The approved detached annex had originally been intended as a home office and gym with wc/shower room. However, the gym provides a treatment room whilst the home office is being used as a patient waiting area with a store room and toilet in place of the wc/shower room.
- 3.6 Balanced Wellness operates between the hours of 10am and 19.30pm Monday to Saturday and offers a maximum of 6 appointments per day. Mrs Snowdon Darling and her business partner, who lives off site, each works for three days and shares the single treatment room.
- 3.7 Typically Balanced Wellness receives up to 3 deliveries per week, primarily comprising stationary and small health care products.
- 3.8 Balanced Wellness has instructed i-Transport to advise on highway matters, and who have calculated that the business is unlikely to generate many vehicle movements, and no more than 16 per day.
- 3.9 With regards to car parking provision to serve the business use, in addition to the 3 existing spaces to serve the residential property, there is sufficient area of hard standing to accommodate an additional 3 spaces. This therefore provides adequate car parking on a worst case basis that 1 patient will turn up before the previous patients treatment has finished, as well as accommodating the parking requirement for the therapist who lives off site.
- 3.10 The proposed car parking provision will therefore not result in any overspill parking onto the local highway network.

- 3.11 The provision of a single treatment room limits the number of patients that can be treated at any one time. In the event that Balanced Wellness outgrows the space then alternative premises would be sought within the Borough.

4.0 Planning Policy Framework

- 4.1 The planning policy framework relevant to this application comprises the Government's National Planning Policy Framework and the Development Plan. The following components of these documents are considered to be of particular relevance to this application:

(i) National Planning Policy Framework (NPPF)

- 4.2 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and had the effect of withdrawing all previous Planning Policy Guidance Notes and Statements (PPG's and PPS's).
- 4.3 The new NPPF introduces the presumption in favour of sustainable development as the basis for every plan and every decision. It makes it clear that the planning system is not simply about scrutiny but must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.
- 4.4 In particular, the Government expects the planning system to support proposals for economic growth as the Country emerges from recession. The NPPF is part of this pro growth agenda.

(ii) The Development Plan

- 4.5 The current Development Plan comprises the Havant Core Strategy (March 2011) and the saved policies of the adopted Havant Local Plan.
- 4.6 With regards to employment, the Council recognises that the Borough has a number of fundamental economic problems which have persisted for many years, including high unemployment, high levels of out-commuting and a shortage of land available to meet the needs of business. As a consequence, the Core Strategy offers a change to past policies with a new approach to promote the sustainable economic development of the Borough.
- 4.7 It is clear that the Council must be responsive to individual business needs, and includes policies that allow for businesses based on the home, so as to be more competitive, create and retain more jobs, encourage greater diversity in employment and therefore promote the growth of a prosperous but flexible local economy.
- 4.8 The use of the detached annex to accommodate a small Kinesiologist clinic that allows the Applicant to work from home thus accords with the Council's objectives.

5.0 Planning, Design and Access Considerations

(i) *The Principle of change of use*

- 5.1 The application site comprises an existing property within the defined urban area of Langstone, where there is generally a presumption in favour of proposals, subject to addressing all other relevant development control policies (Policy CS17 refers).
- 5.2 In principle, the use of the detached annex to accommodate the owners business, ancillary to and incidental to the enjoyment of the main dwelling, is not ordinarily considered to be contrary to policy. However, the imposition of Condition 15 seeks to prevent the independent commercial/business use of the detached annex in order to safeguard the amenity of the area, and it is necessary therefore to consider whether the proposal would give rise to adverse harm by virtue of an intensive use for business purposes in terms of increased traffic movements, noise and disturbance.

(ii) *Highways, Access and Parking*

- 5.3 The Applicant's Highways Consultant i-Transport has undertaken a Highways Statement which found that:
- The property is located in an accessible location, with a large potential residential catchment area within easy walking and cycling distance of the site, and is served by frequent bus services within a very short walk of the dwelling;
 - The existing private driveway access will provide safe and acceptable visibility from the site, appropriate for the vehicular traffic speeds and road conditions on Langstone Road and the low volumes of traffic generated by the single dwelling and annex;
 - A total of three off-street car parking spaces will be retained to serve the replacement dwelling in accordance with condition 11 of the original consent;
 - There is a sufficient area of hard standing to accommodate a minimum of three additional parked vehicles to serve the private Kinesiologist clinic operating from the annex. The proposed car parking provision is adequate to accommodate the worst case parking demand from both patients and employees and therefore will not result in any overspill parking onto the local highway network; and
 - There will be no intensification of the operation of the business as a result of the planning application. The vehicle movements previously occurred at no. 40 Langstone Road, some

85m further north of the site, and are not noticeable in comparison to the existing traffic flows on the A3023 Langstone Road. This will remain unchanged and there will be no increase in the potential vehicle movements on the A3023 Langstone Road as a result of the application.

- 5.4 Against this background, the proposal to vary condition 15 of the original consent is considered acceptable in transport terms. There will not be a noticeable traffic impact and the residual cumulative impact of the proposal will not be severe.

(iii) Residential Amenity

- 5.5 Policy CS16 requires development to not cause unacceptable harm to the amenity of neighbouring occupiers through smell, the loss of privacy, outlook, noise and overlooking. The proposal makes use of an existing detached annex for business purposes and as such does not give rise to any material harm in residential amenity.
- 5.6 Furthermore, the proposal has been assessed in terms of increased vehicular movements which are considered to be small in number and would not thus give rise to increased noise and disturbance in light of the proximity of neighbouring properties and the hours of operation between 10am to 19.30pm.
- 5.7 Consequently, the application proposals do not have an unacceptable or detrimental impact upon residential amenity.

6.0 Summary and Conclusion

(i) Summary

- 6.1 The Applicant has demonstrated that:

- The retrospective conversion of the detached annexe to provide 1 treatment room results in no material change to the street scene and thus does not detract from the character and appearance of the area;
- The provision of a small clinic comprising a single treatment room located at the Applicant's home address represents a sustainable form of development and supports local business enterprise;
- The application proposals do not give rise to any adverse harm to residential amenity or result in increased harm to highway safety.

(ii) Conclusion

- 6.2 The Applicant respectfully requests that the Council grants planning permission to enable the continued use of the residential annexe for business purposes.