

Recommendation: **GRANT PERMISSION**

APP/18/0113 was withdrawn due to concerns over the design solution then proposed

(a false pitched flat roofed dormer style first floor addition). This revised scheme provides an integrated pitched roof first floor side extension above the single storey side element. It would be stepped down from the ridge by 1m, extend 9m in width, before dropping down by 3.5m to the existing single storey roof.

The extension would provide an additional 4 bedrooms and as part of the proposal the existing bedrooms on the ground floor would be re-configured to change some double rooms to singles - such that overall 5 single rooms are created but 3 bedspaces are lost from loss of double rooms - therefore overall the site would have a capacity for 20 residents - an increase of 2. It is suggested that additional staff requirements to serve the extra residents would be just 1 additional part time carer in the daytime.

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

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
DM13 (Car and Cycle Parking on Residential Development)
DM7 (Elderly and Specialist Housing Provision)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

The proposed layout for the new extension would require a second means of escape exit, due to the increased travel distance from the new bedroom. This would affect the layout or the appearance of the extension.

Officer Note

The agent has provided a revised internal layout showing a second internal stairwell/means of escape which does not result in any external alterations.

Environmental Health

I have no comments or objections to raise in respect of this application with respect to Environmental Protection.

Natural England

Consultation on HRA - Nutrient Neutrality

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.

Natural England is aware that your authority has adopted an interim strategy using Grampian conditions to address nutrient impacts from developments currently in the planning system and we have been working with the Council to develop this approach. It is noted that the mitigation would be secured through a Grampian condition, requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development.

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. With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against the interim strategy, with measures to ensure this approach can be adequately secured and accounted for.

It is Natural England's view that in this case, provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Please consult Natural England on the discharge of the Grampian condition.

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: 8

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

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) Parking and servicing
- (v) Compliance with Habitats Regulations

- (i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Policy DM7 relates specifically to Elderly and Specialist Housing provision and sets out the following criteria which must be met:

1. It is demonstrated that appropriate levels of on-site amenity space are accessible for residents use which provides a satisfactory outlook for all residents.
2. A setting for the building is provided which is in keeping with the surrounding area.
3. Sufficient space for servicing is provided.
4. Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.
5. The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.

These issues will be discussed below - in terms of criteria 5 the site is an existing Residential Care Home and not a new facility affecting the concentration of such care homes. Accordingly the proposed extension would comply with criteria 5.

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

The revised design now better relates to the host dwelling and provides a logical step down in roof profile. The site is in a highly prominent location and the front, south elevation, would now sit comfortably in the street scene. The windows on this front elevation have now been balanced and overall the visual appearance is considered appropriate to the site and its setting. Sufficient separation to the eastern boundary is provided with 5m from the proposed first floor east elevation to the site's side boundary. This would provide space about the development and respect the spacious residential character of the area, in accordance with criteria 2 of policy DM7 and policy CS16.

(iii) Impact upon residential amenity

No 166 Sea Front is a gable fronted two storey residential dwelling set about 1m from the shared boundary with the application site. There are 3 first floor side windows in its west elevation facing the site such that they would be separated by about 5m from the proposed east elevation which would contain a single obscure glazed window. No comment has been received from the occupier of this property and it appears that two of the 3 windows are probably secondary windows. It is considered that the primary outlook from this property is to the seafront ie south and the 5m separation is considered sufficient for the bulk and mass of the proposed side extension to have minimal impact on the light available and sunlight to these windows. Whilst the outlook from the windows will be altered it is not considered that it would be harmful to the amenity of the occupiers of No 166. Accordingly, on balance it is considered that the proposal would not have any adverse effect on the amenity of neighbouring amenity, compliant with policy CS16.

Criteria 4 of policy DM7 requires the layout to respect neighbouring amenity by providing any noisier rooms away from neighbours. In this instance the activity area of the home is unaffected and located in the western half of the building; the proposed layout would site bedrooms closest to No 166, which is considered to be compliant with criteria 4.

In terms of amenity for future occupiers it is acknowledged that the proposal does not provide any additional resident amenity area and relies on the existing frontage grassed area overlooking the seafront. The proposal would result in just 2 additional residents and the site's location opposite the beach is considered to provide

appropriate and adequate outlook and amenity for the enjoyment of residents. Therefore criterion 1 is considered to be met by virtue of the sites location and outlook.

(iv) Parking and servicing

The site has its parking and servicing area located off Chichester Avenue to the side and no additional parking is proposed as part of this development. The adopted Parking SPD requires one space per 4 residents. The proposal would result in 20 residents which would require 5 spaces. Six spaces are currently provided on site meeting this parking need. Furthermore there is the public beach car park opposite for any visitors and Manor way to the north provides the closest unrestricted on street parking. Overall the site is considered to have adequate parking and servicing for this modest addition to an existing facility.

(iv) Compliance with Habitats Regulations

The proposal would provide overnight accommodation for 2 additional residents. Since the proposal relates to a nursing home where elderly and infirm residents are unlikely to add increased recreational pressure on the SPA, then HBC is not seeking any SRMS contribution in this instance. However there would be increased impact on water quality and as such

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. The Council's assessment as competent Authority under those 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 the decrease in water quality that would be as a direct result of the proposed development. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of measures based on the Position Statement on Nutrient Neutral Development. In this instance the increased effect on water quality relates only to the 2 additional residents. The applicant has indicated a willingness to accept a Grampian style condition/legal agreement to secure the outstanding mitigation package relating to water quality issues for these 2 residents.

The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs 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) who have confirmed that they agree with the findings of the assessment.

8 Conclusion

The scale, siting and design of the revised proposal would have limited and acceptable impact on the streetscene and neighbours and is therefore considered to be appropriate and recommended for approval with the necessary Grampian style condition to secure the nutrient neutrality mitigation.

NB As this is a residential care home, the development is not CIL liable.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00466

(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:

1:1250 Location Plan
1:500 Block Plan
Proposed Plans and Elevations Drawing Number: /2019/proposed 01 dated April 2019 Rev A

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used 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.
- 4 The window at 1st floor level in the east elevation of the extension hereby permitted shall:-

(i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and

ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

Reason: In the interests of the amenities of the occupiers of the adjacent property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The hereby approved extension 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 hereby approved extension, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste efficiency calculation must be installed before first occupation and retained thereafter;

b) A mitigation package addressing the additional nutrient input arising from the hereby approved extension has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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 overnight accommodation can be developed 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 for 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 of the Pre-Submission Havant Borough Local Plan 2036.