

DELEGATED OFFICER REPORT

Site Address: Garage Compound, Whitsbury Road, Havant
Proposal: Demolition of existing buildings and erection of a supported housing building for mothers and children (Use Class C2) with associated access and parking.
Application Type: Full Planning Permission
Application No: APP/24/00096 Expiry Date: 10/04/2024
Applicant: .
Agent: Stop Domestic Abuse
Mr Annen Case Officer: David Eaves
Pure Town Planning
Ward: Leigh Park Central and West
Leigh

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located in Leigh Park and forms a garage court to the rear of residential properties and to the south of Whitsbury Road, west of Prospect Lane and north and east of Nursling Crescent.
- 1.2 The vehicular access to the site is from Whitsbury Road and there is a separate pedestrian access from Nursling Crescent.
- 1.3 The residential properties around the site include two storey terraced and semi-detached houses to Whitsbury Road, terraced two storey properties to Prospect Lane and semi-detached two storey houses and two storey flats to Nursling Crescent.
- 1.4 The site itself is roughly triangular and has a large concrete hardsurfacing area to the centre. There are 13 disused garages to the northern and western sides of the site. There is also a Scottish and Southern Electricity sub station located on the western side of the site and a private garage accessing the existing access to the garage court and a domestic outbuilding also accessing this area. There are tall brick walls to parts of the boundaries. Other boundaries are obscured by the existing garage blocks which would be demolished.

2 Planning History

None relevant

3 Proposal

- 3.1 Demolition of existing buildings and erection of a supported housing building for mothers and children (Use Class C2) with associated access and parking.
- 3.2 The existing site contains 13 garages which are mostly boarded up and appear to be unused and it is proposed that the existing garages are demolished.
- 3.3 The proposed development would be accessed via an existing vehicular and pedestrian access from Whitsbury Road to the northern side. This would lead to parking and turning for four cars with EV charging points and a disabled parking

space.

- 3.4 The proposal is for a Supported Housing building for mothers and children which is a C2 Class Residential Institution.
- 3.5 The building would be located within a roughly triangular site and would itself be a two storey mainly 'L' shaped building. Mothers and children would be provided with bedrooms and en-suites and would share other facilities with others. There would be a total of nine bedroom units.
- 3.6 The ground floor would include the shared facilities with a large lounge, kitchen and dining area, play room, personalised storage, laundry, meeting room, offices and toilets etc. There would also be 2 No. bedrooms with en-suites and outside patios on the ground floor.
- 3.7 At first floor level would be seven further bedrooms with en-suites. Two of the bedrooms would have small side enclosures to increase privacy for older children.
- 3.8 There would be a Bike Store adjacent to the car parking spaces and bin stores to the west of the parking. The external area also includes a shared patio area and communal Gardens together with a children's playground to the south of the site. Tree planting is also shown to the southern and western boundaries.
- 3.9 There are proposed Air Sourced Heat Pumps to the west of the building and a Sedum roof is proposed with potential for Solar PV.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS7 Community Support and Inclusion

CS8 Community Safety

CS9 Housing

CS14 Efficient Use of Resources

CS15 Flood and Erosion Risk

CS16 High Quality Design

CS17 Concentration and Distribution of Development within the Urban Areas

CS19 Effective Provision of Infrastructure

CS21 Developer Requirements

DM7 Elderly and Specialist Housing Provision

DM10 Pollution

DM11 Planning for More Sustainable Travel

DM12 Mitigating the Impacts of Travel

DM13 Car and Cycle Parking on Residential Development

Havant Borough Local Plan (Allocations) July 2014

AL1 Presumption in Favour of Sustainable Development

AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements

LP2 Leigh Park Housing Allocations (Garage/Parking Areas)

DM17 Contaminated Land

DM18 Protecting New Development from Pollution

DM24 Recreational Disturbance to SPAs from Residential Development

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control HBC

Further Comments:

Building Regulation consent will be required if the structures being demolished are over 1750 cubic feet or 50 cubic meters. This will involve a Section 80 Notice being served on Building Control

Original Comments:

Building Regulation consent will be required for this work

Compliance with AD B 5 Fire Authority access needs to be met. This has been commented upon within Fire Report.

Roof lights will need to incorporate smoke ventilation in common area.

Glazing in relation to notional boundary location needs to comply with AD B

Communities Manager HBC

No comments received.

Community Infrastructure HBC

CIL

CIL would not be sought as the development is classed as C2 care home. CIL would only be chargeable on accommodation identified as a self-contained flat for use by staff, but this proposal indicates that there is no accommodation of this type.

Solent Recreation Mitigation Strategy (SRMS)

The Case Officer would need to consider the ("Definitive") Solent Recreation Mitigation Strategy, details accessed from:

www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy

See extract taken from the strategy below;

6.9 The need for mitigation for the recreational impact of other types of residential accommodation will be assessed on a case-by-case basis by the local planning authority. The key "test" is based around the likelihood of the proposed development generating additional recreational visits to the SPA(s). For example, in respect of residential accommodation designed specifically for elderly people, a developer contribution (or bespoke mitigation) will be required for apartments for the active elderly, but not for secure accommodation such as a residential nursing home for people who are unable to independently leave that accommodation and which does not provide residents parking or allow pets (this would apply to people living with conditions that limit their mobility). However, mitigation may be required for any staff living on-site. Retirement properties designed for independent living with parking provision and which allow pets will be treated the same as C3 residential properties.

The current scale of charges is available on our website using the link above. The rates are indexed at 1 April each year.

Nutrient Neutrality (NN)

The development would need to mitigate against the effects of the water quality impact arising out of the development. See: <https://www.havant.gov.uk/nitrogen-developers>.

A full S106 agreement may be necessary (which would also cover SRMS and NN) if site specific highway improvements are found to be necessary or if any other matters arise out of consultee responses.

However, as overnight accommodation is proposed for part of the floorspace, pending a response from Natural England on the HRA, instructions should be passed by the Case Officer to the CI Team to issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>.

Councillor Sharon Collings

I am aware of the application and do have some related concerns.

I do share resident's concerns regarding an increase of traffic in these narrow already congested roads and the lack of on street parking that will be sought by users of the facility. I note the awareness of other sites however this site has more accommodation so the need will be greater and the four proposed parking spaces may be inadequate. The existing access to the rear of the properties must be considered as there may well be a public right of way to them.

I also wish to highlight the risk of removing the buttresses to the boundary wall which can be seen on the Boundary Schedule to enable space for opening doors on the ground floor. The wall has been in place for several years, the land in this area is heavy clay compromising the structure hence the likely reason for the buttresses. The proposed site is in very close proximity to this wall and construction is likely to compromise the viability of this wall further which if/when damaged will have a direct impact on the residents whose properties share this boundary wall and could risk collapsing on to residents using this area around the property. New trees are planned to be also planted along this wall and whilst this would be welcome to offer some screening, great care must be taken in the choice of varieties due to the risk of undermining the wall with it's roots and any risk of infiltrating the existing and new drains.

I am yet to see any comments that address this risk of harm or who will take responsibility/be liable for damage incurred in relation to the boundary wall. Residents using the facility will have fled one danger could be faced with another.

Officer Comment: Head of Place and Cllr Brown (Chairman of Planning Committee and Cabinet Lead) have confirmed Delegated Decision Agreement.

Councillor Munazza Faiz

No comments received.

Councillor Jason Horton

I am familiar with this planning application as a resident who lives nearby contacted me to discuss their concerns. She, and some of her neighbours, have several concerns:

1. That the upper floors of the proposed build would overlook residents' gardens and the rear of properties on Prospect Lane.
2. That the access road from Whitsbury Road is too thin for emergency vehicles and refuse collection.
3. That the rear access from 32 Nursling Crescent, originally granted under licence from Portsmouth City Council will be blocked off during and after construction.
4. That the noise of construction will be too disruptive for residents, who live very close to the proposed site, and that the screening that could be put in place would be inadequate.
5. The loss of residents' parking would put pressure on residents and other road users who currently use this area. I note your comment that they currently have no right to park in this area and the technical note. Nevertheless it remains a concern.

I am not opposed to the planning application, but I do believe that it should be brought to the planning committee for discussion and submissions by residents.

- 3.2 indicates the garages will be demolished but there is concern from residents that the ownership of the garages isn't fully known and that some are, indeed, derelict but at least one is in use.
- 3.8 mentions bike storage and bin storage on the west of the site. This may block access from Nursling Crescent as the wall at the rear of the properties is not a solid wall but has a door built in. There is an electrical substation in that area too that may interfere with the development. The play area your report mentions tree planting but the surface of the area is concrete with no open earth. I am unsure how this would be achieved.
- I am told that the rain run-off from the current site is inadequate and that the drain often floods during periods of heavy rain. Assuming no additional work would be carried out by Southern Water or the developers, it would seem likely that current drainage would be inadequate for residents too. Perhaps improvements to drainage and sewerage in the area could be used to separate rain run-off and waste water.

There is mention of these and many other points in your draft report.

Officer Comment: Head of Place and Cllr Brown (Chairman of Planning Committee and Cabinet Lead) have confirmed Delegated Decision Agreement.

Crime Prevention -Major Apps

No comments received.

Southern Water

Protection of Public Apparatus

The attached plan shows that the proposed development will lie over an existing public surface water sewer, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the public surface water sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

- The 225 mm diameter surface water and foul sewers requires a clearance of 3 metres on either side of the sewers to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the sewers without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public sewers.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Foul and Surface Water Drainage

Our investigations indicate that Southern Water can facilitate foul and surface water run off disposal (Surface water flow rate 1l/s at manhole reference SU72084251) to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/

ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website:

southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Ecologist

The application is accompanied by an Ecological Assessment Report (ABR Ecology, January 2024). The site contains areas of hard surfacing and two rows of garages, with minimal vegetation present. I am content that the site is not of significant value in terms of habitats. Subsequently, the site is not considered suitable for supporting protected and notable species. There are records of foraging/commuting bats from the wider area but the buildings on site are considered to offer negligible potential for roosting bats and the absence of any substantial vegetation is unlikely to attract foraging bats. There are records of Hedgehogs from the immediate area and it is likely that this species will occur in surrounding gardens and greenspaces.

Overall, I am content that the site is of very limited biodiversity value and that ecological impacts are essentially negligible.

If you are minded to grant permission, can I suggest that ecological measures are secured by condition.

Development shall proceed in accordance with the ecological avoidance, mitigation, compensation and enhancement measures as detailed in the Ecological Assessment Report (ABR Ecology, January 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Environment Agency

No comments received.

Environmental Health

Final Comments

Please note this response relates to noise only.

We have provided a prior response on 9th September (see attached) in relation to the ASHPs which we note are proposed in the same location on the latest plans. We therefore have no further comments to make.

Further Comments

I confirm the conditions proposed will suffice including the condition regarding the boundary treatment.

However, I recommend we remove condition 16 (BS8233) as this would only be relevant to anonymous and discrete road traffic noise. For future reference, if this is a standard condition then this should be amended to say BS8233 and not BS8223.

Please can we also update condition 14 to instead read,

The rating level of the noise emitted from the 3 air source heat pumps installed as part of this application shall not exceed the existing background sound level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Further Comments:

To confirm the original plan showed 6 x ASHP units to the west elevation and the current ground floor plan now shows 3 x units to the west elevation. Please can you applicant confirm the number of ASHPs to be installed on the west elevation? Will they be ground mounted and/or wall mounted? The development of the site will include removal of the existing garages to the west of the site. Can the applicant confirm the boundary treatment to the rear gardens of properties 22-32 Nursling Crescent to be provided once the garages have been removed? Appropriate boundary treatment will help to mitigate the noise impact arising from the ASHPs.

Original Comments:

I have now reviewed the submitted details and I can confirm that we do not have major concerns regarding the application with respect to noise and other environmental nuisance impacting on the supported housing.

However, I note the application proposes to install an air source heat pump as part of the development. Now this plant is a concern to the pollution team due noise likely to have a negative effect on the neighbouring properties and indeed the development. The applicant has submitted a noise impact assessment report based on the principles given by BS4142 2014. Whilst this guidance is acceptable assessment method, following the review of the report, we submit that additional noise mitigation measures be implemented to preserve the amenity of the residents.

The development proposes an outdoor play area which backs on to residential properties to the south elevation. During the summer months, residents are prone to using their gardens more often during the day and if no adequate consideration is

given to noise from the play area, these could give rise to complaints especially during warmer months. Accordingly, we submit that should permission be granted, the following conditions are recommended as follows:

External noise from Plant

Condition: The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 5dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Anti- vibration mounts.

Condition: Prior to first use, the plant and machinery at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Pre-Occupation Noise condition

Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this supported residential unit, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Acoustic Fence

Before the permitted development comes into use, a fence or barrier having a superficial weight not less than 10kg/m² with a height of not less than 1.8 meters shall be erected at the south facing area of the building elevation of the outdoor area, facing any residential garden and thereafter this needs to be permanently maintained.

Reason: To ensure that the amenity of the occupiers of the surrounding premises is not adversely affected by noise people using the facility. Having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

Construction/ Demolition Management

No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of: (a) provision of boundary hoarding; (b) hours of operation; (c) means to control dust and emissions to

air; (d) means to control noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority. The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development shall be constructed in accordance with the approved statement.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Informative

Hours of Work: You are hereby advised to ensure that no works or ancillary operations associated with any demolition, excavation, clearance, and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8.00 – 13.00. This is to protect the occupants of nearby residential properties from noise and vibration nuisance.

Bonfires: You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e., demolition, excavation, clearance, and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action. This is to protect the occupants of nearby residential properties from smoke pollution.

Dust Control: You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is to protect the occupants of nearby residential properties from dust pollution. Please do not hesitate to contact me if you wish to discuss any of the above matters raised or would like further explanation. Jonathan Driver of this office will likely provide separate comment on other issues.

Environmental Health (Environmental Control)

Observations / Comments:

I note that the proposal is for C2 class institutional accommodation. This is different to the assumptions of the combined geotechnical & geoenvironmental investigation, and whilst the use class was available to the authors when commissioned to produce the remedial strategy, a significantly precautionary approach was also adopted.

The garage complex was constructed on greenfield land under a 1956 consent and has not been subject to significant phases of redevelopment since. The surfacing adopted was concrete, which avoids issues with leaching aromatic hydrocarbons – as was confirmed by the intrusive work.

Essentially, save for a single non-quantified asbestos 'detect' result, the site investigation describes results consistent with an uncontaminated site.

Asbestos was identified as free fibre, and at a detect-rate of 1 in 7 samples, it might be concluded that the material must be relatively common at the site. This is perhaps not surprising, given that original plans for the garage complex include references to asbestos roofing having been used.

There is no reason to expect that there will be bulk asbestos present within soils, and the trial hole logs appear to describe re-worked & made soils of relatively shallow thickness, and with a relatively low proportion of anthropogenic inclusions. Coupled with the communal status & institutional management of the soft-landscaping and the temporary tenure of residents – the risk status of the development (based upon the demonstrated detect-rate) is probably below that which would be expected to commonly occur at existing residential properties of similar age.

In this respect, the conceptual model probably over-states the likelihood component of the qualitative risk assessment, and I am not sure that it should be considered absolutely necessary to remove and dispose of up to 0.45m depth of soils, for replacement & verification, or for encapsulation beneath a verified cover system.

This said – the order in which demolition/site clearance works are undertaken risks release of new asbestos fibres to soils, and localised contamination may be associated with individual garage units or regions where the quality and integrity of the concrete hard-stand is poor/degraded. Such areas, if present, are unlikely to be sufficient to determine that the 'site' is contaminated but could represent materials that would not be suitable for placement within service trenches containing potable water supply pipework, within areas of soft landscaping or in play areas. The inference that such contamination could be present is speculative and based purely upon the landuse and the length of time that it has been present.

To my mind, it is not necessary to seek to impose a condition requiring the execution of a remedial strategy that is based upon a more stringent risk benchmark than could be taken to apply to the proposals.

However, to cover the risk that obviously contamination-impacted soils may be uncovered when the concrete hardstand & garage floor slabs are removed, it is appropriate to impose a comprehensive unexpected contamination/contamination watching brief condition.

For clarity, this would be expected to apply to any visible fragments of suspected asbestos containing material (and soil in the immediate vicinity of such fragments, where it appears that the material has been crushed/is friable). Similarly, it would be expected to apply to any visibly stained, discoloured, or otherwise odourous soils – especially those suspected of being impacted by coal-derived products (e.g. creosote), solvents, paints, light-hydrocarbon fuels or mineral lubricants. Otherwise, hand-picking & removal of rare/occasional asbestos fragments would be acceptable. Removal actions should be documented where deposits are significant, e.g. a single deposit of more than 1sqm in area, or affected soils of more than 0.25 cum in volume. Appropriate segregation and disposal of affected materials would be expected in all cases irrespective of area affected/volume found in a single deposit – the guidance above relates to a reasonable de minimis threshold for notifying the Local Planning Authority & reporting under the proposed condition.

It is recommended that draft condition 9 should be substituted for the condition wording below.

Unexpected Contamination / Contamination Watching Brief (prior to occupation clause)

“Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination

(significant made soils, or any obviously contaminated, stained, discoloured or odourous soil or groundwater), or any significant buried waste material is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;
- B) Documentation in accordance with 1) & 2) above; together with evidence which demonstrates that the agreed remediation objectives (3)) have been met.

Reason: Prior landuse is of a type which may be associated with discrete deposits of contaminating material / contaminated soils that could pose a risk to future occupiers of the site. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 189-191 of the National Planning Policy Framework 2023."

Hampshire Fire & Rescue

Building Regulations: Access for Firefighting _

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High-reach Appliances

High reach appliances currently operated by the HIWFRS exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as follows. Structures such as bridges, which a high-reach appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Water Supplies

Additional water supplies for firefighting may be necessary. You should contact the Water Management Team, Hampshire & IOW Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (hydrants@hantsfire.gov.uk) to discuss your proposals.

Fire Protection

HIWFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression Systems (AWFSS) to promote life safety and property protection within the premises.

HIWFRS is fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Testing of Fire Safety Systems

HIWFRS strongly recommends that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter, their effectiveness should be reconfirmed periodically throughout their working lifecycles.

Firefighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises' occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Hampshire Highways

Further Comments:

The Highway Authority provided an earlier response on this application dated 5 March 2024 which recommended no objection subject to an informative relating to any access

works proposed to be undertaken within the Extent of Public Highway would require a further approval from the Highway Authority through an application for a licence to undertake works to which the following link refers -

<https://www.hants.gov.uk/transport/licencesandpermits/roadopening>

The further submissions do not significantly alter the highway aspects of the proposal and therefore the Highway Authority view as previously advised is considered appropriate. However, with regards to car/cycle parking provisions these would be considered by the Planning Authority, as Local Parking Authority, the Highway Authority would seek further consultation if a shortfall in parking is identified which may result in on-street parking to the detriment of highway safety.

Original Comments:

The proposal indicates some 4 car parking spaces, and the site currently contains more garages than that. It is not clear if there will be a positive or negative change in the number of vehicles visiting the site as I suspect many of the garages have not been used for some time. That said, this is a social development and the Highway Authority would not wish to prevent it from being constructed.

The application form advises there is a change to the vehicular and pedestrian access but it is not clear from the drawings how it is to be amended. So, just in case there is an amendment the Highway Authority recommend no objection subject to a Note to Applicant :-

Before undertaking any work which affects a public highway you must obtain specific written approval from the Director of Universal Services at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact roads@hants.gov.uk

Apply for a licence to excavate the highway | Hampshire County Council ([hants.gov.uk](https://www.hants.gov.uk))

HBC Environmental Services

No comments received.

HBC Housing

Current planning policy requirements Core Strategy policy CS9.2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

However, following the withdrawal of the previous Havant Borough Local Plan from Examination earlier this year, the Council has produced a Housing Delivery Position Statement March 2022 for the purpose of setting out how planning applications for housing not in accordance with the Development Plan will be considered in the context of the Council's current five-year housing land supply and Housing Delivery Test measurement.

This statement confirms that developments of 10 dwellings or more will be expected to provide a minimum 30% affordable housing outside of Havant, Waterlooville, and Leigh Park town centres: and 20% affordable housing on sites within Havant,

Waterlooville, and Leigh Park town centres.

Having checked the documents online, the proposed development of 9 en-suite rooms with communal facilities including lounge, kitchen & Laundry areas, does not meet the thresholds for affordable housing set out within Housing Delivery Position Statement March 2022, so I have no comments to make regarding affordable housing provision.

Landscape Team HBC

Further Comments:

No further landscape comments, recommend to condition soft landscaping, hard landscaping, building materials and boundary treatments.

Original Comments:

From a landscape perspective we have the following comments:

- The proposal are not deemed to have a detrimental impact on the existing character of the area as there is very limited view of the development from public view points.
- The building is fairly close to the existing properties but does conform to HBC design guides which states Where windows of the new development and an existing dwelling occur back-to-back there should be a minimum of 20 metres separation.
- We would welcome the introduction of trees to the car parking area to add vertical screening and shading in a farilt.

Local Lead Flood Authority HCC

As this application relates to a site which is a residential application less than 0.5 hectare in size and less than 10 dwellings, we would consider this as a minor application and outside of our remit. However, please direct the applicant to our website

<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning> for further information on recommended surface water drainage techniques.

If you specifically need our advice on this application, please contact us. A fee may be charged for this service depending on the complexity of the site.

Also, please note that if the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning. Details can be found <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/changewa> tercourse

Natural England

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on 'Garage Compound Whitsbury Road Havant Draft HRA-AA' given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended).

With regard to National Site Network sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of the named designated sites in the Solent region. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Recreational disturbance - Solent Special Protected Areas (SPAs) _

This application is within 5.6 km of the Solent Special Protection Areas and may lead to an increase in residential accommodation through additional bedrooms in the construction of the new dwelling. Natural England is aware that your authority has adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP), also known as Bird Aware Solent.

Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are satisfied that the Applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s) and has no objection to this aspect of the application. Please note, your authority's appropriate assessment should reflect the current developer contribution rates, which are updated every April in line with the Retail Price Index.

Deterioration of the water environment _

As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in any nutrient budget calculation that supports this application, and that any nutrient budget calculation(s) are correct.

Where any bespoke occupancy value has been used within the calculator tool, it is Natural England's view that competent authorities may choose to adopt bespoke

calculations for detailed planning applications, if sound evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

Please note that for any budget that includes use of an onsite Package Treatment Plant (PTP), yourselves as competent authority should be satisfied that any bespoke effluent discharge figure has been suitably evidenced. This could be through using a performance test certificate, via adequate robust real-world monitoring data (minimum 12 months representing typical operation), or if these are not available then through use of the precautionary default figure within the nutrients budget calculator. The planning application should be supported by a PTP monitoring and maintenance plan. Please refer to the Environment Agency for comments on wider environmental consideration associated with PTPs and any advice in relation to permits.

Where calculations include removal of nutrients through on-site Sustainable Urban Drainage Systems (SuDS) it is essential for your authority to verify that the necessary supporting evidence has been submitted, as that forms the basis for the SuDS calculations. As highlighted in the guidance that accompanies the calculators on Gov.uk, Natural England advises that SuDS calculations should be undertaken in accordance with CIRIA guidance (C808 – Using SuDS to reduce phosphorus in surface water runoff (2022) and/or C815 – Using SuDS to reduce nitrogen in surface water runoff (2023)).

In addition, the SuDS features require management in perpetuity. Your authority must ensure that a robust ongoing management plan is appropriately secured and is enforceable in any planning permission given.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

HBC on behalf of Norse South East – Waste Services

1. Access Requirements:

Access/Service Roads need to be capable of taking a 26 tonne Refuse Collection Vehicle (RCV) and allow vehicle to reverse close to bin store or containment area. Width of RCV 2.8m, maximum length 11.3m. Drop kerbs also need to be provided to allow easy transfer of bins from store area to vehicle.

No bins to be pulled or waste carried more than 25 metres.

2. Bin Stores:

Almost all bulk bins utilised by the Authority are approximately 1.26 metres wide, therefore doors to stores need to be of 1.8 metres width to enable all types of container to be easily removed and returned.

A standard depth of 1.0 metre also applies to the majority of bulk bins, and bin stores therefore need to accommodate the required of containers measuring 1.26m x 1.0m,

3. Bin requirements

Note: Factors such as family size and age of occupants can influence the number of bins required and it is therefore advisable that the waste Management team be asked to confirm each calculation if possible.

4. Bin sizes for Information:

- a) 140 litre (plastic) - 1065mm tall x 485mm wide x 550mm deep
- b) 240 litre (plastic) - 1075mm tall x 580mm wide x 725mm deep
- c) 660 litre (metal) - 1310mm tall x 1260mm wide x 730mm deep
- d) 940 litre (metal) - 1500mm tall x 1020mm wide x 975mm deep
- e) 1100 litre (metal) - 1370mm tall x 1260mm wide x 990mm deep

Nutrient Team

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

The applicant should be advised that the Council's strategic mitigation scheme is currently charged at £3,300 per kilogram of nitrogen (as at 1/4/23) but this due to be increased annually at the start of the financial year in line with the Cost Price Index on the 1st April 2024. In addition, it should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at: <https://www.push.gov.uk/work/mitigationschemes-available-to-developers/>

Planning Policy

Policy Status:

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough.

The following policies are of relevance:

- AL1- Presumption in Favour of Sustainable Development
- AL2 - Urban Area Boundaries and Undeveloped Gaps between Settlements
- CS7- Community Support and Inclusion
- CS9 – Housing
- CS14- Efficient use of resources
- CS16 – High Quality Design
- CS17- Concentration and Distribution of Development within the Urban Areas
- CS21 – Developer Requirements
- DM7- Elderly and Specialist Housing Provision
- DM10 – Pollution
- DM13- Car and Cycle Parking on Residential Development
- DM24- Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

Principle of the proposed development

The site is located within the built up urban area as defined by policies CS17 and AL2. These policies seek to concentrate development within the defined urban area and therefore the development proposals would be acceptable in principle, subject to other material considerations.

The application seeks the removal of some existing garage blocks and the erection of a supported housing building for mothers and children (use class C2) with associated

with access and parking.

The site is shown as one of the Leigh Park Housing Allocations (Garage Courts/Parking Areas) under Policy LP2 and specifically as site L56. All of the garage court areas are shown to have capacity for 60 dwellings in total however it is noted that L56 has a site area of 0.11 hectares and is one of the larger sites in the overall allocation. The policy states that the opportunities for these sites are:

- New homes including affordable housing
- To utilise underused urban areas that can be vulnerable to crime, misuse and fly tipping.

The policy states 'These underused areas present a suitable opportunity to make better use of the land in order to accommodate the need for new homes'.

The policy has specific requirements for any submitted application including that the development address any legally established rear access points, that there is an appropriate level of car parking survey done to establish the existing level of use and capacity, that flood risk assessments are done when required and that access from the existing established area is used.

Whilst the proposal is a different form of residential accommodation to what the policy states consideration needs to be given to contribution that is made to shared and sheltered residential accommodation as well as the visual uplift to the area which will be generated. It is therefore considered that the principle of the proposed development can be supported.

5 Year Supply

The Council's Five Year Housing Land Supply Update (March 2023) indicates that the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold.

The lack of a five year supply triggers a presumption in favour of sustainable development, in line with paragraph 11 of the NPPF. The scheme's potential contribution to the 5 year supply must be afforded weight in the overall planning balance as 9 units are proposed to be built.

Elderly and Specialist Housing Provision

Policy DM7 is of relevance to the specialised supported housing provision, and requires the following criteria to be met:

1. It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.
2. A setting for the building is provided which is in keeping with the surrounding area.
3. Sufficient space for servicing is provided.
4. Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.
5. The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.

In particular, it is questionable whether criteria 1, 3 and 4 could be met given the

partially constrained nature of the site. It will also be of relevance to consider whether there would be any rise to disturbance to neighbouring residents and this is addressed in detail below.

Other Material Considerations

- It is noted that the access is proposed to be joined to the existing access onto Whitsbury Road and that parking and cycle provision are provided onsite. Policy DM13 and the Havant Borough Parking SPD (September 2019) set out the parking standards for new residential development in the borough. Given the specialised nature of the housing provision, consideration should also be given to the parking requirements of staff and visitors as well as the loss of the garages onsite.

- CS14 requires all development for multi occupational homes over 500sqm to achieve BREEAM ‘very good’ on completion, unless proven to be financially or technically unviable. Improvements to these standards will be encouraged and it should be demonstrated within the application that this can and is being achieved. A BREEAM pre-assessment should be submitted with any application to demonstrate how the development will meet this standard.

- It is noted that a development of this scale in this location would have the potential to have an adverse impact on any neighbouring properties as well as prospective residents living in the units themselves. Policy DM10 would require any such impact to be acceptable on the future occupiers and neighbours. The Council’s Environmental Health Team will be able to offer further advice on this matter.

Conclusion

The principle of the demolition and creation of the C2 use is considered acceptable in policy terms. However, further detailed consideration will need to be taken by the case officer in relation to the proposal meeting parking standards and whether any significant impacts are caused to existing and new residents.

A BREEAM pre-assessment report should be submitted as part of the application to ensure a ‘Very Good’ standard can be achieved onsite.

Climate Change Coordinator

Potential condition wording below for this one: The works hereby permitted shall be carried out in accordance with the submitted details:

- Passivhaus Design Assessment dated 30th November 2024 from DELTAQ

Table 4: PHPP Results

Category	Result	Target	Pass/fail
Heat demand (kWh/m2/yr)	13.6	15	Pass
Primary Energy demand (PE) (kWh/M2/yr)	70	108	Pass
Frequency of overheating (>25degrees C) %	5	10	Pass
Frequency of excessively high humidity (>12 g/kg) %	8	20	Pass

The development shall be built in accordance with these agreed details.
Reason: To ensure that development demonstrates a high level of sustainable

performance to address mitigation of, and adaptation to, predicted climate change.

1a) Before one month after the first occupation of the development hereby permitted, detailed information in a post construction stage sustainable construction report demonstrating how the development has been carried out in accordance with condition 1 shall be submitted and approved in writing by the local planning authority. This documentary evidence shall include but not be limited to post construction Passivhaus certification for the development, photographic evidence of materials and other assessments.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

Portsmouth Water Company

Further Comments

Portsmouth Water have reviewed the re-consultation request for application APP/24/00096 and have no concerns regarding impacts to groundwater quality given the small nature of the development and that the site is situated on a substantial amount of clay which provides some protection for the underlying aquifer.

Original Comments

Portsmouth Water have reviewed the application and associated documents for the above application reference APP/24/00096 and have no concerns regarding impacts to groundwater quality. Therefore, we do not recommend any planning conditions to be included on the planning permission.

Public Health Team

Having checked the documents online, the site does not meet the thresholds set out within the Public Health Planning Position Statement
PublicHealthandPlanninginHampshirePositionStatement.pdf (hants.gov.uk).

In this regard Public Health does not seek to respond to this application at this stage. However, please contact us if you have a specific Public Health enquiry regarding this application.

As the Public Health Team have not reviewed the application, this reply cannot be taken as a comment or response to health matters pertaining to the application.

Scottish and Southern Electricity

Final Comments:

We would be happy to withdraw our objection on the basis that the plans indicate our substation and its enclosure remain unchanged and unaffected by the proposed works.

I would request a party wall notice is sent to me when appropriate so we may have the opportunity to instruct a surveyor – this would be the only additional comment to be considered.

Officer Comment: An Informative is recommended regarding Party Wall requirements.

Further Comments:

I have received a letter advising amended plans have been submitted in relation to comments made on behalf of SSEN relating to our substation.

The plans have been reviewed and we are happy that the party wall will be retained, however I have noted comments on the planning portal, mentioning a roof to be added to our substation. I am not aware of any internal proposal to enclose this site and so am not in a position to withdraw our objection. Any work required to change the substation or its enclosure needs to be agreed by SSEN and will likely require our engineers to be on site whilst works are being carried out.

If this has been agreed with SSEN please could I be provided with a copy of the correspondence/confirmation, I can then look to withdraw the objection. Alternatively please confirm the substation and its enclosure will remain completely unaffected, and unchanged by the proposed development, and again I can look to withdraw.

I look forward to hearing further.

Officer Comment: *There is no proposal to add a roof to the substation.*

Original Comments

SSE have no objection to the proposal to build on this land however we have a substation on the land providing supply to the local area. One of the garages to be demolished has a party wall which aids in the security of our substation, we object to the demolition of this wall and have yet to receive a party wall notice detailing how you propose to maintain the security of our site.

Party wall notices/proposals can be sent to me using the email address provided.

Waste Services Manager

No comments received.

6 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: 30

Number of site notices: Yes

Statutory advertisement: Not applicable.

Number of representations received: 14 representations with 16 names (objections)

Summary of Representations received:

Site Access

Entrance too narrow to accommodate heavy construction traffic, emergency services and refuse collection vehicles.

Logistical challenges during construction and operational phases, potentially hindering emergency response times and service delivery.

The proposed entrance adjustments do not sufficiently mitigate these concerns.

Issue of the public right of way from Whitsbury Road to Nursling Crescent remains unresolved.

Issue of established historic use of pedestrian cut through.
Evidence of continuous use over twenty-year period to justify public footpath.
Closure of pedestrian access from Nursling Crescent – walkway is used by parents and children to access Sharps Copse Schools and Nursery – in use 40+ years.
To address this, a proposal for the designation of a Public Footpath may serve as a viable solution to balance the need for secure access to the housing facility while upholding the pedestrian rights of the local populace.
Plan fails to secure continuous access for local residents who use this route.
A formal application for a Public Footpath will be necessary to balance the need to secure access to the housing facility while preserving pedestrian rights.
Path from Whitsbury Road to Nursling Crescent in daily use.
Whitsbury Road not sufficient to handle increased traffic.
Along with this HGV's in excess of 30 tons delivering materials along a very narrow road at best of times brings me onto road safety.
This is a community orientated area with children that go out to play and development an accident waiting to happen.
Big lorries, diggers etc going into a very tight space – access is a single lane.
Many young children walk to school along Prospect Lane/Whitsbury Road - There have been several accidents at the junction of Whitsbury Road with Prospect lane where cars weave in and out of parked cars. Increased traffic through construction and afterwards would make this even more dangerous.
Comment from Highway Authority woefully short of analysis. Through traffic impact analysis required to ascertain developments implications and explore solutions for sustainable parking management.
Emergency service access concerns.
Sub station access by vans questioned.
Narrow access restricts utility, emergency and maintenance vehicles.
Narrow road and could be danger to children.
Fire services not able to access property.
Access limited and can never be increased in width.

Parking

Use this car park everyday.
Enables me to park just behind my home and use access ramp into my block.
As I have a disability – rely on using car park as one of only places you can guarantee a space.
No vacant spots in Nursling Crescent and even side roads often inundated with parked cars.
If built in car park, will be almost impossible for me to comfortably access my own home.
Would have to park down the street, walk further to my home plus use steps to get in causing huge discomfort.
Current garage site under utilised, hence no traffic impact.
Development will introduce significant traffic from construction vehicles, guests, visitors, support staff and deliveries.
Provision of four parking spaces grossly insufficient.
Whitsbury Road already suffers from over-subscribed parking.
Additional parking demands will exacerbate accessibility issues for residents and service providers.
Suggestion of staff car-sharing impractical to small number of staff and fails to account for likely frequency of multiple visitors.
What will happen at shift changeover times when more staff cars than parking places.
In unlikely event of resident turning up with personal vehicle, will need to be parked in compound for obvious reasons – reducing parking spaces.

Inevitable parked vehicles will spill on to oversubscribed Whitsbury Avenue.
Concern re access to existing garage – not enough room in practice.
Concerns over access to garage.
If built any vehicle would require turning circle or similar, would effect residents with access to compound including legal rear access.
Insufficient parking will lead to staff and families using the crescent as a carpark, already full.
Just paid for dropped kerb as not enough parking.
Residents parking on opposite side of access will restrict emergency services gaining access.
Loss of garages for 10 cars puts them back on the streets- no room.
A more concrete assessment and possible increase in parking spaces should be considered.
Parking permits for residence in surrounding area may be one solution.

Security

Will be a safe house/domestic violence unit for Women – but what if partners find address?
Sure to bring trouble to the quiet area and not only the safety of the residents but the safety of other occupants in the development will also be put at risk.
Strongly advocating for our community that development gets placed in more suitable area, where they will be kept safe so will the residents of this area especially our elderly community.
Anyone can lurk in the darkness down the access road, would be severely concerned coming back to garage in darkness to find someone lurking down there.
Concern at partners trying to gain access to premises and do harm.
Concern that abusive partners could cause problems due to limited access they could use residents gardens, drives etc to try to visit residents and cause anti-social behaviour.
Any CCTV may be invasion of existing residents properties and privacy.
What security will be put in place?

Noise

Relocating Air Source Heat Pumps to opposite side of building a positive step – however, operational noise remains a concern.
Potential for continuous low-frequency noise and vibration from ASHP's and other operational activities can significantly affect residents particularly during warmer months when windows open and enjoying gardens.
The potential for low-frequency noise and vibration from these units must be carefully evaluated, as they can have a detrimental effect on residential amenity.
Concern in relation to noise impacts in relation to resident with special needs
Private refuse company will empty bins – still a big noisy truck.
Heat pumps would by my understanding generate around 40 – 80 decibels per pump amplified by use proximity to surrounding existing walls running in close proximity to property.
Whilst designed to accommodate 9 individuals will include children.
Playground backs onto my property which presently allows peaceful retreat in our retirement. With park full of children needing to let off steam will massively decrease enjoyment for not just us but many residents in area.
May be shouting and noise that will impact local community.

Other Neighbour Impacts

Overlooking

Windows looking directly into my garden.

Proposals to plant trees overhanging my garden which will potentially block out our light.

Building in compound will seriously effect residents enjoyment of their properties.

Noise, dirt, dust, demolition, removing concrete, lorries trying to get in and out of site, deliveries, etc. and certainly restrict residents access to the rear of their properties.

Imagine site will be lit 24 hours per day affecting existing residents right to peace, quiet and darkness at night.

At this moment wall to my garden is 8ft and my garden is not overlooked.

Building proposed will effect my light.

Loss of privacy.

Construction Impacts

I have a disabled son in an adapted extension that would be very close to the build and the noise and building pollution would really affect his mental and physical health.

Disturbance and disruption.

Seizures are triggered by stress and tiredness and worried this project is going to make them worse.

Concern re. dust and noise.

What if their plan to control the building noise/dust and ongoing noise from the building isn't adequate and one bad seizure could kill my son.

Cause issues with access to my garden – ability to put washing out or even have windows open – hindered by huge amount of dust.

Entrance dimensions and parked cars appear restrictive for passage of heavy construction machinery.

If application gets go ahead will construction company give written guarantee we will not be impeded by construction lorries on the access road at any time of day/night during construction.

Noise from construction – noise has serious effects on peoples health.

Heavy equipment in small space will make noise echo and make it sound worse. We have human right to pleasant and noise free environment.

Impact on sleep during day (shift work) – impact on health, unable to work properly and real possibility of me having accident at work through lack of sleep.

Mental tiredness.

Health problems.

Dust to gardens, windows.

Narrow access restricts construction vehicles.

How will heavy lorries get through tiny gap between houses – where are building materials going to be stored?

Roads blocked for long periods with dustbin care – roads not fit for purpose and will not cope with heavy vehicles.

Parking on opposite side of the entrance will be affected by lorries coming in and out when building.

Concern is filth, noise, disruption to daily lives, with heavy plant having to access site.

Brick walls have fallen down over the years and in and out of diggers, pile drivers, dumper trucks, lorries, probably cranes, builders and vehicles.

Concern over boundary wall stability and maintenance and impact on gardens.

More comprehensive plan for managing construction should be outlines and shared with residents before construction and operation phases.

Should be continuous monitoring to ensure access to SSE sub-station not impeded during construction and operation phases.

Concerns Regarding the Living Environment

Redevelopment as supportive housing facility commendable for intent to provide for mothers and children.

However – essential to ensure conducive environment for residents.

As planned, the orientation of the facility raises concerns about the quality of living particularly in delivering restorative atmosphere for individuals who may have experienced trauma.

An environment facing brick walls and the rear aspect of private residences may not provide therapeutic ambience necessary for recuperation and wellbeing.

Houses and flats are very close to the compound and overlook site.

Other Matters

Concern over insufficient review period for comment.

Incorrect house numbering on revised plans.

The development's potential impact on local environmental conditions and community dynamics requires more comprehensive assessment.

With local schools, doctors, dentists already stretched this is going to add more pressure to the community.

Question over boundary schedule.

Concerns over noise, access, pollution during construction.

Impact on improvements made to the rear of my property.

No plans for any refuse area, a concern for an area such as this.

I question why this could not have been incorporated into one of the many new builds that are appearing in the Havant and other surrounding towns.

Statement by agent that site cannot be viewed from public highway untrue – site can be viewed from a public highway by anyone at top of the access road/public highway.

Why are they building on such a small area of space when bigger and better places within the area more suited to them.

Have legal access from the rear of my property into the compound – we are re-placing the original double gates to use our access – I am not the only resident to have access.

Other compounds have better access and are larger.

Whitsbury Road compound could be improved, but building a housing project slap bang in the middle 30+ houses and flats and an electricity sub station with ongoing access problems seems odd.

Drains in Nursling Crescent already to capacity and often need cleaning.

Making this nice green space with a park far more beneficial for residents.

Due to underground stream at top of Whitsbury Road, drainage pipes have been inserted into top two gardens on even side of road, with drainage going to parking area.

Buttress walls erected against many walls within parking area due to these collapsing in past. Building may cause further damage to walls.

Site too small for size of building.

Extra pressure on drains.

Concern over bin storage close to substation -potential fire risk.

Bin stores will create smell/rats to neighbours.

Local location for bin area at entrance of site.

7 Planning Considerations

Habitat Regulations and Appropriate Assessment

The Council has conducted a Habitats Regulations Assessment (HRA), including

Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations has been included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effects on European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). Natural England have raised no objection subject to appropriate mitigation being secured. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages and these have now been secured.

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 (existing and proposed residents)
- (iv) Highway matters including parking
- (v) Security
- (vi) Ecology and Landscaping
- (vii) Drainage
- (viii) Sustainable Development
- (ix) Other Matters

(i) Principle of development

The application site is situated within an urban area as defined by policy CS17 of the Havant Borough Local Plan (Core Strategy) 2011 and policy AL2 of the Havant Borough Local Plan (Allocations) 2014. These policies seek to concentrate development within the defined urban area and therefore the development proposals would be acceptable in principle, subject to other material considerations.

The proposal is for specialist accommodation to meet the needs of women and children requiring support. The Design and Access Statement provides information in relation to the applicant stating:

Stop Domestic Abuse is a registered charity which is the commissioned provider of inclusive domestic abuse services for adults and children living in Hampshire, Portsmouth and Southampton. They provide refuge and community-based support to

adults, children and young people affected by domestic abuse in need of advice, support and information tailored to their level of risk and support needs. They currently have 19 refuges providing a safe place to live for women and children when they cannot stay in their own homes. Each refuge is made to feel like a home and provide both one-to-one support and group activities for women and children.

The principle of the proposed use is strongly supported and meets the needs of the community, providing support for mothers and children in need in a safe environment. The development would be in accordance with the Local Plan (Core Strategy) policy CS7 point 3 which states:

Planning permission will be granted for development that:

3. *Provides services for older people and other vulnerable groups, including Extra Care Facilities.*

Policy DM7 (Elderly and Specialist housing provision) of the Local Plan (Core Strategy) is also of relevance to the specialised supported housing provision, and requires the following criteria to be met:

1. *It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.*
2. *A setting for the building is provided which is in keeping with the surrounding area.*
3. *Sufficient space for servicing is provided.*
4. *Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.*
5. *The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.*

These requirements are considered below as follows:

1. Within (iii)
2. Within (ii)
3. Within (iv)
4. Within (iii)

With regard to point 5, there is no over concentration of such uses in this area of the Borough.

The site is shown as one of the Leigh Park Housing Allocations (Garage Courts/Parking Areas) under policy LP2 and specifically as site L56. All the garage court areas (there are 19 in total) are shown to have capacity for 60 dwellings in total, however, it is noted that LP56 has a site area of 0.11 hectares and is one of the larger sites in the overall allocation. The policy states that the opportunities for these sites are:

- New homes including affordable housing
- To utilise underused urban areas that can be vulnerable to crime, misuse and fly tipping.

The policy states 'These underused areas present a suitable opportunity to make better use of the land in order to accommodate the need for new homes'.

The policy has specific requirements for any submitted application including that the development address any legally established rear access points, that there is an appropriate level of car parking survey done to establish the existing level of use and capacity, that flood risk assessments are done when required and that access from the existing established area is used.

Whilst the proposal is a different form of residential accommodation to that which the policy states, consideration needs to be given to contribution that is made to shared and sheltered residential accommodation as well as the visual uplift to the area which would be generated. It is therefore considered that the principle of the proposed development can be supported.

In addition, it is noted that the Council's Five Year Housing Land Supply Update (March 2023) indicates that the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold.

The lack of a five year supply triggers a presumption in favour of sustainable development, in line with paragraph 11 of the NPPF. The scheme's potential contribution to the five year supply must be afforded weight in the overall planning balance as 9 units are proposed to be built.

The proposal is considered acceptable in principle making use of a former garage area which is in a dilapidated condition and is a brown field site in the built up area. Furthermore, the use is one that provides a service for families and individuals in high need of supported accommodation. Finally, the would provide residential development which would help towards the Council's housing supply where there is a presumption in favour of such development.

The proposal is located in a former parking / garaging area with surrounding residential development. Detailed assessments of the impacts of the development have been made below.

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

The application site is located within a triangle of residential roads, Whitsbury Road, Prospect Lane and Nursling Crescent and is set behind two storey residential properties which front these roads. The site is therefore very self contained when viewed from the surrounding public viewpoints. The development would be viewed from the access to Whitsbury Road but set well back and there would be other glimpses of the site between buildings.

The surrounding residential houses and flats are traditional in design with mainly brick elevations with elements of tile hanging and cladding and shallow pitched gabled roof forms. The proposed building would contrast in design and materials incorporating a contemporary appearance. The Design and Access Statement includes the following comments in relation to appearance:

The proposal is for building with a contemporary appearance but with materials and design selected to make reference to the local architecture – for example the use of brick and a contrasting cladding at the first floor. These materials have also been chosen to create a solid ground floor structure with a much lighter upper floor. The proposal is for a flat roof building to keep the height to a minimum and will have a green roof. In addition, the building elevations will be articulated by the use of deep overhangs clad in grey aluminium, perforated metal louvre screens at the first floor

and living wall screens at the ground floor.

The site slopes down generally from North to south and east to west and sections have been provided to show how the building would fit within the typography of the site and the surrounding dwellings. These demonstrate that the building would sit no higher than the ridge heights of the buildings further down the slopes. The development's scale, mass and bulk is considered to be acceptable in the context of the surrounding buildings in addition the materials subject to a condition to ensure the final details) are considered acceptable. Overall, the building whilst substantial, is considered to have an attractive and acceptable appearance in this residential context.

(iii) Impact upon residential amenity (existing and proposed residents)

The application site lies to the rear of a large number of residential properties and the greatest impacts from the development are considered to be to the following addresses:

2-12 (even) Whitsbury Road;
5-19 (odd) Prospect Lane;
2-32 (even) Nursling Crescent

2-12 (even) Whitsbury Road

These properties lie to the north of the application site and No's 4 and 6 are also adjacent to the vehicular access to the site.

The proposed building has a single and two storey element with the closest part to the properties in Whitsbury Road being single storey. The single storey element is set off the existing properties by approximately 16.75m and the two storey element by approx. 23.6m. The land slopes down from north to south reducing the mass and bulk of the proposed building when viewed from the properties to the north.

Havant Borough Design Guide SPD requires that where windows of the new development and an existing dwelling occur back-to-back there should be a minimum of 20 metres separation. Where a dwelling faces a blank gable, a 10 metres separation distance is required.

The single storey element of the development would be sited 16.75m off but would have no windows facing and therefore can be treated as a blank elevation and exceeds the 10m set off requirement. The two storey element of the development includes windows but the distance between these and the adjoining houses exceeds the 20 metre minimum separation distance. As such it is not considered that the development would result in unacceptable overlooking.

In relation to mass and bulk / overbearing impacts, the proposed building would be flat roofed and the two storey element is set well off the properties to the north. The flat roof would help to limit the buildings height to approximately 6.2 metres. This is further reduced by the slope when viewed from the north. The indicative site section shows the proposed building significantly below the properties in Whitsbury Road. Finally, there are substantial walls to the northern site boundaries beyond the garages proposed to be demolished. It is considered that the proposed works would have a limited and acceptable mass and bulk leading to an acceptable relationship between the development and the adjoining properties.

The proposal would be served by the existing access to the parking court, and this runs adjacent to No's. 4 and 6 Whitsbury Road. Whilst it is appreciated that due to the very limited recent use of the parking area, there is likely to be a slight increase in vehicle movements, historically when the garages were in use this level of movement would have been significantly greater than that expected to be generated by the new development. It is noted that both the adjoining properties have blank walls facing the access without windows. It is not considered that the access use associated with the proposed development would lead to unacceptable noise and disturbance issues.

The proposal includes car parking and cycle storage to the rear of No's 6-8, however, subject to the retention / provision of suitable boundary treatments it is considered that any impacts would be limited and acceptable.

The properties in Whitsbury Road would be sited to the north of the development, however given the separation distances and slope it is not considered that there would not be an unacceptable impact on daylight or sunlight.

5-19 (odd) Prospect Lane

Two storey houses in prospect lane back onto the site. The proposed building would have a single storey element set closest to this boundary with a retained gap to the common boundary of approximately 1.1 metres. The two storey element of the proposed building would be a minimum of 3m from the site boundary. The separation distance between the single storey element and properties in Prospect Lane would be approximately 13m (min) and the two storey element would be approximately 15m off the adjoining residential properties.

The proposed building would include no first floor windows and only two small ground floor windows serving a corridor. The proposals would not result in overlooking to the existing properties. In terms of minimum separation distances for an essentially blank wall the separation gap would exceed the minimum 10m requirements of the Havant Borough Design Guide and is considered acceptable.

In relation to mass, bulk and overbearing considerations, the proposed building would have a maximum height of 6.5 metres (small area above internal staircase) with the rest of the building approximately 6.2 metres in height. In addition, with the general slope from east to west the building would be set below the ridgeline of properties in Prospect Lane. It is not considered that the proposed building would result in an overbearing form of development when viewed from the properties in Prospect Lane.

The properties in Prospect Lane would be sited to the east of the development, however, given the separation distances and slope, it is considered that there would not be an unacceptable impact on daylight or sunlight.

2-32 (even) Nursling Crescent

No's 2-4 are set off the application site and have intervening gardens / amenity areas between themselves and the site. It is considered that these properties would not be directly impacted by the proposed development.

No's 6-20 Nursling Crescent are flats located to the south of the application site. The main impacts to these properties would be from the southern wing of the proposed building and from the use of the proposed small playground area to the south of the application site.

The proposed building has a single storey element set a minimum of 20m from the flats and a two storey part set a minimum of 22.5m from the flats. The proposed building has two first floor bedroom windows in the southern elevation and the proposed building facing the rear windows of the flats. However, the set off distance exceeds those required by the Havant Borough Design Guide and this relationship is considered to be acceptable.

The mass and bulk of the building which is relatively narrow and set off the boundary when viewed from the south would not be overbearing to the flats.

The development is positioned to the north of the flats and given this and the separation distances achieved it is not considered that there would be a harmful impact on the flats in terms of daylight or sunlight impacts

The proposal includes external amenity space and a small play area on the southern side of the site. It is considered important to ensure that any playground equipment is limited in height to avoid overlooking by children using the equipment and a planning condition is recommended should permission be granted. There are also potential concerns in relation to noise generation from the use of the play area and Environmental Health have recommended an acoustic fence be provided. It is noted that there is an existing wall to the boundary of the site, however additional acoustic fencing close to the playground is recommended to be secured via a planning condition should permission be granted.

In relation to No's 22 – 32 Nursling Crescent, these properties lie to the west of the application site.

The ground floor single storey element would be set a minimum of 15m from No.26 (the closest property) and a minimum of 17m to the first floor element. The proposed ground floor (nearest part) west elevation of the application property would include two French door windows and at first floor level there would be one obscure glazed entrance lobby window. It is not considered that these windows would lead to overlooking and a condition is recommended to ensure that the first floor window is obscure glazed and fixed shut. Given the lack of overlooking windows the separation distances achieved are considered to be acceptable.

The mass and bulk of the proposed development which is set off the boundary by a minimum of 3m (first floor) at the closest point is considered to have an acceptable impact on the properties beyond.

The height of the building would be approximately 6.2m and the set off achieved would ensure that impacts on daylight and sunlight would be limited and acceptable.

It is noted that three Air Source Heat Pumps are proposed to the western side of the building at ground level. These have been considered by the Council's Environmental Health Team and subject to conditions would have an acceptable impact on nearby residents.

Amenity for future residents

In relation to the amenities of the proposed residents, firstly, the proposed development relates directly to providing safe accommodation for women and children

as a women's refuge and the applicant is Stop Domestic Abuse. The applicant's website states:

We have 18 refuges across Hampshire, Portsmouth and Southampton and can accommodate 106 women and their children. We make each refuge feel like a home and provide both one-to-one support and group activities for women and children.

The proposed development seeks to provide supported housing for mothers and children in a safe and supportive environment. The average stay at in the existing Havant Refuge has been 3.37 months and this is likely to be similar for the proposed refuge.

In terms of the amenities of future residents, there are considered to be four main aspects as follows:

- Communal facilities within the building;
- Private spaces for residents within the building, and;
- External areas including play space, patios and garden areas.

Communal facilities within the building

The ground floor of the building provides the communal internal facilities and these provide:

- Communal lounge, dining and kitchen area;
- Play room with toy store;
- Meeting room;
- Laundry with washing machines and tumble dryers;
- Personalised Storage.

There are also staff facilities with an office and staff WC.

These facilities allow residents and staff to come together, provide mutual support and allow opportunities for children to mix and play.

Private spaces for residents within the building

In relation to the private spaces for residents, there would be nine bedrooms all including en-suite facilities.

There are two ground floor bed rooms with floor areas of approximately 32 square metres and these would provide potential accommodation for disabled people. These units include small external patio areas.

At first floor level are seven further bedrooms with slightly different layouts to accommodate different accommodation needs. This includes differing bed/cot arrangements, including two rooms with small areas providing enhanced privacy for older children. The accommodation has a floorspace varying between approximately 18sqm and 28sqm.

These private areas whilst relatively small, provide private space for residents which would be complemented by the shared areas within the building and are considered acceptable for temporary accommodation needs.

External areas including play space, patios and garden areas

In terms of the external amenity space, the proposed building does fill the majority of the former garage court and part of the remaining external space would continue to be hard surfaced with parking and turning. The main external amenity space would be provided to the western and southern side of the site.

To the south of the communal lounge/kitchen and dining areas and to the west of the play room would be a shared patio area with external seating. This would provide an attractive sitting out area for residents.

To the south of the building would be a playground and playground supervision benches. The ground floor plan shows this external playground and is annotated:

All play equipment & layout to be secured via condition. Play area to be low level only to prevent overlooking into neighbouring properties.

The details of the play equipment are recommended to be controlled by planning condition and an acoustic fence has also been recommended by Environmental Health officers and this would complement existing walls to the site boundary. It is noted that the existing pedestrian route from Nursling Crescent would be closed and details of the boundary closure on site would be secured via a boundary treatment condition if permission is forthcoming.

The playground subject to conditions would provide a secure and attractive external play space for children accommodated at the site.

Finally, there would be a communal gardens area to the west of the site. It is noted that the plans include pleached boundary trees which would in time help to reduce overlooking of the site from adjacent properties increasing privacy for people on site.

Overall, in relation to the external amenity areas and the requirements of policy DM7 of the Havant Borough Local Plan (Core Strategy) 2011, whilst external areas are relatively small, their orientation helps maximise sunlight and the useability of the areas.

Given that the accommodation provided is generally for residents who would stay for a temporary period whilst their longer term living arrangement are resolved, it is considered that the internal and external facilities are appropriate and acceptable.

(iv) Highway matters including parking

The main issues in relation to highways matters are considered to be:

- Traffic generation by the development;
- The suitability of the vehicular and pedestrian access (including the closure of the southern pedestrian access);
- Parking and turning facilities and potential impacts in relation to on street parking;
- Emergency and servicing access;
- Claimed private access rights over garage compound area;
- Closing of the pedestrian route to Nursling Crescent.

Traffic generation by the development

The application form sets out that there would be a total of three full time equivalent staff employed at the site. The agent has been asked to clarify how many staff would be on site at any one time and whether staff would be working on site overnight, however, given this low number it is not considered that staff movements would be substantial. The agent has confirmed that there would be three members of staff based at the site.

It is understood that residents are very unlikely to have their own car whilst resident at the site. It is noted that the site is allocated for residential development in the Havant Borough Local Plan (Allocations) 2014 and it is likely that an alternative residential scheme would also generate vehicle movements which may be more than this specialist accommodation.

Whilst there would be some servicing for example in relation to deliveries and bin collection, this would be likely to be limited. It should be noted that the site was formally in use for parking with thirteen garages and it is likely that past uses would have generated more traffic movements than those now proposed. It is noted that there has been no objection raised by the Highways Authority (HCC). Overall, given the limited traffic generation anticipated it is considered that the proposal would have an acceptable impact on the surrounding roads in relation to vehicle movements.

The suitability of the vehicular and pedestrian access (including the closure of the southern pedestrian access)

The proposal would be accessed via the existing vehicular route into the Garage compound which runs from Whitsbury Way to the north. This access road formerly served the thirteen garages on the site and has a pedestrian footpath to its eastern side. The proposals show the access point onto Whitsbury Road remaining unaltered but the footpath to the eastern side being removed such that the drive to the proposed development would be wider and would be a shared surface with pedestrians/cyclists and cars using the same drive. This shared use is considered acceptable given the very limited parking proposed and anticipated low level of vehicle movements to and from the site.

No objections to the proposed development have been received from the Hampshire County Council as Highways Authority. Whilst the garages have not been in use for some time, they would, when in use have generated significant vehicular movements into and out of the site.

The agent has provided details of the likely level of vehicular movements based on other women's refuge sites of a similar nature and staff numbers. There would be three members of refuge staff based at the site which is consistent with the staffing of a 9 bed refuge in Eastleigh. There will also be other visiting members of staff not based at the site such as a manager or playworker. Stop domestic abuse also encourage car sharing and walking to work and incentivise car sharing and use of public transport through additional mileage payments and reimbursement for use of public transport.

In addition, it has been confirmed that refuge residents rarely own their own cars and if they do they are strongly discouraged from bringing it to the refuge, given risks residents rarely want to bring a car to the refuge to ensure their and their children's safety. Visitors are not allowed at the refuge, and this is stipulated within their licence agreement.

It is noted that any works to the highway would require a licence from the Highways Authority, however, given the likely limited level of activity it is anticipated that the existing access onto Whitsbury Road would provide an acceptable access to the development.

Parking and turning facilities and potential impacts in relation to on street parking

The development would provide 4 parking spaces which would be located to the northern side of the site and within the secure access gate on the southern side of the access road.

The Havant Borough Parking Standards SPD states in relation to Sheltered Housing that:

Given the broad range of accommodation available and the resulting variability of parking requirements, parking will be considered on a site by site basis. A full assessment of parking need should be provided (see notes 3 and 4).

3. Given the broad range of accommodation available and the varying needs of occupants the Council will consider the parking requirements of older people' housing on a case by case basis and will require a full assessment of individual needs to be submitted in the Design and Access Statement, Transport Assessment or other supporting information.

This is not elderly accommodation but is sheltered housing for another group of people with bespoke needs.

4. The assessment should be based on parking provision and parking need and should demonstrate how and where parking needs will be met throughout a 24 hour period. The performance of a comparable development should be provided where practicable. The following should also be provided in respect of the proposed development and any comparable development informing the proposal.

The issue of the proposed parking provision has been explored in detail with the applicant, including staffing requirements, possible parking requirements for residents / visitors and a comparison with other sites operated by Stop Domestic Abuse has been made.

In relation to staffing the planning agent confirms that there will be three members of refuge staff based at the site and the remaining parking space will be available for other members of staff, such as a manager or playworker who will not be permanently based on site. In addition, Stop Domestic Abuse encourage staff to car share, walk to work if they live within walking distance and utilise the cycling allowance they provide. Staff are incentivised through additional mileage payments when car sharing and reimbursement for use of public transport. It is noted that the site is within walking distance of bus stops in Prospect Lane, Oakshott Drive and Bartons Road.

In relation to residents of the scheme and whether they would have their own cars when at the refuge the planning agent has provided the following comments:

Refuge residents rarely own their own cars. If any residents do own a car they are strongly discouraged from bringing it because there are risks involved. Due to these risks, residents rarely want to bring a car to ensure their safety and their children's safety.

In relation to visitors to residents the planning agent states:

Visitors are not allowed at the refuge and this is stipulated within their licence agreement.

Finally in relation to parking for similar premises in other areas the planning agent has provided comparisons for consideration as follows:

Havant and Fareham refuge are 6 bedroom properties each with 4 parking spaces. East Hants refuge is a 9 bed refuge with 4 parking spaces. Winchester refuge has 7 bedrooms with 4 parking spaces, all of which is sufficient and there are no issues with parking.

Stop Domestic Abuse have several properties where there is no parking such as Portsmouth (7 bed), Eastleigh (9 bed) and Southampton (7 bed) and we encourage staff to car share, walk to work if they live within walking distance and utilise the cycling allowance. Staff are incentivised through additional mileage payments when car sharing and reimbursement for use of public transport. They also have parking available at their head office in Havant Borough and Portsmouth.

So, in summary:

Havant	6 bedrooms - 4 parking spaces
Fareham	6 bedrooms – 4 parking spaces
East Hants	9 bedrooms – 4 parking spaces
Winchester	7 bedrooms – 4 parking spaces
Portsmouth	7 bedrooms – 0 parking spaces
Eastleigh	9 bedrooms – 0 parking spaces
Southampton	7 bedrooms – 0 parking spaces

Overall, it is considered that given the levels of staffing, the limited likelihood of resident parking, the no visitor arrangements together with experience at other similar sites it is considered that the parking provision would be acceptable to meet the needs of the development without leading to the significant overflow of parking to nearby sites.

It is also noted that there needs to be consideration as to whether the development of the site would lead to the loss of parking by nearby residents that may be taking place on the site and would be displaced as a result of the development.

Firstly, the garages at the site are generally in a dilapidated state and not in use for parking. The planning agent states:

There is no third-party parking allowed on site. if any cars are parking there, they are doing so unlawfully as they have no ownership rights to park there. These garages have been severed from the ownership of surrounding houses many years ago.

At recent site visits by the planning officer a single car has been seen parked on the hardstanding in the compound and it is noted that one nearby resident has commented that they park in the area. It is not considered that this very low level of parking use would result in a significant displacement of parked cars onto the surrounding roads. Notwithstanding this, the applicants have submitted a parking survey which concludes "The results show there is ample capacity on the survey local

road network such that the loss of the garage compound parking would not materially impact the local area."

In relation to cycle parking, the proposal includes a long stay cycle store building with room for 10 cycles together with a cycle stand for two bikes on a short stay basis. This provision is considered acceptable and would serve the needs of residents and staff.

Emergency and servicing access:

The development would need to meet the requirements of the Building Regulations in relation to the access for emergency vehicles which the development will need to satisfy under these regulations.

Access for ambulances can be achieved via the access to the site. It is noted that concerns have been raised in relation to access to the site and on adjoining roads for emergency vehicles, however, the access is a minimum of 3.5m wide and can accommodate ambulances. Given the conclusions in relation to parking requirements it is not considered likely that any significant further on street parking would take place likely to cause impacts on emergency vehicles in surrounding roads over and above any existing issues which cannot be solved by the development.

In relation to other servicing requirements, the development includes a bin store building. The planning agent has commented that private refuse collection would take place and stated:

This can be dealt with via a condition requesting a refuse management plan to be agreed in writing which will stipulate this private refuse collection arrangements. As previously suggested it is highly likely that this premises will be serviced with a smaller van which will be able to turn and leave on site as staff are not permitted to move the large bins on health and safety grounds.

A condition in relation to waste management is recommended.

It should be noted that there have been no objections raised by the Highway Authority.

Claimed private access rights over garage compound area

There are numerous properties backing onto the site and onto the access into the site. It is noted that there is a more modern garage and an outbuilding built to the rear of properties in Nursling Crescent which back onto the access way. It is noted that both these buildings would be accessed before the gated part of the proposed development.

The submitted information includes a swept path analysis which demonstrates that a car can enter the garage in a forward gear and reverse out of the garage and leave the site in a forward gear. Further concerns would be a private legal matter between the parties.

The adjacent outbuilding also has a small door opening onto the access road and the proposals would not impact access to the door.

Finally, there is an SSE Sub station accessed by the road into the garage compound. This is again accessed prior to the gated area of the development maintaining access to the sub-station.

Closing of pedestrian route to Nursling Crescent

The garage compound includes a walkway access to the south-west side of the site to Nursling Close this is not designated as a public right of way. The proposal would see this access closed at its eastern end as it enters the site. This would allow for access to be maintained to the rear of flats at 14-20 Nursling Crescent.

Concerns have been raised about the closure of the route between Whitsbury Road and Nursling Crescent including for walking to / from school. It is however noted any distance saving would be very marginal using this route as opposed to walking along the Nursling Crescent / Whitsbury Road / Prospect Lane pavement routes.

It is not considered that the closure of this route would lead to unacceptable diversion of pedestrians.

(v) Security

In relation to security issues, primarily these relate to the safety of residents at the site and the applicants have a wealth of experience at other residential Stop Domestic Abuse sites in relation to keeping residents safe.

Stop Domestic Abuse have provided the following comments:

- *Stop Domestic Abuse are experts at providing safe, confidential accommodation and have been delivering refuge services for over 45 years. The following ensures the security of the refuge and mitigates risk of impact on neighbours.*
- *Maintaining confidentiality of refuge location is a condition within the licence agreement.*
- *Refuge staff complete a comprehensive safety plan for travel to refuge which includes location services being turned off, leaving cars and compromised devices at home, safe times to leave to ensure they are not followed and age appropriate conversations with children.*
- *The property is flagged to the police so in the exceptional event that there is a risk, the police are aware of the location and respond promptly.*
- *Refuge staff complete and review individualised safety plans with residents and their children to ensure that any risk is being identified and mitigated.*
- *Refuge residents are highly motivated to maintain the confidentiality of the refuge, and rarely engage with neighbours, to ensure their safety.*
- *Stop Domestic Abuse are experts in ensuring refuges remain secure and ensuring there is no impact on neighbours. We have 18 refuges across the Hampshire, Portsmouth and Southampton and there is no significant impact on neighbours.*

There are features of the proposed site which are considered helpful in relation to security. The site would not have a public road frontage being set back from the surrounding roads and occupying a garage compound set to the rear of other residential properties.

In order to improve further the security of the site it is proposed to provide secure gated access to the site at the southern end of the road access. Whilst the existing pedestrian access to the garage compound to the south west corner of the site would be blocked at its eastern end.

In terms of site boundaries these are mainly formed by tall walls with some on the western side being the rear wall of existing garages. It is important to ensure that any boundaries to the site are retained or appropriately replaced where necessary and a planning condition is recommended should permission be granted to impose a boundary treatment condition to secure appropriate boundary treatments.

The site would include the use of CCTV and a third party concern has been raised in relation to privacy concerns. The applicant has commented:

....there will be CCTV but this will only cover points of entry for security purposes, will not overlook any neighbours and will be used in accordance with Stop Domestic Abuse's CCTV Policy. No one could ever look over someone else's garden on any normal neighbour to neighbour arrangement.

The use of CCTV would also need to comply with applicable General Data Protection Regulations and the Data Protection act.

Lighting would be provided to the parking area together with security lights to the front and rear doors, the applicant has commented:

Lighting design would be conditioned but will be low level column or wall mounted lighting around parking area. Sensor Security lights angled down at front and back doors to ensure no light pollution on neighbours.

A lighting condition is recommended should permission be granted to ensure that lighting is appropriately designed for security and amenity whilst ensuring that light spill beyond the boundary is minimised.

Concern has been raised by third parties in relation to people trying to access the site through neighbours gardens. For the reasons set out above staff and residents take extensive measures to ensure that the location of residents is not known to alleged abusers whilst at the same time ensuring that the police have knowledge of the premises allowing prompt response. Additionally, the applicants have commented:

The premises has been designed to harmoniously nestle into its context as if it wasn't there. Stop Domestic Abuse have no issues with neighbours on any of their other premises for this. If there is someone seeking unauthorised access to any property, it would be a matter for the police. The Design Team have had a meeting with Secured By Design and they have no issues with this proposal.

Overall, a comprehensive assessment of security forms an integral part of the applicant's proposals at the site in the interests of their potential residents and subject to appropriate planning conditions it is considered that the development can be accommodated without unacceptable impacts to adjoining residents.

(vi) Ecology/Landscaping

In relation to ecology, it was noted at the case officers site visits that the site was entirely comprised of hard surfaces and garages with very limited appropriate habitat

and biodiversity. An Ecological Assessment Report has been submitted with the application and this has assessed the developments impact on protected species and proposed biodiversity enhancement and this has been assessed by the Councils Ecologist who comments:

The site contains areas of hard surfacing and two rows of garages, with minimal vegetation present. I am content that the site is not of significant value in terms of habitats. Subsequently, the site is not considered suitable for supporting protected and notable species. There are records of foraging/commuting bats from the wider area but the buildings on site are considered to offer negligible potential for roosting bats and the absence of any substantial vegetation is unlikely to attract foraging bats. There are records of Hedgehogs from the immediate area and it is likely that this species will occur in surrounding gardens and greenspaces. Overall, I am content that the site is of very limited biodiversity value and that ecological impacts are essentially negligible.

If you are minded to grant permission, can I suggest that ecological measures are secured by condition.

A condition is recommended, and the enhancements proposed relate to securing green roofs and walls, bat roosts, swift boxes, bee bricks and landscaping / tree planting.

In relation to landscaping the proposals would allow an important opportunity to improve what is a very harsh urban environment at present, unalleviated by any existing landscaping.

The landscaping plan indicates planting of native pleached trees to the north of the parking area, to the south of the play area and to the west boundary, together with two native trees, one to the western boundary and one close to the parking area. In addition, other lower level native planting to boundaries and within raised beds are proposed within the site. Wildflower turf is shown to the communal area to the west side of the site. Finally green sedum roofs are proposed to the main building and the bike and bin stores. It is noted that the works are shown to the Substation including doors and roof although this would be likely to require agreement by the electricity company.

A landscape management plan has also been submitted providing details of management and maintenance of the proposed landscaping and this is considered acceptable. Final details of proposed planting, including species and sizes would need to be secured by planning condition.

(vii) Drainage

The site lies in Flood Zone 1 (lowest flood risk) and is not within an identified future flood zone.

There are two aspects to consider in relation to drainage, firstly surface water drainage and secondly foul drainage.

Surface Water

The application is supported by a Sustainable Drainage Assessment. This confirms that:

GeoSmart's SuDS Infiltration Potential (SD50) map indicates the Site has a Low potential for infiltration, primarily due to the anticipated low permeability of the underlying geology (London Clay). Infiltration to ground is therefore unlikely to be feasible.

Ordnance Survey (OS) mapping indicates that there are no mapped surface water features within 100 m of the Site. Due to the significant distance pipework would have to travel across third-party urbanised land, discharge to surface watercourse is not considered to be feasible for the Site.

The asset location plan.....confirms that there is an existing public surface water sewer within the Site boundaries. Due to the short distance, discharging surface water runoff to the sewer is considered to be feasible.

The proposals require on site attenuation of surface water so that there is no flooding within the development in all storm events up to and including the 1 in 100 year including a 45% allowance for climate change. This volume is subject to the discharge rate to the surface water sewer being restricted to 1 l/s.

The development would include sustainable drainage features (SuDS) including rainwater harvesting butt, green roof, lined permeable paving and an attenuation tank under the parking area. The SuDS features would provide some benefits (interception and filtration) prior to discharge to the surface water sewer. The management and maintenance of the SuDS features would be undertaken by contractors appointed by the owners of the new residential building and a condition is recommended to secure management and maintenance of the system.

Southern Water have confirmed that their investigations indicate that *Southern Water can facilitate foul and surface water run off disposal (Surface water flow rate 1l/s at manhole reference SU72084251) to service the proposed development.* This manhole is located within the site. The proposals are considered acceptable in relation to surface water drainage and a condition is recommended to secure appropriate details.

As there is a Surface Water Sewer crossing the site and it is necessary to ensure that measures to protect this drainage asset are secured. Southern Water recommend a condition to secure protection and this is considered appropriate should permission be forthcoming.

Third parties have raised some concern in relation to local drainage conditions, however, it should be noted that the site is currently entirely hard surfaced whereas the proposals would introduce landscaped areas, green roofs and permeable paving which should act to increase surface water drainage opportunity with slower run off rates. Positive drainage to the surface water drain and on site attenuation should also improve local conditions.

Foul Drainage

The proposal in relation to foul drainage is that foul water is discharged to the nearby public foul sewer in Whitsbury Road. Southern Water comment that their investigations indicate that they can facilitate foul water disposal to service the proposed development and they confirm that: *Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.*

As the details of drainage require further consideration by Southern Water a foul and surface water condition is recommended to finalise details.

(viii) Sustainable Development

The proposed development would be built to Passivhaus Design and conditions are recommended to secure this. The proposals include a number of sustainable features which increase the sustainability of the development. These are listed below:

- Passivhaus standard
- Green roof
- Living wall
- Landscaping
- EV Charging points x 2
- Potential solar PV
- Air Source Heat Pumps (ASHP)

In order to secure solar PV and ASHP's together with green roofs planning conditions are recommended. Overall, it is considered that sustainable design and features are anticipated for the development and subject to conditions can be secured.

(ix) Employment

The proposed use does provide for an element of employment at the site which would not be achieved within a normal residential development application. The proposal is for three members of staff to be employed on site with other visiting staff. The site is located within an area of relatively high unemployment on a site requiring re-generation and the provision of employment is a positive aspect of the scheme.

(x) Other Matters

Contamination

The application has been accompanied by a Combined Geotechnical and Ground Contamination Risk Assessment. This states that:

The ground investigation has identified the presence of asbestos materials within the shallow made ground soils, which are considered to pose an unacceptable risk to proposed end users of the development. Remedial measures will be required, which should be detailed in a separate report.

The Council's Environmental Control Officer has recommended a planning condition to ensure that risks are appropriately addressed/managed.

Community Infrastructure Levy

CIL would not be sought as the development is classed as C2 care home. CIL would only be chargeable on accommodation identified as a self-contained flat for use by staff, but this proposal indicates that there is no accommodation of this type.

8 Conclusion

In conclusion, the principle of development is considered acceptable and the proposed use is supported in providing a community facility and an important refuge for vulnerable women and children.

The impact on the surrounding residential area has been carefully considered in the design of the scheme. The proposals have been critically assessed at the planning stage and subject to appropriate conditions the development is considered to have a limited and acceptable impact on neighbouring residents.

The proposals have been considered in terms of their impacts on local roads and in relation to parking requirements. The use is likely to produce limited and acceptable vehicular movements and no highways objections have been received from the highway authority. The parking requirements have been considered and the bespoke requirements of the use set out and are considered appropriate.

The security needs and measures proposed are set out in some detail and are considered acceptable.

The development would allow for the incorporation of ecological enhancements and the use of sustainable design. Drainage requirements can be secured by the imposition of appropriate conditions.

Overall, the development is considered to provide an appropriate re-use of this unattractive and underused car garage compound and results in the provision of important and secure accommodation for people in acute need of a safe environment at a time of high risk in their lives.

The proposal is therefore recommended for permission subject to appropriate planning conditions.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00096

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans

Location & Block Plan Drawing No. 2304 01C
Proposed Site Plan - Showing First Floor Plan Drawing No. 2304 02E
Proposed Ground Floor Plans Drawing No. 2304 03B
Proposed First Floor Plan Drawing No. 2304 04B
Proposed Roof Plan Drawing No. 2304 05A

Indicative Site Sections A-A Drawing No. 2304 06
 Indicative Site Sections B-B Drawing No. 2304 07
 Proposed Elevations & Indicative Site Sections (North) Drawing No. 2304 08
 Proposed Elevations & Indicative Site Sections (West) Drawing No. 2304 09A
 Proposed Elevations & Indicative Site Sections (South) Drawing No. 2304 10
 Proposed Elevations & Indicative Site Sections (East) Drawing No. 2304 11A
 Bay Elevations & Details Drawing No. 2304 13
 Bay Elevations & Details Drawing No. 2304 14
 Security and Access Drawing - Drawing No. 2304 15C
 Bin & Bikes Plans & Elevations Drawing No. 2304 16C
 Boundary Schedule Drawing No. 2304 17D
 Proposed Site Plan - Showing Levels Proposed and Existing Drawing No. 2304 19
 Swept Path Analysis Medium Car in No.30 Garage Drawing No. 24139_SK05
 Landscape Plan Drawing No. 421-1-R2
 Planting Plan Drawing No. 421-2

Documents

Design & Access Statement Pure Town Planning
 Sustainable Drainage Assessment GeoSmart Information dated 11-12-2023 updated 02-10-24
 Passivhaus Design Assessment Version P01 Delta Q 30th November 2023
 Ecological Assessment Report ABR Ecology 18th January 2024
 Fire Statement Fire & Insurance Risk Engineering Ltd dated 8th January 2024
 Combined Geotechnical and Ground Contamination Risk Assessment Report Ref: R16043 Issue 1 dated 1st February 2024
 Remediation Strategy Ashdown Site Investigation Ltd Report Reference R16423 Issue 1 11th October 2024
 5 year landscape management plan 421-3 The Landscape Service dated 16.01.2024
 Noise Impact Assessment Ref 11762-1 Safe Technologies dated 3rd October 2024
 Parking Technical Note Paul Basham Associates October 2024

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall not be commenced unless and until details of measures to protect / divert drainage apparatus including underground sewers has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved diversion / works shall take place prior to the commencement of development in accordance with the approved details.

Reason: To protect drainage apparatus and to avoid flood risk having due regard to policies CS15 CS19 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority. The details shall include details of the management and maintenance of SUDs facilities including:

- Specification of the responsibilities of each party for the implementation of

the SUDs scheme.

- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The development shall be carried out and managed / maintained in accordance with the approved details.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed and maintained to an appropriate standard and quality and having due regard to policies and proposals CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development shall commence including demolition and site clearance works unless and until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the Local Planning Authority, to include details of:

- (a) provision of boundary hoarding;
- (b) hours of operation;
- (c) means to control dust and emissions to air;
- (d) means to control noise and vibration;
- (e) management of demolition, construction and delivery vehicles including timings and routing.

The CMP shall be in accordance with the Greater London Authorities Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development including demolition shall be carried out and constructed in accordance with the approved CMP.

Reason: To protect the residential amenities of the occupiers of adjoining properties having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
- (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant

Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: To ensure that the development has an acceptable relationship with adjoining properties having due regard to policy CS16 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 8 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination (significant made soils, or any obviously contaminated, stained, discoloured or odorous soil or groundwater), or any significant buried waste material is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature,
likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based
upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;

B) Documentation in accordance with 1) & 2) above; together with evidence which demonstrates that the agreed remediation objectives (3)) have been met.

Reason: Prior landuse is of a type which may be associated with discrete deposits of contaminating material / contaminated soils that could pose a risk to future occupiers of the site. This is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 196-197 of the National Planning Policy Framework.

- 10 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, including the closure of the pedestrian access to Nursling Crescent have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as a supported housing building for mothers and children; and for no other purposes within Class C2; of the above Use Classes Order.

Reason: To ensure that the development has adequate parking and external amenity space provision in the interests of amenity and having due regard to Policies DM7 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD 2016 and the National Planning Policy Framework.

- 12 The car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 Development shall proceed in accordance with the ecological avoidance, mitigation, compensation and enhancement measures as detailed in the Ecological Assessment Report (ABR Ecology, January 2024) unless otherwise agreed in writing by the Local Planning Authority. The enhancement measures shall be provided prior to occupation and thereafter retained and maintained.

Reason: To provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NERC Act 2006, Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 The rating level of the noise emitted from the 3 air source heat pumps installed

as part of this application shall not exceed the existing background sound level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 Prior to first use, any plant and machinery at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Prior to the occupation of the development hereby permitted a fence or barrier having a superficial weight not less than 10kg/m² with a height of not less than 1.8 meters shall be erected at the southern side of the outdoor play area, facing any residential garden and thereafter this shall be permanently maintained and retained.

Reason: To ensure that the amenity of the occupiers of the surrounding premises is not adversely affected by noise from people using the facility. Having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 The development hereby permitted shall be carried out in accordance with the submitted details in Passivhaus Design Assessment dated 30th November 2023 from DELTAQ and in particular the development shall be built in accordance with these agreed details unless otherwise agreed in writing by the Local Planning Authority:

Category	Result	Target	Pass/fail
Heat demand (kWh/m ² /yr)	13.6	15	Pass
Primary Energy demand (PE) (kWh/m ² /yr)	70	108	Pass
Frequency of overheating (>25C) %	5	10	Pass
Frequency of excessively high humidity (>12g/kg) %	8	20	Pass

Reason: To ensure that development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 Within one month of the first occupation of the development hereby permitted, detailed information in a post construction stage sustainable construction

report demonstrating how the development has been carried out in accordance with condition 17 shall be submitted to and approved in writing by the local planning authority. This documentary evidence shall include but not be limited to post construction Passivhaus certification for the development, photographic evidence of materials and other assessments.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change having due regard to Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 Prior to the occupation of the development hereby approved full details of the play area equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be designed to avoid overlooking impacts to nearby residential properties. The approved details shall thereafter be implemented and maintained and no additional play equipment structures shall be provided which increase the height of the approved equipment.

Reason: To ensure that the use of the play area does not result in an unacceptable loss of privacy to nearby residents having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 The development hereby permitted shall not be occupied unless and until a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. Refuse shall thereafter be managed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate waste management and collection having due regard to policies CS20 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 21 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the window in the first floor hallway on the west elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 22 Prior to the occupation of the development hereby permitted details of lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be provided and maintained in accordance with the approved details and no additional lighting shall be provided at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of security and the residential amenities of adjoining residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 23 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground

levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 The development hereby permitted shall not be brought into use unless and until details of the following sustainable development measures have been submitted to and approved in writing by the Local Planning Authority:

- Green roofs to the main building, bin and cycle stores;
- Provision of solar photovoltaic to the main building roof;
- Provision of Air Source Heat Pumps in accordance with the approved plans;
- Provision of EV chargers to the parking area.

The approved details shall be provided and thereafter retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and having due regard to policy CS14 of the Havant Borough Local Plan and the National Planning Policy Framework.

- 25 The development hereby permitted shall not be occupied until:
- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to

this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 26 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 27 No removal of wall buttresses as shown on drawing No. 2304 17D shall take place unless and until measures are put in place to ensure the safe retention of boundary walls.

Reason: In the interests of safety and retention of boundary walls having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.