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Our Ref: APP/19/00324
Direct Line: (023) 9244 6512
Ask For: Mr S Weaver
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14 February 2020

Dear Mr Donohue

The Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Site Address: 5-7 Station Road, Hayling Island

Proposed Development: Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store.

I write further to our recent correspondence, to provide an overview of the current status of this application following the re-consultation that took place last year and recent exchanges in respect of your viability report and the highways related contributions that may be attributable to the scheme.

For the purposes of consistency I shall use the same headings as in my earlier overview letter of 21st June.

Principle of development

I have received an updated Planning Policy response in respect of the additional information you submitted in respect of the existing tenants at the site, as supplemented by emails separately received from Steve Charlton (Hayling Motor Co) and Simon Edmunds (Paintfix). The current Policy position is as follows:

To confirm, I am satisfied the development proposals would provide an active use at ground floor level in line with Policy CS4 (5), and emerging Policy C6.

In terms of the loss of employment use, the emails which have been informally submitted corroborate the information from the existing tenants in unit 5b and 5ft (front). Whilst it is confirmed the occupier latter will continuing his business on a mobile basis, it is unclear whether the occupier of 5b wishes to continue to operate and/or if there is suitable and available alternative accommodation which enables him to relocate. Although the submitted information suggests there are other four occupiers have somewhere to relocate, there is no primary evidence to support this.

Nevertheless, we would maintain a policy objection in the absence of an active and realistic marketing exercise under Policies CS2 and DM3 of the adopted Core Strategy. It is noted that the site falls outside of the established employment areas as proposed to be defined by emerging Policy C1 of the Pre-Submission HBLP 2036. In such cases the redevelopment to a non-employment use may be permitted where there are available and suitable alternative premises which enable the occupier(s) to relocate under criterion a. of this policy, and that the applicant has provided information about where the occupiers propose to relocate to.

Clearly the absence of primary evidence corroborating the various moves that are proposed is posing some difficulties with this case. Given the passage of time, I feel it would be prudent for you to provide an update as regards the current occupiers at the site, and any evidence that can be provided in respect of their intended moves to alternative locations.

Affordable housing

I can confirm that I am now in receipt of the Dixon Searle review of viability in respect of your scheme. In summary they have been able to agree that the scheme will not support a contribution to affordable housing, and in my view this concludes matters on the subject.

Transport and highways implications

I am aware from correspondence exchanges between Ed Dodd and Chris Hirst at HCC that many of the technical matters arising from the County's initial consultation response have been resolved; however an outstanding matter which you raised with me was as regards the sustainable transport contribution being sought of £5500, which you considered was not justified.

I have myself queried the contribution being sought in terms of whether the crossing point that the contribution would support would make a measurable difference to the existing option on Beach Road; and what benefit the wayfaring proposal in Hayling Park would make to the scheme given that its access is solely onto Station Road.

Chris Hirst has advised me as follows:

In response to the planning consultant's comments, I would argue that the contribution does meet the 3 CIL tests.

The contribution would go towards an additional pedestrian crossing point on Manor Road which is on the desire line for pedestrians/schoolchildren heading east from the development. The current crossing on Beach Road requires pedestrians to head south and then north again to cross the A3023, whereas a new crossing point would better cater for the desire line along St Mary's Road.

Regarding the Hayling Park wayfinding, it is noted that pedestrian access is only onto Station Road. While this would provide an alternative route to access the Hayling Billy Trail, I appreciate that pedestrians are likely to walk along Station Road to reach the trail.

For this reason, I would be willing to accept a contribution of £3,000 towards the pedestrian crossing point. This is both directly related to the development and fairly and reasonably related in scale and kind, whilst also representing a compromise on my initial request.

It would therefore appear that if a contribution of £3000 can be agreed, this would enable the Highways Authority to remove its objection. Please could you advise me of your client's position in light of HCC's suggested compromise.

In reviewing the Transport Statement and the dialogue with Chris Hirst I have noted that it assumes that the ground floor commercial units are to be B1 offices, with no parking demand on weekends (hence the absence of any weekend parking surveys). However you have confirmed that the intended use of the commercial units is instead to be A1 retail, which has a higher parking standard than B1. This needs to be reflected in the Transport Statement when it is updated, in order that the level of shortfall is clear.

Turning to that shortfall, and the request for funding for a TRO which you have queried, having re-consulted the Traffic Team they have responded as follows:

The Traffic Team would comment that although there are restrictions in Station Road, these may need to be amended ie loading restrictions put in place and/ or surrounding roads that have no restrictions may need to be considered for restrictions due to parking space not being to the minimum standard required

Given the extent to which car parking features in the representations received in connection with the application, I feel that there is a justifiable case for funding for the TRO to be secured as part of this proposal.

Finally, I have not seen any response to the query I raised regarding electric vehicle charging infrastructure – could you respond on this point please.

Design and layout considerations

With regard to landscaping, I regret the loss of the planted island within the courtyard, and consider

that this adds weight to the stated aim of the Design Statement to provide shrubs adjacent to the boundary treatment with the public car park in order to give some landscaped character to what could otherwise be a sterile hard surfaced environment. In noting the limited space available, I also consider a tree pit arrangement between car parking spaces would enable some softening of the landscape – please would you incorporate this as it would add considerably to the quality of the scheme.

In other respects I consider the amendments to the building materials to be a suitable response to my earlier comments.

Amenity considerations

Further to the amendments made to the scheme to address the Environmental Health comments of 5th June 2019, I have received the following comments:

It is shown that the revised ground floor apartment is to have a non-opening window to the bathroom, and the revised layout of apartments in the south east corner of the structure depicts non-opening windows to a kitchen, all on the east elevation.

Whilst this office would have no objection in principle to this development as a whole, I would be asking for the following conditions to be imposed and the informatives below to be added to any decision notice, if consent were to be granted.

Condition 1:

The applicant to confirm, by means of an acoustic assessment / report, that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms. Similarly for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise.

Condition 2:

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby properties, on and off site, from light disturbance / nuisance.

This consultation response indicates that the Environmental Health team are now satisfied with the relationship between the proposed flats and Heron Autos.

Drainage considerations

You may have seen the response from the Lead Local Flood Authority to the additional material provided by Cowan Consultancy in relation to the application, which has been published on the Council's website – in short, it continues to state that the information provided is insufficient to address the queries raised previously, and it raises the spectre of a recommendation of refusal if the requested information is not provided. Whilst I note that you sent me a revised drainage drawing (P2) on 30th October, to date this has not been supplemented by any further information addressing the LLFA's queries – are Cowan Consultancy in the process of liaising with the LLFA as to the detail needed to

address their concerns?

With regard to the P2 drawing itself, this makes reference to connections to 'assumed' foul and storm drains in Station Road. The former is borne out by the drainage plan appended to Southern Water's consultation response; however there is no record of a public surface water sewer in Station Road on the Southern Water plan, and so this will require amendment to demonstrate how the necessary connections are to be made.

I also remain unclear as to the permeable paving proposal – is this intended as an infiltration system (with consequent implications for ground water contamination) or as a closed system to be directed into the surface water system?

Ecology considerations

Thank you for completing the European Site Avoidance and Mitigation Checklist, which will enable me to undertake the necessary Habitats Regulation Assessment in due course. The recreational disturbance will be the subject of a S106 Agreement; the Council is still in the process of devising its Implementation Plan to deal with the water quality issue.

Other matters

You may have noted that in responding to the amended proposals the Community Infrastructure Officer has highlighted that CIL would be payable in respect of the two retail units proposed. Having discussed this further with them, it has been concluded that as the site lies within the identified West Town Local Centre in the adopted Local Plan, this qualifies it as a 'town centre' location for CIL purposes whereby no CIL liability accrues for retail uses.

Conclusion

To conclude, there remain areas where improvements to the scheme (landscaping); further confirmation (primary evidence of relocating businesses; contributions to HCC and the Traffic Team; EVC provision); and significant additional information (drainage proposals) will be required before I am in a position to finally recommend the scheme to the Development Management Committee. I look forward to continuing to work with you to address these outstanding matters.

Yours sincerely

Steve Weaver
Development Manager