

Planning, Design and Access Statement

for:

Change of use of ground floor rear and replacement single storey rear extension to create dwellinghouses (2no. studios); first floor side/rear extension and change of use of first floor to dwellinghouses (2no. studios); retention of Class E commercial unit

at:

53 Commercial Road
Totton
SO40 3AH

February 2024



**Planning
Geek**

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Site:

53 Commercial Road, Totton, SO40 3AH

Applicant:

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Document revisions

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1.0 Introduction

- 1.1 This Statement accompanies a planning application for the part conversion of the ground floor from commercial to residential use together with a replacement single storey rear extension whilst retaining a ground floor commercial use, as well as a first floor side and rear extension to convert the first floor ancillary commercial use to residential use at 53 Commercial Road, Totton.
- 1.2 The application property is a two storey detached building in a row of commercial properties fronting onto Commercial Road, with a mix of ancillary commercial or residential uses at first floor level. A service road runs behind the rear of the row of buildings, providing vehicular access to the rear.
- 1.3 The property is located to the north west of the Totton train station, within the built up area of Totton, the Town Centre, and forms part of the Primary Shopping Area, and as a result benefits from being within easy walking distance to a number of local services within the Town Centre.
- 1.4 The application property is not located within either Flood Risk Zones 2 or 3, and neither is it in an area at risk from surface water flooding.
- 1.5 The building is not a Listed Building and neither does it find itself within a Conservation Area.
- 1.6 There are no TPOs within or adjoining the application site, and there are no trees on the site.

2.0 Planning Analysis

Nationally

- 2.1 The National Planning Policy Framework (NPPF) was published in March 2012 and revised in July 2018, February 2019, July 2021, and again in September 2023, with the latest revisions issued in December 2023. The NPPF provides the Government’s framework for delivering sustainable development and facilitating economic growth through the planning process. Planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
- 2.2 Paragraph 8 states that there are 3 dimensions to sustainable development: economic, social and environmental. Development which helps to build a strong, responsive and competitive economy whilst supporting vibrant and healthy communities, providing housing to meet current and future requirements is to be achieved in a manner which protects the natural, built and historic environment.
- 2.3 The NPPF states at Paragraph 11 that at the heart of the document is a presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with the development plan without delay and local planning authorities should positively seek opportunities to meet the development needs of the area. The presumption in favour of sustainable development is reiterated at Paragraph 49.
- 2.4 Paragraph 38 sets out that the Local Planning Authority should approach applications in a “positive and creative way” and should work collectively with the applicant to ensure that development is delivered to benefit the area socially, economically and environmentally.

- 2.5 Paragraph 47 states that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 2.6 Paragraph 60 refers to the National Government objectives which require ‘significantly boosting the supply of homes’, and ensuring that a sufficient and variety of land can come forward for delivery for a mix of groups with different housing needs.
- 2.7 Paragraph 70 confirms that small and medium sized sites can additionally contribute to meeting the overall housing requirement identified for the District and that these can often be built-out more quickly
- 2.8 Section 6 of the NPPF addresses the need to build a strong and competitive economy.
- 2.9 Paragraph 85 states that planning decisions and policies should help create the conditions in which businesses can invest and adapt. Further to this, there should be significant weight placed on supporting economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 2.10 Section 7 continues this train of thought by focusing on the need to ensure the vitality of town centre.
- 2.11 At paragraph 90 the NPPF recognises the importance of town centres. Policies and development which promote competitive town centres and support their long term viability and vitality, by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters, as well as defining the extent of town centres and recognising that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

2.12 Paragraph 111 gives consideration to parking standards which are set for residential development and that these, amongst other things, should take the following into account:

- a) The accessibility of the development;
- b) The type, mix and use of the development;
- c) The availability of and opportunities for public transport;

2.13 Paragraph 115 states “the fact that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

2.14 When considering the wording of paragraph 115 it is fundamental to recognise that development proposals should only be refused if there would be an unacceptable impact on highway safety, or the residual or cumulative impacts met the test of severe.

2.15 Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes.

2.16 Paragraph 128 requires policies and decisions to support development which makes “efficient use of land”. This considers the identified needs for a variety of housing mix and type and the availability of land to support it. The criteria also includes market conditions and viability, availability and capacity of infrastructure, maintaining the area’s prevailing character and setting and the importance of well-designed, attractive and healthy places.

2.17 Section 12 of the NPPF highlights the need for achieving well designed places.

- 2.18 The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities is discussed in paragraph 131.
- 2.19 Paragraph 135 points to the fact that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 2.20 The key points from Paragraph 135 where it sets out that Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - d) establish or maintain a strong sense of place, using the arrangement of spaces, to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Locally

- 2.21 The application site is located within New Forest District Council.
- 2.22 The Development Framework for New Forest District Council consists of: the Core Strategy (adopted October 2009) although most of the policies have been replaced by the Local Plan 2016-2036 Part 1; the Local Plan 2016-2036 part 1: Planning Strategy (adopted July 2020); the Local Plan Part 2: Sites and Development Management (adopted April 2014); and various Supplementary Planning Documents adopted on a variety of different dates.
- 2.23 Policies within the Development Framework documents that are considered relevant to the assessment of this application include but not limited to: Policy STR1 - Achieving Sustainable Development; Policy STR3 - The strategy for locating new development; Policy STR4 - The settlement hierarchy; Policy STR5 - Meeting our housing needs; Policy ENV1 - Mitigating the impacts of development on International Nature Conservation sites; Policy ENV3 - Design quality and local distinctiveness; Policy HOU1 - Housing type, size, tenure and choice; Policy ECON1 - Employment land and development; Policy ECON2 - Retention of employment sites and consideration of alternative uses; Policy ECON6 - Primary, secondary and local shopping frontages; Policy CCC1 - Safe and healthy communities; Policy IMPL1 - Developer Contributions; Policy IMPL2 - Development Standards, which are all contained with the Local Plan 2016-2036 Part 1.
- 2.24 Within the Local Plan Part 2 relevant Policies would include, but are not limited to: Policy DM2 - Nature Conservation, Biodiversity and Geodiversity; and Policy DM14 - Primary Shopping Frontages.
- 2.25 With regards to achieving sustainable development the Council will look to Policy STR1 and would expect all new development to make a positive social, economic and environmental contribution to community and business life in the Plan Area.

- 2.26 The Council would expect this to be achieved through ensuring the housing needs of local communities are addressed by locating new residential development in sustainable and accessible locations, delivering developments of a high quality design, and ensuring that development would continue to contribute to a diverse and thriving local economy amongst other things.
- 2.27 Focusing on the strategy for locating new development is covered in Policy STR3, and this policy identifies that new development should be located in accessible locations that help to sustain the vitality and viability of the towns and villages of the Plan Area.
- 2.28 In terms of Settlement Hierarchy and where Totton falls within that, Policy STR4 identifies that Totton falls within the Tier referred to as Towns, which are the largest towns within the District.
- 2.29 These centres, as stated in the wording of Policy STR4, offer access to a wider range of employment, facilities and services, and are the most sustainable locations for large scale residential, retail, leisure, cultural and business development to improve their self-containment and to support and consolidate their local service offer.
- 2.30 Policy STR5 sets out the housing targets for the Council and the number of homes they expect to see built over a certain timeframe. The proposal will assist with the Councils attempts are meeting these targets.
- 2.31 Policy ENV1 of the Local Plan 2016-2036 part 1 should be read in conjunction with Policy DM2 of the Local Plan Part 2.
- 2.32 The Policies seek to ensure that appropriate mitigation measures are considered for new developments, so that there would not be adverse impacts on Nature Conservation sites, both of international recognition and also locally identified areas.

- 2.33 Policy ENV1 sets out that developments of 49 or fewer net additional units would need to engage in providing financial contributions towards the provision of recreational mitigation measures.
- 2.34 From a design perspective Policy ENV3 covers guidance on the quality of the design of a development and how it relates to the local distinctiveness.
- 2.35 The wording of this policy has taken guidance from the wording of what is now paragraph 135 of the NPPF following its latest revision.
- 2.36 The Policy states that all developments should achieve high quality design that contributes positively to the local distinctiveness, quality of life as well as enhancing the character and identity of the locality.
- 2.37 This can be done by creating buildings that connect well to the surrounding uses and are logically laid out, as well as being sympathetic to its immediate environment and is also visually appealing.
- 2.38 New development whilst being sympathetic to its setting in terms of the proposed layout, scale, height and appearance, needs to take into account its relationship with neighbouring buildings so as to avoid unacceptable effects by reason of visual intrusion, having an overbearing impact or causing unacceptable levels of overlooking.
- 2.39 For housing type and size, Policy HOU1 sets out that Each development should contribute appropriately to improving housing diversity wherever possible, taking into account the location, size and characteristics of the site, the form of development proposed and the viability of the scheme.
- 2.40 Impacts and consideration of employment uses and sites are covered by Policies ECON1, ECON2 and ECON6 when considered the application site that is the subject of this application.
- 2.41 The wording of Policy ECON1 considers how development on employment land, such as the redevelopment of an employment use, will be supported on existing employment sites.

- 2.42 It states that it would be acceptable provided that the proposal will not have a significant detrimental impact on the other businesses within the locality and that the use proposed is proportionate in scale for the location with regard to the settlement hierarchy.
- 2.43 The retention of existing employment sites is addressed within the wording of Policy ECON2. The Council wants to ensure that employment sites that remain suitable for employment use will be retained wherever possible.
- 2.44 For sites located within primary, secondary or local shopping frontages, Policy ECON6 is applicable. The policy focuses mainly on applications that are proposing a change of use away from typical services associated with specific shopping frontages. The scheme is not proposing a change of use of the existing commercial unit, only a reduction in size.
- 2.45 Policy DM14 of the Local Plan Part 2 considers how development relates to Primary Shopping Frontages. The policy identifies amongst other things that development would be allowed where the works proposed include improvements or extensions to existing commercial premises.
- 2.46 Ensuring that new development does not result in pollution or hazards that would impact on the health and safety of the community the development would be situated in is covered by the wording of Policy CCC1.
- 2.47 Addressing the need for developer contributions is covered in Policy IMPL1 which states that developments must provide or contribute proportionately to the provision of any on and off site planning matters, such as affordable housing and habitat mitigation measures where appropriate.
- 2.48 Policy IMPL2 considers the development standards that all developments must aim to achieve as part of the efforts to minimise the impact on environmental matters.

Key Planning Considerations

2.49 The key planning considerations are as listed below and will help to demonstrate why the scheme that is being assessed under this submission complies with the Policies within the Councils Development Framework Documents as well as wording in the National Framework:

- i. Principle of Development and Design
- ii. Relationship with Neighbouring Properties
- iii. Other Planning Matters

i) Principle of Development and Design

2.50 The application relates to a building that is located within the built-up area of Totton, where development is acceptable in principle subject to its accordance with the relevant local plan policies and wording of the NPPF.

2.51 The proposal seeks the retention of the ground floor commercial use, which falls within Class E. The property also falls, as stated in Section 1 of this Statement, within the designated Primary Shopping Frontage, of which the retention of commercial uses at ground floor level are deemed critical to the importance of maintaining a vibrant high street environment.

2.52 A similar proposal to this one was approved at 22-24 Commercial Road under reference 23/10220, whereby the ground floor commercial space was reduced in size and deemed compliant with Policy DM14.

2.53 As the proposal seeks the retention of a commercial use at ground floor level, the development can therefore be deemed to be acceptable in principle due to its compliance with Policies DM14, ECON1, ECON2 and ECON6.

- 2.54 At present the Council cannot demonstrate a 5 year housing land supply. Therefore, in respect to the provision of providing four new dwellings, which whilst a relatively modest supply of housing, this does constitute a material planning consideration.
- 2.55 Furthermore, the type of housing is appropriate for the setting, that being within a Town Centre setting and as such would comply with Policy HOU1, as well as Policy STR5. It also follows the requirements of policies STR3 and STR4.
- 2.56 The development is in a sustainable location, being in a town centre and in close proximity to local infrastructure and public transport routes.
- 2.57 From a design perspective the proposal includes the replacement of the existing rear extensions with a new single storey rear extension, as well as a first floor side/rear extension to the building.
- 2.58 The proposed extensions have been designed to reflect the appearance of the existing building so as to ensure this scheme would be in keeping with the general character of the area.
- 2.59 Whilst the first floor side extension would extend over a single storey element of the property and as such would extend close to the flank boundary, given that the properties have a terraced appearance within this row of buildings due to the majority of the properties already extending to almost the fullest width of their respective plots, it is not considered that the proposed first floor side extension would have a detrimental impact on the street scene or the use of the neighbouring property to the west.
- 2.60 The rear extensions, both the replacement at ground floor and the proposed first floor, are sympathetic to their setting and would not impact on the use of the neighbouring plots.
- 2.61 The proposed extensions are proportionate to the size of the existing building and would not dominate the plot.

- 2.62 The extensions ensure that the layout of the proposed flats provide future users with appropriate habitable space and adequate natural light levels.
- 2.63 The proposed extensions and internal works to create four new flats would therefore be considered as being compliant with Policy ENV3 in this regard.
- 2.64 Moreover, the proposed works would function well with the setting and are of good architectural design. With this in mind, the development would ensure that it would be compliant with the wording of paragraphs 131 and 135 of the NPPF.
- 2.65 The layout of the proposed flats would also comply with the wording of Policy CCC1 and ensure that the development would comply with Policy IMPL2.
- 2.66 Overall the principle of development, as previously referenced, is acceptable and the scheme demonstrates its compliance with relevant policies in terms of design and being in a suitable location, which would assist with providing housing to the area. It would therefore also comply with the wording of paragraphs 60, 70 and 128 of the NPPF, as well as paragraph 90 as the mix of residential with commercial use will help to support the long term viability and vitality of the town centre, with aiding the increase in footfall to the 'High Street' environments.

ii) Amenity Provisions

- 2.67 The proposed flats are to be located in a mixed use town centre location, where it is common to find ground floor commercial units with first floor residential uses.
- 2.68 The principle of such mixes has been established through the granting of planning permissions 22/10174 at 52A Commercial Road, and more recently at 22-24 Commercial Road under reference 23/10220.

- 2.69 The conversion and extensions of and to the former restaurant space at the rear of the building and the ancillary space at first floor level does not give rise to concerns in respect of the overlooking or other amenity impacts of existing neighbouring dwellings or uses.
- 2.70 And as confirmed in the previous section on design, the flats have been proposed to comply with the National Space Standards in terms of providing appropriate levels of habitable and internal amenity provisions, as well as benefiting from adequate levels of natural light.
- 2.71 Each flat would also benefit from appropriate internal storage provision.
- 2.72 The development would not have an adverse impact on any neighbouring buildings with regards to appearing overbearing or visually intrusive to their existing uses.
- 2.73 As such, the development can be seen to be compliant with Policies ENV3 and HOU1, as well as paragraphs 131 and 135 of the NPPF.

iii) Other Planning Matters

Highways, Parking, Cycle and Refuse storage

- 2.74 There is space to the rear of the property that would remain as hardstanding and is currently used for the storage of refuse bins and occasional parking. This area would be used for secure cycle storage and a bin store area.
- 2.75 In light of the application property being located within the town centre, and is therefore considered to be in a sustainable location with very good access to a broad range of services and facilities to public transport links, its setting would ensure that there would be less reliance on car use for the type of residential unit proposed, as future occupiers would be able to walk to and from local amenities.

2.76 The Parking Standards SPD includes a provision under Principle PS1 regarding residential development within Main Town Centre locations, such as Totton, whereby a reduced car parking provision will be acceptable subject to the site being well served by existing public and active modes of travel.

2.77 As such, a car free scheme in this location would be considered acceptable in this location and would ensure that the development accords with Council requirements and would be compliant with the wording of Paragraph 115 of the NPPF.

Flood Risk

2.78 The application site is not at risk from flooding.

2.79 However, the development could take reasonable mitigation measures to ensure protection from potential future flood events if they were to ever occur, which would include considering the ground floor threshold levels being raised a minimum of 150mm above ground level as freeboard to allow for uncertainty.

2.80 Other national guidance measures could be incorporated into the build for the ground floor residential usage, to mitigate against potential flood events.

Biodiversity and Air Quality and Environmental Impacts

2.81 With regards to Biodiversity Net Gain as the application is a non-major development, the development, in accordance with Policy DM2 would not trigger the need to provide onsite enhancements as part of the proposal.

2.82 This is a stance that the Council have taken with other applications more recently.

- 2.83 In respect to Habitat Mitigation, the Council have confirmed in other applications where permission has been granted that the development can be approved subject to consideration of appropriate mitigation contributions through a unilateral undertaking or s106.
- 2.84 It is acknowledged that as part of the Council's Air Quality in New Development SPD to ensure that development is acceptable, the Council will expect to see mitigation measures incorporated into development so as to reduce emissions to air from all new development which is proposed.
- 2.85 The SPD states that where an application proposes development for less than 10 dwellings, an Air Quality Statement rather than an Air Quality Assessment would be required.
- 2.86 However, it is clear that the Council would accept such details to be provided by way of condition, and as such, the applicant would consider the inclusion of such a condition on the approval of the application.
- 2.87 There has also been confirmation through the granting of permission of similar developments within the immediate vicinity of the application site, that to enable the monitoring and future mitigation of potential pollution from development and end users, that an appropriate contribution can be secured through a S106 legal agreement or unilateral undertaking.
- 2.88 The proposal would therefore be compliant with Policies ENV1 and DM2, as well as IMPL1.

Affordable Housing

- 2.89 The application is not a major application and would not trigger the need to provide affordable housing at the site, as such the proposal complies with Policy HOU2 of the Local Plan.

3.0 Conclusion

- 3.1 The proposed development is considered acceptable with regards to its setting and ensuring that there is a continued commercial use at the site. The works would be in keeping with the character of the area and would not impact on the uses of the neighbouring buildings.
- 3.2 Further to this, it has been demonstrated that there will be no adverse impacts on the highways network. The development is proposed in a sustainable location and is close to a variety of public transport options as well as local amenities.
- 3.3 The development would make efficient use of land providing appropriate housing provision for the setting, that would not have a detrimental impact on the character of the area.
- 3.4 The development has been shown to comply with the aforementioned policies, with particular reference to Policies ENV3, HOU1, ECON1, ECON2 and ECON6, as well as paragraphs 60, 70, 90, 115, 123, 128 and 135 of the NPPF.
- 3.5 The development would accord with the NPPF in relation to the delivery of new homes, and importantly, the titled balance it sets out applies. That balance should be in favour of granting the proposal as it is not a development that would undermine the community cohesion or character of the area.
- 3.6 Taking the above into account, this Planning Application should be granted permission.