
Site Address:	9 East Street, Havant, PO9 1AA		
Proposal:	Demolition of existing retail unit (no. 9 East Street) and construction of 10 no. supported living units, use Class C2		
Application No:	APP/20/00933	Expiry Date:	20/01/2021
Applicant:	Mr Heather JNP Developments & Investments Ltd		
Agent:	Mr Galloway Peter Galloway Architect	Case Officer:	Lewis Oliver
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located in East Street, in Havant Town Centre and forms part of the St Faiths Conservation Area. It currently comprises a single storey, flat roof retail unit. The unit has pedestrian access from East Street but the rear can also be accessed from The Pallant to the north of the site, via a service road.

The unit lies within a row of 3no. single storey, vacant retail units. These three units form a gap in the wider streetscene of East Street which is predominantly made up of 2 - 3 storey buildings, joined together to form a tight knit urban grain. These units all now have planning permission to be redeveloped with larger, 3-4 storey residential buildings.

The existing buildings on East Street are positioned hard up to the pavement and there is no off road parking. Historically, the character of East Street was predominantly commercial however over time and due to the concentration of retail units on North and West Street and Park Road South, the demand for units on East Street has fallen and as such, it is not designated as a main shopping frontage. Whilst business and some shops are still located on East Street, it has more of a residential character to it than the other main streets of the town centre.

2 Planning History

05/51427/008 - Conversion of store to 2no. 1 bedroom flats with associated car parking and cycle store., PERM,28/02/2006

05/51427/007 - Conversion of existing store into 2no. residential dwellings., UNK,

07/51427/009 - Conversion of garage and store to 2No. self contained flats., PERM,15/08/2007

07/51427/011 - Construction of shop and 6No. studio/1 bedroom flats on two floors above; cycle store and associated car parking. , PERM,22/01/2008

07/51427/012 - Conservation Area consent for proposed demolition of a single storey flat roof shop fronting onto East Street in Havant., PERM,09/01/2008

APP/10/00291 - Extension of time limit for implementation of Planning Permission 07/51427/009 for the conversion of garage and store to 2No. self contained flats., NPW,16/03/2011

APP/10/00303 - Extension of time limit for implementation of Planning Permission 07/51427/011 for the proposed construction of shop and 6No. studio/one bedroom flats on two floors above, cycle store and associated parking., NPW,16/03/2011

APP/10/00316 - Extension of time limit for implementation of Conservation Area Consent 07/51427/012 for the proposed demolition of a single storey flat roof shop fronting onto East Street, Havant., NPW,16/03/2011

APP/13/01257 - Demolition of existing single storey building (class A2) and associated outbuilding to the rear; construction of 4 storey building comprising 7No. 1 bed and 4No. 2 bed apartments with associated landscaping, cycle parking and refuse provision., WD,18/02/2014

APP/13/01259 - Demolition of existing single storey Class A2 building and existing single storey rear outbuilding., UNK,

APP/14/00576 - Demolition of existing single storey building (Class A2) and associated outbuilding to the rear; construction of four storey building comprising 8No. 1 bed and 3No. 2bed apartments with associated landscaping; cycle parking and refuse. (Revised Application)., PERM,10/04/2015

APP/17/00695 - Demolition of existing buildings and erection of 10 no. apartments., PERM,02/10/2017

Current planning applications for the surrounding sites in East Street:

APP/20/00936 - Erection of 4 storey residential building comprising of 1No one bed apartment and 7No two bed apartments - 5-7 East Street, Havant, PO9 1AA

APP/20/00935 Erection of 6No. 3bed dwellings, with 4 No. car parking spaces. 11 East Street, Havant, PO9 1AB

APP/20/00913 - Demolition of existing buildings in a conservation area and erection of 2 No. 3 bed houses, 1 No. 1 bed apartment and 1 No. 2 bed maisonette 10A The Pallant, Havant, PO9 1BE

3 Proposal

The proposal is for the demolition of existing retail unit (no. 9 East Street) and construction of 10 no. supported living units, use Class C2. This a revised submission of the extant Planning Permission APP/17/00695, and comprised the construction of a 4no. storey building including 10no. units. This application is very similar to the previous permission with the main change in this application is that the 10 units are for supported living (C2 use) and some minor alterations to landscaping and cycle storage.

Access into the front half of the building would be from an entrance in East Street. There would be another entrance into the building at the rear on the east elevation which would serve the flats towards the rear of the building. An alleyway would run alongside the building on the east elevation which would be blocked off by security gates meaning only residents could access this route.

The cycle parking would be located to the rear elevation of the ground floor and accessed from an opening on the east elevation. The application proposes an amenity space for future residents, which is to be located to the site of the proposed, and directly to the rear of 11 East Street. The site would be serviced from the service road located from the Pallant, with the application providing six car parking spaces, in the rear part of the application site. The building would feature a range of pitches on the roof and would have a higher ridge height than the proposal for No. 7 East Street as this development would have a separate roof space, albeit this would be exposed internally. The materials would include slate tiles on the roof; lead clad flat roof dormers; brickwork, flintwork and render on the elevations; with some stone block work on the ground floor.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
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

The Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30 January 2019 and was subsequently published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 4 February 2019 to 18 March 2019. After this period, the next stage in the plan's preparation will be the submission of the Local Plan for independent examination and thereafter adoption.

Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced below are currently afforded limited weight, dependent on the extent to which there are unresolved objections to relevant policies.

The relevant planning policies of the emerging Local Plan are:

DR1 - Delivery of Sustainable Development
DR2 - Regeneration
IN1 - Effective Provision of Infrastructure
IN2 - Improving Transport Infrastructure
IN3 - Transport and Parking in new development
IN5 - Future management and management plans
E1 - High Quality Design
E2 - Health and wellbeing
E3 - Landscape and settlement boundaries
E6 - Best and most versatile agricultural land
E9 - Provision of public open space in new development
E12 - Low Carbon Design
E13 - Historic Environment and heritage assets
E14 - The Local Ecological Network
E15 - Protected Species
E16 - Solent Special Protection Areas
E17 - Solent wader and Brent Goose feeding and roosting sites
E18 - Trees, hedgerows and woodland
E19 - Managing flood risk in new development
E20 - Drainage infrastructure in new development
E22 - Amenity and pollution
KP1 - Havant Town Centre
EX2 - Warblington Farm

Housing

H1- High Quality Homes
H2 - Affordable Housing
H3 - Housing Density
H4 - Housing mix
H5 - Retirement and Specialist Housing
H26 - 9 East Street

Listed Building Grade: Not applicable.

Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Building Regulation consent will be required for this work

Compliance with AD B (Fire Authority access) and Means of escape provisions

Community Infrastructure, Planning Policy & Urban Design

APP/20/00933 9 East Street, Havant

CIL

The CIL Charging Schedule refers to the following evidence base: 'Extra Care Housing Toolkit published by the Care Services Improvement Partnership?.

Having viewed the 'Toolkit?', provided the information contained within the Design and Access Statement provided with the application at Paragraph 2.01 translate to the plans, the scheme as presented is not CIL Liable as it can be considered Extra Care Housing.

Others

Additionally, pending a response from Natural England on the 'HRA?', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking. However, firstly the Case Officer would need to consider the ("Definitive") Solent Recreation Mitigation Strategy (SRMS), details accessed from:

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

See extract taken from the strategy below:

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

(b) Issue the Nutrient Neutrality Unilateral Undertaking. See

<https://www.havant.gov.uk/nitrogen-developers>

Conservation Officer

No objection subject to conditions - The proposal is almost identical to that of the previous approval with no major design changes. Overall this lower section of East Street is in urgent need of regeneration and this scheme, along with the implementation of other permissions, will help to meet that need.

The key to the success of this scheme from a heritage perspective is the execution of the design and the use of high quality materials. The use of timber, as opposed to UPVC, is proposed for the casement windows which is welcomed. Brick and tile samples have been referred to on the plans however, the acceptance of these would be subject to the careful consideration of physical material samples and how this fit in with the local vernacular of East Street which has a predominantly traditional character and several listed buildings.

Given that there is minimal change between this application and the previously approved scheme, no objections are raised, subject to the inclusion of all previous conditions being imposed.

Councillor D Guest - St Faith's

No response

Councillor J Branson - St Faiths

No response

Councillor T Pike - St Faith's

No response

County Archaeologist

No Objection - subject to conditions

County Ecologist

No Objection subject to condition

Crime Prevention -Major Apps

Concerns raised about the ground floor properties and the cycle stores would be vulnerable to crime.

Officer comment: The previous extant consents have a similar relationship/layout to this proposal and as such it would be unreasonable to refuse this application given the fall-back position.

Developer Services, Southern Water

No response

Economic Development

No response

Environment Agency

No response

Environmental Health Manager, Community Group

No response

Hampshire Highways

No objection - subject to condition having regard to the other current application in the vicinity of the site, and following confirmation of the parking and servicing arrangements.

Housing Needs Manager, Havant Borough Council

Support - As this proposal is for C2 supported living an affordable housing contribution is not required. In summary Havant Borough Council Housing would support this application for much needed supported housing in our area.

Landscape Team, Havant Borough Council

From a landscape perspective we have the following comments in relation to this application:

- The proposed cream render is deemed to be not in keeping with the landscape character of the conservation area.
- We have concerns with the longevity of the proposed amenity grass, due to the lack of natural light. It would be more appropriate to have a planting scheme which consists of shrubs and herbaceous planting which is appropriate for the environment of the location.

- The planning schedule suggests 30 no. bulbs however they are not located on the plan nor does it state what bulbs they are.
- The development does provide any private residential amenity space that is contrary to the HBC Design Guide, which states;
'The guide states All residents should have access to private amenity space whether that is the back garden of a house, a private shared space, or balcony of an apartment. Given the nature of an assisted living development having access to private amenity space is particularly important.
- We recommend the use of fastigate tree with a narrow canopy spread to ensure the trees survive and are not overly pruned
- We have concerns that the planting will only be maintained for a period of 1 year after planting as per the landscape spec. Given that the planting falls within non private areas who will be maintaining the planting?
- We require cross sections and material specification of the proposed raised bed to ensure suitability.
- There is an inconsistency on the drawings in relation to the cycle storage the comprehensive landscaping plan suggests 1 line of cycle stands, whereas the site plan suggested 2 lines of cycle stands. Clarity on this is required

Officer Comment: The inconsistencies within and between the plans have been rectified. The concerns regarding the visual appearance have been dealt with in detail by the Conservation Officer. In addition this application proposes only minor changes to the previous permitted scheme, and it would be unreasonable to refuse an application given the fall back extant position of the previous permissions. The proposal does include an amenity area, and the matters regarding species can be controlled adequately through planning conditions.

Local Lead Flood Authority HCC

Natural England Government Team

Thank you for consulting Natural England on the updated Habitats Regulations Assessment and Appropriate Assessment for the above application.

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 any of the sites in question.

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. Please find comments on the mitigation below.

Solent Recreation Mitigation Strategy

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we

consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Deterioration of the water environment

The nutrient budget has been calculated in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020). Provided the competent authority is assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary, then Natural England raises no concerns with regard to the nutrient budget.

Please note the calculation is based on all wastewater from the development being treated at Budds Farm WWTWs. If this situation changes, a reassessment of the nutrient calculation will be required and a revised Habitats Regulations Assessment will be necessary.

In line with Natural England's advice, it is noted that a planning condition will be imposed on any permission to secure that the dwellings shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per person per day has been complied with.

It is noted that the approach to address the positive nitrogen budget for this development is via Havant Borough Council's mitigation scheme. We welcome and support this initiative which has scope for nutrient offsetting and biodiversity gain.

Natural England has reviewed the Position Statement and Mitigation Plan for Nutrient Neutrality Development (August 2020) and Warblington Farm Study Evidence Base (Ricardo, June 2020). Natural England concurs with the conclusion of this work that this scheme will deliver effective mitigation for developments draining to Budd's Farm WWTW and Thornham WWTW.

The nitrogen capacity of the land and proposed management of the offsetting land has been discussed and agreed. It is understood that this has been secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the development. It is also understood that a system has been set up to monitor the developments using the mitigation scheme to ensure there is capacity available for each scheme. Provided this is the case and the long term management of the mitigation scheme is monitored by the local planning authority, as competent authority, to ensure effective mitigation for the lifetime of the development, Natural England raises no further concerns.

It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. Given the close proximity of the mitigation land to designated sites, Natural England is not expecting any significant timing issues in this case, provided the land is brought into appropriate management at the earliest opportunity. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development.

Provided the local planning authority is satisfied that timely mitigation can be delivered in this case, Natural England raises no further comments for consideration.

Nutrient Team, Planning Policy

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/20/00933.

Planning Policy, PPUD

No Objection

Portsmouth Water Company

No Objection - subject to condition

Public Spaces

No response

SE Hants Clinical Commissioning Group

As this is not a housing C3 use, we do not require a financial contribution

Traffic Management, East Hampshire District Council

The Traffic team would raise the concern that there are only 6 parking spaces available for this proposal with the surrounding area having parking restrictions.

Officer Comment:

This is a town centre location, where the principle of zero car parking is acceptable, as such the provision of 6 car parking spaces is in excess of the requirements.

Furthermore an extant consent for a 10 unit scheme exists on this site

Waste Services Manager

No response

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: 25

Number of site notices: 2

Statutory advertisement: 30/10/2020

Number of representations received: 12

Comment	Officer Comment
I object to this proposal. Four storeys is too high for East Street. The street is very narrow and four storeys would block out the light, making the street very dark. It is also out of keeping with the surrounding environment, which is two and three storey buildings.	Addressed in officer report 7.6(iii)
Issues raised over the impact on the stability and integrity of the neighbouring building of 13 East Street	This is a Civil Matter
The amount of parking is inadequate , it may reach the statutory minimum however it is inadequate and it can be seen in local private developments that there is significantly more parking as this represents what is required. With inadequate parking spaces you are building in conflict between neighbours, occupants of the development and people in surrounding streets it is not correct to build conflict into a system you should be designing it out. If the development continues with the current level of parking it should only be allowed if there is an overhaul of local parking with full and fair consultation with residents.	Addressed in officer report 7.6(v)
Concerns about noise and disturbance during construction	It is accepted that there would be some disturbance during construction, for a development of this scale would be dealt with under Environmental Health legislation.
We are pleased to see that, finally, there is a coordinated approach to developing these sites, using the same architect and with seemingly interlinked owners. Whilst we might have some minor criticisms, our overwhelming desire is to see this part of the town centre developed and the streetscape of East Street once again an attractive entrance to the town. After a number of false starts with previous applications, we sincerely hope that these developers will proceed to build, as and when the planning applications are granted.	

7 Planning Considerations

Appropriate Assessment

- 7.1 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 (hereafter referred to as the Habitats Regulations).

The Council's assessment as competent Authority under the Habitats 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 European Sites due to recreational pressure, water quality, loss/degradation of supporting habitats and construction impacts. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. Natural England were consulted on the findings of the HRA.

Recreational Pressure

- 7.2 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.
- 7.3 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study 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. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment for this application.

- 7.4 The Council's adopted Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. In this case, this site is used for horse grazing. Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

Appropriate Assessment conclusion

- 7.5 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's 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). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England advised that they concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 7.6 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
 - (iv) Parking provision
 - (v) Drainage
 - (vi) Developer Contributions

- 7.7 (i) Principle of development

The site is located in an urban area whereby development is acceptable in principle subject to other development control considerations. 9 East Street is identified as a housing allocation under policy H26 within the emerging Local Plan, and specifically a regeneration opportunity to provide new housing. The site is allocated for 11 dwellings within the Local Plan allocation; however, the current proposal is for 10 supported living units under C2 use. Although the proposals would provide a specialist form of housing accommodation, the development would still positively contribute towards meeting the Borough's housing need. Furthermore, adopted policy DM7 and emerging policy H5 would support the development of assisted living units, as a form of accommodation for older people and therefore when taken together, the proposed development would be supported under adopted and emerging policy.

The loss of the retail unit on this site has already been accepted in principle under Planning Permission APP/14/00575 and APP/17/00695 . The site is located in the conservation area and therefore Policies CS11 and DM20 are relevant however, the scheme is little changed from that of the extant permission. Policy CS9 outlines the requirements for affordable housing on developments. As this application proposes Class C2 use, no affordable housing would be required proposal, as this is not general (C3 housing). A condition is proposed to ensure that the site is retained as a C2 use in perpetuity.

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

East Street contains several buildings of historic character, several of which are statutorily listed. Due to the era in which the buildings were constructed, many feature architectural detailing such as parapets, projecting gables, wooden windows, quoin detailing etc. The St Faiths Conservation Area Appraisal 2007 describes East Street as:

'In terms of scale, the range of buildings is considerable across the subarea from single storey shops to 3 1/2 storey houses and flats with shops at ground floor. The height of buildings varies from street to street and within streets. East Street in particular has an interesting mix of two and three storey building and variation in how the buildings address the street – some with parapets, some pitch roofs and some projecting gables (figure 2). It is this variation that provides interest and vibrancy to this part of the conservation area. There is a consistency throughout this character area to the building line which is hard to the back of pavement broken only by the churchyard. Even here the raised graveyard wall and trees help continue the important sense of enclosure in the central core of the town'.

In line with Policy CS16 which advises that new development should respond to local distinctiveness and Policy CS11 which advises that development should protect and where possible enhance heritage assets, the proposal includes several architectural features which would be in keeping with the historic character of the streetscene. These include those referred to in Para 7.4. The proposed building would be of an appropriate height, achieving a vertical emphasis which is characteristic of this part of the conservation area and results in a building which forms a cohesive flow with the juxtapositions of the existing urban grain.

The Conservation Officer has been consulted and has advised that the same conditions as were on the original permission should be carried across. Overall the proposal is considered to not result in an adverse impact on the visual amenity of the statesmen or the character of the conservation area. Overall this lower section of East Street is in urgent need of regeneration and this scheme, along with the implementation of other permissions, will help to meet that need and would enhance the character and setting of the Conservation Area.

With regards to the access road at the rear of the site via the Pallant, the Council's Landscape Officers have advised that a full material samples specification should be provided along with a detailed planting scheme to ensure that the correct type of species are used.

(iii) Impact upon residential amenity

The development would sit alongside No. 7 which has planning permission for the demolition of existing retail units (5 and 7) and erection of part 4-storey, part 5-storey building with 9 no. flats (3 no. 1-bed and 6 no. 2-bed); cycle and refuse store. It would also be adjacent to No. 11 which comprises an existing three storey building which is currently vacant but has approval to be converted into residential units. There is no further impact from this proposal than with the original planning approval.

Concern has been raised that the proposal would block out light and result in a loss of privacy in East Street. In terms of a potential loss of privacy the new development would be located over 10m in distance, which is considered sufficient in urban design terms so as not to result in a direct loss of privacy, particularly given that the properties are located in a tight knit historic urban environment. The proposal may affect the light allowance currently enjoyed by the residents in flats properties in close proximity in East Street however, given the concentration of development in this town centre location, it would be unreasonable to refuse the application given the relationship between properties along the remainder of East Street - furthermore, the orientation of the properties is such that direct loss of light is unlikely to occur throughout much of the day.

Amenities of future occupants

The proposed units would all have access to a shared outside amenity space, which given its town centre location is considered an appropriate level of amenity space for the proposed development.

vi) Parking provision

The proposal does include 6 no. spaces to the rear of the building, accessed from the Pallant. This is in excess of the parking requirement which is zero due to the town centre, highly sustainable location. Cycle parking/storage provision would be provided through secure cycle stores within the curtilage of the application site, which in a similar position to the previous two extant consents on this site. The proposed provision is therefore considered acceptable to meet all resident demand and encourage cycling as a primary mode of travel.

(v) Drainage

In relation to drainage and flood risk, the site is located in Flood Zone 1 (low flood Risk). Further details in relation to the proposed drainage to address issues raised by consultants have been submitted during the course of the planning application. A condition is proposed to ensure that details of the measures which will be undertaken to protect the public drainage infrastructure if any assets are discovered during construction.

vi) Developer Contributions

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the Council on the 20th February 2013. The CIL Charging Schedule refers to the following evidence base: 'Extra Care Housing Toolkit published by the Care Services Improvement Partnership'. Provided the information contained within the Design and Access Statement provided with the application at Paragraph 2.01 translates to the plans, the scheme as presented is not CIL liable as it can be considered Extra Care Housing.

8 **Conclusion**

The proposal will achieve the regeneration and redevelopment of a town centre site that has been vacant and providing a negative contribution to the streetscene. The proposal maximises the use of the land to provide additional residential units at a scale and design quality appropriate to its setting in the Conservation Area and with consideration to the surrounding built form and streetscene. There are no unacceptable or significantly adverse impacts to neighbouring amenity by way of outlook and light. The proposal provides a positive redevelopment of a vacant site in what is a highly sustainable location. The proposal is considered acceptable and therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00933 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:

20/03/PO1A - Site plan

20/03/L01 - Location Plan

20/03/LS01 Rev:A - Landscaping plans

20/03/LS02 - Landscape plans

20/03/B01 - Block Plan

20/03/P02 Rev:B - Proposed floor plans

20/03/P03 - Proposed elevations

20/03/P04 - Building sections

414601.10P2 - DRAINAGE ARRANGEMENT

414601.10P2 - HYDRAULIC CALCULATIONS

414601.11P2 - DRAINAGE DETAILS

20/04/Comprehensive -Car parking layout

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby approved shall be used for supported living units only (Class C2) and for no other purpose in the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason: In the interests of the amenities of occupiers of neighbouring dwellings and to control the form of development Supported living, class C2 use, in accordance with policies CS9 and CS16 of the Havant Borough Council Local Plan (Core Strategy) 2011.

- 4 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works are in a sensitive groundwater catchment and there are potentially significant risks associated with groundworks in this area. Piling has the potential to impact on the drinking water source and therefore the applicant is advised to contact Portsmouth Water to discuss the details of the piling method statement and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 In the event that public sewers are found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer have been submitted to and approved in writing by the Local Planning Authority. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.

- 10 The demolition hereby granted as part of this permission shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. The redevelopment shall commence within one month following the completion of the demolition work, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with Section 17(3) of the Act and to prevent premature demolition of the building and the creation of a "gap site" which will be prejudicial to the character and amenities of the Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding what is shown on the approved drawings, or submitted with the application, no work shall commence until full details, including samples and details of all external materials and finishes have been submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

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 .

- 12 No development shall commence until a 1m2 sample panel of flintwork has been constructed for inspection and approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: The laying and coursing of flintwork is a craft skill requiring the engagement of suitable operatives to ensure an appropriate standard of finish on this key site within St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework .

- 13 Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To protect the character and appearance of the conservation area in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 No development (other than works of demolition) shall commence until further details of all proposed doors and windows have been submitted to and approved in writing by the Local Planning Authority. The door and window details to be submitted shall include:
- a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
 - b) full size glazing bar section,
 - c) the method of opening and external finishes, and
 - d) manufacturers' details.

All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To ensure the detailing is appropriate to this key site within the St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No development (other than demolition) hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site (including the pedestrian right of way at the rear of the site) proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 No development (other than demolition) shall commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

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.

- 17 The 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.

- 18 Notwithstanding the information shown on the submitted plans, no development hereby permitted shall be commenced until details of landscaping and street furniture including seating and railings 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.

- 19 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, 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 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 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. 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 Submission Version Havant Borough Local Plan.

21 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed 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 Submission Version Havant Borough Local Plan.

22 Development shall proceed in accordance with the Preliminary Roost Assessment & Bat Roost Survey Report (Enims, September 2020) unless otherwise agreed in writing by the Local Planning Authority. The new building shall incorporate a minimum of two nest boxes for common swift, installed at a height and location agreed by an ecologist.

All ecological enhancement measures shall be retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 23 No development shall take place until a Land Contamination Desk Study has been carried out identifying the previous land uses and a qualitative risk assessment presenting the potential sources, pathways and receptors and their linkages.

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 The drainage system shall be constructed in accordance with the Drainage General Arrangement ref: 414601.10P2. The Surface water discharge to the public sewer network shall be limited to 6.42 l/s, unless otherwise agreed in writing by the Local Planning Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriately mitigated and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 No dwellings shall be occupied until the following drainage details have been submitted to and approved in writing by the Local Planning Authority:

- A) Details of consent from the Sewerage Authority for a connection to the public sewer for the development.
- B) Details for the long-term maintenance arrangements for the surface water drainage system. The details shall include;
 - i) Maintenance schedules for each drainage feature type and ownership.
 - ii) Details of protection measures

The development shall be implemented in accordance with the approved details.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriately mitigated and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.