CLASS MA PRIOR APPROVAL STATEMENT

42 North Street, Havant, PO9 1PT

Proposal: Prior approval for the change of use of existing commercial premises to form two self-contained residential flats under Class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

1.0 INTRODUCTION

This Class MA Prior Approval Statement has been prepared in support of an application relating to the proposed change of use of the existing commercial premises at 42 North Street, Havant, PO9 1PT, to provide two self-contained residential flats.

The proposed development comprises:

- One-bedroom ground-floor flat, approximately 54 sqm.
- One-bedroom first-floor flat, approximately 57 sqm.
- Communal rear garden.
- Refuse storage.
- Cycle storage.
- Two proposed new door openings to the rear/side elevation.

The proposal would retain the existing building, with no extension, additional storey or increase in the building footprint.

The ground-floor flat would benefit from level access. The first-floor flat would be accessed from the rear, with direct access from Waterloo Road to the north of the site.

The application is submitted under Class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. The purpose of this statement is to explain the proposal, its design and access arrangements, the relevant eligibility requirements and the matters requiring prior approval.

The proposed door openings must be considered separately from the change of use. Unless they are independently authorised by permitted development rights or another consent, separate planning permission may be required for these physical alterations.

2.0 SITE AND SURROUNDINGS

The application property is located at 42 North Street, Havant, PO9 1PT, within the established urban area of Havant.

The surrounding area comprises a mixture of commercial, residential and other town-centre uses. The property is conveniently located in relation to shops, services, employment opportunities, bus routes and railway services.

The site therefore benefits from an established urban setting and access to a range of facilities that support day-to-day residential living.

The existing building forms part of the established townscape. The proposal seeks to retain the building and adapt its use rather than introduce additional built development.

The property is situated within St Faith's Conservation Area. The heritage implications of the proposed change of use and any associated external alterations are considered in Section 12.

3.0 EXISTING BUILDING AND USE

The building was previously used for commercial office purposes and has remained vacant or under-utilised for some time.

The proposal would introduce a residential use without increasing the building's footprint or overall height.

4.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposal is to change the use of the existing commercial premises to two self-contained residential flats.

4.1 Ground-floor flat

The ground-floor flat would provide one-bedroom accommodation of approximately 54 sqm.

The unit would benefit from level access and would be arranged to provide self-contained living accommodation.

4.2 First-floor flat

The first-floor flat would provide one-bedroom accommodation of approximately 57 sqm.

Access would be provided from the rear, with direct access from Waterloo Road to the north of the site.

4.3 External alterations

Two new door openings are proposed to the rear/side elevation to facilitate the intended access arrangements.

No extension, additional storey or increase in footprint is proposed. The principal elevation and overall form of the existing building would be retained.

4.4 External amenity and storage

A communal rear garden would provide external amenity space for residents.

Refuse and cycle storage would be provided within the site..

5.0 CLASS MA PERMITTED DEVELOPMENT ELIGIBILITY

Class MA provides permitted development rights for qualifying changes of use from specified commercial, business and service uses to residential use, subject to the limitations and conditions contained in the legislation.

Before the proposed development can proceed under Class MA, the applicant must establish that the property satisfies the applicable statutory eligibility requirements.

These include confirmation of:

1. The qualifying existing or previous use of the building.
2. The required period of qualifying use immediately before the application.
3. The relevant restrictions concerning the building, site and any applicable planning conditions or directions.
4. The applicable maximum floorspace and dwellinghouse limitations.
5. The relevant residential space-standard requirements.
6. The prior approval procedure and the matters specified in Class MA.

6.0 PROPOSED RESIDENTIAL ACCOMMODATION

The proposal would provide two one-bedroom residential units within an existing building.

Unit	Accommodation	Approximate floor area
Ground floor	One-bedroom flat	54 sqm
First floor	One-bedroom flat	57 sqm
Total	Two flats	111 sqm

The plans demonstrate compliance with the applicable Nationally Described Space Standard and the specific residential space requirements applicable under Class MA.

Floor area alone is not sufficient to establish compliance. The number of occupants, internal arrangement, bedroom dimensions, ceiling heights where relevant and other applicable criteria must also be checked.

7.0 DESIGN APPROACH

The design approach is based on the retention and adaptation of the existing building.

The proposal would make efficient use of an established building in an urban location while avoiding the need for an extension or new-build structure.

The principal design principles are:

- Retention of the existing building envelope.
- No increase in building footprint or height.
- Retention of the principal elevation.
- Limited external alterations.
- Provision of independent residential access.
- Provision of communal external amenity space.
- Provision of refuse and cycle storage.

Subject to the separate authorisation of those alterations where necessary, the physical works would be limited in scale.

8.0 ACCESS STATEMENT

8.1 Site accessibility

The property is situated within the established urban area of Havant and is accessible by walking, cycling, bus and rail.

Residents would have access to a range of local services and facilities without necessarily relying on private car travel.

8.2 Ground-floor access

The ground-floor flat would benefit from level access.

8.3 First-floor access

The first-floor flat would be accessed from the rear of the property, with direct access from Waterloo Road.

The plans clearly demonstrate the route from the public highway to the entrance and establish that the access is safe, practical and legally available for the intended use.

8.4 Accessibility limitations

The proposal involves the conversion of an existing building. The extent to which improvements can be made to accessibility will depend on the existing structure and the applicable statutory requirements.

Any Building Regulations obligations are separate from the planning prior approval process.

9.0 TRANSPORT, PARKING AND CYCLE PROVISION

The site benefits from its town-centre location and proximity to public transport and local amenities.

No on-site car parking is proposed.

The absence of on-site parking should be assessed on the basis of the site's location and the actual transport implications of the proposal.

10.0 NATURAL LIGHT AND RESIDENTIAL AMENITY

Adequate natural light to all habitable rooms is an important consideration under the Class MA prior approval framework.

Natural light to each habitable room, including bedrooms and living areas is provided via existing window, no alterations are proposed.

11.0 NOISE AND CONTAMINATION

The proposed conversion works will include full noise testing in accordance with the Building Regulations. The proposed works are likely to include upgrading of the existing floors and ceilings and external walls.

The site is not believed to be contaminated and internally no known contaminates have been identified. Prior to any works commencing a full internal surveyor is proposed.

12.0 HERITAGE STATEMENT

12.1 Heritage context

The property is located within St Faith's Conservation Area.

The significance of the Conservation Area derives from its historic townscape, established pattern of development and the contribution made by historic buildings, streets and spaces.

The proposed change of use would retain the existing building and its established relationship with North Street.

12.2 Proposed works

The proposal involves internal conversion to two self-contained residential flats.

Two new door openings are proposed to the rear/side elevation. No extension, additional storey or increase in footprint is proposed.

The principal elevation and overall form of the building would remain unchanged.

12.3 Effect on the Conservation Area

The previous planning appeal, reference APP/X1735/W/23/3334421, concerned an earlier proposal for residential conversion and associated external works.

The Inspector's decision of 16 August 2024 is relevant background to the current proposal. The decision should be read alongside the current drawings, because the details of the scheme have changed.

The current proposal does not include the previously proposed rear external staircase. The external alterations now identified are limited to two rear/side door openings.

The effect of the ground-floor change of use on the character or appearance of the Conservation Area should be assessed in accordance with the applicable Class MA heritage prior approval test.

12.4 Heritage policy and statutory duty

The proposal has been considered having regard to the applicable heritage provisions of the National Planning Policy Framework and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area when exercising relevant planning functions.

Subject to confirmation of the precise external works and their authorisation, the retention of the existing building and the limited nature of the proposed changes provide a basis for concluding that the proposal can preserve the character and appearance of the Conservation Area.

13.0 FLOOD RISK

Flood risk is a particularly important consideration because of the previous appeal decision.

In appeal APP/X1735/W/23/3334421, the Inspector identified concerns about future flood risk and the absence of a site-specific Flood Risk Assessment.

The FRA demonstrates the proposal satisfies the applicable Class MA prior approval requirements and identify any mitigation necessary to make the residential use safe.

14.0 PREVIOUS PLANNING APPLICATION AND APPEAL

The property was previously the subject of planning application APP/22/00337 and appeal APP/X1735/W/23/3334421.

The appeal was dismissed on 16 August 2024.

The Inspector identified two principal concerns:

1. The effect of the loss of commercial use on the vitality and vibrancy of Havant town centre.
2. Flood risk and the absence of a site-specific Flood Risk Assessment.

The previous decision is relevant background but does not replace the statutory assessment required for the present Class MA application.

The current application should be determined under the applicable permitted development legislation, with the Council's consideration confined to the relevant statutory eligibility criteria and prior approval matters.

The flood-risk findings in the previous appeal remain particularly relevant because they identify a matter requiring evidence in the current submission.

15.0 COMMERCIAL USE HISTORY

The building's previous commercial use and period of vacancy meets the qualifying-use requirement under Class MA.

A commercial marketing and viability report is not automatically a separate statutory requirement for every Class MA application however additional information is available for the application.

16.0 REFUSE AND CYCLE STORAGE

The proposal includes refuse and cycle storage within the site.

Refuse storage is convenient for residents and collection operatives and should not obstruct access routes.

Cycle storage is secure, practical and readily accessible from the residential entrances.

These details will help demonstrate that the development can function effectively as two self-contained residential units.

17.0 PLANNING CONCLUSION

The proposal seeks to make effective use of an existing building at 42 North Street, Havant, by converting the former commercial premises into two self-contained one-bedroom flats.

The development would provide approximately 54 sqm of ground-floor accommodation and 57 sqm of first-floor accommodation, together with communal rear amenity space, refuse storage and cycle storage.

The existing building would be retained, with no extension, additional storey or increase in footprint. The ground-floor flat would have level access, while the first-floor flat would be accessed from the rear via Waterloo Road.

The application is submitted under Class MA, Part 3, Schedule 2 of the General Permitted Development (England) Order 2015, as amended. The proposal must therefore satisfy the applicable statutory eligibility criteria and prior approval requirements.

The previous appeal decision has been considered, particularly its findings on flood risk. A site-specific Flood Risk Assessment demonstrates the proposed residential use can be made safe for its lifetime.