

Planning Policy Statement

**Construction of 2No. 2 Bed End of Terrace Maisonettes
(as Alternative to Previous Planning Permission
APP/11/01177), Together with Single Storey
Rear Extension to Existing House.**

1, Braishfield Road, Havant, PO9 2HS



October 2011

Contents

- 1. Introduction**
- 2. Subdivision to Create 2No. 2 Bed Maisonettes.**
- 3. Maisonettes Gross Floor Area**
- 4. Maisonettes Room Sizes**
- 5. Overshadowing**
- 6. Outdoor Amenity Space**
- 7. Overlooking from 1st Floor Windows**
- 8. View from Ground Floor Bedroom Windows**
- 9. Summary and Conclusions**

1. Introduction

Planning permission (APP/11/01177) was granted on 01/09/2011 for the construction of a 3 bed end of terrace house adjacent to 1 Braishfield Road in conjunction with a single storey rear extension to the existing property. The planning permission approved a new end of terrace dwelling comprised 118m² GEA over two floors.

This development proposal involves subdividing the previously approved 3 bed dwelling into two self contained maisonettes. Each maisonette will have 2 bedrooms and comprise 61.5m² GEA. The single storey permitted development extension to the existing property will also be implemented to minimise overshadowing.

The planning policy issues were considered in detail as part of the previously approved application APP/11/01177. The principle of development has been accepted giving due consideration to PPS3, HBC's saved Local Plan policies, and HBC's emerging Core Strategy policies. Therefore, this Planning Policy Statement merely considers any new issues arising due to the change from a 3 bed dwelling to 2no. 2 bed maisonettes.

2. Subdivision to Create 2No. 2 Bed Maisonettes.

Revised national planning guidance in the form of Planning Policy Statement 3 (PPS 3) Housing came into force in April 2007. Paragraph 31 of PPS 3 is explicit about making effective use of housing stock stating that conversions can provide an important source of new housing. The guidance supports the more efficient use of previously developed land, especially land in sustainable locations.

Havant Borough Council's Draft Housing SPD confirms that "the provision of sufficient housing is one of the biggest challenges facing the Borough between now and 2026". The average household size is 2.3 persons and this is projected to fall to 2.1 persons by 2026.

Paragraph 3.12 confirms that "the greatest demand is for small households", and paragraph 3.13 confirms "the benefits in terms of flexibility of two or more bedroom homes can contribute to the stability of communities".

Paragraph 3.14 confirms that "Generally the aim will always be to increase the amount, and proportion, of dwellings with two or more bedrooms for all housing tenures as this is the greatest housing need irrespective of tenure types". The subdivision of a three bedroom planning permission into two separate two bed units fully accords with Paragraph 3.14.

Table 3 shows the size of new build units that will be sought in Havant. This suggests that 30% of new properties should be 2 bed units. With an average household size of 2.1 to 2.3 persons, 2 bed-3 person properties would appear to be in high demand. The subdivision of one 3 bed unit into two 2 bed-3 person units would seem to be a very attractive proposal in policy terms.

Local estate agents have confirmed the average sale price of each two bed maisonette to be circa £120,000. The consented three bed end of terrace would sell for circa £160,000.

Paragraph 3.17 and Figure 2 illustrate the chronic affordability gap in the Borough of Havant. The total price that the average household can afford is £133,696. It is clear that two new affordable maisonettes must clearly be preferable to one end of terrace house that is unaffordable for the majority of households.

The subdivision into two 2 bed maisonettes is therefore considered fully compliant with Planning Policy and HBC's Housing SPD.

3. Maisonettes Gross Floor Area

Each of the proposed maisonettes would have a gross floor area of 61.5m². Paragraph 5.08 of HBC's Housing SPD confirms that two bedroom properties permitted at the expense of one bedroom properties may have an occupancy of 3 people. The pro rata minimum floorspace for a 2 bed-3 person flat from Table 3 is 58.5m².

A comparison of minimum housing standards from 1949 onwards has also been undertaken: -

Source	Minimum Size (m ²)	Type and Occupancy
Housing Manual Standards 1949	46.5	2B2P Flat
Parker Morris Space Standard 1961	44.6	2B2P Flat
Parker Morris Space Standard 1961	56.7	2B3P Flat
Homes for the Future RIBA 1983	56.7	2B3P Flat
NHF Standards & Quality 1998	57	2B3P Flat
HQI Standards April 2007	45	2B2P Flat
HQI Standards April 2007	57	2B3P Flat
Mansell Homes Sizes	57	2 Bed Flat
Tower Hamlets SPG	57	2B3P Flat
Wandsworth SPG	45	2B3P Flat
Kensington & Chelsea SPG	44.5	2B3P Flat
Havant Housing SPD	58.5	2B3P Flat – Interpolated
Average	52	2 Bed Flat

The above comparison shows an average minimum gross floor area for a 2 bed flat of 52m². This clearly demonstrates that the proposed 61.5m² floor area of each proposed maisonette will comfortably meet functional requirements.

However, if there are any further concerns about the minimum floor area, this issue has been considered in detail by various Appeal Inspectors. Please see below Appeal Decisions: -

Appeal Ref: APP/T5720/A/06/2028917
43 Tennyson Avenue, New Malden, Surrey, KT3 6LZ

5. The SPG goes further, and says that conversion schemes for small houses with a floorspace of less than 120sqm will not normally be permitted. I note that a 120sqm threshold was also included in a corresponding policy in the deposit version of the UDP, but was deleted prior to adoption following the recommendation of the Inquiry

Inspector. Whilst I support the Council's aim to protect small family housing, I agree with the Inquiry Inspector that there appears to be no clear justification for the use of what appears to be an arbitrary size threshold.

6. The floorspace of the dwelling covers approximately 86sqm and therefore it is clear that the proposal does not conform to the guidance in the SPG. However, in this case, for the reasons given above, I consider that advice in the SPG should not necessarily be applied in a prescriptive manner.

Appeal Ref: APP/A5840/A/08/2063076
45 Carter Street, London SE17 3EN

6. The widths of the kitchen and bedroom in the proposed one bedroomed flat on the lower ground floor would only be about 2 metres in each case. The appellant's revised plan shows that those rooms would nevertheless meet the Council's present space standards for room sizes. However the overall size of the flat would still be less than the recommended area. The deficiency would be mainly in terms of circulation space, which is not needed because of the compact way in which the flat would be laid out. I do not regard the lack of general circulation space as an overriding defect of the proposals.

9. I conclude that the proposed conversion would provide reasonably good quality living conditions for the occupiers. In that respect it would be in accordance with policy 4.2 of the Southwark Plan adopted in 2007.

Appeal Ref: APP/T5720/A/06/2027634
49 Chestnut Road, Raynes Park, London SW20 8ED

4. The appeal proposal is to convert the existing property into 2 flats, a proposed ground floor 1 bedroom flat of approximately 40m² and a proposed first and second floor 2 bedroom flat of approximately 56m².

5. The Council has objected to the proposed change of use because the original size of the house, at about 66sqm, would fall well below the recommended minimum size of 120sqm for flat conversions set out in Supplementary Planning Guidance: Residential Extensions, Alterations and Conversions' (SPG), adopted in 2001. However, although the floorspace of the extended property still falls below the recommended 120sqm, I consider that the proposed flats would provide satisfactory residential accommodation, in terms of the internal layout and room sizes.

6. I also note evidence submitted by the appellant that the 120m² threshold used to define small houses was not supported by the Secretary of State during the consideration of the now adopted 2003 Merton UDP, which post dates the adoption of the SPG. Although the Public Inquiry Inspector supported the policy objective to protect small family housing, she did not consider the proposed threshold could be justified and the policy was amended accordingly.

Appeal Ref: APP/Q5300/A/07/2042485
350A Bowes Road, London, N11 1AN

1. I allow this appeal and vary the planning permission No TP/06/2391 for conversion of first and second floor maisonette into 2 self contained flats comprising 1 x 1 bed, 1 x bedsitter.

5. These are supplemented by additional planning guidance, the most relevant to this appeal being advisory standards for net internal floorspace; 30 sq.m. for a bedsit and 45 sq.m. for a one bedroom flat.

6. The parties provide me with different areas for the second floor flat. The appellant states that it has an area only three square metres below the Council's standard for a one bed flat whereas the Council suggest that it would be 37.5 sq.m.

7. Whilst the Council consider the flat to be sub-standard its submissions on this appeal do not provide any indication of the basis on which its standards were derived in or prior to 1996. That being so the measures applied appear somewhat arbitrary. More recently Councils have been encouraged by national planning policy guidance to adopt positive policies to promote the conversion of properties to provide additional housing and, in doing so, to take a more flexible approach to standards. Whether a conversion would provide a satisfactory form of accommodation for its occupiers is not, in my view, only a matter of assessment against a mathematical guideline.

8. Whilst the floor area of the second floor flat would be lower than the Council's guidelines it would not, in my opinion, be significantly so. I believe that the accommodation it would provide would be of an acceptable size and shape for a one-bedroom flat. Having regard to more recent Government guidance I consider the UDP and its Supplementary Planning Guidance to be over prescriptive in respect of internal space. The accommodation meets the other aspirations of the guidance and I conclude that it would provide satisfactory living conditions for its occupants.

4. Maisonettes Room Sizes

A comparison of minimum room sizes has also been undertaken using various Supplementary Planning Documents and Space Standards: -

Source	Main Bed	Single Bed	Living/Dining	Kitchen	Bath
Swindon Standards	10.2	6.5	12	n/a	n/a
West of England Standards	10	6.5	11	5	n/a
Barnet Standards	10.5	6.5	11	n/a	n/a
Tower Hamlets SPG	11	6.5	13	6.5	n/a
Wandsworth SPG	11.2	6.5	13	5.6	n/a
Kensington SPG	11	6.5	13	5.5	n/a
Average	10.65	6.5	12.17	5.65	n/a
Proposed Maisonettes	11.2	6.6	13.1	7.2	3.6

The above comparison clearly demonstrates that the proposed two bed maisonettes will comply with minimum standards.

It should also be noted that Southwark Council's Core Strategy has recently been approved by a planning inspector. However, proposals which would have seen minimum room sizes for new homes were turned down.

If there are any further concerns about the minimum room sizes, this issue has been considered in detail by various Appeal Inspectors. Please see below Appeal Decisions: -

Appeal Ref: APP/T5720/A/06/2028917
43 Tennyson Avenue, New Malden, Surrey, KT3 6LZ

8. The smaller first-floor flat would have a floor space of 32.7sqm, with a bedroom (12.9sqm), living/dining room (12.0sqm), kitchen (4.0sqm), and bathroom (3.8sqm). Table A in the SPG sets out minimum recommended room sizes based on the number of bed spaces proposed. Although the kitchen of the first-floor flat is below the recommended size, and the bathrooms are small, based upon my interpretation of the standards, the room sizes otherwise appear to be broadly in accordance with the SPG.

9. I consider that the flats would be adequate in size for their intended purpose, and am satisfied that sufficient outdoor amenity space is available. I therefore conclude on this issue that the proposal would provide acceptable living conditions for the future occupants of the accommodation.

Appeal Ref: APP/A5840/A/08/2063076
45 Carter Street, London SE17 3EN

7. The areas of the bedroom, and of the combined kitchen, dining room and living area, as shown on the revised plan for the lower ground floor flat, would fall short of the minimum areas proposed in a draft revision of the supplementary planning guidance published for consultation in January this year. However until formally approved by the Council that document carries less weight than the adopted guidance.

9. I conclude that the proposed conversion would provide reasonably good quality living conditions for the occupiers. In that respect it would be in accordance with policy 4.2 of the Southwark Plan adopted in 2007.

5. Overshadowing

As part of the previous application APP/11/01177, overshadowing to numbers 1 and 3 Braishfield Road was deemed acceptable. This new application proposes an almost identical building footprint which should allay any overshadowing concerns.

In addition, to provide betterment, the Design & Access Statement shows changes that have been made to significantly reduce overshadowing since the last application: -

- The rear projection has changed from a gable end roof to a hipped roof.
- The rear projection two storey roof has been reduced to a 24 degree pitch.
- The occupants of number 3 have commenced development on a single storey rear extension.

Given the significant reduction in overshadowing since the previously approved application APP/11/01177, there should be no overshadowing concerns as a result of the proposed maisonettes.

6. Outdoor Amenity Space

HBC's Design Guide SPD states in paragraph 4.40 that "all residents should have access to private amenity space whether that is the back garden of a house, a communal garden, or balcony of an apartment". Paragraph 4.42 states "where ground floor apartments are being proposed the applicant should endeavour to provide private gardens for individuals where possible. When not possible communal gardens should be provided, with safe and convenient access for residents".

Each of the proposed maisonettes is provided with 51m² of private garden amenity space. The garden for the ground floor maisonette is accessed directly from its main door (at the side). It is enclosed from the parking area at the front, and the top flat garden to the rear, by 2m high evergreen hedges and/or close boarded fences. A 1m wide maintenance strip has been left to maintain the hedge and/or fence from inside the ground floor garden.

The garden for the 1st floor maisonette involves a walk of approximately 35 metres from the front maisonette entrance to the garden gate on Petersfield Road. Whilst not ideal, HBC's Design Guide SPD does not insist upon gardens for 1st floor apartments. It is considered that a 51m² private garden (which can be viewed from the upstairs bedroom windows) is a significant improvement on a balcony or communal garden.

HBC's Design Guide does not specify a minimum garden size for apartments, however, surrounding authorities deem 50m² to be an acceptable size of outdoor amenity space for houses. The provision of 51m² for each maisonette is therefore deemed generous.

7. Overlooking from 1st Floor Windows

The previous application APP/11/01177 allowed the first floor windows of bedroom 2 to overlook properties on the far side of Petersfield Road without the need for obscure glazing. The proposed maisonettes have been carefully designed to maximise the privacy of future occupiers.

The ground floor maisonette bedroom windows are completely screened by a 2m close boarded fence and/or hedge. The ground floor kitchen window looks out over the ground floor private garden, and the Lounge looks out towards Braishfield Road in the same way as all the other terraced properties on the street.

The first floor maisonette bedroom windows look out at the gable end of Leigh Cottages, and clear views of the first floor private garden can be enjoyed. The only conflict occurs with the first floor kitchen window which overlooks the ground floor private garden. The overall design and layout offer significant advantages over a communal garden, but it is recommended that the first floor kitchen windows incorporate level 3 obscure glazing, to enhance the privacy of the ground floor occupants.

Level 3 obscure glazing should completely eliminate any conflict to the ground floor occupants. It is also worth highlighting that the future occupiers of the ground floor flat will be fully aware of the existence of the first floor kitchen window before deciding whether to proceed with the property purchase. Nonetheless, a planning condition to enforce level 3 obscure glazing to the upstairs kitchen window is recommended.

8. View from Ground Floor Bedroom Windows

The ground floor maisonette bedroom windows are completely screened by a 2m high close boarded fence and/or hedge. It could be argued that this restricts the outlook from the ground floor bedroom windows. However, the restricted outlook is necessary to provide the upstairs occupants with a private garden.

If there are any concerns about restricted outlook, this issue has been considered in detail by at least one Appeal Inspector. Please see below Appeal Decision: -

Appeal Ref: APP/C5690/A/09/2098124
9A Lutwyche Road, Catford, London, SE6 4EP

16. I accept that both of the bedrooms on the lower ground floor would have restricted outlooks. Nevertheless, whilst bedroom 1 would look onto the sunken walkway I note that it is proposed to use planting outside the window (which would act to segregate the bedroom from walkway users) and it would look out onto the proposed 'green wall'. I also note that whilst bedroom 2 would only look out onto a small courtyard it is intended to provide full height sliding glazed doors which would maximise the amount of light to the bedroom and create a sense of space. In any case, I am cognizant that any future occupier would have the opportunity to assess whether or not the accommodation met their needs.

9. Summary and Conclusions

- The proposed development involves the subdivision of the previously approved 3 bed end of terrace dwelling into two self contained 2 bed maisonettes.
- The greatest demand for housing in Havant is for two or more bedroom homes, and 2 bed-3 person properties appear to be in high demand.
- Two bed maisonettes would be affordable for the Havant residential market unlike the planning approved three bed end of terrace property.
- The 61.5m² gross floor area of each 2 bed maisonette will comfortably meet functional requirements.
- The individual room sizes within the maisonettes will comply with minimum space standards.
- Overshadowing has been significantly reduced since the approved application APP/11/01177 and is therefore acceptable.
- A generous provision of 51m² of private garden amenity space will be provided for each maisonette.
- Level 3 obscure glazing to the kitchen window of the first floor maisonette should be secured by planning condition to prevent overlooking of the ground floor garden.
- The restricted “green wall outlook” from the ground floor bedroom windows will still allow light penetration and will ensure privacy to future occupiers.

In light of the above, Havant Borough Council are respectfully requested to confirm that the proposed development accords with local and national planning policy and is therefore acceptable.