
Site Address: 10A The Pallant, Havant, PO9 1BE
Proposal: 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.
Application No: APP/20/00913 Expiry Date: 14/12/2020
Applicant: Jonathan Heather and Bill Rea

Agent: P&N Development &
Investments
Mr Galloway Case Officer: Lewis Oliver
Peter Galloway Architect
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located within the St. Faiths Conservation Area and Havant Town Centre. The site is long, stretching back toward East Street, with a narrow frontage onto The Pallant. The existing building at the site faces toward the side elevation of the Waitrose building and the surrounding built form is varied with predominately two storey developments with elements of three storey toward North Street. The existing building occupies the full footprint of the site and is part single, part two storey. It currently provides a poor visual contribution to the streetscene. The building has been vacant since 2010 having last been used as a commercial property (picture framers). The west elevation of the existing building faces onto an access strip that provides access to the rear of properties at East Street. To the east the site adjoins 10 The Pallant, a Grade II listed building comprising a former Dissenters Chapel.

2 Planning History

Relevant history for this application site:

APP/19/01030 - Demolition of existing building on 10A, The Pallant and adjacent existing building remaining to the rear of 11 East Street; Erection of 2No. 3 bed Town Houses , plus 1No. 1 bed flat and 1No. 2bed maisonette., WD,20/12/2019

APP/14/01293 - Demolition of existing building and erection of 2 storey residential building containing 2No. 1 bed flats and 1No studio apartment. (Revised Application)., PERM,14/05/2015 - Partially implemented

APP/14/00504 - Demolition of existing single storey building. Erection of 3 storey building containing 2No. 2 bed flats and 1No. 1 bed studio apartment., WD,14/07/2014

APP/12/00216 - Demolition of existing single storey retail unit. Construction of three storey building consisting of 2No. 2 bed town houses and 1No. 1 bed flat. (Revised application.), NPW,12/09/2012

APP/11/01157 - Demolition of existing single storey retail unit. Construction of three

storey building consisting of 2No. 2 bed flats and 1No. 1 bed flat and associated landscaping, cycle store and bin store. , WD,23/01/2012

Current planning applications for the surrounding sites in East Street, which will have access to the west of this site:

APP/20/00933 - Demolition of existing retail unit (no. 9 East Street) and construction of 10 no. supported living units, use Class C2 - 9 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/20/00936 - Erection of 4 storey residential building comprising of 1No one bed apartment and 7No two bed apartments. 5-7 East Street, Havant, PO9 1AA

3 Proposal

The proposal is for the 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. The application as originally submitted has been amended to secure improvements to the scheme. These amendments included improving the fenestration, layout and design of the building, this has resulted in an improvement to the layout through moving the entrances to the unit to the western elevation, which faces the access road, in addition windows have either been removed or re-positioned on the eastern elevation, which faces 10 The Pallant (a former Chapel), any remaining windows on this elevation will be obscure glazed.

The proposed building would accommodate largely the entire site and includes no provision for car parking. The main body of the proposed building will be set off the eastern elevation, with 10 The Pallant by approximately 1.2 metres , which will act as an alleyway; however, a small linking piece will exist at first floor level on the northern elevation, echoing that of the existing building arrangement. Cycle and bin store is proposed at the ground floor, on the western elevation of the building.

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)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

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

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Adjacent Grade II listed building
Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Building Control comments:

Unit 1 & 3 with open plan ground floor have an issue with MOE due to height of master bedroom and protected escape route AD B this need looking at (i.e. sprinklers in living / kitchen area)

Unit 4 corridors needs Fire doors to protect escape route

Unit 2 need fire doors on protected corridor to protect escape route from Unit 4 1.8m rule

Internal ground floor WC do not appear to comply with AD M requirements

Location of waste storage bins for Unit 4 should not be located within the escape route for Units 2 & 4

Possible location of Public Sewer within 3 of proposed development (within gated area)

Building Regulation application will be required for this work

Community Infrastructure

The proposal will be CIL liable. We note from CIL Form 1 that the last time the existing floorspace was in use is confirmed as being 2010. Consequently, as this floorspace was not 'occupied for it's lawful use for 6 continuous months of the previous 36 months this floorspace will be CIL Liable.

Conservation Officer

No objection - subject to conditions - following the submission of amended plans the proposed development would conserve the character and appearance of the Conservation Area

Councillor D Guest - St Faith's

No comments received

Councillor J Branson - St Faiths

No comments received

Councillor T Pike - St Faith's

No comments received

County Ecologist

No objection subject to condition

Crime Prevention -Minor Apps

No response

Developer Services, Southern Water

No Objection - subject to condition to ensure the public sewer is protected during development

Hampshire Highways

No objection - the site can be serviced adequately, taking into account the surrounding other developments currently being considered at 5-7, 9 and 11 East Street, which will be serviced by the access in front of the development. We note that no parking is to be provided, the Local Planning Authority need to consider if this acceptable in accordance with the adopted Parking SPD

Landscape Team

No response

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 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 the planning application APP/20/00913.

Public Spaces

No response

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: 19

Number of site notices: 2

Statutory advertisement: 23/10/2020

Number of representations received: 10

Comment	Officer Comment
No parking provision for this development is unacceptable in an area that is suffering parking stress already.	Addresssed in section 7.1 (iv).
Overdevelopment of the site and the proposed units are too small	Addresssed in section 7.1 (i1). With regards to the internal space standards the Council do not currently have an adopted policy on space standards, though this is proposed in the emreing plan, this has limited weight given it's progression through the Local Plan Process
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. .	Noted

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 and water quality impact. 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 entered into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water quality

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. 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 entered 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 entered into a legal agreement and appropriate conditions to secure the mitigation packages.

7.6 In other respects, 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/loss of retail unit
- (ii) Impact upon the character and appearance of the conservation area and adjacent listed buildings
- (iii) Impact upon residential amenity
- (iv) Impact on highway/parking
- (v) Impact on Drainage
- (vi) Impact on ecology
- (vii) Developer contributions

(i) Principle of development

The premises were last in occupation as a commercial retail unit in 2010. It has since remained vacant. The previous extant permission APP/14/01293, accepted the loss of this commercial unit, following detailed marketing evidence. As such the principle of the loss of this unit has been accepted in this previous permission and does not need to be considered further in this application.

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. In addition to the above the site will provide further housing in the urban area (as supported by policies CS17 and CS9) and achieve the redevelopment of a run-down vacant site in the town centre (as supported by policy CS6).

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

The relevant issues relating to the historic environment in this instance are the impact of the proposals on the character and appearance of the Conservation Area and the impact of the proposals on the nearby listed buildings, their setting or any features of special architectural or historic interest that they possess. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area and, to have special regard to the desirability of preserving or enhancing the character and

appearance of that area. 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.

The proposed building would be of an appropriate height and massing compared to the adjacent and surrounding buildings, in particular No. 10 The Pallant which is a listed building. It also proposes materials which are evident in the local vernacular those being brick, render and clay roof tiles. The position of the fenestration openings match up well with the adjacent building and the use of architectural features such as window headers, quoin detailing and base brickwork add depth and interest to the building. The amendments to the plans have also significantly improved the front elevation onto the Pallant and also the less prominent side elevation onto the access road toward the rear of the properties in East Street (which in time may become more important as/if the relevant properties on East Street are redeveloped at 5-7 and 9 East Street). As a result of this design, the building achieves a cohesive fit within the streetscene, providing an opportunity to enhance this section of the conservation area, subject to relevant conditions to ensure good quality materials are used, as this will be essential for this scheme in addition to the manner of execution and detailing will be crucial. Overall the proposed development is considered to conserve the character and setting of the Conservation Area and adjacent listed buildings.

(iii) Impact upon residential amenity

The occupants of nearby residential properties are not expected to have their amenity demonstrably affected to any significant degree.

Impact on properties in Pallant Mews - to the west of the application site

The properties in Pallant Mews are located to the west of the proposal and separated by the access road to the rear of East Street. These properties have windows facing toward the proposal with a separating distance of approximately 5 metres. The increased bulk proposed may have some limited impact to light availability in the morning, and privacy has the potential of being affected to some degree by the windows proposed that face toward these neighbouring properties. The layout of the openings of Pallant Mews, which face the development on its eastern elevation is as follows, the ground floor windows serve hallways and WCs at ground floor, at first floor are kitchen and landings windows and at the second floor are bedroom windows .

The impact at second floor level in Pallant Mews (i.e. the bedrooms) is expected to be low due to the extent of bulk/height of the proposed development at this point. The impact to the remaining windows/rooms facing toward the proposal is considered acceptable. An oriel window is proposed at first floor on the western elevation facing these properties, this will ensure that any views are oblique into the neighbouring properties. In the roof, on the western elevation, a dormer window is proposed, which will serve an en-suite, this window will be obscure glazed and covered by condition. As such it is considered that there will be no demonstrable impact to a degree that would warrant or justify a refusal of the scheme on these neighbours. This is having regard to the use of rooms at these properties in Pallant Mews and also what is often a closer relationship between windows in a town centre location.

Impact on 10 - The Pallant - the former Chapel

The existing building on the site is located approximately in the same location as the proposal, being set back from this neighbouring property by an alleyway, and has a height of approximately 4.2 metres. The proposed building would have an eaves height of approximately 4.7metres, and ridge height of approximately 6 metres. The

neighbouring property has three large windows on its western elevation, facing the application site. The middle windows serve a kitchen in the residential units on the ground and first floor. The windows either side of the central window serve dining/living rooms, these rooms all benefit from additional windows on the front and rear elevations, and as such the side windows facing the development are not the sole source of light. It is acknowledged that the development would result in loss of daylight/sunlight into these windows. However, in considering the overall impact, of the development, a combination of factors need to be assessed. As outlined above these windows are currently shadowed, to an extent by the existing built form on the site. In addition, the dining/living rooms benefit from large openings on both the front and rear elevations, which provides daylight and sunlight. In terms of the middle windows which serve the kitchens of these units, a kitchen is a secondary room. As such in conclusion on this matter, whilst it is acknowledged that some loss of sunlight/daylight would occur, given the existing built form on the site and the use of the neighbouring windows, in that the primary dining/living rooms benefit from other sources of light, it is considered that the proposal would not have such an adverse impact to justify a reason for refusal on this issue in this town centre location.

In terms of overlooking, following concerns raised by officers regarding the openings and layout of the eastern elevation, these have been amended. The number of openings has been reduced and will serve bathrooms and kitchens, these windows will be obscurely glazed, given this it is not considered that the development would have a significant adverse overlooking impact on this neighbouring property.

In addition to the amendments to the openings outlined above, the layout was also amended so that access to the units would be from the western elevation, instead of the eastern elevation in the alleyway, this would reduce disturbance to these neighbouring units (the former Chapel), from the associated comings and goings that would happen from the residential use of the site.

Taking all these factors together subject to suitable conditions, it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties regarding loss of sunlight/daylight, overlooking or overbearing impact. As such the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

Amenities of future occupants

The proposed ground floor units would have access to outside amenity space, in terms of limited grassed areas, which will enable areas to be used for things such as drying laundry. The units at first and second floor would not have access to amenity space, however given its town centre location this is not considered an unusual situation, and on its own is not considered a reason to justify the refusal of this application.

Concerns have been raised about the small nature of some of the units. The development is proposing flats ranging in floorspace, the 1 bed unit has a floor area of 48sqm, with the other 2/3 bed units between 89sqm and 90.5sqm. The 2 and 3 bed units comply with the Technical Housing Standards, with the 1-bedroom unit falling below this threshold.

The Council does not have a current Local Plan Policy that allows it to require compliance with particular space standards. Policy H1 is proposed within the Draft Local Plan which would secure new housing developments to provide adequate internal and external space to ensure appropriate living environments for future

occupiers, in accordance with the Technical Housing Standards, however this has limited weight at this time. As such whilst the 1-bedroom flat is considered to be small and below the Technical Housing Standards it is considered that the units would provide an acceptable living environment for future occupants in a sustainable location well served by local facilities, and the policy position at present is such that, when balanced with the benefits of the scheme, a defensible reason for refusal based on space standards could not be advanced

(iv) Impact on highway/parking

Objections have been received that the development proposes no car parking for the scheme. The Havant Borough Residential Parking and Cycle Provision SPD identifies Havant Town Centre as a highly accessible location where reduced or even zero standards of vehicle parking provision can be considered in order to maximise the use of land and discourage use of the private motor vehicle. Furthermore, paragraph 3.05 of the Standards recognises that on brownfield sites outside of town centres, it may be possible to reduce the number of car parking spaces where the development is within a reasonable distance of good public transport links. It is therefore considered that given the highly sustainable location of the development that this proposal, with zero parking, is consistent with the aims of the SPD.

Concerns have also been raised that the proposal has no visitor parking for the development, and that existing public car parks are at capacity during the day. A number of public car parks are within close proximity to the site which could be used for parking for visitors to the development. Any increase in parking demand is limited and outside of the peak shopping times and it is therefore considered that the development would not have an impact on the vitality of the town centre, with regard to pressure on existing public car parks.

Cycle parking/storage provision would be provided through three secure cycle stores within the curtilage of the residential building, providing two spaces each. The proposed provision is therefore considered acceptable to meet all resident demand and encourage cycling as a primary mode of travel.

Taking all these factors together with regard to impact on the highway and parking provision, it is considered that given the sustainable location of the site, that in this situation the provision of zero car parking is considered acceptable and the development would not have a significant adverse impact on the highway network.

(v) Impact on 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 consultees have been submitted during the course of the planning application. A pre-commencement condition is proposed to address the consultation response by Southern Water, to ensure that 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, in consultation with Southern Water.

(vi) Impact on ecology

The application is supported by a bat survey report (Enims July 2020 updated Oct 2020). It is considered that this represents the current conditions at the application site. No evidence of bats was found during the visual inspection. The building was assessed as presenting low (not negligible) roost potential and therefore a single evening visit was carried out to give confidence in the negative visual finding. This is appropriate and in line with the Bat Conservation Trust's good practice survey

guidelines. No bats were seen to emerge from or return to the premises during these surveys. The survey report has made sensible recommendations regarding lighting and enhancements, and these will be secured through condition.

(vii) 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. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 (plus indexation) per square metre on new floorspace (measured as gross internal area) in Havant. It is considered that there is a CIL liability for this site. The existing floorspace was in use is confirmed as being 2010. Consequently, as this floorspace was not 'occupied for its lawful use for 6 continuous months of the previous 36 months this floorspace will be CIL Liable.

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 for over 10 years.

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 adjacent to a Listed Building 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/20/00913

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:

19/01/LOC01 - Location Plan

19/01/B01 - Block Plan

19/01/P01 Rev C - General Arrangement

19/01/P02 - Relationship with Pallant Mews
19/01/P03 Rev:A Site plan and Vehicle Turning
19/01/P06 Rev A - Courtyard Elevations
19/01/ D01A - SITE PLAN FLOOR LEVELS & DRAINAGE

20/03/LS01 Rev:A - Landscaping plan

Reason: - To ensure provision of a satisfactory development.

- 3 The demolition hereby granted 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.

- 4 Notwithstanding what is shown on the drawings or submitted with the application, no work shall commence until full details, including samples of the external materials and finishes have been submitted to, and approved in writing by the Local Planning Authority. All work shall be carried out in full accordance with such approval.

Reason: To ensure the materials and finishes are appropriate to this key site with St Faiths conservation area in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development shall commence until window, door and manufacturers details of the proposed fenestration (including rooflights) have been submitted and approved in writing by the local planning authority. The door and window details to comprise:-

- 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.
- 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 in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 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.

- 7 No work shall start on site until a method statement detailing the full sequence of the works including the measures to provide adequate support or restraint to walls and floors of the adjacent listed building if required (the structural stability of which may be prejudiced by the works hereby approved) have been submitted to and approved in writing by the Planning Authority.
The works shall be carried out in accordance with the approved details.

Reason -To protect and maintain the structural integrity of the adjacent historic building in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework..

- 8 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building the windows on the east (side) elevation and the en-suite dormer window in the western elevation shall be fitted with 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.

- 9 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 Pre-Submission Havant Borough Local Plan.

- 10 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 Pre-Submission Havant Borough Local Plan.

- 11 Development shall proceed in accordance with the measures set out in Section 4.3 and 4.4 of the Bat Roost Survey Report by Enims (July 2020 updated October 2020), unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be permanently retained and maintained in accordance with the agreed details.

Reason: In accordance with Policy DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework..

- 12 No development shall take place until a scheme showing measures to protect the public sewers has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the public sewage network is protected during the development in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The 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.

- 14 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.

- 15 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Local 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 Local 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.

- 16 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.

