
Site Address:	Eastleigh House, Bartons Road, Havant, PO9 5NA		
Proposal:	Internal alterations to allow conversion from offices (class B1(a)) to form 6 No one bed flats (C3 residential units).		
Application No:	APP/19/00156	Expiry Date:	11/04/2019
Applicant:	Mr Harding Cherrymaine Estates		
Agent:	Mr Wiles Concept Design & Planning	Case Officer:	Lesley Wells
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 **Site Description**

The site is located on the south side of Barton's Road in Havant. Eastleigh House is a residential, Grade II listed building, currently an office (BUI, which forms part of a small cluster of properties, broadly comprising large houses within generous plots. On the north side of Barton's Road are smaller dwellings, a builders yard and a crematorium. To the west of the application site is the Wyevale Garden Centre with a large car park attached. This is separated from the site by a footpath / cycle track which extends along the western boundary of the site. This leads to a large open field to the south of the site which is currently allocated for housing and subject to outline planning permission reference APP/15/01435.

Eastleigh House sits towards the south of the site and is accessed by a driveway which extends along the western boundary and swings round to the south/front elevation where the main entrance is located. The application site includes a large number of mature trees on the east and west boundaries. To the east of the house is an open lawn area with a sunken lawn. There is a fairly recent single storey extension to the east elevation. To the rear of the building is an enclosed garden. Car parking is to the south, west and north of Eastleigh House.

The List Description of Eastleigh House reads as follows:

"House. Mainly circa 1820, with a north-west wing of older date, obscured by rendering and later features. Brick, with a slate roof. Almost square block of 2 storeys and cellar. The symmetrical front (south) has 3 windows; low-pitched roof with spaced plain mutules set against a fascia, yellow brick walls in Flemish bond (headers to the curved walling), rubbed flat arches and stone cills. Sashes in reveals. The doorway is a reeded architrave, enclosing a plain fanlight and 6-panelled door, now enclosed in a late C19 large glazed porch. The west elevation, with similar treatment, has 3.1 windows, the north side being a 2-storeyed semi-circle with 3 windows: the older lower wing extends northwards. The east side has 3.1.2 windows, the south side semi-circular walls having 3 windows to the ground floor, and 1 to the 1st floor (raised in style at a later date); large central modern porch with glazed roof. Some contemporary fireplaces."

2 **Planning History**

02/57258/006 - Listed Building Application for erection of 1.8m high close boarded timber fence and gate along northern boundary fronting Bartons Road., WD,25/03/2002

02/57258/005 - Erection of 1.8m high close boarded timber fence and gate along northern boundary fronting Bartons Road., PERM,25/03/2002

99/57258/003 - Single storey side extension to east elevation (revised application), PERM,27/05/1999

99/57258/004 - Listed Building Application for internal alterations, demolition of outbuilding and erection of single storey side extension to east elevation (revised application), PERM,27/05/1999

98/57258/001 - Conservatory to east elevation, WD,07/01/1999

98/57258/002 - Listed Building Application for internal alterations, demolition of outbuilding and conservatory to east elevation, WD,07/01/1999

APP/15/01104 - LBC for the Conversion of Eastleigh House from a single dwellinghouse to B1 offices and two dwellinghouse along with the erection of a two storey extension to provide a further single dwellinghouse including landscaping, parking and turning areas., PERM,04/03/2016

APP/15/01103 - Conversion of Eastleigh House from single C3 dwellinghouse to B1 offices and two C3 dwellinghouse along with the erection of a two storey extension to provide a further single C3 dwellinghouse, plus the construction of a courtyard development of 10 terraced houses, including landscaping, parking and turning areas., PERM,04/03/2016

APP/16/01077 - Residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building.(approved 21.01.17) Request to discharge condition No.s 2,5,6,7,8,9,and 14 (26.05.17). Request to discharge condition No/s 2,5,6,7,8, 9,13 and 14 (15.01.18). Request to discharge condition No.3 and 16 (07.02.18). Request to Discharge Conditions 5 and 14 (20.06.2018)., PERM,27/01/2017

APP/16/01078 - Listed Building Consent for residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building., PERM,27/01/2017

APP/17/00552 - Please refer to submitted table, UNK,

APP/18/00056 - Condition 2 - Please see drawings 325_Road Section Design 345_Swept Path Analysis 380_Drop kerb Application Entrance Works Condition 5 - Please see drawing no 335 Surface Finishes Condition 6 - Please see drawings no 300 Drainage S185 Sub-Diversion 340 Services Corridor E-F2257L 180111 Condition 7 - Please see no 330 Surfaces Finishes Condition 9 - Please see Barrel Tree Care Agricultural Report ref:15362-AA3-DC and Drawing 15362-BT3 Condition 13 - Please see Landscape Proposals drawing no MPN IHEH Condition 14 - Please see samples (hand delivered) except photo 17-1061 flint photo, UNK,15/01/2018

APP/18/00162 - Condition 3 - Please see drawing no 17-1061-1001 Site Logistic Plan Condition 16 - Please see drawing no 17-1061-1002 Demolition Plan, UNK,

APP/18/00492 - Application for Non-material change to Planning Permission

APP/16/01077 relating to substitute brick samples and removal of brick quoining to elevations., PERM,14/06/2018

APP/18/00573 - Application for non-material change to planning permission

APP/16/01077 in relation to substitute brick samples submitted under request to discharge condition 3 and removal of brick coiling to elevations.h, UNK,

APP/18/00894 - Erection of 1No. 3bed dwelling including landscaping and parking.(18.01.19). Request to discharge condition No.s 3,5,6,9,10 and 13. (09.04.19)., PERM,18/01/2019

APP/18/00895 - Listed building consent for erection of 1No. 3bed dwelling including landscaping and parking., UNK,

APP/19/00157 - Listed Building Consent for internal alterations to allow conversion

from offices (class B1(a)) to form 6 No one bed flats (C3 residential units)., DEL, APP/19/00381 - Condition 3 - Photograph of recently constructed neighbouring property, with letter to confirm that the materials used will match those approved by HBC in the neighbouring development. Condition 5 - Drawing 18-1051-1003 Site Boundary Treatments Condition 6 - WSP drawing 8078-RP-001 confirming finished floor level. Condition 9 - WSP drawing 8078-GA-001 confirming surface finishes. Condition 10 - Photograph of recently constructed neighbouring property, with letter to confirm that the materials used will match those approved by HBC in the neighbouring development. Condition 13 - Barrel tree report., UNK,

3 Proposal

- 3.1 The proposal is for internal alterations to the building to convert the existing offices (Class B1(a)) to 6 no., one bed flats (Class C3 residential units).

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)
CS2	(Employment)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

HB1	(Havant and Bedhampton Housing Allocations)
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)

Listed Building Grade: Grade 2

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The Tree Constraints Plan (Drawing Number C18/060.TP1) doesn't quite reflect the Tree Protection measures outlined on the Barrell Tree Consultancy Report Plan (Drawing Number 15362-BT2). The development should follow the Barrell Plan for tree protection please.

Building Control

Location of bin store does not appear to comply with Approved Document H6

regarding householders carrying waste

Flat 5 Room 15 (bedroom) is an inner room Compliance with Approved Document B to be considered

Building Regulation consent will be needed for this work

Community Infrastructure

This application is CIL Liable.

We note that the CIL 'Additional Information' form states that the GIA of the office building is 385sqm. This floorspace was already used as a 'credit' against APP/16/01077 as the application description included the continued use of Eastleigh House as offices. It would therefore be unreasonable to expect us to apply this 'credit' twice. Providing the figures stated on the form are correct there will be a CIL liable floorspace of 385sqm if permission is granted.

Additionally, instructions should be passed by the Case Officer to the CI Team to issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of net additional dwellings and their respective number of bedrooms, in this case 6 No one bed flats. See

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>.

As the statutory expiry date of this application is after 1 April the updated rates supplied by the partnership effective 1/4/19 will apply.

Conservation Officer

Updated Comments:

Based on the submission of the amended plan C1806012 Rev A which now shows the fireplace as being retained in Room 13 at first floor, I am satisfied with the proposals submitted within the planning and listed building applications.

I welcome the information from the agent that the existing services will be utilised where possible and would like to be consulted at condition stage for any details relating to new services, if the applications are granted permission.

Original Comments

Eastleigh was built as a residential dwelling in the early 19th century. It was listed in 1952 and is now a Grade II listed building. It displays the typical characteristics found at that time; shallow pitched roof, refined regency proportions, built in yellow brick with a Flemish bond. A two-storey block has been added to the southern end of the original building and a further later additional has now been converted into two residential dwellings under a previous planning permission.

The land to the north of the dwelling is currently being developed with 10 no. residential dwellings, with the original access and the open space to the east of the main house being retained. To the south of the site are currently open fields however this land has been allocated for housing, so this will inevitably further alter the setting on the listed building.

In a previous permission, the property was granted permission for a change of use to office use (Class B1). This was implemented but due to circumstances, the tenants vacated the building approximately 2 years ago and the property has remained empty since that time.

Unfortunately, as a result of this, lead flashing was stolen from certain areas of the roof and the resultant water ingress has caused integral damage, particularly at first floor level. Internally a high proportion of original features remain throughout such as fireplaces, windows, shutters, skirting boards and mouldings. The previous owner who

carried out the office conversion, did not carry out any external changes and only minimal internal alterations to the historic fabric were implemented, including mainly redecoration works with existing services being utilised.

Legislative and Policy Context

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, to have special regard to the desirability of preserving or enhancing the character and appearance of that area. The revised National Planning Policy Framework (NPPF) was published in February 2019 and sets down the policies that the Council must take into account when determining planning applications. The 'Historic Environment Good Practice Advice in Planning Note 2', states at paragraph 4:

'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest' and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

The revised NPPF (February 2019) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

'184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Considering potential impacts

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CP16 (1a) of the Core Strategy states Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant.

Proposals

The proposal is for internal alterations to allow conversion from offices (Class B1 (a)) to form 6no. one bed flats.

Assessment of the proposals

This assessment is based on the plans submitted as part of the planning and listed building applications and the Heritage Statement submitted with the application.

Ground floor proposals

No major / structural alterations proposed, some new internal partitions proposed.

Flooring retained in all rooms and a fireplace to be reinstated in the former kitchen. No

external alterations proposed.

First floor proposals

No major / structural alterations proposed, some new internal partitions proposed. Flooring retained in all rooms. No external alterations proposed. In Room 14 there is an annotation to advise that the fireplace will be removed and replaced with a doorway. However, following the site visit with the agent, it was confirmed that the fire place would remain in situ. Please can the plan be updated to reflect this. (Received)

Conclusion

The scheme will be beneficial to restore and repair the listed building and bring back to its former residential use (albeit on a more intensive scale). The level of intervention proposed is minimal and the overall character and historic integrity of the building will be retained. The proposal retains important internal features and the original sliding sash windows, along with the original structural walls.

Notwithstanding this, as the property is proposed to be subdivided and therefore meet current day building regulations, a pre-commencement condition should be included which requires details of fire safety standards. It is important to know how this may affect the internal elements of the listed building.

Also, for the same reason as above, details of any new servicing routes are required. The previous conversion utilised the existing service routes however, this may not be the case with the number of units now proposed. Please can the agent confirm if new service routes are required? If so, a further pre-commencement condition will be included to require details of these.

I confirm that subject to the first-floor plan being updated, no objection is raised to the proposed conversion. It is requested that the following condition is included in any permission:

1. No alterations to the existing chimney stacks, fireplaces or window shutters shall be undertaken without express written approval of the Local Planning Authority.

2. Any new outside rainwater and soil pipes must be made out of metal and painted black.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

3. All new works and making good of the retained fabric whether in internal or external shall be finished to match the adjacent work with regards to the methods used and to material, colour, texture, profile and style.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

4. The hereby approved internal partition walls shall be inserted in such a way that the original features are preserved in situ.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

5. Prior to the commencement of work, details shall be submitted to and approved in writing by the Local Planning Authority to show:-

a) the means of upgrading the existing doors and frames to meet the prescribed fire safety standards

and/or

b) the design and construction of any new fire doors/glazed screens.

c) the design, location and method of fixing any new fire prevention/detection systems e.g. smoke

detectors, alarms.

d) the means of providing noise isolation between units.

Reason - To ensure that such details are appropriate to the character, architectural and historic interest of the listed building. It is considered necessary for this to be a

pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

County Minerals

No comment

Crime Prevention

No comment

Southern Water - No Objection

Please find attached a plan of the sewer records showing the approximate position of a public foul sewer within the site. The exact position of the public foul sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No new tree planting should be located within 3 metres either side of the external edge of the public sewer.
- No new soakaways should be located within 5m of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The proposed development would lie within a Source Protection Zone around one of water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Consultations with the Environment Agency to ensure the protection of the public water supply source.

Engineering/Drainage

No comment

Environmental Health

Observations / Comments:

I have no objection to the proposal. I would however ask that the following condition and informatives be added to any approval that may be granted.

Condition 1:

The applicant to ensure that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, and between levels, will meet BS8223:2014 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.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00. This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Regarding Dust Control:

You are hereby requested to ensure that dust mitigation measures are put in place, to prevent any potential dust nuisance from occurring during the demolition, excavation, clearance and construction phases of the development.

This is in order to protect the occupants of nearby residential properties from dust pollution.

Regarding light pollution:

You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the proposed building, is so positioned so as not to cause nuisance.

This is in order to protect the occupants of this building and other nearby residential dwellings from light pollution.

Please contact me should you require any clarification of any of the above items.

Highways Engineer

The Highway Authority has no adverse comment on this application.

Historic England

On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request. However, we can see that the plans indicate a staircase will be removed and therefore can we request you consult us on the Listed Building Consent application for the same Site.

Natural England - 1st Comment

No objection, subject to condition

Chichester & Langstone Harbours Special Protection Area

This application is within 5.6km of the Chichester & Langstone Harbours Special Protection Area and will lead to a net increase in residential accommodation. As a result, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). 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).

Appropriate Assessment

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. 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 permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation. However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances.

Species and Biodiversity Enhancement

Natural England refer your authority to our national standing advice for protected

species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2018 as amended), paragraph 109. Natural England recommend that an appropriate level of enhancement, such as the addition of bat boxes and/or bird boxes on the trees within the site, are secured as part of this application.

<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>

Natural England - 2nd Comment

No Objection, subject to condition

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.

Solent Recreation Mitigation Strategy

This application is within 5.6km of Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

The Appropriate Assessment has taken this into consideration, therefore, providing the appropriate mitigation is secured by any approval, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the

application.

Planning Policy

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for Havant Borough. The following policies and documents are of particular relevance:

- • CS2 Employment
- • CS9 Housing
- • 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
- • CS21 Developer Requirements
- • DM3 Protection of Existing Employment and Tourism Sites
- • DM11 Planning for More Sustainable Travel
- • DM13 Car and Cycle Parking on Residential Development
- • DM20 Historic Assets
- • DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development
- • UE33 Eastleigh House, Bartons Road
- • Havant Borough Council Housing SPD (July 2011) and
- • Havant Borough Council Parking SPD (July 2016).

The Pre-Submission Havant Borough Local Plan 2036 can only be afforded very limited weight at this stage but may be afforded greater weight as the Plan progresses towards examination. The following policies are of particular relevance

- • DR2 | Regeneration
- • IN1 | Effective provision of infrastructure
- • IN3 | Transport and parking in new development
- • E1 | High quality design
- • E2 | Health and wellbeing
- • E11 | Sports and recreation
- • E12 | Low carbon design
- • E16 | Solent Special Protection Areas
- • H1 | High quality new homes
- • H3 | Housing density
- • C1 | Protection of existing employment sites

Principle of development

The site lies within the urban area as defined by policies CS17 and AL2 in the context of the adopted local plan and within the settlement boundary as defined by policy E3 in the emerging local plan. There is therefore a presumption in favour of sustainable development subject to other considerations.

The site is allocated for 5 dwellings under site reference UE33 Policy HB1 of the Allocations Plan. The submitted Design and Access Statement confirms that the site is undergoing development with 9 dwellings to the north of the existing building, whilst Eastleigh House has recently undergone conversion from a dwelling house to form an office under planning permission reference APP/16/01077.

In addition to the site-specific development requirements set out in the Allocations

Plan, the following policy considerations are of relevance.

Loss of employment

Policy CS2 of the Core Strategy states that planning permission will be granted for development proposals that safeguard existing employment sites that are not fit for current purpose.

Policy DM3 which is counterpart to this policy makes clear that the development of land or premises currently or last used for B use class employment purposes to non-B use class employment will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for B use class purposes. An active and exhaustive marketing exercise would normally be required to demonstrate the site is no longer suitable for B use class employment.

Emerging Policy C2 of the Pre-Submission Local Plan is also of relevance in terms of the Council's proposed approach to safeguarding employment uses. The application site is not defined within one of the established employment areas in the emerging policy, nor is the site allocated for employment in the adopted local plan.

In the emerging Local Plan, policy C2 sets out the change of use or redevelopment of an employment site to a non-employment use will only be permitted where:

"a. There are available and suitable alternative premises within a reasonable distance of the employment site which enable the occupier(s) to relocate."

Very limited information has been provided about the occupation of the building but the submitted CIL forms indicate that the existing building is "currently in use". In this respect, further information is requested from the applicant in terms of the current occupation of the building.

A policy objection would normally arise in the absence of an active and realistic market exercise. There may however, be material considerations which justify a deviation from this approach. The fact that the site is allocated for housing in the adopted local plan must be weighed carefully in the overall planning balance.

Heritage

Eastleigh House is a Grade II listed building. The proposed alterations are therefore expected to protect, and where appropriate enhance the listed building in line with Policy CS11. This is reinforced by policy E13 in the emerging requires proposals to protect, conserve and where possible, enhance the significance of designated heritage assets and their settings; and make sensitive use of heritage assets, through regeneration and reuse. The Council's Conservation Team will be able to provide further advice in this respect.

High quality new homes

Policy H1 of the emerging Local Plan expects all new homes to be designed to meet appropriate internal space standards. Two of the proposed six units would be designed to be in excess of the minimum gross internal floor area for a 1-bedroom property for 2 people (50 sq. m), the remaining four units would fail to meet this threshold. Paragraph 6.3 of the supporting text recognises there needs to be flexibility for conversions meeting appropriate space standards, particularly where achieving the standards would adversely affect the significant of a heritage asset.

In addition to the above, the emerging policy requires sufficient private and/or communal outdoor amenity space of to be provided. For flatted developments, this should be a minimum of 1 sqm of communal space per bedroom. The submitted proposed site plan indicates that there would be a substantial lawned amenity area surrounding Eastleigh House.

Housing Density

Outside the town centres and defined opportunity areas, policy H3 of the emerging Local Plan expects development to provide for a minimum of 40 dph.

Based on the net site area of 0.45 ha, the proposed conversion would generate a density of 13dph but when based on an estimated developable area of 0.2ha the scheme would generate 30 dph. Whilst this would obviously fall short of the minimum density, it is recognised that there are site-specific constraints such as the listed building which may justify a different approach on the site.

Low carbon design

Policy E12 of the emerging Local Plan sets out that proposals for residential development are expected to achieve a reduction in CO2 emissions of at least the Dwelling Emission Rate (DER) when compared to the Target Emission Rate of Part L of the Building Regulations.

If the required 19% reduction is financially unviable or technically unfeasible, then this will need to be demonstrated with appropriate evidence in support of a planning application. In this instance, the applicant will be expected to achieve the most significant CO2 reduction viable in the circumstances.

Parking

Policy DM13 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new development in the Borough. The minimum standards for unallocated residential parking can be found in Table 4B of the SPD.

Emerging Policy IN3 in the Pre-Submission Plan expects Electric Vehicle charging infrastructure to be provided for each new residential unit with private off-street parking, as well as an appropriate number of spaces in shared parking at residential and commercial development where long-term parking for staff or residents is provided. The Council expects 10% of spaces to have Electric Vehicle charging points in commercial developments as a minimum.

Community Infrastructure Levy and S106

The proposed development is CIL liable. CIL rates are set out in the Council's adopted Charging Schedule. A Council has also commenced a review of the adopted Charging Schedule, though the rate for residential development will remain broadly the same in this part of the borough.

Developer contributions will be required in accordance with Policy DM24 Recreational Disturbance and the Solent Recreation Mitigation Strategy to Special Protected Areas (SPAs) from Residential Development.

Summary

Whilst a policy objection would normally arise in the absence of an active and realistic marketing exercise, the site is allocated for housing in the adopted local plan which must be afforded weight accordingly. Further information is however, requested in respect of the current occupiers of the building and whether there is suitable and available accommodation within a reasonable distance of the application site which would enable them to relocate.

There are however, various detailed considerations including the impact of the proposals on the significance of the designated heritage asset which should be taken into account. This may be a moderating factor in the ability of the scheme to address some of the emerging requirements in the new Local Plan.

Traffic Management

The Traffic Team has no adverse comment to make.

Waste Services Manager

I have no concerns over waste collection.

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: 7

Number of site notices: 2

Statutory advertisement: 22/02/2019

Number of representations received: 0

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 and the listed building
- (iii) Loss of employment site
- (iv) Impact upon residential amenity
- (iv) Highways / parking considerations
- (v) Trees
- (vi) Developer contributions

(i) Principle of development

The site is located within the urban area, therefore there is a presumption in favour of sustainable development subject to other material considerations. Eastleigh House was a single dwellinghouse before the grant of planning permission on 4 March 2016 under reference 15/01103 'From single C3 dwellinghouse to B1 offices and two C3 dwellinghouse along with the erection of a two storey extension to provide a further single C3 dwellinghouse, plus the construction of a courtyard development of 10 terraced houses, including landscaping, parking and turning areas.' This permission was implemented, albeit the business use has now vacated the site, and the building is currently empty. In view of this, relocation of the previous owner is not required. The development is considered acceptable in principle subject to development management criteria.

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

The Council's Conservation Officer has commented on the proposal and has advised that "The scheme will be beneficial to restore and repair the listed building and bring back to its former residential use (albeit on a more intensive scale). The level of intervention proposed is minimal and the overall character and historic integrity of the building will be retained. The proposal retains important internal features and the original sliding sash windows, along with the original structural walls.

As to the internal alterations to facility the conversion to flats, an amended plan has been received to secure the retention of the fireplace in Room 14 and pre-commencement conditions are recommended in respect of any proposed new service routes and fire safety requirements. These pre-commencement conditions have been agreed with the applicant's agent, as has a pre-commencement drainage condition.

A Design and Access Statement and plans have been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations). Consequently, it is considered that the proposal would have a positive impact on the listed building, meeting the requirements of Policies C11, CS16 of the HBLP (Core

Strategy) and DM20 of the HBLP (Allocations) and the statutory duty set out in Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) Loss of employment site

Policy DM3 of the Core Strategy requires that it is "...demonstrated through an active and exhaustive marketing process..." "... that the site is not fit for purpose for B use employment purposes." No such marketing process has been submitted, in support of the application.

The lack of evidence of marketing has to be weighed carefully in the overall planning balance, as under Policy UE33 of the Local Plan (Allocations) Eastleigh House and the surrounding area, has been allocated for housing in the adopted local plan, with such housing being developed on the site. As stated above, the proposal would be beneficial to restoring and repairing the listed building, which is positive and accords with the aims of Policies CS11, CP16 and DM20 and national advice. Such restoration and repair may not be forthcoming, if the Class B1 (a) use continues with a new occupier; if such an occupier can be found. Therefore, on balance, and having due regard to all material planning considerations, it is considered that the weight afforded to residential use proposed by the scheme, outweighs the continued use of part of the building for employment purposes.

(iii) Impact upon residential amenity

The proposal would intensify the proposed residential use of Eastleigh House, which has not yet commenced. However, the layout of the 7 flats, would be physically separated within the building from the houses granted planning permission under reference 15/01103, which are still under construction. Therefore any impact, which would not be detrimental, would be on new occupiers, not existing. As to residential development within the locality the closest property (development to the north under construction) is approximately 15 m to the north, with an access road in between. The windows on the north elevations would be in rooms 10 (ground floor) and 13 (first floor) providing light for bedrooms which would have oblique views into front gardens, not private amenity space. The position would be the same with the conservatory on the east elevation with a separation of approximately 18 m. The proposal would have an acceptable impact on the residential amenity of neighbouring properties.

The size of 4 flats fall below the standards set out in Policy HE1 of the emerging local plan as they are under 50 sq m. However, at this stage, little weight may be given to this emerging policy. That said the flats under 50 sq m which would be 43, 46 (2), and 48 sq m respectively, are considered to be appropriate for future occupation, when taking into account the overall planning balance, which includes the repair and restoration of this listed building.

As to amenity space for residents, this would be provided by lawned amenity space to the south and east. The size of the amenity space is considered to be more than sufficient for the proposed development.

As to Policy E12 of the emerging local plan and low carbon design, again little weight may be given to this policy at this stage. Further, this is a Grade II listed building, where the Local Planning Authority would be seeking minimal changes to the interior and exterior fabric of the building. Notwithstanding, the limited weight that may be given to this emerging policy, listed building considerations override low carbon design consideration in the conversion of this building.

(iv) Highways / parking considerations

The Highway Authority and the Council's Traffic Team has raised no objection to the application. Six new car parking spaces are proposed for these 6, 1 bedroomed flats, which the agent has advised are likely to be allocated. With regard to the cycle store this has been increased to 5 hoops, to allow secure parking for 10 cycles. This accords with the standards for car parking and cycle provision in Havant's Supplementary Planning Guidance for car parking.

(v) Trees

The Council's Arboricultural Officer refers to an anomaly between the Tree Constraints Plan (Drawing Number C18/060.TP1), which does not "... quite reflect the Tree Protection measures outlined on the Barrell Tree Consultancy Report Plan (Drawing Number 15362-BT2)". However, subject to the development following the Barrell Plan for tree protection no objection is raised. A condition to this effect is proposed.

(vi) Developer Contributions and Nutrient Neutrality

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 20 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 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Havant.

The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross new internal floor space for the dwelling has been calculated by the agent as 385 sqm which generates a total CIL liability of approximately £43,037.50. The applicant is not claiming self build exemption.

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 both the increase in recreation and the decrease in water quality that would be results of the proposed development.

The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

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. The applicant has indicated a willingness to a grampian condition/enter into

a legal agreement to secure the mitigation packages.

A Unilateral Undertaking has been completed and returned for the Solent Mitigation Recreation Strategy and the fee of £2,199.80 has been paid

8 **Conclusion**

The proposal would restore and repair the listed building, would not be harmful to residential amenity, incorporates appropriate levels of car parking/cycle storage and the developer contributions have been secured. The proposal is therefore recommended for conditional planning permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00156 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:

Design & Access Statement

Location Plan - drawing no. C18/060.01

Existing site plan - drawing no. C18/060.01

Existing ground floor plan - drawing no. C18/060.03

Existing first floor plan - drawing no. C18/060.04

Existing roof plan - drawing no. C18/060.05

Existing north elevation - drawing no. C18/060.08

Existing south elevation - drawing no. C18/060.06

Existing east elevation - drawing no. C18/060.07

Existing west elevation - drawing no. C18/060.09

Proposed site plan - drawing no. C18/060.10 A

Proposed ground floor plan - drawing no. C18/060.11

Proposed first floor plan - drawing no. C18/060.12A

Proposed roof plan - drawing no. C18/060.13

Proposed north elevation - drawing no. C18/060.16

Proposed south elevation - drawing no. C18/060.14

Proposed east elevation - drawing no. C18/060.15

Proposed west elevation - drawing no. C18/060.17

Drainage plan - 300 SO1 P2

Tree protection plan - drawing no. C18/060.TPI

Barrell's tree protection plan - drawing no. 15362-BT2

Reason: - To ensure provision of a satisfactory development.

- 3 No alterations to the existing chimney stacks, fireplaces or window shutters shall be undertaken without express written approval of the Local Planning Authority.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

- 4 All new works and making good of the retained fabric whether in internal or external shall be finished to match the adjacent work with regards to the methods used and to material, colour, texture, profile and style.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

- 5 Any new outside rainwater and soil pipes must be made out of metal and painted black.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

- 6 The hereby approved internal partition walls shall be inserted in such a way that the original features are preserved in situ.

Reason – to safeguard the architectural and historic character of the listed building or to ensure the detailing and materials maintain the architectural interest of the building.

- 7 Prior to the commencement of work, details shall be submitted to and approved in writing by the Local Planning Authority to show:-
a) the means of upgrading the existing doors and frames to meet the prescribed fire safety standards
and/or
b) the design and construction of any new fire doors/glazed screens.
c) the design, location and method of fixing any new fire prevention/detection systems e.g. smoke detectors, alarms.
d) the means of providing noise isolation between units.

Reason - To ensure that such details are appropriate to the character, architectural and historic interest of the listed building. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 8 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; 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 development 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 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 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.

- 9 The acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, and between levels, shall meet BS8223:2014 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.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

- 10 The car 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.

- 11 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and 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.

- 12 The development shall be undertaken in accordance with Barrell Tree Consultancy Report Plan (Drawin Number 15362-BT2), which shall include tree protection.

Reason: To secure the conservation and enhancement of existing natural features and having due regard to Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.