

DELEGATED OFFICER REPORT

PROPOSAL	Change of use of Housing Manager's Flat to create 1No. age restricted two bedroom flat.
LOCATION:	Flat 37, Dene Court, 38 Holman Close, Waterloooville, PO8 8HD
REFERENCE NO:	APP/26/00107
APPLICANT:	My Future Living
APPLICATION TYPE:	Full planning permission
CONSULTATION EXPIRY DATE:	20/08/2026
APPLICATION EXPIRY DATE:	14/04/2026
WARD:	Cowplain
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The application site relates to purpose-built supported living accommodation to the north of Holman Close, known as Dene Court. The development was originally approved under 88/50201 for 36 flats for over 55s and a warden's flat, however the covering letter provided indicates that there are currently 37 over 55s flats on site. There is a shared parking court to the front of the property and a shared garden that wraps around the building to the north. The unit in question is located on the first floor within the two storey building and faces south-east.
- 1.2 The area immediately surrounding the application site is predominantly residential, containing a mixture of flatted developments and one and two storey dwellings. The Cowplain Centre, containing Oaks Healthcare and Park Lane Dental Clinic, lies immediately to the north-west connected to Dene Court by a pedestrian footpath.

2. Planning History

[Planning Application - APP/25/00942](#)

11 No. Oaks – Crown Reduction works as detailed in the included job specification.

1 No Ash sapling – Remove to ground level. Trees subject to TPO 1887 (G1) & 0923. PERMIT 09/01/2026.

88/50201. Erection of 36 flats with communal rooms, warden's flat, car parking, sewers and external works. PERMIT 07 April 1988.

Condition 11 states: No unit of accommodation hereby permitted (except for Warden's Unit) shall be occupied by a person below the age of 55 years).

3. **Proposal**

- 3.1 Change of use of Housing Manager's Flat to create 1No. age restricted two bedroom flat.
- 3.2 As determined at appeal under APP/Q3115/W/19/3228431 (Leelamb Homes v Maldon District Council), there is no statutory definition of a dwelling in planning legislation, however the Courts have accepted that the distinctive characteristic of a dwellinghouse is its ability to afford to those who use it the facilities required for day-to-day private domestic existence. In this case each of the units has all the necessary facilities. Therefore, no change of use is required. Nevertheless, the original permission specifically refers to a "warden's flat" and excludes it from condition 11 and this application seeks to regularise the loss of the approved warden's flat and its use for over 55s accommodation.

4. **Policy Considerations**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS9 (Housing)

CS16 (High Quality Design)

DM7 (Elderly and Specialist Housing Provision)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: N/A

Conservation Area: N/A

5. **Statutory and Non Statutory Consultations**

Nutrient Team
<i>No formal comments received, but email correspondence confirms that nutrients only apply if there is a net increase in dwellings, which is not the case here.</i>
Development Infrastructure Team (CIL & S106)
The proposed change of use will not be CIL liable.
<u>Mitigation</u>
Mitigation will not be required in respect of the Bird Aware Solent Revised Strategy or increased nutrient load at the Solent European Sites.
Councillor Neil Bowdell
No comments received.

Councillor Andrew Briggs No comments received.
Councillor David Keast No comments received.

6. **Publicity and Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 67

Number of site notices: 1

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice	First Site Notice	29/07/2026	20/08/2026	Is advertised in the public interest

Statutory advertisement: N/A

Number of representations received: 0

Comment	Officer Comment
No comments received.	

Material planning considerations are addressed in Section 7.

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking provision
- (v) Developer contributions
- (vi) Biodiversity Net Gain (BNG)

(i) Principle of development

- 7.2 The residents of Dene Court have voted to remove the existing warden's flat after raising concerns that it is unnecessary in a facility that does not provide care services and adds significantly to their service charge. Additional assistance is available through a 24 hour alarm service should it be required, making the need for a live-in manager redundant. Making the flat available for residents to occupy would make efficient use of the land and provides a very modest increase in housing choice in the borough for a specific group in need of specialist accommodation. The proposal is therefore in accordance with Local Policies CS9 and DM7. The application site is located within the defined urban area and within an existing assisted living development.

(ii) Impact upon the character and appearance of the area

- 7.3 The proposal would not require any physical alterations or change of use to the existing building. As such the character and appearance of the local area would not be altered.

(iii) Impact upon residential amenity

Impact on existing residents

- 7.4 There would be no overall change in occupancy level, however it is recommended that the condition restricting occupancy to over 55s be applied to be consistent with the rest of Dene Court.

Impact on future occupiers

- 7.5 The existing warden's flat has a floor area of approximately 58m², which is slightly below the current minimum space standard of 61m² for a two bedroom self-contained flat. This floor area would have accorded with space standards based on the Parker Morris Committee Report at the time Dene Court was originally designed. However, considering that no operational change is proposed and that the flat would have access to a communal lounge and laundry area in addition to self-contained facilities the size of the accommodation is considered likely to provide an acceptable standard of amenity for future occupants.

(iv) Parking provision

- 7.6 The parking area contains 15 spaces and is operated on a 'first-come first-served' basis. No changes are proposed to the current parking arrangements.

(v) Developer contributions

- 7.7 The CIL and Natural Environment teams were consulted and have confirmed that, as the proposal would not result in any additional floor area or overnight stays, it would not be liable for developer or mitigation contributions.

(vi) Biodiversity Net Gain (BNG)

- 7.8 It is noted that this application meets the de minimis exemption requirements relating to Biodiversity Net Gain.

8 Conclusions

- 8.1 The proposed development is acceptable in principle and would have a negligible impact in terms of design, impact on the character of the area, and impact to neighbouring properties. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Interim Development Manager be authorised to **GRANT PERMISSION** for application APP/26/00107 subject to the following conditions -

Conditions:

1	<p>The development must be begun not later than three years beginning with the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Location Plan Floor Plan 22272-39 Covering Letter dated 17th February 2026</p> <p>Reason: To ensure provision of a satisfactory development.</p>
3	<p>The unit of accommodation hereby permitted shall not be occupied by a person below the age of 55 years.</p> <p>Reason: To ensure that the accommodation remains available to meet the identified housing needs of older persons, in compliance with the requirements of original planning permission 88/50201, and to accord with Policies CS9 and DM7 of the Havant Borough Local Plan.</p>

Informatives:

1	<p>In accordance with Policy DM3 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:</p> <ul style="list-style-type: none">• Offering a pre-application advice service, and• Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,
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	<p>In this instance:</p> <ul style="list-style-type: none">• Your application was acceptable as submitted and no further assistance was required.
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