
Site Address:	Bayith Rest Home, 18-20 Bevan Road, Waterlooville, PO8 9QH		
Proposal:	Proposed single storey rear extension to form an isolation room; retention of conservatory and first floor rear extension to form additional bedroom.		
Application No:	APP/20/00895	Expiry Date:	18/12/2020
Applicant:	Bayith Rest Home		
Agent:	Mr D J Boddy	Case Officer:	Tina Pickup
	The Project Support Practice		
Ward:	Cowplain		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a large detached two storey property (formerly two dwellings) currently operating as a residential rest home. It is situated in an area predominantly characterised by 1970's semi-detached dwellings set in a staggered layout and with stepped ridges to account for the level changes in the area. It is constructed of pale red brick with brown tile hanging at first floor beneath a concrete tiled brown roof. To the rear was a conservatory.
- 1.2 The open frontage is tarmaced providing on-site parking for 5 cars. Due to the level changes the site is elevated compared to numbers 16/14 to the west and this side boundary is a retaining wall at number 16 but low fence to 18. The rear garden comprises patio areas, shrubs, a raised lawn and several outbuildings. There is a 1.8 metre high fence and hedge to the eastern boundary, the rear wall of a garage block and a 2 metre high fence to the rear boundary, and fencing and trellis ranging in height from 1.5 metres to 1.8 metres to the western boundary.
- 1.3 Bevan Road forms the Havant Borough Council boundary such that the site and properties on the south side of the road are within HBC, but those on the north side and Roselands are within East Hampshire District Council.
- 1.4 The planning history is relevant to this application. The original home was registered for 12 residents. Planning permission APP/17/01193 approved single storey front extensions, partial first floor rear extension and single storey rear extension which would have increased residents to 16. That permission has partially been implemented – the front extension has been completed and the single storey rear was also commenced when the Covid pandemic hit. In response the home needed to make some internal changes, including the need for an isolation room. The original rear conservatory had been demolished but when Covid hit this needed to be re-erected quickly in a different location and accordingly APP/20/00503 was approved for the temporary repositioning of the conservatory on the rear. Works to this stage meant the home could accommodate 14 residents through partial implementation of APP/17/01193 and full implementation of APP/20/00503.
- 1.5 The current application was then submitted which reduces the approved first floor element and regularises the internal layout of the ground floor, with an additional 3m single storey extension in the south east rear corner, providing an isolation room, linking in to the conservatory which will become permanent. As a result of these revised plans, the home will be able to accommodate 16 residents i.e. an additional 2. During the course of determining this application works on site have progressed, and

the ground floor elements have been completed, but the first floor has not commenced.

2 Planning History

APP/17/00759 - Proposed single storey front extension, partial first floor rear extension and single storey rear extensions. , WD,24/08/2017

APP/17/00999 - Proposed front (single storey) and rear (part double storey) extensions & internal alterations. (Resubmission). - *invalid*

APP/17/01193 - Proposed single storey front extension, partial first floor rear extension and single storey rear extensions. Increase from 12 to 16 residents. (Resubmission). (Approved 28.02.18). Request to discharge condition 4 (12.10.18)., PERM,28/02/2018

APP/20/00503 - Temporary repositioning of conservatory to the rear when phase 1 of (APP/17/0119) is carried out., TPP,19/08/2020

3 Proposal

Proposed single storey rear extension to form an isolation room; retention of conservatory and first floor rear extension to form additional bedroom.

This is now partially retrospective in that the ground floor works have been completed; with the first floor proposed for the future.

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

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM7	(Elderly and Specialist Housing Provision)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Pre Submission Local Plan 2036

E1*	(High quality design)
H5*	(Retirement and specialist housing)
E16	(Solent Special Protection Areas)
IN3	(Transport and parking in new development)
EX1	(EX1 Water Quality impact on the Solent European Sites)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No adverse comments for this application. We already have a Building Regulation application for part of the proposed work to the front extension and part of the ground floor rear extension but it does not include the conservatory, isolation room or extension to the first floor bedroom

Crime Prevention

None received

Southern Water

Exact position of public assets must be determined on site by applicant; 150mm diam gravity sewer requires a clearance of 3m either side; no development or tree planting within 3m; no soakaways, swales, ponds, watercourses etc within 5m; all existing infrastructure should be protected during construction.

If any sewer found during construction an investigation will be required;

Formal application for any new connection required.

Surface water should be discharged according to Building Regs part 3

East Hampshire District Council as neighbouring authority

None received

Economic Development

None received

Environmental Health Manager

No adverse comments

Hampshire Highways

It is noted that the application previously received planning permission under reference APP/17/01193.

The parking survey accepted under this planning application is dated December 2017 and has been submitted as part of the latest application. Given the time that has passed since the survey was undertaken, the Highway Authority requests that an updated survey is undertaken to confirm that any over spill parking from the proposed development can still be supported on the surrounding road network.

Until an updated parking survey has been undertaken, the Highway Authority cannot make a formal recommendation on the application.

Officer Note

Given that APP/17/01193 is an extant permission and there would be no increase in number of residents above the approved 16, then it is considered unreasonable to request a further parking survey.

Natural England Government Team

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 concur with the conclusion of the HRA, provided all mitigation measures are

adequately secured with any permission.

Solent Recreation Mitigation Strategy – no objection

In this instance the site lies beyond 5.6km of Chichester & Langstone Harbours SPA/Ramsar. As such, it is deemed that there would be no significant effect to the Chichester & Langstone Harbours SPA due to increased recreation.

Providing that Havant Borough Council, as competent authority, is satisfied with this; Natural England raises no further concerns.

Nutrient Neutrality – no objection subject to mitigation

The nutrient budget calculated for this development is **0.65kg/TN/yr**. As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation for this scheme would be **£825.75**.

Provided that the applicant is complying with the requirements of the Interim Strategy for **0.65 kg/TN/yr** and that the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Nutrient Team

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/20/00895.

Portsmouth Water Company

The site is located in Source Protection Zone 1c (SPZ1c) for an essential public water supply source. The SPZ1c relates to subsurface activity only, where the Chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities may pose a risk to groundwater quality and the local public water supply source.

Portsmouth Water have no adverse comments on this application as there is no piling and/or deep excavations which will impact the underlying Principal Aquifer as part of these works.

Traffic Management

No adverse comment to make

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: 7

Number of site notices: 1 posted by applicant due to Covid restrictions

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

7 Planning Considerations

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

- (i) Principle of development
- (ii) Appropriateness of design and impact upon the street scene
- (iii) Impact upon residential amenity
- (iv) Parking and servicing provision
- (v) Compliance with Habitats Regulations

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The Bayith Rest Home has been in operation in excess of 30 years and currently provides care for elderly persons. Adopted Policy DM7 relates to elderly housing provision and advises that there should be sufficient amenity space for residents, space for servicing and car parking and a requirement to limit impacts such as noise disturbance on neighbours. Emerging policy H5 has similar aims.

7.3 The proposal relates to an existing home and would result in an additional 2 bedrooms, increasing the number of residents from 14 to 16. This increase in the number of residents and associated intensification of use has previously been approved under APP/17/01193 and the current proposal is a reconfiguration in response to the Covid pandemic.

(ii) Appropriateness of design and impact upon the street scene

7.4 The proposed works are all to the rear and would not affect the visual appearance of the street scene. To the rear the proposed isolation room and permanent conservatory would add a further depth of single storey extension, across the majority of the rear elevation (though narrower than as approved under APP/17/01193). The central first floor element and proposed ground floor would result in a cohesive form of development, modernising and linking the appearance of the rear of the property.

7.5 The design and appearance of the proposal is therefore deemed appropriate in context to the main building and the street scene and is considered to be acceptable, meeting the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

7.6 The revised layout no longer takes the extension close to the western boundary, retaining the existing gap and separation this side. It does however infill the eastern corner, but set in from the shared boundary by about 1.8m with a further gap of 1m to the side elevation of number 22 to the east. This property is at a higher level than the application site and there is only one small obscure glazed ground floor window in this elevation. There would be no new windows in the eastern elevation of the extension over and above that already approved under APP/17/01193, with the isolation room window being on the south elevation. Due to the staggered siting of these properties, the resultant rear extension would only project slightly beyond the rear facade of number 22. Overall it is not considered that the extension would result in any loss of privacy or light to the occupiers of 22.

7.7 In terms of available amenity space for residents the site benefits from a relatively long plot such that there would remain a garden length of 15m after the extension; this is considered sufficient to provide residents with ample space for sitting out and their

enjoyment.

- 7.8 The proposed first floor extension is about half the width previously approved under APP/17/01193 and would have a fully hipped roof with central window on the rear elevation ie no side windows. This modest extension is not considered to result in any harm from over looking or perception of bulk to either neighbour. Overall it is considered that the revised scheme would not have any adverse impact on neighbouring amenity and would be compliant with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Parking and servicing provision

- 7.9 Under APP/17/01193 five on site parking spaces were justified with a parking survey as adequate parking for 16 residents without causing pressure to park detrimental to highway amenity in the area. Whilst this proposal is slightly different the total number of residents would remain at 16 and 5 on site spaces continue to be provided on site. The Highway Authority's request for an updated survey is noted but considered unreasonable as no additional residents are proposed.
- 7.10 The application also continues to provide a secure cycle store in the rear garden for 4 bikes. A screened bin store is also proposed for the front car park area. Overall the existing car park, cycle & bin store are considered adequate to continue to serve the same number of residents as previously approved. Accordingly there is no highway or parking objection to the proposal.

(v) Compliance with Habitats Regulations

- 7.11 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 (Amendment) (EU Exit) Regulations 2019. The Council's assessment as competent Authority under those regulations is 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 due to the decrease in water quality that would result from the proposed development resulting in 2 additional residents.
- 7.12 The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of measures based on the Position Statement on Nutrient Neutral Development. It is noteworthy that the site lies beyond 5.6km of Chichester & Langstone Harbour SPA/Ramsar and together with the type of residents, there would be no increased recreational harm and mitigation via the Solent Recreational Mitigation Strategy was not necessary.
- 7.13 With respect to the water quality issue this has arisen since the decision APP/17/01193 which is extant and could result in 16 residents, and is conditioned as such. Nevertheless only 14 are currently accommodated by works undertaken at the time of submission of this application. Since this application is a new application that would directly result in 2 additional residents (assuming the isolation room could in the long term be used as an additional room), then it is considered appropriate to now mitigate against the added impact on water quality from these 2 extra residents.
- 7.14 The Council's updated Position Statement, August 2020, has enabled the applicant to use the mitigation scheme at Warblington Farm to offset the nitrogen from the development. A bespoke nitrogen budget was received, based on the 2 additional

residents, that showed a 0.65 kg/TN/year nitrogen load. A Unilateral Undertaking has been received, together with the appropriate contribution of £825.75 as the required nutrient mitigation. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs 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) who have confirmed that they agree with the findings of the assessment and raise no further objection.

- 7.15 The nitrogen budget is however based on the new development ie the 2 new residents, achieving a water efficiency of 110 l/p/p/d and as a part retrospective application it is necessary to ensure that this has been complied with at this stage. The additional residents would share the existing fixtures and fittings of washing machine, dishwasher, baths etc in the home that would inevitably be run slightly more frequently. Overall the economies of scale are such that the water usage of these 2 extra residents is likely to be low. A water efficiency statement has confirmed that the basin taps that have been/to be installed in the bedroom sinks have a sufficiently low pressure to enable 110 l/p/d to be met. Overall it is considered that the water usage arising from the development ie of the 2 extra residents, would be no more than 110 l/p/p/d and represents sustainable development that would meet the Council's Position Statement August 2020 and Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

8 **Conclusion**

- 8.1 It is noted that this revised layout has some common elements with APP/17/01193 but is also a reduced scheme achieving the same maximum number of 16 residents. However the extant first floor and proposed first floor element differ in that APP/17/01193 resulted in 2 additional rooms whereas the current proposal is for only one. Therefore it is important to condition the maximum number of residents as 16 only, which correlates with the HRA AA and mitigation for additional residents that has been received to date. Should the first floor of APP/17/01193 be implemented then 17 residents could potentially result which would be a breach of condition 3 of APP/17/01193 and the HRA AA - a further application would be required to increase the number of residents and provide additional mitigation for impacts on water quality.
- 8.2 Overall the re-configured layout is considered acceptable and with the appropriate water quality mitigation is considered compliant with relevant adopted policies DM7, CS16 and Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Policy E14, EX1 and E12 of the Submission Havant Borough Local Plan.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00895 subject to the following conditions

- 1 There shall be a maximum of 16 residents at the site at any one time in perpetuity.
Reason: To ensure sustainable development that accords with the Habitats Regulations Assessment (HRA) Appropriate Assessment (AA) dated 8/3/21 for the net gain in number of residents for this development. Any further increase in resident numbers will require additional mitigation to address impacts which

might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Emerging Havant Borough Local Plan.

- 2 All sanitary fixtures and fittings which are installed as part of the development hereby permitted shall comply with the submitted water efficiency statement on the Council's website dated 09/03/21. At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency usage shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed by the 2 additional residents 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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Emerging Havant Borough Local Plan.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan

Proposed Site Plan

Existing Floor Plans Drawing Number 09/20/BRH-1

Proposed Floor Plans Drawing Number 09/20/BRH-2

Proposed Elevations Drawing Number 09/20/BRH-4

Roof Plans Drawing Number 09/20/BRH-5

Proposed Site Plan - Front Detail Drawing Number 09/20/BRH-6

Bin and Cycle Stores Drawing Number 09/20/BRH-7

Nitrogen Budget on Council's website dated 27 January 2021

Water Efficiency Statement on Council's website dated 9 March 2021

Planning Statement

Transport Statement

Reason: - To ensure provision of a satisfactory development.