



Appeal Decision

Site visit made on 7 November 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2023

Appeal Ref: APP/X1735/W/23/3318837

90B Southwood Road, Hayling Island, PO11 9QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Notley against the decision of Havant Borough Council.
 - The application Ref. APP/22/01209, dated 13 December 2022, was refused by notice dated 2 March 2023.
 - The development proposed is disabled access ramp to side of property and installation of an internal staircase to house a stairlift and allowing for the amalgamation of flats 90 and 90B.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be acceptable having regard to local planning policies on the maintenance of the Borough's housing stock and future housing provision.

Preliminary Matters

3. The description of the development on the Application Form is different to that on the Decision Notice and I have adopted the latter as this more accurately describes the proposed development.
4. The Council's reason for refusal refers to the National Planning Policy Framework (July 2021) (Framework), but since then the Framework has been revised, in September 2023. However, both the reason for refusal and the Council's Delegated Report (CDR) refer to, in particular, the housing policies in section 5 of the Framework, which remain unchanged in the September 2023 version.

Reasons

5. The appeal site is located on the southern side of Southwood Road and comprises a detached two storey property that is divided into four flats. Viewed from the road, the appeal relates to the two flats on the right hand side of the building, No.90 on the first floor and No.90B on the ground floor. There is a shared pedestrian access to No.90 and No.90A (the other first floor flat in the property) on the front elevation and a separate pedestrian access to No.90B on the side elevation of the property. The other half of the detached property has a similar arrangement of flats with No.90C (ground floor) and

- No.90A (first floor). Shared car parking is also available on the frontage to the site.
6. The surrounding area is predominantly residential and comprises a mixture of old and new blocks of flats as well as individual dwellings.
 7. The appeal proposal involves the provision of a disabled ramp to the side of the property and various internal works to facilitate the amalgamation of flats No.90 and No.90B to provide one larger residential unit (flat). The Council do not object to the external works, which is a finding I concur with. They do object to the amalgamation of the two units and the consequent loss of one residential unit (flat).
 8. The Council's reason for refusal refers to policy CS9 of the Havant Borough Core Strategy (March 2011) (HBCS). This sets out the housing strategy for the Borough in seeking to meet the requirement for a net total of 6,300 new dwellings in the period 2006 to 2026. It confirms that planning permission will be granted for housing proposals that contribute towards achieving that net total, as well as delivering or meeting affordable needs, the achievement of mixed communities, an appropriate density of development, a mix of dwelling types, accommodation for an ageing population that takes account of various care needs and the promotion of previously developed land.
 9. The supporting text that follows expands on and provides further interpretation of policy CS9. Paragraphs 6.26 – 6.27 are headed 'Loss of Dwellings', with the former stating that the requirement to provide 6,300 dwellings should not be offset by reductions in housing stock, and that the individual and cumulative loss of housing stock within urban areas is likely to increase pressure and demand for greenfield sites. In view of this, paragraph 6.26 continues by stating that *"Only in instances whereby the loss of dwelling(s) will be to achieve wider benefits in accordance with other objectives of this Core Strategy should proposals be considered favourably."* Paragraph 6.27 also states that the conversion of two or more smaller dwellings into a larger unit will be resisted as such proposals will negatively contribute to the objectives of the Core Strategy. Also, as the loss of smaller units would not reflect the need to maintain and provide for the needs of smaller households and first time buyers.
 10. The Council has also drawn my attention to its published 5 year housing land update from March 2023, which indicates a 3.9 year supply of deliverable sites. I agree with the Council that this is clear evidence of the Borough experiencing a significant shortfall in meeting housing supply figures and future housing delivery. I also concur with the Council that the policies of the Core Strategy and its approach to housing delivery broadly remain consistent with those in the Framework. These findings have not been challenged by the Appellant.
 11. Within the above context, the appeal proposal would result in the loss of one small self-contained residential unit. As such, that loss would be in conflict with the policy CS9. The Appellant states that the proposed amalgamation of the units would enable them to provide support and care for an elderly mother. The intention would be that the ground floor (90B) would be occupied by the Appellant, with the second bedroom (in 90B) used as a home office, with the first floor (90) occupied by the elderly mother. A new internal staircase with chair lift would link the two. The Appellant contends that these would amount to the *"wider benefits"* envisaged in policy CS9.

12. Whilst I fully understand the Appellant's intentions and reasoning, I am not convinced that the benefit of caring for an elderly relative would secure or achieve the "*wider benefits*" envisaged in policy CS9 or would be in accordance with other objectives of the Core Strategy. As I confirmed above, the shortfall in meeting future housing delivery is significant and I also attached significant weight to the fact that the proposal would result in the loss of a small unit (flat) for which the Council indicate there remains a pressing need, a statement that again has not been challenged. The evidence before me indicates that the loss of smaller units, as proposed, is likely to increase the pressure and demand for greenfield sites and would impact negatively on the spatial housing strategy of the HBCS. No substantive evidence has been submitted by the Appellant that would lead me to reach a different finding on this issue.
13. I accept there would be a benefit in providing for an elderly relatives care as well as providing for disabled access, but these considerations are not sufficient, either individually or cumulatively, to outweigh the conflict with policy CS9 or to justify the loss of a small flat as proposed. I also concur with the Council that the evidence does not indicate whether the Appellant has considered other options for meeting their elderly relative's needs, for example, by providing that accommodation within the ground floor flat and thus avoiding the need for the units to be amalgamated.
14. Moreover, although the Appellant indicates that any change of use could be reversed there is no guarantee that that would happen and it's not a matter that could be controlled as part of any grant of planning permission. Even so, the proposal that is before me simply seeks planning permission to convert the appeal property into a single unit for general residential use. Furthermore, I am not convinced that the future use of the first floor to serve and meet the needs of only an elderly person or for those with similar care needs, could be controlled through the grant of planning permission.
15. Accordingly, I find that that appeal proposal would be contrary to policy CS9 of the HBCS and the corresponding policies of the Framework.

Conclusions

16. For the reasons given above and having taken all other matters raised into account I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR