
Site Address: 14 East Street, Havant, PO9 1AQ
Proposal: Change of use from A2 (photography studio) to C3 (residential) to form 2No. 1 bed flats with associated bin storage and revised fenestration.
Application No: APP/20/00369 Expiry Date: 06/07/2020
Applicant: Ms Austin
Agent: Ms Honeywell Case Officer: Selina Donophy
 Critchley Architecture and
 Design Ltd
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located on East Street in Havant Town Centre in the St Faiths Conservation Area. It comprises a vacant shop unit with a glazed frontage which was previously in use as a photography studio. The building is detached, set at two storey level and is formed of painted brick at first floor and render and brickwork to the ground floor level. The proposal site is situated on the ground floor, with residential units above accessed via a door located on the eastern elevation. There is an access along the east elevation to the rear of the building which is currently a yard area which forms an L shape to the rear.

2 Planning History

07/62264/002 - Change of use from shop/store/office to 1No. 2 bedroom flat and 2No. 1 bedroom "Mews" houses. , REF,30/07/2007
07/62264/003 - Conversion of shop (part) and store to residential accommodation. 1No. 2 bed flat and 2No. 1 bed mews houses. (Revised application). , PERM,20/12/2007
07/62264/004 - Alteration to front of retail unit., REF,05/02/2008
APP/12/00197 - Replacement shop front., PERM,25/06/2012
APP/15/01408 - Change of use at ground floor level from A1 to C3 to form 3No. flats, with associated alterations to front and rear elevations., PERM,25/04/2016

3 Proposal

Change of use from A2 (photography studio) to C3 (residential) to form 2No. 1 bed flats with associated bin storage and revised fenestration.

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)
CS18	(Strategic Site Delivery)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
------	-------------------

Havant Borough Pre Submission Local Plan 2036

KP1	(Havant Town Centre)
H24*	(Land at Palk Road)
H22*	(Littlepark House)
IN3	(Transport and parking in new development)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Conservation Officer

Compared to some other less successful shop conversions on East Street, this design would create an attractive domestic style frontage which is cohesive with the Georgian style of the building and historic character of the streetscene of East Street. The proportions are well balanced and the overall impact will have a beneficial impact on this section of the conservation area.

I note the colour proposed for the render painted finish and am supportive of this. However, if permission is granted, the following conditions are required:

No work shall commence until full details of the hereby approved new ground floor window and door facing onto East Street have been provided. Such information shall comprise:

- a) 1:20 plan and section of the new door including columns and pediment including materials and paint colour finish*
- b) 1:5 plan of new window frame including glazing bar detail if applicable, material and finished colour*
- d) 1:20 plan and section of window opening with detail of any reconfigured brick header, brick cill and infill below*

The details shall be submitted to and approved in writing by the local planning authority and thereafter carried out in full accordance with such approval and be retained thereafter.

Reason: *In order to safeguard the building's special architectural and historic interest and character 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.*

Conclusion

No objection

Comment from Conservation Officer following submission of window plans relating to proposed condition as specified above :

I am satisfied with the details submitted and therefore do not require the condition to be included as per my original response to the application. Please include these plans / details in the list of approved plans if approval is to be granted.

Councillor D Guest - St Faith's

No comment

Councillor J Branson - St Faith's

No comment

Councillor T Pike - St Faith's

No comment

Crime Prevention -Minor Apps

No comment received

Economic Development

No comment received

Landscape Team, Havant Borough Council

Planning Application APP/20/00369 14 East Street, Havant, PO9 1AQ

Change of use from A2 (photography studio) to C3 (residential) to form 2No. 1 bed flats with associated bin storage and revised fenestration.

From a landscape perspective we have no adverse comments in relation to this application.

Kind regards,

Harry Mitchell CMLI
Landscape Architect
Havant Borough Council

Natural England Government Team

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

have an adverse effect on the integrity of Chichester & Langstone Harbours Special Protection Area (SPA)/Ramsar site, Solent Maritime Special Area of Conservation (SAC), Solent and Dorset Coast SPA, Solent and Southampton Water SPA/Ramsar site, Portsmouth Harbour SPA/Ramsar site, and Solent and Isle of Wight Lagoons SAC.

In order to mitigate these adverse effects and make the development acceptable, mitigation measures need to be secured as set out in the Appropriate Assessment. We

advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Waste Services Manager

No comment received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 9

Number of site notices: 1

Statutory advertisement: 22/05/2020

Number of representations received: 0

Comment	Officer Comment
No comments recieved	

7 Planning Considerations

7.1 Appropriate Assessment

The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (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 and loss/degradation of supporting habitats. 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

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.

Water Quality

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.

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.

In other respects, and 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 conservation area
- (iii) Impact upon residential amenity
- (iv) Parking
- (v) Standard of accommodation
- (vi) Ecological considerations
- (vii) CIL

- (i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.3 An application at this property was granted permission in 2007 under reference 07/62264/003 which incorporated a change in use to the rear of the shop unit to create a two bedroom residential unit to the rear.

7.4 This site falls within the defined Town Centre where the loss of employment space is only supported with supporting marketing to prove the floorspace is no longer required. Policy DM2 of the HBLP states that : Development proposing the change of use or loss of any premises or land currently or last used as community services and facilities, including local shops, will only be permitted where both the following criteria can be met:

1. It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.

2. The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve.

7.5 In this instance this policy is set to change with the emerging local plan (please see policy KP1). This policy updates and replaces Policies HB3(H10/BD30) (Market Parade) and HB1(H79) (Job Centre Plus Site) of the Allocations Plan. It also updates and replaces Policy CS18(1) (Havant Public Sector Village) of the Core Strategy.

7.6 Policy KP1 'Havant Town Centre' of the Havant Borough Emerging Plan states that:

The Council is proposing to revise the town centre boundary compared to the Adopted Local Plan to exclude all properties in East Street. East Street has seen a particularly strong decline in occupancy, and vacant units add nothing to the vitality and viability of the town centre. Given that the retail offer has shifted west, the units in East Street do not meet modern retail needs, it is appropriate to remove it from the town centre boundary and promote a residential led regeneration of this area.

7.7 Policy H24 'Car Parking behind the Bear Hotel and East Street' states that :

This policy would update and replace site allocation reference H22 of Policy HB3 in the Allocations Plan.

7.8 East Street is situated to the east of Havant Town Centre. Formerly part of the town centre, a number of shops have become vacant in recent years which have reduced the attractiveness of the site. In addition to the national changing trends in retailing and the economy, East Street is no longer considered as a key retail destination. As such, the area is now in need of regeneration and has the opportunity to provide new housing. For this reason current policy in this instance regarding marketing is not necessary due to the emerging plan and changing residential nature of East Street.

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

7.9 This proposal comprises the conversion of the ground floor of a unit previously in use as a photography studio (A2 use) to C3 residential, forming two separate residential units as well as proposed alterations to fenestration. Alterations to fenestration include the addition of doors leading to an internal bin store on the eastern elevation, replacement of the high elevel windows with a head height window, and two additional windows towards the rear of the eastern elevation. The existing doorway into the first floor units would also serve unit 2. The side elevation brickwork would be painted in

light grey, with light grey render to the front elevation. The existing shop window which currently spans most of the width of the frontage would be replaced with a window and a doorway into the front unit.

- 7.10 Internal alterations include the addition of a lounge and kitchen to the front of unit 1, followed by a bedroom and bathroom. A wall would separate the units and unit 2 to the rear would comprise a kitchen and lounge, followed by a bedroom and bathroom.
- 7.11 The proposed alterations to the frontage are judged to be in keeping with the existing style of the property, with the ground floor window matching those existing at first floor level and the proposed door and door frame also in keeping with the georgian character. The grey painted render is also judged to be an acceptable alteration , notably as there is some variation of colour to the surrounding buildings along East Street.
- 7.12 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, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.
- 7.13 The Council's Conservation Officer has been consulted in regard to this application which is located within the St Faiths Conservation Area and has stated that :

Compared to some other less successful shop conversions on East Street, this design would create an attractive domestic style frontage which is cohesive with the Georgian style of the building and historic character of the streetscene of East Street. The proportions are well balanced and the overall impact will have a beneficial impact on this section of the conservation area.

- 7.14 It is therefore judged that this proposal complies with policies DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant, policies CS11 (Core Strategy) and CS16 (Core Strategy).
- 7.15 Although this proposal would result in the loss of retail space , it would supply additional housing stock in an area now broadly defined as an emerging residential area. The overall definition of sustainable development is contained in paragraph 7 of the NPPF. A key focus of the NPPF is that planning authorities should boost significantly the supply of housing in order to meet the objectively assessed housing needs of their area. Planning history of the immediate area shows a trend in the conversion of retail units along East Street , with the neighbouring property no 10-12 receiving planning permission in 2015 to form 3 flats. It is therefore judged that this proposal would be an acceptable alteration in use when judged within the context of the area.

(iii) Impact upon residential amenity

- 7.16 The external alterations include additional windows at ground floor level to the side elevation . These are not judged to have any significant impact upon the neighbouring property change of use to a private dwelling would result in fewer vehicle movements and a less intensive use, it is not considered that the proposal would have a significant adverse impact on the amenities of neighbouring properties.

(iv) Parking _

- 7.17 Policy DM13 of the adopted Local Plan and Policy IN3 of the Pre-Submission Local Plan 2036 deal with parking in new development and require local parking standards to be met. Minimum standards are set in the Havant Borough Parking SPD (July 2016). 1 vehicle parking space and 1 long stay cycle stay space would be required for a one-bedroom residential unit. Proposals within the Havant and Waterlooville Town Centre boundaries are expected to have a reduced or even zero standard of vehicle parking provision to maximise the use of land and discourage the use of private motor vehicles. This site is close to public transport links and local amenities and therefore the lack of parking on site is judge to be acceptable.

(v) Standard of accomodation _

- 7.18 The proposed internal accomodation area is judged to comply with the 'Nationally Described Space Standards' introduced by the Department for Communities and Local Government in 2015 which provides guidelines recommending the minimum floorspace for a single bedroom to have a floor area of at least 7.5m² and is at least 2.15m wide. In order to provide two bedspaces, a double (or twin bedroom) would have a floor area of at least 11.5m². Both bedroom units comply with the recommended standards.

(vi) Ecological Considerations

- 7.19 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 appropriate conditions to secure the mitigation packages.

(vii) CIL

- 7.20 The proposal is for the change of use of the existing building, with no extensions proposed, and as such this development is not CIL liable.

8 Conclusion

- 8.1 Overall it is considered that the building is no longer required for a Community/retail use due to a decline in retail use in the immediate area. Whilst a marketing exercise has not been conducted, due to the upcoming change in policy it is judged this would not be necessary in this context. as emerging policy criteria has been met This direction of travel in policy is a material consideration, albeit of limited weight.
- 8.2 In addition the proposal is not considered to have a significant adverse impact on the character and appearance of the area, residential amenities or highway safety. Furthermore the required contribution towards the SRMS has been secured. Having regard to all of the foregoing considerations, this application is recommended

for approval

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00369

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

DCP/Brickwork confirmation email received on the 21.10.2020
101 Block and location plan
203 Existing and proposed floor plans
501 Proposed north and east elevations
Heritage report received on the 13.05.2020
Design and Access Statement received on the 13.05.2020
701 Window details
702 Door details

Reason: - To ensure provision of a satisfactory development.

- 3 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.

- 4 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.

- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

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