

Recommendation: **SPLIT DECISION**

APP/14/00023 - Extension to existing gym facilities to create a new gym on two

- AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Pre-submission Havant Borough 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 for public consultation between 4 February 2019 to 18 March 2019. After this period, the next stage in the plan 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, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. 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 some weight, dependent on the level of objection received to each individual policy during the consultation process.

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 of objection received during the consultation process.

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
- E1 - High Quality Design
- E2 - Health and wellbeing
- E3 - Landscape and settlement boundaries
- E9 - Provision of public open space in new development
- E12 - Low Carbon Design
- E14 - The Local Ecological Network
- E15 - Protected Species
- E16 - Solent Special Protection Areas
- E18 - Trees, hedgerows and woodland
- E19 - Managing flood risk in new development
- E20 - Drainage infrastructure in new development
- E22 - Amenity and pollution

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No response

Communities Manager

No response

Councillor Gwen Robinson

No response received

Councillor Mike Seal

No response received

Councillor Peter Wade

No response received

Developer Services, Southern Water

The exact position of sewers must be determined by the applicant before the layout is finalised. (please see full response for criteria of where development can be placed in relation to foul sewers)

If a sewer is found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and the potential means of access before any further works commence on the site.

An informative should be attached to advise a formal application is required for connection to the foul and surface water sewer.

It is the responsibility of the developer to make suitable provision for means of surface water disposal.

Hampshire Highways

No objection -The application is supported by a Transport Statement (Paul Basham Associates – November 2016).

The proposals are not expected to increase traffic generation to the application site, but to future proof car parking demand.

HBC will need to determine in their capacity as local parking authority that the level of parking provision proposed falls in line with adopted standards.

In line with the above, the proposal has therefore been assessed in regard to layout. The proposals include for a decked car park providing 74 spaces and the wider ground floor redeveloped car park providing a cycle store for 50 cycle capacity.

The layout of the proposed parking is considered acceptable and fit for purpose.

Portsmouth Water Company

No objection - subject to condition

Property Services Manager

No response

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

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: 53

Number of site notices: 2.

Statutory advertisement: 11/04/2020

Number of representations received: 3

Comment	Officer Comment
First floor deck car park would cause light pollution and disturbance to amenity, including noise.	This is discussed in planning considerations.
Concerns regarding any potential cycle/pedestrian links	This application does not include a further cycle/pedestrian links
Concerned about tree loss on the tree belt along Hambledon Road	This is discussed in planning considerations.

7 Planning Considerations

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

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Trees and landscaping
- (v) Parking provision and sustainability

(i) Principle of development

The principle of development of a new sports hall at the site has previously been agreed under APP/14/00025 and APP/17/00295, albeit that both permissions have now lapsed. National and local planning policy has not changed to such an extent that the principle of this development would now be unacceptable. Local Plan Policy CS1 refers to Health and Wellbeing and emerging policy E2 - Health and wellbeing in the HBLP2036 both state that planning permission will be granted for development which supports the leisure centres at Havant and Waterlooville as the main provision and provides indoor sports and leisure facilities that would meet strategic needs for the whole borough and where appropriate local provision.

The area in which the single deck car park is proposed is already car parking and the overall site is located in the urban area whereby development is acceptable subject to other development control criteria. The proposal to increase the number of spaces in

the car park is to ensure that when the sports hall is developed, the parking provision on the site is able to cater for the higher demand.

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

With regards to the sports hall, details of its scale, appearance and landscaping would be subject to a reserved matters application. However, the Council would require the development to be of high quality design that responds to the appearance of the existing building.

With regards to the car deck, this is replacing an existing area of land used as a car park with the deck structure. The structure would be contained within the existing leisure centre site and clad on three sides with metal cladding (subject to the approval of final details). It would not be highly visible from Hambledon Road due to a significant landscape buffer comprising mature trees and hedgerows - the removal of the cycle path from the proposals means that this will not be punctured as originally proposed. Overall it is considered that the character would be in keeping with the leisure / commercial style buildings which comprise the leisure centre and the adjoining office/industrial estate and would not have a harmful impact on the visual amenity of the area. The reconfiguration of the car park to provide more parking spaces is considered to be a better approach than the existing layout, which has redundant landscape buffers which do not contribute to the visual amenity of the car park.

(iii) Impact upon residential amenity

The principle of the sports hall is considered to be acceptable however, details of the design would be subject to a reserved matters application whereby potential neighbour impact could be considered more carefully.

Concern has been raised that the car deck would result in a disturbance to the amenity of the close by properties on Hambledon Road who look towards this part of the site. In particular the potential for light pollution from external lighting and headlights from cars on the upper deck shining into bedroom windows. Details of external lighting could be secured via a planning condition to ensure that the lighting does not directly impact neighbouring properties (for example by the use of low level, angled or cowled lighting columns). In terms of car headlights, the proposed deck would be clad with perforated steel panels however, it is not currently known what the level of perforation would be. In order to prevent any potential light pollution, a condition is suggested which requires full details and specification of the panels to be provided and agreed prior to any development taking place.

Noise has also been raised as a concern from the upper level of the car deck. However, the distance between the car deck and the nearby properties is over 50m and includes a main road (the B2150) and mature landscaping buffer. It is therefore considered that any potential noise disturbance will be limited and acceptable in context.

(iv) Trees and landscaping

A number of trees have been removed from the site already however, this was carried out with the agreement of the Council. Both the Council's Landscape and Tree Officers in the previous permitted identical applications, were satisfied with the proposal and landscaping plan. The site and surrounding landscaping/tree belt, are in

the same condition as previously and therefore the proposal is compliant with Policy DM8 of the Local Plan. The new landscaping proposed will be secured by condition.

(v) Parking provision and sustainable transport connections

The proposed scheme would include 259 spaces in the car park, 74 spaces in the multi-storey and 12 disabled bays resulting in 333 parking spaces. Parking would be provided in accordance with the Council's adopted parking standards for a leisure centre use (including the floor area of the new sports hall) and there would be a surplus of 23 spaces. The current site does not benefit from any specific cycle parking provision and therefore a cycle store with up to 50 cycle spaces would be provided. The proposal is therefore in accordance with Policy DM14 of the Local Plan.

Discussions have taken place with the applicant, Horizon Leisure, to look into providing enhanced connectivity with Hambledon Road, through a pedestrian/cycle pathway. The applicant remains committed to looking into this matter in future with Council Officers. However given the current COVID-19 challenging times, particularly for the leisure sector as a whole at this time, the applicant wishes to renew the approval for another three years, which will give them peace of mind that the principle of the extension is still considered acceptable. The Local Planning Authority have considered whether such improvements to connectivity to the wider area are required and justified in this application. With regard to this matter, as has been outlined above, this application proposes car parking provision, which is above the requirements of the Parking SPD. As such it is not considered reasonable or necessary to secure further enhancements at this time. However discussions can take place between the applicant and Council Officers to explore this matter further, outside of this application.

8 Conclusion

The outline application for the sports hall is considered to be acceptable and consistent with the Council's strategic policy aims as set out in the Local Plan. Further details will be required of its detailed design and landscaping as part of a future reserved matters application which will enable due control to be exercised over its design quality and impact.

With regard to the decked car park proposals, it is considered that the development would provide much needed parking provision for the current and future use of the leisure centre which is an important community function. Any potential adverse impacts of the development could be mitigated through the use of effective planning conditions which seeks to manage detailed elements of the scheme. Overall therefore it is considered that the proposal should be recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **SPLIT DECISION** for application APP/20/00257 as follows:

(A) GRANT FULL PLANNING PERMISSION for only the following part of the above proposal as described:

Full planning permission for reconfiguration of existing ground car park and development of single storey deck car park,

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:

Location Plan 28016-PD100
Amended block plan 28016-PD101 Rev A
Amended site plan 28016-PD102 Rev A
Floor plans and elevations 28016-PD103
Frontage landscape proposals 2016_32_001 Rev A
Arboricultural Assessment by Bernie Harverson dated December 2012
Tree retention and removal plan BJH 03 dated December 2012
Transport Assessment by Paul Basham Associates dated November 2016
Design and Access Statement dated March 2020

Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished groundlevels 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Use of the car deck hereby approved shall not commence until plans and particulars specifying the provision to be made for external lighting of the same have 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.

- 5 Notwithstanding the details provided in the application, no work shall commence on the construction of the car deck structure hereby approved until samples and/or specification details of the cladding panels for the car park deck have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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.

- 6 No development shall commence until plans and particulars of the 50 space cycle store referred to in the submitted Transport Statement have been submitted to and approved in writing by the Local Planning Authority. The approved store shall be installed at the site prior to the bringing into use of the development hereby 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.

(B) GRANT OUTLINE PLANNING PERMISSION for only the following part of the above proposal as described:

Outline planning permission for future extension on current footprint of overflow car park at Waterloo Leisure Centre for access and layout with all other matters reserved,

subject to the following conditions:

- 7 The development hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 8 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of the grant of this planning permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 9 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the detailed proposals for all of the following aspects of the same [**herein called "the reserved matters" and "other matters"**] have been submitted to and approved in writing by the Local Planning Authority.

(i) The reserved matters:

- (a) The scale and external appearance of the Sports Hall (including details of the colour and texture of external materials to be used);
(b) Landscaping including a landscape design showing the planting proposed

to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels, and the arrangements to be made for the future maintenance of landscaped and other open areas;

(ii) Other matters:

(c) The finished levels (above ordnance datum) of both the ground floor of the proposed building and the surrounding ground levels;

(d) Access facilities for the disabled;

(e) The measures to be taken to protect adjacent areas from excessive noise;

(f) The layout of foul sewers and surface drains;

(g) The manner of treatment of existing water courses and ditches;

(h) The alignment, height and materials of all walls and fences and other means of enclosure;

(i) The provision to be made for the storage and removal of refuse from the premises; and

(j) The areas to be used for contractors' vehicle parking and materials storage during (site clearance and) construction of the development

Reason: To secure orderly development.

- 10 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 11 The development shall not be brought into use until space for the loading, unloading and parking of cars and cycles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The development hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the development will attain a minimum standard of 'very good' BREEAM rating. The development shall be carried out only in accordance with the details the subject of the assessment.

Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The sports hall to which this permission relates shall not open to the public before 06.30hrs or after 22.30hrs on Mondays - Fridays or before 07.30hrs or after 21.30hrs on any Saturday, Sunday or any recognised Public Holiday.

Reason: To reflect the terms of the planning application and to protect the

amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Location Plan 28016-PD100

Amended block plan 28016-PD101 Rev A

Amended site plan 28016-PD102 Rev A

Floor plans and elevations 28016-PD103

Frontage landscape proposals 2016_32_001 Rev A

Arboricultural Assessment by Bernie Harverson dated December 2012

Tree retention and removal plan BJH 03 dated December 2012

Transport Assessment by Paul Basham Associates dated November 2016

Design and Access Statement dated March 2020

Reason: - To ensure provision of a satisfactory development.

- 15 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, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, penetrative foundation methods have the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply. This condition is therefore necessary 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