

ADVOCO — PLANNING

DATE
13.10.23

TO
Havant Borough Council
Planning Department

via Planning Portal

SUBJECT

Planning Application for
elevational changes comprising
the addition of 1st floor windows
to Blocks B, C and D at
Wellington Way Shopping Centre,
Waterlooville, PO7 7ED.

Dear Sir/Madam,

Please find enclosed a planning application for additional first floor windows on Block B, C and D of the Wellington Way Shopping Centre. This application is in response to advice received in relation to three Class AB Prior Notifications (ref. APP/23/00105 APP/23/00106 and APP/23/00107) which are currently under consideration by the Council.

The advice received suggests that side elevations are present, and windows are proposed within these side elevations, which are not permitted by Class AB. This planning application therefore is for the windows on the identified side elevations only and is in effect a companion application for the three undetermined Class AB Prior Notifications. Notwithstanding this point, the application stands alone and can equally be considered as a planning application for new upper floor windows serving the existing first floor ancillary accommodation, simply to increase the availability of natural light.

The advice received indicates that side elevations are related to, and typically directly adjoin, principal elevations. The advice received also acknowledges that the nature of the buildings is such that each block has more than one principal elevation. The identification of principal elevations is seemingly informed by a combination of appearance, prominence, function and relationship with active frontages.

In the case of Block D, this potentially could be considered to have three principal elevations, namely the short elevation fronting London Road and the two long elevations fronting the pedestrian walkway within the shopping centre. Given the restricted length of the London Road frontage, this has been nominated as a side elevation and the proposed windows on this elevation form part of this application. At the southern end of Blocks C and D there are two angled elevations on the end of each block and therefore, in the interests of completeness, both are also nominated as side elevations.

Procedurally, this application would need to be approved, but not implemented, in advance of the determination of the Class AB Prior Notifications referenced above. The Prior Notifications could then be approved with the inclusion of a negatively worded planning condition. This would require the full implementation of the works proposed in this planning application ahead of the occupation of any units consented under Class AB. The validity of this approach is firmly established via caselaw; namely *LW Zenith Ltd v Secretary of State for Levelling Up, Housing and Communities* [2022] EWHC 3317 (Admin); [2023] J.P.L.

In terms of the planning merits of the proposal, the areas of assessment are restricted to design and potential overlooking. Regarding the former, the proposed windows are considered to represent a visual enhancement and will improve the appearance, interest and articulation of each of the elevations they are proposed in. In most cases proposals will see the removal of high-level windows and their replacement with more

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centrally located windows, which are more conventionally proportioned and positioned within their respective elevations.

In terms of overlooking, this is a town centre location with a variety of uses, with commercial uses dominating. There is an absence of garden and private amenity areas and therefore the potential for overlooking issues is reduced. None of the proposed windows cause any overlooking in terms of either outside spaces or direct window to window overlooking between residential uses. Accordingly, the proposals will not result in any material overlooking. Indeed, the proposed windows will principally be towards public spaces and will serve to increase passive supervision which has security and wellbeing benefits for the town centre as a whole.

I look forward to the prompt and favourable determination of this application, which in turn will play a key role in unlocking the wider regeneration plans for the Wellington Road Shopping Centre, and which seemingly have widespread local support. If, however you require any further information please do not hesitate to contact me.

Yours faithfully



Richard Goodall MRTPI
Director

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